

## EXTENSIONS OF REMARKS

## FAST-TRACK AUTHORITY

## HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 14, 1998*

Mr. TRAFICANT. Mr. Speaker, Article I, Section 8 of the Constitution of the United States of America states: "Congress has the power to lay and collect . . . Duties and to regulate Commerce with foreign Nations." Article II, Section 2 of the Constitution of the United States of America states: "Treaties with foreign governments shall be confirmed by a two-thirds majority of the Senate." However, over time, Congress has given away its Constitutional authority and responsibilities to the Executive Branch.

Take fast-track authority, for example. Fast-track proponents claim that this legislative authority is needed to expedite the negotiating process as well as consideration of the implementing legislation through the establishment of deadlines for various legislative stages, a prohibition on amendments, a limit on debate, and a requirement for an up-or-down vote. There are several myths and untruths associated with this argument, however.

The big myth is that the President needs fast track to negotiate trade agreements. The President already has the Constitutional power to conduct foreign affairs and negotiate international trade agreements. However, because Congress must approve any changes to U.S. law that result from trade agreements, fast track proponents purport that fast track is needed to strengthen the President's stance during trade negotiations and expedite consideration of the implementing legislation. The truth is, the President needs fast track so he can ignore the opinions of the vast majority of Members of Congress.

Fast-track authority, in theory, protects Congress from the delegation of Constitutional authority through the notifications and consultations the President must provide to Congress prior to, and during, trade negotiations. In practice, however, Congress has handed over its Constitutional powers on a silver platter. The President has ignored the directives of large minorities in Congress regarding environmental protection, labor standards and American jobs, then bought the votes of a few with personal promises to gain the simple majority needed for passage.

The fact is, the archetype fast-track legislative authority was designed to give the President additional authority to negotiate customs classifications only. Experience has shown item-by-item consideration of the tariff schedule by Congress to be an arduous process, so the President was granted the ability to negotiate the small points. The bottom line is, the original fast-track was never intended to grant the President the broad authority over a vast array of non-tariff issues he enjoys today.

Another myth claims that fast-track process is needed not only to negotiate, but to simply get the trade agreement through the legislative process. Converse to popular thought, however, the fast-track procedure has rarely been implemented. Over 200 trade agreements have been enacted without fast track authority while only five trade agreements have been enacted under this procedure.

Clearly, fast-track authority has digressed from the original intentions of Congress. The President now has broad authority, while Members' hands are tied. Consultations are with a privileged few and merely a formality for the body as a whole. I have introduced legislation to authenticate fast-track legislative authority.

The Trade Act of 1974 recognizes the fast track mechanism as an "exercise of the rule-making power of the House . . ." and maintains the "constitutional right of either House to change its rules at any time, in the same manner and to the same extent as any other rule of the House." In other words, the House may change its rules as it sees fit. The erosion of fast-track legislative intent is more than enough reason for the House to change its rules.

The legislation, H. Res. 497, amends the rules of the House to require a two-thirds majority vote on any legislation that either authorizes the President to enter into a trade agreement that is implemented pursuant to fast-track procedures, or that implements a trade agreement pursuant to such procedures. By requiring a two-thirds vote rather than a simple majority, the President will no longer be able to ignore the concerns of the vast majority of Members during negotiations and sweeten the agreement later. Trade agreements will take a consensus of both the legislative and executive branches to negotiate—a constitutionally sound solution of which the Founding Fathers would be proud.

## TRIBUTE TO BILL WILLIAMS

## HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 14, 1998*

Mr. FARR of California. Mr. Speaker, I rise today to salute Bill Williams, soldier, civil servant and civic leader. Bill was born in Newburgh, New York. Mr. Williams passed away this past May. He began his military career in 1943 at the age of twenty and retired from the military, after serving for twenty years and in many capacities, as a highly decorated Major in 1963. Bill's decorations included two Bronze Stars with the "V" Device, two Purple Hearts, a Combat Infantry Badge, service ribbons for the Normandy Invasion, and five Battle Stars for his service in Europe and Korea.

Upon his retirement from the military, Bill began his second career which lasted another

twenty years. He applied the knowledge he had gained as a Training Company Commander while in the Army to his peacetime job in the field of Personnel Management.

During those years, Bill also applied his leadership skills as an officer in service clubs and veterans organizations. Bill was a life member of the Monterey Peninsula Kiwanis Club, including duties as Lieutenant Governor. He also held leadership posts in many of the other organizations of which he was a member: the Monterey Chapter of the Retired Officers Association, The Northern Military Order of the Purple Heart, The Northern California Region of TROA, The Masonic Liberty Lodge No. 70 of Paris France, and, The Pacific Grove Masonic Lodge No. 331.

I knew Bill as an active advocate for veterans. He kept me advised of matters of concern to the retired military community in the Fort Ord area. Bill vigorously pursued a site for a Veterans Cemetery on the grounds of the decommissioned Fort Ord. I greatly appreciated the work he did as a veteran's liaison in my Monterey office.

Bill leaves a loving wife of 49 years, Maria; his four daughters: Ginger, Debi, Kate and Elaine; and four grandchildren. We will all remember Bill as a fine example of leadership for his nation.

## 100TH ANNIVERSARY OF GREATER COOPER AFRICAN METHODIST EPISCOPAL ZION CHURCH IN WEST OAKLAND

## HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 14, 1998*

Ms. LEE. Mr. Speaker, it gives me great pleasure to rise today to congratulate the Greater Cooper African Methodist Episcopal Zion Church on its 100th anniversary of missionary and community involvement in West Oakland held July 11, 1998. The church, which in 1897 had its humble beginnings on Campbell Street, moved to Union Street in 1929 and is presently located since 1940 at 1429 Myrtle Street, one block west of Market Street amongst the beautiful Victorians of Old Oakland.

Many Bay Area residents will recall the years during and after World War II when Greater Cooper's membership grew to more than 500 as many servicemen passing through the area made Cooper Zion their church home. In the 1950's and 1960's, under the leadership of Rev. G. Lynwood Fautleroy, Greater Cooper shared a music and radio ministry. Fond memories come with thoughts of their renowned Cathedral Choir, which graced the airwaves with their melodious renditions of anthems and spirituals.

Through the years this fine church has reached out to all segments of the community

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Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

through summer youth programs, childcare centers, senior citizens' programs, food ministries for the less fortunate, and a mentoring program for young boys.

The current pastor, the Reverend John A. Harrison, Jr., has the honor of heading this centennial celebration. Since November of 1997, the Greater Cooper has sponsored workshops, praise and worship services, and other ongoing activities to pronounce their joy in being blessed with such a long and rich history.

Together with the Greater Cooper A.M.E. Zion Church, I salute the great multitude of lay persons, those great men and women of Zion whose faith, prayers, and courage have sustained the church through economic struggles, and have helped to secure a permanent place of worship for its posterity.

It is significant that our community recognizes an important stable partner in our society that provides for the betterment and improvement in the quality of life, not only for its members, but the community and neighborhood they are situated. The Greater Cooper A.M.E. Zion Church has been that stable pillar and encouraged by its leadership and members, and it will continue to be a relevant contributor in the 21st century.

MEMORIALIZING CONGRESS TO AMEND TITLE TEN, UNITED STATES CODE RELATIVE TO THE COMPENSATION OF RETIRED MILITARY

**HON. PATRICK J. KENNEDY**

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 14, 1998

Mr. KENNEDY of Rhode Island. Mr. Speaker, I submit the following for printing in the RECORD:

STATE OF RHODE ISLAND SENATE RESOLUTION  
98-2995

Whereas, American servicemen and women have dedicated their careers to protect the rights we all enjoy; and

Whereas, Career military personnel endured hardships, privation, the threat of death, disability and long separations from their families in service to our country; and

Whereas, Integral to the success of our military forces are those soldiers and sailors who have made a career of defending our great nation in peace and war from the revolutionary war to present day; and

Whereas, There exists a gross inequity in the federal statutes that denies disabled career military equal rights to receive Veterans Administration disability compensation concurrent with receipt of earned military retired pay; and

Whereas, Legislation has been introduced in the United States Congress to remedy this inequity applicable to career military dating back to the nineteenth century; and

Whereas, The injustice concerns those veterans who are both retired with a minimum of 20 years, are denied concurrent receipt of hard earned military longevity retirement pay and Veterans Administration awards for service connected with disability; and

Whereas, Career military earn retirement benefits based on longevity of twenty years for honorable and faithful service and rank at time of retirement; and

Whereas, Veterans administered compensations serve a different purpose from longevity retired pay and are intended to compensate for pain, suffering, disfigurement, chemicals, wound injuries and a loss of earning ability and have a minimum requirement of 90 days of active duty; and

Whereas, The prevailing idea that military retirement pay is "free" is false. There is a contribution to retirement pay, which is calculated to reduce military base pay and retirement pay by approximately seven percent when pay and allowances are computed and approved by Congress; and

Whereas, Traditionally, a career military person receives a lower pay and retirement than his or her civilian counterpart and has invested a life of hardships and long hours without the benefit of overtime pay and lack of freedom of expression through the unions; and

Whereas, The Veterans Administration awards dependents allowances to disabled veterans with a thirty percent (30%) disability or more for each dependent, which allowances are increased with the amount of disability; and

Whereas, The Department of Defense deducts the entire amounts of dependents allowance, essentially leaving the disabled military retiree with no dependents allowance and that extends the discrimination to the families of military longevity retirees; and

Whereas, It is unfair to require disabled military retirees to fund their own Veterans Administration compensation by deductions on a dollar for dollar basis in the Department of Defense; and

Whereas, No such deduction applies to similarly situated federal civil service or Congressional retirement benefits to receive Veterans Administration compensation; and

Whereas, A statutory change is necessary to correct this injustice and discrimination in order to insure that America's commitment to national and international goals be matched by the same allegiance to those who sacrificed on behalf of those goals; now therefore be it

Resolved, That this Senate of the State of Rhode Island and Providence Plantations hereby urges the United States Congress to amend title ten, United States Code relating to the compensation of retired military, permitting concurrent receipt of military retired pay and Veterans Administration compensation, including dependents allowances; and be it further

Resolved, That the Secretary of State be and he hereby is authorized and directed to transmit a duly certified copy of this resolution to the President of the United States, Secretary of Defense, Senate Majority and Minority Leaders of the U.S. Congress, Speaker of the House, Committee Chairman of the Senate Armed Forces Committee and Veterans Affairs Committee, House Committee Chairman, National Security and Veterans Affairs Committee, and each member of the Rhode Island Delegation to Congress.

TRIBUTE TO MARY LOU AND MORT ZIEVE

**HON. SANDER M. LEVIN**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 14, 1998

Mr. LEVIN. Mr. Speaker, on Wednesday, July 22, the Institute of Human Relations of

the American Jewish Committee will present its Distinguished Community Service Award to two indeed distinguished citizens of Michigan, Mary Lou Simons Zieve and Mort Zieve.

Each has followed their own very busy and highly successful careers in the world of communication. No matter how intensive those challenges, they always have found time to participate in a diverse range of community activities. In quite a few of these, I have been privileged to participate with one or both of them or to see them in action. The result of their efforts have always been impressive and have benefitted thousands of fellow or sister citizens.

Mary Lou Zieve's broad community activities have included: President of the Detroit Historical Society (since 1994); honorary Life Member of the Karmanos Cancer Institute Board of Trustees; Chair of the Advisory Board of Wayne State University Press; a member of the Boards of the Greater Detroit Interfaith Round Table, the Michigan Historical Center Foundation in Lansing, Eton Academy and many others. She was producer of the Detroit area Jerry Lewis Telethon for five years, president of the Detroit chapter of American Federation of Television and Radio Artists; and founder and president of the Jewish Ensemble Theatre.

Mort Zieve's public endeavors have included: key publicity undertakings for the Michigan Opera Theatre and board member for 25 years; director of two productions at the Jewish Ensemble Theatre; Co-Chair of Detroit's Official Annual Birthday Party; and on the Mayor's Committee to structure the 300th birthday of the City in 2001. Mort Zieve has also received the Humanity in Arts Award for Musical at Wayne State University.

Mary Lou and Mort Zieve have been honored by the Karmanos Cancer Institute. In addition, Mary Lou has received the Leonard N. Simons History award from the Jewish Historical Society of Michigan and the Distinguished Alumna Award from Kingswood School Cranbrook.

It is my privilege to salute my distinguished fellow Michiganders and good friends on the receipt of a recognition so well deserved.

TRIBUTE TO JOSEPH MARINI

**HON. SAM FARR**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 14, 1998

Mr. FARR of California. Mr. Speaker, I rise today to honor a confectioner, Joseph Marini, Senior, who delighted our towns-people and provided fond memories to generations of beach goers. Mr. Marini passed away this past spring.

The mouth-watering treats in his sweet shops included traditional salt water taffy, spun on a vintage machine that has mesmerized young visitors since 1922. Mr. Marini devised candy dipped fruit, with cinnamon or cherry coatings, as well as chocolate flavors. Cotton candy was another popular item especially with the trick or treaters who visited Mr. Marini at his home on Halloween. Eventually, when the throngs of children numbered over

1200, the giveaway was discontinued. Many a vacation will be remembered by the aroma of caramel corn that wafted along the Beach Boardwalk.

As central as his business was to the life of the Santa Cruz community, Joseph Marini made another contribution. He imbued countless young high school students with life-long values, by employing them, instructing them with clear guidance, and providing a living example with his own matchless work ethic. This training came from a man who was known for mischief and pranks when a youngster himself. His conversion came when his father, who started the business, brought his 10-year old son into the shop to help. It took a special ledge to boost the boy high enough to wrap taffy kisses.

The candy business became so central to his life that he continued to diligently appear at his store long after younger members of his family were charged with daily operations. The candy business became so central to the life of the community, that Santa Cruz without Marini's is unimaginable.

Joseph Marini, Senior gave this locale its own special flavor. He will be greatly missed and long remembered.

#### HONORING DR. JAMES G. LAWS

### HON. TONY P. HALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 14, 1998

Mr. HALL of Ohio. Mr. Speaker, I rise today to pay tribute to Dr. James G. Laws, a man with a sincere passion for improving the lives of the people who suffer in remote areas of the world. He sets an example that we all should strive to follow and I am proud to have such a man in my district. Dr. Laws is the president of Knightsbridge International, a humanitarian relief organization. As such, he works on relief missions which bring much needed medicines to remote areas of the world. Dr. Laws often finances them himself and personally delivers the supplies. His commitment regularly brings Dr. Laws into the midst of armed conflicts, but he persists. For his dedication, his bravery, and his generosity, Dr. Laws deserves our thanks.

Dr. Laws is a cardiologist from Germantown, Ohio and a member of the Knights of Malta, an order dating back to the Crusades. Together with Dr. Edward Artis, a friend and fellow Knight, Dr. Laws cofounded the humanitarian relief group, Knightsbridge International.

In 1994, Dr. Laws, Dr. Artis, and Knightsbridge were active in Rwanda. One of their successful missions is a remarkable story. A boy was lost in a sea of refugees after having watched his mother and sister murdered by soldiers. His father, who was studying in New Orleans, somehow spotted him on a newscast from Africa. The man appealed to Knightsbridge for help in finding the beloved son he had believed to be dead. Dr. Laws and his organization tracked down the terrified boy and brought him back to his grateful father.

That same year, Dr. Laws also helped to deliver 25,000 doses of antibiotics to needy

clinics in Rwanda, and helped facilitate a contribution of a quarter of a million dollars to an orphanage built with Mother Teresa's help.

In 1996, Dr. Laws and Dr. Artis traveled to Nicaragua to investigate the possibility of constructing a new clinic on Corn Island. They envisioned a small, multipurpose medical center and dental facility which would be accessible to the impoverished islanders. Today, the clinic is fully functional. It provides the people of Corn Island with much needed health care and works together with the local clinic.

In 1997, Dr. Laws secured the donation of a cardiac unit from the Grandview Hospital of Dayton and transported it to Bishek, the capital of Kyrgyzstan. The donation upgraded the hospital's heart facility and enabled it to provide better medical care. Dr. Laws also was active in Azerbaijan, Daghestan, and Chechnya, helping deliver hundreds of thousands of dollars worth of medical supplies to them.

Most recently, Dr. Laws, Dr. Artis, and Knightsbridge International have been working to relieve the suffering in Afghanistan. Their first humanitarian mission took them to Kabul, where they provided local hospitals with \$250,000 in medicines and medical supplies. Subsequent trips were to Bamiyan, the capital city of the Northern region, where some 400,000 people were on the verge of dying from hunger and disease. Dr. Laws defied death threats and braved a civil war zone to personally help bring more than a million dollars worth of critical medicines to the suffering people of Hazaristan.

Mr. Speaker, it is with pleasure that I ask you and my colleagues to join me in acknowledging the lifesaving work that Dr. James Laws does. He is a hometown hero whose activities I observe with pride. He has proven himself to be a true humanitarian who is dedicated to easing all suffering. His missions have brought relief and improved medical resources to countless communities, and, I hope, to many more to come. Dr. James Laws deserves our respect and thanks for the compassion he has shown, and continues to show, to the needy people of the world.

#### A TRIBUTE TO GENE BELLISARIO

### HON. VIC FAZIO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 14, 1998

Mr. FAZIO of California. Mr. Speaker, I rise today to pay tribute to Gene Bellisario, a longtime supporter of education. Gene, president of the Yuba College Board of Trustees, is retiring from the Yuba College Board after five terms.

Gene Bellisario, a graduate of Yuba College, credits his success in the world of business to retired Yuba College instructor Harry Clinton, who first encouraged him to apply for a position at the Credit Bureau of Sutter County. That first position eventually led him to open a credit bureau of his own, and recently Gene sold his business, the Credit Bureau of Placer County, and retired.

For close to 40 years, Gene Bellisario has been an outstanding member of the commu-

nity, both in business and in education. He is currently serving in his fourteenth year as a trustee of the Yuba College Board. Previously, he was a member of the Lake Tahoe Community College Board for six years. A popular figure at Yuba College, Gene was the top vote getter four of the five times that he ran for election as a trustee. During his tenure on the Yuba College board, he served in several capacities, including president, vice president, and clerk. The students, faculty, and administrators will sorely miss his presence at the college when his term ends and he retires at the end of 1998.

Gene Bellisario has continually striven to improve the quality of college trustees throughout the state. He has represented the Yuba College district at community college trustee workshops in Washington D.C., and he has served as a "mentor trustee" for other community college trustees in California. These efforts to learn and promote responsible trusteeship are a reflection of Gene's commitment to higher education.

Still active members of the community, Gene and his wife Peggy now concentrate on philanthropy. As a demonstration of their continuing belief in education, the Bellisarios have funded the Bellisario Family Trust which benefits both the Yuba College and Lake Tahoe Community College Foundations.

Mr. Speaker, I ask my colleagues in the House of Representatives to join me in honoring Gene Bellisario, and I personally extend my sincere appreciation for all he has done for the Yuba community during his many years of dedicated service.

#### TRIBUTE TO MARY MULLIGAN

### HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 14, 1998

Mr. LEVIN. Mr. Speaker, I rise today to honor Mrs. Mary Mulligan on the occasion of her retirement from the Barbara Ann Karmanos Cancer Institute after 45 years of untiring and devoted service in cancer-related institutions.

Mrs. Mulligan's career began in 1953 when she helped establish an office in Mt. Clemens for the Macomb County Unit of the American Cancer Society. The office provided support, guidance and medical care to cancer patients—free of charge.

Her success in recruiting volunteers and aiding patients in this office, led to her involvement in the creation of 13 additional offices in Macomb County which ultimately served as the blueprint for offices that later opened in Wayne Oakland and Monroe Counties.

Over time, the American Cancer Society evolved into the Michigan Cancer Foundation and eventually became known as the Karmanos Cancer Institute.

Mrs. Mulligan continued her involvement in recruitment and education awareness and is retiring now as the Director of Volunteer Administration for the entire Karmanos Cancer Institute.

Mr. Speaker, I ask my colleagues to join me in honoring Mrs. Mary Mulligan for the caring,

good will and effort she has devoted to help cancer patients over the many years. I wish her continued good health and happiness in the future.

#### ENDING THE MARRIAGE TAX PENALTY

### HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 14, 1998

Mr. BEREUTER. Mr. Speaker, I highly commend to my colleagues this July 2, 1998, editorial from the South Sioux City Star supporting the end to the marriage tax penalty.

#### TIME TO END MARRIAGE TAX PENALTY

Of all the external challenges to marital bliss, the least expected and the most unforgivable is the one posed by your own government.

Married couples are subjected to what is described as the "marriage tax."

Every year, more than 21 million couples are penalized for no other reason than they chose to come together in holy matrimony. It's unfortunate that a 1040 form comes between some couples who would like to get married, but would pay a financial penalty.

The breakup of the family is a leading cause for many of America's social problems. Washington should advocate policies that strengthen families, not weaken them. Yet punishing working families is what the current tax code does through a cold mathematical calculation on a piece of paper.

To correct this immoral inequality, the Marriage Tax Elimination Act (HR 2456), has been introduced. It would eliminate the penalty levied on nearly half of America's married couples. On the average, most couples must produce an additional \$1,400 at tax time. Given the fact that two-income households have been the norm rather than the exception for years, the marriage tax needs to be eliminated.

The Marriage Tax Elimination Act would restore equilibrium by allowing couples to choose their filing status either jointly or singles, whichever produces the most savings.

The MTE Act was introduced in Congress with the support of the majority of the sophomore class and the Republican leadership. It already has 180 cosponsors and the support of such organizations as Americans for Tax Reform, Independent Women's Forum and National Taxpayers Union.

With such broad-based support you'd think the Marriage Tax Elimination Act should have no trouble moving through Congress. But the MTE is a tax cut and you know the difficulty of getting Congress to cut taxes in any area.

#### TRIBUTE TO GARY TATE

### HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 14, 1998

Mr. FARR of California. Mr. Speaker, I rise today to honor Gary Tate, an innovative leader and passionate advocate of the open spaces, parklands and the natural resources of Monterey Peninsula, Carmel Valley and the Big Sur Coast.

Gary is retiring in July from his position as General Manager of the Monterey Peninsula Regional Park District after having served continuously for 25 years. First employed in June of 1973, soon after the District was formed, Gary was the only employee for 13 years. Fresh from the East Bay Regional Park District, Gary was only 29 years old when he was hired to manage an agency that did not exist. From an office that was 10 feet square, Gary set to work, seizing every opportunity to preserve open space and parklands.

Garland Ranch was Gary's first purchase in 1975. The dedication of its opening was my first public role as a new Monterey County Supervisor. On that glorious day, Gary met me with a big white mare to ride the five miles to the dedication. It became a red, white and blue dedication: white was the horse, red was my bottom, and blue was my body.

In the Park District's first quarter century under Gary's leadership, 23 projects throughout the Monterey Peninsula have been completed, resulting in the acquisition and protection of more than 7,500 acres that include river and pond wetlands, redwood and Monterey Pine forests, coastal dunes and beaches, and a wide variety of cultural and historic resources. In addition to garnering the necessary funding for these projects, Gary has trained a corps of volunteers, developed a support organization "Friends of the Park" and hired and supervised new members of the staff, now eight in all. Gary has the high esteem of his peers and the environmental community, and has been commended by the Sierra Club for his outstanding public service.

Some of the specific projects started and concluded by Gary include:

Formation of the Joint Powers Agency with the cities of Monterey and Seaside to acquire and preserve the lake at Laguna Grande and develop a park there;

Development of the regional Monterey Bay coastal trail;

A decade-long effort to correct the Local Coastal Plan of Sand City, resulting in an agreement with Sand City and California State Parks to preserve 70 percent of Sand City's coastline as a state beach; and

Acquisition of more than \$5 million in grant funding from federal, state and private sources, to acquire and preserve open space parklands on the Monterey Peninsula.

Gary and his wife Sheri will continue to live in Carmel Valley where they have raised two daughters, Carrie and Christen, Gary, never idle, will be renovating his home, supervising a youth center building project for his church, hiking in Garland Park, and going fishing. He will remain active with the Hatton Canyon Coalition, which is seeking alternatives to a proposed freeway project. Gary will always be a steward of the area he calls home.

Gary himself has said "My 25 years with the District have been a never-ending challenge and a very rewarding experience." However, Gary's spectacular success, achieved through his clear vision, single-minded determination and energy, has made him our environmental hero. He has my very best wishes for continued health and happiness in his retirement. Gary Tate has left a special legacy that will be enjoyed by visitors and residents of the Monterey area in perpetuity.

#### CONGRATULATIONS TO BEE DEVELOPMENT AUTHORITY

### HON. RUBÉN HINOJOSA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 14, 1998

Mr. HINOJOSA. Mr. Speaker, I rise today to mention a very exciting project that is occurring in the 15th Congressional District of Texas, which I am privileged to represent. This Spring, negotiations were completed for the sale of the former Naval Air Station, Chase Field land by the Department of the Navy to the City of Beeville. Subsequently, the City conveyed title to a portion of the land to the Bee Development Authority (BDA) in Beeville, Texas, thereby paving the way for the BDA to move forward with plans for the development of an industrial complex. This is a significant revitalization effort that has been in the works for years—one that is going to be a terrific boon to the community in terms of both jobs and economic benefits.

The Chase Field Industrial Complex would not be a reality today were it not for the foresight and perseverance of all the members of the Bee Development Authority. They are the individuals I want to take this occasion to congratulate. Quite simply put, they're an exceptional group.

Accomplishing this goal was by no means an easy feat. What it required was commitment, teamwork and, above all, a creative strategy. The Bee Development Authority combined energy—talent—and vision—and in so doing once again proved the age old adage that where there's a will, there's a way. It's a perfect example of what can be accomplished when ingenuity is mixed with perseverance.

Time has a way of passing very quickly. Days turn into weeks, weeks into months, and the next thing one knows, years have gone by. One day, and I predict it won't be all that far in the future, Chase Field Industrial Park will seem like it's always been a part of the Beeville landscape. I'm also certain that Chase Field Industrial Park will always be regarded as a milestone in the development of Beeville and Bee County. What a fitting tribute to the members of the Bee Development Authority. What a wonderful legacy. Again, congratulations!

#### INTERNET TAX FREEDOM ACT

SPEECH OF

### HON. CHRISTOPHER COX

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 23, 1998

Mr. COX of California. Mr. Speaker, I introduced the bill we are considering today, H.R. 4105, the Internet Tax Freedom Act, yesterday. It has not been reported to the House by either the Commerce Committee or the Judiciary Committee, or by any committee of Congress. It does, however, represent a synthesis of two bills approved by the Commerce Committee (H.R. 3849) and by the Judiciary Committee (H.R. 3529). Thus, while normally there be one or more committee reports filed in connection with H.R. 4105, there is none. As the

author of the consensus bill, as well as of the original Internet Tax Freedom Act (H.R. 1054), upon which both H.R. 3849 and H.R. 3529 were based, I am pleased to set forth for the Record the author's intent concerning certain key provisions of the bill, notably Section 2 ("Moratorium on Certain Taxes") and Section 7 ("No Expansion of Tax Authority"), since this important information will not be fully reflected in the committee reports accompanying the two previous bills.

REPORT CONCERNING PROVISIONS OF H.R. 4105,  
THE INTERNET TAX FREEDOM ACT  
A. MORATORIUM ON CERTAIN TAXES

Section 2 of H.R. 4105 amends Title 4 of the U.S. Code to add a new Chapter 6 (Sections 151-155). New Section 151 of Title 4 prohibits, for a period of 3 years, State and local governments from imposing, assessing, collecting, or attempting to collect "taxes on Internet access," "bit taxes," "multiple" taxes on electronic commerce, and "discriminatory" taxes on electronic commerce.

1. No taxes on Internet access

New Section 151(a) prohibits, for a period of 3 years, State and local governments from imposing, assessing, collecting, or attempting to collect "taxes on Internet access." It is intended that this temporary ban will be made permanent in the future, as it is envisioned that the legislation submitted to Congress by the Advisory Commission pursuant to new Section 153(b)(5) will include provisions making the 3-year ban on such taxes permanent. The National Governors' Association has already publicly declared its support for such a permanent ban.

The term "Internet access" is defined in new Section 155(7). It means any service that enables users to access content, information, and other services offered over the Internet. It includes access to proprietary content, information, and other services as part of a package of services offered to consumers. It does not, however, mean a telecommunications service. Providers of Internet access often provide their subscribers with the ability to run a variety of applications, including World Wide Web browsers, File Transfer Protocol clients, Usenet newsreaders, electronic mail clients, and Telnet applications. Providers of Internet access may also provide access to proprietary content as well as access to the Internet. American Online, CompuServe, Prodigy, and Microsoft Network are examples of providers of Internet access.

New Section 151(b) provides a limited exception to the moratorium on taxes on Internet access for eight States that presently tax Internet access—Connecticut, Wisconsin, Iowa, North Dakota, South Dakota, New Mexico, Tennessee, and Ohio. Any one of these States' taxes on Internet access would be "grandfathered" if the State enacts a law within one year expressly affirming that the State intends to tax Internet access. The intent of this provision is to "grandfather" only those States that have already come to rely on Internet access taxes as an important source of revenue, and that have expressly described in statute that Internet access is subject to taxation. The reason a further legislative act is required in order to qualify for the exception is that none of the eight potentially "grandfathered" State statutes makes express reference to the Internet. (The Governors of two States that presently tax Internet access—Texas and South Carolina—opted not to have their States' laws included in the "grandfather" provision, because they oppose the taxation of Internet access.)

Because none of the States presently taxing Internet access has a law on the books that expressly authorizes the taxation of Internet access, such taxes are being imposed as the result of decisions made by tax administrators rather than by legislators. For example, a tax administrator may decide that Internet access falls within the definition of existing telecommunications or other taxes, even though the Internet is nowhere referred to or described in the State's law. New Section 151(b)(2), which requires the express codification of such Internet access taxes, is intended to ensure that the significant decision of a State to override national policy against the taxation of Internet access will be made by the State's duly elected representatives. In form, this provision is similar to other instances in which Congress has chosen to make applicability of a Federal law contingent upon the actions of others, including State officials. See *Currin v. Wallace*, 306 U.S. 1 (1939); *North Dakota v. United States*, 460 U.S. 300 (1983); and *Confederated Tribes of Siletz Indians v. United States*, 110 F.3d 688 (9th Cir. 1997).

It is important to note that the "grandfather" exception provided in new Section 151(b) only applies to "taxes on Internet access." It does not apply to the other taxes included within the moratorium—bit taxes, multiple taxes, or discriminatory taxes. As a result of this clear language, even if a State tax on Internet access meets the conditions of the exception set forth in Section 151(b), the tax may nevertheless be barred if it is imposed in a manner that would cause it to fall within the definition of a "multiple" tax or a "discriminatory" tax. Moreover, a tax on Internet access that comes within the "grandfather" provision is not thereby rendered valid for all purposes. Coming within the "grandfather" means only that the tax is only excepted from the moratorium imposed by this Act, not that it is excepted from any other limitations on a State's ability to tax—such as, for example, limitations imposed by the Constitution.

New Section 15(c) provides a further exception to the moratorium to ensure that telecommunications carriers will not avoid liability for taxes on telecommunications services as such. This provision requires that, in order to be covered by the moratorium, a telephone company that bundles telephone service along with Internet access must separately state on the customer's bill the portion of the billing that applies to telephone services.

2. No bit taxes

New Section 151(a)(2) prohibits, for a period of 3 years, State and local governments from imposing, assessing, collecting, or attempting to collect so-called "bit" taxes. A "bit" is an abbreviation for "binary digit," which denotes either a zero or one. The term "bit tax" is defined in new Section 155(1) as any tax on electronic commerce expressly imposed on or measured by the volume of digital information transmitted electronically, or the volume of digital information per unit of time transmitted electronically. It does not include taxes imposed on the provision of telecommunications services. Because bit taxes target digital communications, they would be extremely detrimental to the future of the Internet and extremely costly for consumers. It is for these reasons that State and local governments are barred from imposing any such tax.

3. No multiple taxes on electronic commerce

New Section 151(a)(3) prohibits, for a period of 3 years, State and local governments from

imposing, assessing, collecting, or attempting to collect "multiple" taxes on electric commerce. The term "multiple tax" is defined in new Section 155(8). In general, this definition covers two distinct ways that taxes may become layered in an unfair manner. The first concerns instances where two or more taxing jurisdictions all tax the same service. The second covers instances where one taxing jurisdiction applies a telecommunications tax in a manner that results in the consumer paying the same tax twice: once on the underlying phone service used to connect to the Internet, and again on the Internet service itself.

New Section 155(8)(A) states that a tax is a "multiple tax" if it is imposed by one State or locality on the same or essentially the same electronic commerce that is also taxed by another State or locality. Whether two or more taxes are "multiple" is independent of whether they are levied at the same rate, or on the same basis. A credit for taxes paid in other jurisdictions, or some other similar mechanism for avoiding double taxation, will prevent a tax from falling within this definition. This section is intended to strengthen the protections already afforded by the U.S. Supreme Court against multiple jurisdictional taxation. For instance, in *Goldberg v. Sweet*, 488 U.S. 252 (1989), the Court limited the ability of two States to double-tax the same service by requiring that an interstate telephone call must originate or terminate in the State and must be billed to an in-State address in order for that State to tax the telephone call. In the case of electronic commerce, it is even more important to provide clear protections against multiple taxation. The Internet's decentralized packet-switched architecture means that Internet transmissions almost always cross several jurisdictions. Moreover, the variety of technologies employed to deliver Internet services means that each aspect of a transaction could be subjected to separate taxation—for example, transmission of data and also the data itself—on the grounds that these are not "the same." (For this reason, the definition in new Section 155(8)(A) expressly adds the alternative "or essentially the same.") These factors, combined with the Internet's increasingly portable nature, makes it especially vulnerable to the threat of multiple taxation.

New Section 155(8)(B) states that if a State or local government classifies Internet access as telecommunications or communications services, then any State or local government tax on the underlying telecommunications services used to provide Internet access will constitute a "multiple tax." The definition provides an exception to this rule if the State or local government allows a credit for other taxes paid, a sale for resale exemption, or similar mechanism for eliminating double taxation of the service and the means for delivering the service.

4. No discriminatory taxes on electronic commerce

New Section 151(a)(3) prohibits, for a period of 3 years, State and local governments from imposing, assessing, collecting, or attempting to collect discriminatory taxes on electronic commerce. The term "discriminatory tax" is defined in new Section 155(3).

In the world of multi-state tax law, the term "discriminatory" commonly carries distinct meanings. It is most often used to describe taxes that favor local commerce over interstate commerce. For the purposes of this Act and only this Act, however, new Section 155(3) defines the term "discriminatory" in a manner that is meant to capture

instances where State or local tax policies intentionally or unintentionally place electronic commerce at a disadvantage compared to similar commerce conducted through more traditional means, such as over the telephone or via mail-order. Adopting such a definition of "discriminatory tax" is not intended to disturb Commerce Clause protections against State or local tax laws that burden interstate commerce. Rather, the Act is meant to complement these existing protections.

New Section 155(3)(A)(i) defines "discriminatory tax" as any tax on electronic commerce that is not generally imposed and legally collectable by a State or local government on transactions involving similar property, goods, services, or information accomplished through other means. For example, if a State requires the seller of books at a retail outlet to collect and remit sales tax, but does not impose the same tax collection and remittance obligations on the seller if the same sale is made over the telephone from a mail-order catalog, then the State would be prohibited from imposing collection and remittance obligations on the seller when the transaction occurs in whole or in part over the Internet. A tax is discriminatory if it is imposed on an Internet transaction but not imposed on any other similar transaction off the Internet, or if it is imposed only in some but not all other cases. The property, goods, services, or information need not be identical, but only "similar." This is intended to cover the common phenomenon of "interactive" Internet versions of non-interactive products sold off the Internet. Likewise, any taxation of property, goods, services, or information that is inherently unique to the Internet would be discriminatory, because there is no non-Internet property, goods, services, or information that is similar and that the State generally taxes.

New Section 155(3)(A)(ii) extends the definition of "discriminatory tax" to include any levy by a State or local government that taxes electronic commerce in a manner that results in a different tax rate being imposed on electronic commerce when compared to a transaction that occurred through another means.

(a) *No taxes on Internet-unique property, goods, services, or information*

Taken together, new Section 155(3)(A)(i) and (ii) mean that property, goods, services, or information that is exchanged or used exclusively over the Internet—with no comparable off-line equivalent—will always be protected from taxation for the duration of the moratorium. Examples of Internet-unique property, goods, services, or information include, but are not limited to, electronic mail over the Internet, Internet site selections, Internet bulletin boards, and Internet search services.

(b) *No new collection obligations*

New Section 155(3)(A)(iii) states that a tax on electronic commerce is discriminatory if it imposes an obligation to collect or pay a tax on a different person or entity that would be the case if the transaction were accomplished without using the Internet, such as over the telephone or via mail-order. For instance, a tax is not discriminatory if the obligation to collect and remit it falls on the vendor whether the sale is made off-line or online.

This definition also includes taxes that impose tax collection obligations on persons other than the buyer or seller in an Internet transaction. For example, a tax is discriminatory if it imposes tax collection or tax re-

porting duties on Internet access providers, telephone companies, banks, credit card companies, financial intermediaries, or other entities that might have access to a customer's billing address, since these collection and reporting obligations are not imposed in the case of telephone, mail-order, or retail outlet sales.

(c) *No classification of an ISP as a phone company*

New Section 155(3)(A)(iv) states that a tax on electronic commerce is discriminatory if it establishes a classification of Internet access provider, and imposes a higher tax rate on this classification than on similar information services delivered through means other than the Internet. The term "information services" is expressly defined in new Section 155(5) and in Section 3(2) of the Communications Act of 1934 to exclude "telecommunications service." As a result, neither telephone companies nor similar public utilities, as such, may be "providers of information services delivered through other means" within the meaning of new Section 155(3)(A)(iv). For this reason, the fact that a telephone company or similar public utility service pays tax at the same or a higher tax rate than an Internet access provider will not prevent the tax on the Internet access provider from being discriminatory. In this way, new Section 155(3)(A)(iv) effectively serves to prohibit States and localities from classifying a provider of Internet access as a telephone company or similar public utility service—for example, for the purpose of applying a business license tax—if such classifications are subject to higher tax rates than other non-Internet information services.

(d) *No New "Nexus"*

The definition of "Discriminatory tax" in new Section 155(3)(B) is intended to prohibit States and localities from using Internet-based contacts as factor in determining whether an out-of-State business has "substantial nexus" with a taxing jurisdiction.

This is intended to provide added assurance and certainty that the protections of *Quill v. North Dakota*, 504 U.S. 298 (1992)—including its requirement that substantial nexus be determined through a "bright-line" physical-presence test—will continue to apply to electronic commerce just as they apply to mail-order commerce, unless and until a future Congress decides to alter the current nexus requirements.

In this way, the Act intends to encourage the continued commercial and non-commercial development of the Internet. New Section 155(3)(B) is a direct response to testimony from a State tax administrator, who offered his view to Congress at a July 1997 hearing that the *Quill* protections provided to remote sellers without a substantial in-State physical presence should not apply to businesses engaged in electronic commerce. During the hearing, the tax administrator acknowledged that if a resident of his State were to use the telephone to purchase a good from an out-of-State vendor, his State would not be permitted to impose its tax collection obligations on that vendor unless the vendor otherwise had a substantial in-State physical presence. The tax administrator further testified, however, that if instead the Internet were used to place the order, his State would attempt to require the out-of-State vendor to collect taxes. His rationale was that the flow of data over the Internet into his State, the "presence" of a web page on a computer server located in-State, of the supposed "agency" relationship between the remote seller and an in-State Internet access provider should be enough to give the remote

seller a substantial physical presence in his State.

The Act rejects this approach. The promotion of electronic commerce requires faithful adherence to the U.S. Supreme Court's clear statement in *Quill* that a "bright-line" physical presence—not some malleable theory of electronic or economic presence—is required for a State to claim substantial nexus. Even without the Act, the courts, in light of *Quill*, are likely to view such arguments by State tax administrators with great skepticism. But the Act provides clarity and far greater certainty by specifically outlawing State or local efforts to pursue aggressive theories of nexus. This should result in decreased litigation which will benefit States, localities, taxpayers, and an often overworked court system.

New Section 155(3)(B)(i) defines "Discriminatory tax" so as to make it clear that Congress considers the creation or maintaining of a site on the Internet to be so insignificant a physical presence that the use of an in-State computer server in this way by a remote seller shall never be considered in determining nexus.

New Section 155(3)(B)(ii) defines "discriminatory tax" so as to prohibit a State or political subdivision from deeming a provider of Internet access to be an "agent" of a remote seller. Internet access providers commonly display information on the Internet for remote sellers, and often maintain or update the remote seller's web page. Even if the Internet access provider provides these and other ancillary services (such as web page design or account processing) on an in-State computer server, the provider should not be considered an agent for purposes of taxation.

B. *No expansion of tax authority*

The Act is meant to prevent Internet taxes, not proliferate, encourage, or authorize them. Section 7 of H.R. 4105 expressly states, therefore, that nothing in the Act shall be construed to expand the duty of any person to collect or pay taxes beyond that which existed on the date of enactment of the Act.

Section 7 is specifically intended to make it clear that the Act does not, directly or indirectly, expand the definition of "substantial nexus" beyond existing judicial precedent and interpretations of the Commerce Clause of the United States Constitution. It is intended to negate any possible inference that the Act might subvert existing requirements that interstate activity have a "substantial nexus" (determined through a "bright-line" physical-presence test) with the taxing jurisdiction, and that taxes on such activities be fairly apportioned, be fairly related to the services provided by the jurisdiction, and not discriminate against interstate commerce.

It is fully intended that a State or local tax not barred by the provisions of this Act shall not be valid if such tax would otherwise constitute an undue burden on interstate or foreign commerce.

TRIBUTE TO THE ISRAEL 50TH ANNIVERSARY GALA HONOREES

HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 14, 1998

Mr. SHERMAN. Mr. Speaker, I rise today to pay tribute to an outstanding collection of individuals for their unwavering commitment to the

Jewish Federation of Los Angeles. I would like to take this opportunity to acknowledge the 1997-1998 Jewish Federation Officers Herbert M. Gelfand, Irwin Field, Todd Morgan, Lionel Bell, Carol Katzman, Elaine Caplow, Chuck Boxenbaum, Stuart Buchalter, Jonathan Cookler, Rabbi Harvey J. Fields, Howard I. Friedman, Dr. Beryl Gerber, Meyer Hersch, Harriet Hochman, Evy Lutin, Annette Shapiro, Terri Smooke, Carmen Warschaw, David Wilstein, Mark Lainer, Edna Weiss, David Fox, and Newton Becker for their innovative leadership over the past two years.

The Talmud states "He who does charity and justice is as if he had filled the whole world with kindness." In the spirit of these words, these leaders have infused our community with great kindness, purpose, and pride. Their work strongly represents the Judaic tradition of generosity and concern for others. Their exceptional leadership has been instrumental in laying the foundation for a strong and cohesive Jewish community in the City of Los Angeles.

Mr. Speaker, distinguished colleagues, please join me today in congratulating these leaders for their tremendous dedication to the Jewish Federation.

TRIBUTE TO HIROSHI "HEEK"  
SHIKUMA

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 14, 1998

Mr. FARR of California. Mr. Speaker, I rise today to honor a gentle man, Hiroshi "Heek" Shikuma, whose superior abilities and foresight were instrumental in developing an industry that has become a mainstay of the area economy, while his wisdom and gentleness made him a leader in the spiritual community. Mr. Shikuma passed away this past February.

Mr. Shikuma was born, raised, and educated in the Pajaro Valley. During World War II, he served in the United States Army's Japanese-American 442 Regiment, receiving a Purple Heart after being wounded in combat. Upon his return, Mr. Shikuma began farming in the rich soils of the Pajaro Valley. At that time, local farmers were just becoming aware of the value of strawberries as a crop. Strawberries were selling for an incredible twenty cents a pound in San Francisco. Shikuma Bros. Inc. was established when Heek was joined by his two older brothers, Mack and Kanji. Through hard work and dedication the strawberry industry prospered. The Shikuma family founded the Central California Berry Growers Association, a marketing cooperative that enabled growers to optimize the value of their product. Today the cooperative is known as Naturipe. Mr. Shikuma has been active on the board since 1949, for a time presiding as its president. In 1989, Mr. Shikuma was honored by the Japanese American National Museum and Los Angeles County for his contributions to the California strawberry industry, which now produces more than 70 percent of the nation's berries. In 1993, the Santa Cruz County Farm Bureau named Shikuma Bros. the "Farm Family of the Year."

As successful as Mr. Shikuma was in his business enterprises, he found the time to be a supporter of the community in which he lived. He was a long-time member of the Japanese American Citizens League, and served as president. His family founded the Japanese Presbyterian Church which became the Westview Presbyterian Church in Watsonville. Mr. Shikuma was remembered by his daughter, Nancy, as a "man of high integrity who extended his hand to others in need of help. He always put his family first and never spoke a harsh word to anybody."

Our thoughts are with the family, his wife of fifty years, Chiyeko, his two daughters, Nancy and Anne, his son, Ted, his brother, Mack, and sister, Emi, his grandchild and many nieces and nephews. His loss will be felt profoundly, but the mark he has left on the community is indelible. Heek Shikuma provides a magnificent example of the best in humankind with his special blend of intelligence, diligence and kindness.

TRIBUTE TO HINDU TEMPLE OF  
ST. LOUIS

HON. JAMES M. TALENT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 14, 1998

Mr. TALENT. Mr. Speaker, I rise today to pay tribute to the Hindu Temple of St. Louis and recognize their efforts to celebrate Kumbhabhisheka Mahotsava. I wanted to take this opportunity to enclose the text of some brief remarks I made on Friday, July 3, 1998, which recognizes this outstanding occasion.

Since the Hindu Temple of St. Louis opened in 1991, it has become an integral part of the community. The recent expansion program has resulted in a spectacular temple with architectural roots in the 500-year-old temples of India.

I congratulate the Temple and the community on your success and am honored to share in the excitement of Kumbhabhisheka Mahotsava, the consecration of the Temple. The traditions and rituals steeped in centuries of custom make this a unique and special opportunity for the St. Louis Hindu community.

I wish you peace and joy on this great occasion. May God bless you and your families as you share in the beauty of Kumbhabhisheka.

Mr. Speaker, I ask that you and my colleagues join congratulating the Hindu Temple of St. Louis and wish them all the best on this very special event.

CELEBRATING THE THIRTY-FIFTH  
ANNIVERSARY OF THE WEST ORANGE  
FIRST AID SQUAD

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 14, 1998

Mr. PASCRELL. Mr. Speaker, I would like to take this opportunity to highlight a momentous milestone for the West Orange First Aid Squad in West Orange, New Jersey. This July

the squad will celebrate its 35th Anniversary in service to the public of West Orange.

In the late 1950s to early 1960s the Department of Civil Defense-Disaster Control (CD-DC) in West Orange began a series of residence training programs which focused on "Home Preparedness," fire safety, home protection, and elementary first aid. These sessions were very well attended. At every town function, the CD-DC would have the local boy Scout troop set up a first aid tent to care for minor injuries. For serious injuries, the fire department had an ambulance located at Fire Station #4 on Pleasant Valley Way. The personnel were not properly trained, and the equipment was lacking, but they did the best they could with what was available.

At this time, at a monthly CD-DC meeting a police auxiliary officer proposed creating a first aid unit. Information was gathered from the NJ Safety Council, and various township officials were contacted, resulting in the decisions that an emergency first aid unit should be created. After some debate, it was decided that it would be a separate volunteer organization. Volunteers were sought and a training program was started. Commissioner Edward Roos decided that the volunteers would be able to use the ambulance at station #4 if they passed their training.

The early 1960s saw all of the volunteers passing the first aid course. They were given a uniform of white coveralls with a special insignia. When it was realized that women too were taking the course, and a decision was reached that the squad would be an all-male operation, the women created an auxiliary called the Gold Cross which was responsible for raising money for the squad.

In 1963, the squad was officially recognized by the township as a separate volunteer medical unit and was granted a charter for "Primary Medical Emergency Medical Service." In the 1970s the number of volunteers grew and the squad was moved to a larger location at 25 Mount Pleasant Place, where it is still located today.

Today, the West Orange First Aid Squad continues to provide free emergency medical care to the Township of West Orange. It is one of the few squads in New Jersey to offer an in-house, 24-hour volunteer crew. Its volunteers go through an extensive training program, and work with the fire department in life threatening emergencies.

Mr. Speaker, I ask that you join me, our colleagues, and the Township of West Orange, as we congratulate the West Orange First Aid Squad on its 35th anniversary and wish it the best of luck in providing service to its community in the years to come.

U.S. SANCTIONS POLICY

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 14, 1998

Mr. HAMILTON. Mr. Speaker, I would like to bring to the attention of my colleagues an important op-ed article on U.S. foreign policy sanctions, published in the June 19 edition of The Wall Street Journal. The article was written by Richard Haas of the Brookings Institution, who was a senior National Security

Council official in the Bush Administration. Mr. Haas argues that unilateral sanctions are ineffective and costly, and he offers wise policy guidelines for future sanctions. The article follows:

#### SANCTIONS ALMOST NEVER WORK

Economic sanctions have never been more popular than they are now. Congress imposes them; the executive branch implements them; even state and municipal governments want to get into the act. More than 75 countries with over two-thirds of the world's population are subject to U.S. economic sanctions—whether aimed at discouraging weapons proliferation, bolstering human rights, deterring terrorism, thwarting drug trafficking, discouraging armed aggression, promoting market access, protecting the environment or replacing governments.

Sanctions are occasionally effective; they probably hastened the end of South African apartheid and constrained Saddam Hussein after the Gulf War. But the record strongly suggests that sanctions often fail or make things worse. Sanctions alone are unlikely to achieve foreign-policy objectives if the goals are ambitious or time is short.

Unilateral sanctions almost never work. Secondary sanctions—trying to compel others to join a sanctions effort by threatening sanctions against them—can seriously harm relationships with the secondary states. Sanctions have caused humanitarian suffering (Haiti), weakened friendly governments (Bosnia), bolstered tyrants (Cuba) and left countries with little choice but to develop nuclear weapons (Pakistan). From a domestic perspective they are expensive, costing U.S. businesses billions of dollars a year and many thousands of workers their jobs.

#### USE SPARINGLY

For these reasons the U.S. should use the weapons of sanctions sparingly if at all. Here are some principles policy makers and Congress should follow:

Avoid unilateral sanctions. The evidence is overwhelming that unilateral sanctions achieve little. Target countries can almost always find alternative sources of goods, capital and technology. For this reason, Washington should rethink its efforts against Cuba and should hold off on going it alone against Nigeria.

Resist resorting to secondary sanctions. It is an admission of diplomatic failure to punish friendly nations that don't comply with a sanction against a foe. It is also an expensive response. The costs to U.S. foreign policy, including relations with major trading partners and the World Trade Organization, almost always outweigh the potential benefits of coercing friends. This is the lesson of U.S. secondary sanctions imposed against Europe and Canada over their refusal to support broad U.S. sanctions against Cuba, Iran and Libya.

Tailor sanctions narrowly. A focused response helps avoid jeopardizing other interests and an entire bilateral relationship over one area of disagreement. Such a response also does less harm to innocent people and makes it easier to garner multinational support. Sanctions designed to stem the proliferation of weapons of mass destruction are a prime example. Where there are transgressions, the U.S. should direct any sanction against the foreign firms involved. If the government is to blame, Washington should cut off technological cooperation or trade in the relevant technologies. Political sanctions should be used sparingly if at all. U.S. officials should resist the temptation to

break diplomatic relations or cancel high-level meetings. Such interactions provide opportunities for U.S. officials to make their case. All of this argues for narrowing the scope of sanctions against India and Pakistan—and not canceling this fall's planned presidential visit.

Don't hold major bilateral relationships hostage to a single issue. This is especially the case with a country like China, with which the U.S. has to balance interests that include maintaining stability on the Korean Peninsula, discouraging any support for weapons of mass destruction or missile programs of rogue states, managing the Taiwan-China situation, and promoting trade, market reform and human rights. A nearly identical argument could be made about applying broad sanctions against Russia because of its transgressions in the realm of missile exports.

Include humanitarian exceptions in any comprehensive sanctions. Innocents should not be made to suffer any more than is absolutely necessary. Including an exception that allows a target nation to import food and medicine should also make it easier to win domestic and international support. A humanitarian exception was made for Iraq—and one should be made for Cuba.

Issue a policy statement to Congress before or soon after a sanction is put in place. Such statements should be clear as to the purpose of the sanction; the required legal and political authority; the expected impact on the target, including its possible retaliation; the probable humanitarian consequences and steps to minimize them; the expected costs to the U.S.; the prospects for enforcing the sanction; and the anticipated degree of international support or opposition. In addition, policy makers should explain why a particular sanction, as opposed to other policy tools, was selected. Once sanctions are in place, policy makers should prepare a similar report to Congress every year. The proposed Sanctions Reform Act, sponsored by Sen. Richard Lugar (R., Ind.) and Reps. Lee Hamilton (D., Ind.) and Phil Crane (R., Ill.) takes many of these steps.

Include an exit strategy in every sanction plan. The criteria for lifting the sanction should be clearly spelled out. Current sanctions often lack this feature: The 1994 legislation that led to sanctions this year against India and Pakistan lacks any road map for how the sanctions might be reduced or lifted.

Allow the president discretion in the form of waivers. This would authorize the president to suspend or terminate a sanction if he judged it was in the interests of national security to do so. Such latitude is needed if international relationships are not to become hostage to one interest and if the executive is to have the flexibility needed to explore whether the introduction of limited incentives can bring about a desired policy goal. Waivers have reduced some of the worst features of legislation that penalizes non-American firms doing business with Cuba, Iran and Libya. And the absence of waivers is likely to haunt U.S. policy toward India and Pakistan, making it more difficult to influence their future decisions involving the deployment or use of nuclear weapons.

Challenge the authority of states and municipalities to institute economic sanctions. The Constitution may not settle the struggle between the executive and legislative branches over the foreign-affairs power—but it clearly limits the struggle to the federal government. Yet states and municipalities are adopting selective purchasing laws that prohibit public agencies from buying goods and

services from companies doing business in or with target countries. The Clinton administration should support efforts to stop states and cities from conducting foreign policy, such as a recently filed lawsuit to enjoin Massachusetts from enforcing its law that would effectively ban the state from doing business with companies active in Burma.

#### REFLEXIVE TENDENCY

All of these proposals have one purpose: to reduce Washington's reflexive tendency to impose sanctions whenever political leaders are not prepared to use military force or carry out more appropriate—but more controversial—policies. Economic sanctions are a serious instrument of foreign policy. They demand consideration as rigorous as that which precedes military intervention. The likely benefits of a particular sanction to U.S. foreign policy should be greater than the anticipated economic and political costs. Moreover, the relationship between how the sanction is likely to affect U.S. interests should compare favorably to the likely consequences of all other policies, including military intervention, covert action, diplomacy, offering incentives (used to manage North Korea's nuclear ambitions) or doing nothing.

U.S. politicians and policy makers often see sanctions as an expressive tool. In fact, they are a form of intervention that can cause great damage to innocent people, as well as to U.S. businesses, workers and foreign-policy interests. In addition, sanctions can reduce U.S. leverage. Elimination of education, training and aid for foreign militaries, mandated by Congress to express displeasure with Pakistan and Indonesia, reduces U.S. influence with a powerful constituency in both those countries.

Foreign policy is not therapy. Its purpose is not to feel good but to do good. America's leaders should keep this in mind whenever they consider the imposition of sanctions.

#### CENTENNIAL ANNIVERSARY OF GUAM JOINING UNITED STATES FAMILY AND INTRODUCTION OF H. RES. 494 REGARDING THE CENTENNIAL

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 14, 1998

Mr. MILLER of California. Mr. Speaker, today I rise to say congratulations and Hafa Adai to our fellow citizens in Guam marking the centennial of the American flag being raised on the island. In one hundred years Guam and its residents have provided a vital service to our national security and international relations within the Asian-Pacific region. In recognition of the centennial anniversary, Delegate ROBERT UNDERWOOD has introduced H. Res. 494 to bring our attention to the relationship between Guam and the United States and to highlight the work that still remains to be done. I am proud to be an original cosponsor of Mr. UNDERWOOD's legislation.

When the Japanese military temporarily seized control of Guam during World War II, many Guamanians suffered greatly for their loyalty to the United States. Although its residents were not yet American citizens, many hid and protected Americans throughout the

occupation and did so at their own peril. The patriotism and bravery shown was unflinching and should never be forgotten by the people of our nation.

Many of Guam's residents wish to change the current relationship with the Federal government. I firmly believe in the right of Guamanians to determine for themselves what is best for their future welfare. If the people of Guam believe that is best achieved through a change of status and becoming fully self-governing, then I will assist in that endeavor. In addition, we have had a hearing on Guam's Commonwealth legislation this Congress and we need to continue to work on that proposal.

Many activities continue to be held here in Washington and across Guam to mark the centennial anniversary. Some are light and joyous while others are more somber and reflective—but while the festivities continue in Hagatna and throughout Guam—let us be mindful of the past but with an eye towards the future.

Mr. Speaker, I call on you to schedule Congressman UNDERWOOD's legislation, H. Res. 494 for consideration by the House of Representatives before the August recess so the people of Guam know that this Congress is respectful of the unique history we have with them and the commitment to their future.

#### INTRODUCING A BILL TO ESTABLISH THE TUSKEGEE AIRMEN NATIONAL HISTORIC SITE

##### HON. BOB RILEY

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 14, 1998*

Mr. RILEY. Mr. Speaker, despite a widespread belief that they did not have the ability as black aviators to be effective war fighters, the famed Tuskegee Airmen of World War II proved that they were among the best pilots in the European Theater.

Affectionately known by the bomber crews they protected as the "Red Tails" (for the red paint on the tails of their fighters), the pilots of Tuskegee did not lose one bomber in their care to enemy fighters. As a result of their heroic service, the Tuskegee Airmen were one of America's most highly decorated fighter groups of World War II.

But the contributions of the Tuskegee Airmen did not end with the war. Because of their demonstrated ability as an effective fighting force and their individual heroism, the Tuskegee Airmen gave President Harry S. Truman the proof he needed to justify his decision in 1948 to desegregate the U.S. military. Finally, the Airmen's success served as an inspiration for the civil rights movement in following decades.

Mr. Speaker, today, I, along with my colleague, Congressman EARL HILLIARD, will introduce legislation in the House of Representatives that will designate the Tuskegee Airmen National Historic Site at Moton Field, Alabama, as a unit of the National Park Service. Ultimately, this legislation will allow the Park Service to tell the American people the complete story of the brave men at Tuskegee who overcame racism and intolerance in their own

#### EXTENSIONS OF REMARKS

nation so that they could fight racism and intolerance in Europe.

Mr. Speaker, we should neither discount nor forget the impact of the Tuskegee Airmen on the "American Experience." The Tuskegee Airmen, in my view, should be immortalized, honored and thanked for their courageous and selfless efforts to preserve and protect the freedom that every American enjoys. We can do that by passing this measure.

#### TRIBUTE TO JASON BELL

##### HON. BOB BARR

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 14, 1998*

Mr. BARR of Georgia. Mr. Speaker, oftentimes, we read in the newspapers or hear on television, all the problems faced by our youth in today's society. I want to share with you the story of a young man who overcame adversities, set goals for himself, and achieved those goals: Jason Bell.

Jason Bell has resided in Rockmart, Georgia his entire life. I first met Jason when he entered the Seventh District Congressional Art Competition in 1997. He wasn't awarded first place that year but he didn't quit. This Spring, Jason was the winner of the Congressional Art Competition for the Seventh District of Georgia.

Jason's art teacher, Mrs. Christine Parker, teaches at both the elementary, middle, and the high school levels in Rockmart. She watched as Jason developed an interest in painting and pottery while in middle school. His skills continued to improve. Mr. Terry Lindsey, an executive with Engineered Fabrics, a prominent company headquartered in Rockmart, befriended Jason, through a Mentor Program, and watched with pride as Jason continued to achieve excellence in his studies and in his artworks.

During his four years of high school, Jason received numerous honors which included Governor's Honors, Boys State Award, Who's Who Among American High School Students, Beta Club, and others. After graduation this summer, Jason received The Shorter College Presidential Scholarship, which will pay all expenses for a four-year degree. Other academic scholarships awarded to Jason were the Rome Elk Club Scholarship, Rockmart Rotary Club Scholarship, the Temple Inland Foundation Scholarship, and an additional academic scholarship from Shorter College as a result of his being selected the winner in the Congressional Art Competition.

Jason will attend Shorter College in Rome, beginning this fall, to study chemical engineering. His family, teachers, friends, his community, and his Congressman, are very proud of Jason Bell, and are fully confident he will not only succeed at achieving his goals, but will far exceed them.

*July 14, 1998*

HONORING COLONEL RANDY HAGLUND

##### HON. NICK SMITH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 14, 1998*

Mr. SMITH of Michigan. Mr. Speaker, I rise today to join friends and family in honoring the distinguished service of Colonel Randall R. Haglund, commander of the Defense Logistics Information Service (DLIS) in Battle Creek, Michigan. Since 1995, Colonel Haglund has directed DLIS to help ensure our nation's military readiness. I am honored to wish him well on his retirement.

Throughout his tenure as commander, Randy Haglund distinguished himself as a superior leader who successfully guided DLIS through some difficult times. I know that I valued his knowledge and advice as I promoted the work of this facility in Congress. Due in no small part to his efforts, DLIS not only remained in Battle Creek, but was expanded and modernized.

Among his many achievements was his leadership role in the integration of the Central Contractor Registry (CCR) with existing systems. This innovation will provide better and more accurate information to military operations worldwide. Randy also was able to re-engineer several major processes by incorporating new programs such as the Logistics Information Network (LINK) and the Electronic Catalog (E-Cat). I'm no expert on these programs, but I know very well that Randy's efforts proved once again the important role DLIS plays in our nation's defense.

In addition to his other duties, the Under Secretary of Defense asked Colonel Haglund to lead an independent review of the DoD Cataloging Centralization and Consolidation program, a major reengineering effort. Through his leadership, the team successfully completed the initial centralization and consolidation plan.

Colonel Haglund's greatest legacy surely is the improved efficiency of the Defense Logistics Information Service and Department of Defense. His hard work saves the taxpayers nearly \$150 million a year. This is an accomplishment that we can all appreciate.

Randy has received many military honors, including the Meritorious Service award with gold star, the Navy Commendation, the National Defense Medal and the Defense Superior Service Medal. As a veteran, I have great respect for those who have earned a leadership role in our armed forces and I value very highly the contributions people such as Randall Haglund have made to safeguard our nation in an unpredictable world.

Time and time again Colonel Haglund has proven to be an exceptional man and leader. For these reasons, Bonnie and I wish the Colonel, his wife, Barbara, and their three sons the very best in all of their future endeavors. We in Battle Creek shall miss him.

CONGRATULATING MICHAEL LIN  
AS GUAM'S SMALL BUSINESS  
PERSON OF THE YEAR

**HON. ROBERT A. UNDERWOOD**

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 14, 1998

Mr. UNDERWOOD. Mr. Speaker, the Guam Chamber of Commerce annually selects the "Small Business Person of the Year" from a pool of individuals or business partners owning and operating or bear principal responsibility for small business establishments on Guam. The chamber takes into account staying power, sales growth, growth in payroll, innovativeness in product or service, response to adversity, and civic contributions. This year the honor was bestowed upon Michael Shih Lin, the president of Hornet International Inc.

In 1973, Michael Lin was on a business trip to Brazil as a Chemical Engineer and Manager for Taiwan Cyanamid Company, a subsidiary of its American counterpart. On his way back, his flight stopped over on Guam and upon recognizing the potential, he returned in 1973 and opened a retail store selling bicycles and skateboards.

Through the years, this business, now known as Hornet International, Inc., has grown steadily. The company's decision to expand from a skateboard and bicycle store to a full sporting goods store is a clear turning point. Starting with only one employee in 1974, Hornet, at one time, employed thirty-nine full-time employees at four locations.

Over the last two decades Michael's company has survived major typhoons, a disastrous fire, and intense competition from off-island retailers. In the face of adversity, Hornet has taken steps to expand its sales base. Since 1997, the company has imported bicycle parts from China and Taiwan for resale to retailers and importers. Their goal of importing bicycle parts and assembling them for resale in the United States is coming to fruition with the establishment of the company's California operations. Hornet's success is undoubtedly due to Michael's business acumen and innovations.

Taking time out of his business ventures, Michael also devotes his personal time and resources to civic activities. He has served on the board of the American Red Cross, Guam Chapter. During his tenure as president, the Rotary Club of Northern Guam was named the "Most Outstanding Club in District 2750". He was instrumental in the establishment of the Rotary Club of Guam Sunrise in 1997 and he currently serves as Vice Chairman for the Friendship Committee for District 2750 which includes Rotary Clubs from Japan. Michael was also the chapter president of the Chinese Merchants Association during its inception in 1993 and served through Chinese New Year of 1997. In addition, Michael also serves as a member of the Governor's Council of Economic Advisors, as a Board Member of the Guam Chamber of Commerce, the University of Guam Pacific Islands Small Business Development Center Network, and the Navy League of the U.S. Guam Council.

For over two decades, Guam's small business community has benefited from Michael

Lin's efforts and dedication. I join the Guam Chamber of Commerce and the people of Guam in celebrating Michael's contributions and success and congratulate him for being chosen as "1998's Small Business Person of the Year."

CONGRESS SHOULD NOT INTERFERE WITH THE CLOSE RELATIONSHIP BETWEEN THE PRESIDENT AND THE SECRET SERVICE

**HON. JOHN CONYERS, JR.**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 14, 1998

Mr. CONYERS. Mr. Speaker, I am told that the Majority Whip, Mr. DELAY, will soon offer an extraordinary and unprecedented amendment to the Treasury-Postal appropriations bill which seeks to involve Congress in pending litigation between the Secret Service and the Independent Counsel, Kenneth Starr.

That litigation, which is before the federal appeals court in the District of Columbia, concerns whether Secret Service agents can be required to testify about private activities of the President. Under this Republican amendment, Congress would direct the Attorney General to withdraw the Secret Service's appeal from an order that affects them, and every future President, profoundly.

What the gentleman from Texas and the Republican leadership want is for Congress to weigh in on an important and difficult legal issue and give free and unsolicited legal advice to the Attorney General. The amendment is bad policy and, I am quite sure, unprecedented. Never, in my memory, has the Congress tried to involve itself in such sensitive litigation, and certainly not in the context of an Independent Counsel's investigation of the President.

Former President George Bush, in a recent letter to Secret Service Director Lewis Merletti, wrote, based on his experience, that he hoped that Secret Service agents "will be exempted from testifying before the Grand Jury." President Bush went on to say that "[w]hat's at stake here is the protection of the life of the President and his family, and the confidence and trust that a President must have" in the Secret Service. Even the three-judge panel of the D.C. Circuit Court of Appeals that originally heard the case itself said that "ensuring the physical safety of the President is a public good of the utmost importance."

Just this past Sunday, the Chairman of the Senate Judiciary Committee, Mr. ORRIN HATCH, said that his committee would hold hearings to consider legislation in this area, a proposal that I think is quite reasonable. But until Congress considers this complex area, I don't believe that we have any business trying to dictate to the Attorney General what position she should take in this litigation.

The Secret Service has a unique relationship with every President of the United States. Secret Service agents necessarily are within earshot of every confidential communication that a President has. Are we ready to require these agents to repeat everything that they overhear the President or the head of a for-

eign country say? The gentleman's amendment threatens the open and close relationship between the Secret Service and the President, a relationship that must provide the President with maximum security and protection.

As a matter of principle, the Secret Service has independently decided that the issue is important enough to seek rehearing before the entire District of Columbia Circuit Court of Appeals. Given the Secret Service's strongly held views, isn't it a bit presumptuous of us to consider the invitation of the gentleman from Texas to take a position on this issue?

TRIBUTE TO DANIEL L. LAVER

**HON. RANDY "DUKE" CUNNINGHAM**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 14, 1998

Mr. CUNNINGHAM. Mr. Speaker, I rise today to pay tribute to Daniel L. Laver, a long time resident of San Diego, who has recently retired as Director of the San Diego County Area Agency on Aging. Mr. Laver leaves behind an agency that has become the leader in services to the elderly and disabled populations in our county. For almost forty years, Mr. Laver gave his all to the County of San Diego and its citizens, often times putting his life on hold to meet the challenges and break the roadblocks that prevented the agency from providing the highest quality services. Several services and products developed under Mr. Laver's leadership have been deemed "Best in Class" at the local, state and national levels. Dan's motto has been: "If it's good for seniors—do it! If it's not—don't."

Dan is known for his tenacity in enhancing options for elderly and disabled people to remain living independently in their own homes and communities and for his creativity in program development and management. Highlights of his remarkable career include: building and renovating 18 senior centers throughout the county under the Senior Center Bond Act of 1984; creating "Meals on the Move" which delivers hot, nutritious meals to the homebound elderly on holidays, weekends and on an emergency basis; expanding the county's case management program to embrace younger persons with disabilities, as well as the elderly; establishing "Links-to-Life," which provides emergency medical identification bracelets for low-income seniors; and helping to establish "Christmas in April," which rehabilitates the houses of low-income elderly and disabled homeowners.

Mr. Laver is currently President of the National Association of Area Agencies (N4A) on Aging and leads them in their nationwide advocacy. In that capacity, he testified on the Older Americans Act before the Subcommittee on Early Childhood, Youth and Families, which I chaired at that time. In 1988, he was given N4's highest honor, the Distinguished Director Award. He also led the California Association of Area Agencies on Aging as its President from 1986 to 1987.

I commend Dan Laver for making a significant impact on the lives of elderly and disabled people in San Diego County and throughout the nation.

## PERSONAL EXPLANATION

**HON. CHRISTOPHER SHAYS**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 14, 1998*

Mr. SHAYS. Mr. Speaker, on June 22, 1998, I mistakenly cast a "yea" vote on rollcall vote 256 on H. Con. Res. 452, expressing the sense of the House that the Board of Governors of the United States Postal Service (USPS) should reject the recommended postage rate increase. Please let it reflect in the record that I intended a "nay" vote.

The USPS faces enormous challenges, primarily maintaining universal mail service at an affordable price across our entire nation. The USPS needs to be more efficient and to improve local service in some areas, including parts of Connecticut's Fourth Congressional District. But I do not believe the increase is unreasonable.

Congress pushed for the Postal Service to be run like a private business and, therefore, should not interfere now in the decisions its board makes. The increase in the price of a first-class stamp, to 33 cents, is less than one-third the rate of inflation over the more than three years the 32-cent rate has been in effect.

COMMENDING THE TOWN OF  
CHESHIRE, CONNECTICUT**HON. JAMES H. MALONEY**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 14, 1998*

Mr. MALONEY of Connecticut. Mr. Speaker, during this past Fourth of July district work period, most of us participated in a variety of events in our congressional districts across the nation that underscored the patriotism that we all hold for our country. These events reminded us all of our heritage and the privilege of living in the greatest nation in the world.

Such a reminder should be noted not only on one day a year, but day-in and day-out. Accordingly, the people of the Town of Cheshire in my congressional district have recently taken steps to make patriotic pride a mainstay of every day life in their community. This past April 25th, the Town dedicated the Medal of Honor Plaza and a "Living Classroom of Historic Trees" to honor the Town's two Congressional Medal of Honor recipients, as well as other veterans with roots in Cheshire.

Captain Eri Woodbury, who fought with the Vermont Cavalry during the Civil War was the Town's first recipient in 1864. He was followed in 1965 by Vietnam War veteran Col. Harvey C. Barnum, USMC (Ret.). Only 3,500 individuals have received the Congressional Medal of Honor since its inception in 1862. Given the town's relatively small population of about 26,000, two Medal of Honor recipients is a highly notable distinction.

Near the center of the Town there now stands a black granite monument commemorating Captain Woodbury and Col. Barnum. The memorial is centered on a star shaped Plaza paved with bricks, each one bearing the

name of one of over 400 other veterans with ties to Cheshire.

The "Living Classroom of Historic Trees" are seedlings taken from historic trees from around the country: Valley Forge, the Gettysburg battlefield where President Lincoln delivered his Gettysburg Address, the site of George Washington's Delaware River crossing, Mt. Vernon, Nathan Hale's home in Connecticut, as well as the Charter Oak, the famous Connecticut state tree. These historic trees represent not only great events, but people who made significant contributions to the history of our country.

Mr. Speaker, the Plaza and the Historic Trees are visible reminders of the fact that freedom is not free, but, indeed, comes only at great price. The Town of Cheshire is a proud community, proud of its heritage and that of our nation. The Cheshire Plaza signifies that pride, and the Town and its residents are to be commended for it.

INTRODUCTION OF THE  
MEDICARE+CHOICE COLD-CALLING  
PROHIBITION ACT**HON. FORTNEY PETE STARK**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 14, 1998*

Mr. STARK. Mr. Speaker, I rise today with a number of my colleagues to introduce "The Medicare+Choice Cold-Calling Prohibition Act." This bill would prohibit unsolicited telemarketing sales of new Medicare+Choice health plans to Medicare beneficiaries.

Under the new Medicare+Choice program developed in the Balanced Budget Act of 1997 (BBA), Medicare beneficiaries will no longer have only a choice of traditional Medicare or HMOs. Seniors will now get to choose among an alphabet soup of additional options such as PPOs, PSOs, POSs, Private FFS, and MSAs. All of this would undoubtedly lead to real confusion.

Adding to that confusion will be the fact that many more private health insurance programs will be competing to capture large segments of the Medicare population.

The Balanced Budget Act of 1997 recognized the power of these insurance advertising budgets to sway seniors into decisions that may not be in their best interest. The law requires that marketing materials be submitted to the Health Care Financing Administration (HCFA) for review and that fair marketing standards be followed that prohibit cash or monetary rebates as an inducement to enroll.

HCFA's proposed regulation for implementing the BBA go even further. They prohibit insurance companies from marketing their products door-to-door, forbid misleading activities in marketing practices (such as intimating that the government endorsed their plan), and the plans must market to the disabled population as well as seniors. While all of these protections are good, they don't go far enough.

In addition to adding new managed care options to the Medicare program, the BBA greatly enhanced the ability of states to enroll their Medicaid populations in managed care. The

marketing protections for Medicaid enrollees actually go further than those for Medicare beneficiaries. The BBA ensures that managed care plans "shall not, directly, or indirectly conduct door-to-door, telephonic, or other 'cold-call' marketing of enrollment under this title." So, our Medicaid population is protected from becoming prey to telemarketers whose paychecks depend directly upon the number of healthy risks that they sign up for the plan.

Unfortunately, our nation's Medicare beneficiaries are not protected from telemarketers. And, we know the senior population is especially vulnerable to a well-honed health insurance sales pitch. Many of you will recall the evidence we uncovered in the late 1980's that pushed us to enact standardized Medigap policies and to prohibit the sale of duplicative policies. We found seniors who were literally paying for a dozen Medigap plans—most of which covered the exact same benefits! And, a dozen policies for one individual wasn't even the most egregious of the examples.

That's why we rise today to introduce the Medicare+Choice Cold-Calling Prohibition Act". This bill does exactly what its title indicates—it would protect our seniors from being inundated with unwanted sales pitches. It provides the same protections granted to our Medicaid recipients to Medicare beneficiaries.

The BBA Medicare changes are significant—the most significant changes made to the program since its inception in 1965. It is important that Medicare beneficiaries learn as much as possible about these changes and make sure that the choices they make are in their best interest. The unfortunate reality is that we know from past practices that telemarketers will not be looking out for seniors' best interests. They will be looking out for making the biggest commissions possible. That's why passage of the Medicare+Choice Cold-Calling Prohibition Act is so important.

BOY SCOUTS OF AMERICA HONORS  
HIAWATHA COUNCIL FOR SUPPORT PROGRAM**HON. JAMES T. WALSH**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 14, 1998*

Mr. WALSH. Mr. Speaker, I rise today to publicly commend members of my Central New York community who have achieved great stature for the Hiawatha Council of the Boy Scouts of America.

By instituting the Boypower Program and endowment facility, these outstanding individuals have enhanced the future of the Hiawatha Council.

I know these people to be civic leaders beyond compare. For their work in scouting, they were honored recently at the national meeting of the BSA in San Antonio, TX. They are Hiawatha Council Scout Executive Bill Moran, President of the Council John Chambers, Arnie Rubenstein, and George and Barbara Schunck. They and everyone they work with should be proud of this national honor.

Across the Nation, as some of my colleagues will know, endowment giving in the BSA has more than doubled since 1994. The

results have been increased staffs, expanded services to at-risk children and support for ordinary operating expenses.

Four years ago, the Hiawatha Council got excited about endowment giving possibilities. They set out to support something they believe in—a community helping its own. The estimated \$23.5 million in gifts they handled during the past four years is a tribute to their effort and commitment.

I want to ask my colleagues in the House of Representatives to join me in congratulating the Hiawatha Council and all those who have been involved in this outstanding program.

#### TRIBUTE TO LISA MENDOSA

#### HON. GEORGE P. RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 14, 1998

Mr. RADANOVICH. Mr. Speaker, I rise today to pay tribute to Lisa Mendosa. Lisa Mendosa, an accomplished woman of the '90s, has added the title of Community Relations Coordinator for Borders Books to her credit. Having worked in numerous fields, Lisa Mendosa is in many respects, considered a renaissance woman.

Lisa Mendosa has had an impressive career, and still has much of her life ahead of her. In 1987, she was named one of America's top 100 women in Communications/Hispanic USA. In the same year she also won an award in the Associated Press television-radio competition. In 1989, she was named one of America's top 100 junior college graduates. In 1995, Lisa Mendosa received an Emmy Award for her coverage of the Lear Jet crash in Fresno. She was one of the first people to be given an Emmy Award for broadcasting.

Lisa Mendosa has also published a number of books on animals and children. She has a great love for animals and has raised two dogs from the age of eight weeks and studied their development for more than 8 years. Lisa Mendosa spent 17 years working in TV news researching, writing, producing and presenting thousands of news stories. At Channel 24, Lisa went from management to being a producer. After winning her Emmy, Lisa was offered a position by Channel 30, which she took. Currently, she is a Community Relations Coordinator for Borders Books. Today, she works harder than ever to establish a close community relationship with the Borders Books staff.

Mr. Speaker, it is with great honor that I pay tribute to Lisa Mendosa. Already being an accomplished woman of the '90's and considered a renaissance woman, Lisa Mendosa continues to be dedicated to her work. Her dedication and exemplary efforts should serve as an inspiration to all. I ask my colleagues to join me in wishing Lisa Mendosa continued success for the future.

#### KELSEY TEMPLE CHURCH OF GOD IN CHRIST CELEBRATES DIAMOND JUBILEE 1923-1998

#### HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 14, 1998

Ms. NORTON. Mr. Speaker, on the occasion of its Diamond Jubilee, I rise to celebrate the Kelsey Temple Church of God In Christ and its founder, Bishop Samuel Kelsey.

Mr. Speaker, The life and history of the late Bishop Samuel Kelsey speak volumes about the church legacy he bequeathed to the citizens of the Nation's Capital. The church officers and members, in the Washington, D.C. Jurisdiction of the Church of God in Christ, take great pride in the combined histories of their great church and its founding father.

Bishop Kelsey was born on April 27, 1898 in Sandersville, GA. He received Christ in May 1915 and relocated to Philadelphia, PA in 1920, Bishop Kelsey officially started the first Church of God In Christ, now known as the Kelsey Temple Church of God In Christ, at 331 C Street, SW. Tent revivals were held nightly. The text of his first sermon, "Follow peace with all men, and holiness, without which no man shall see the Lord" was later adopted as the church's creed.

Prior to the purchase of the present site, services were conducted at several locations, 404 4 1/2 Street, SW, 2030 Georgia Avenue, NW 4th Street, SW, 451 Virginia Ave., SW and 610 H. St., SW.

Bishop Kelsey's message and ministry reached the entire Washington, D.C. area through the airways. He began broadcasting on WWDC AM in 1941, and later on WOOK AM. The broadcasts continued for more than 40 years. Many broad branches were established as a direct result of Bishop Kelsey's work in this city including: St. Paul Miracle Temple Church of God In Christ, New Bethel Church of God In Christ, Friendship Church of God In Christ, Emmanuel Church of God In Christ, Open Door Church of God In Christ, Star of Bethlehem Church of God In Christ, Macedonia Church of God In Christ, Kirkland Memorial Church of God In Christ, Cornerstone Church of God In Christ, Victory Praise Church of God In Christ, Capital Temple Church of God In Christ and Living Word Church of God In Christ.

In his early ministry, Bishop Kelsey stood as a giant against the adversarial forces which resisted the holiness movement taking root in the Nation's Capital. His charismatic persona and great zeal, however, affirmed his prominence in the local, national and international religious communities. Samuel Kelsey engineered and erected bridges which spanned denominational gaps, and elevated his ministry to a pinnacle of religious diversity and camaraderie in this city. He also pioneered media relations and, in 1989, was recognized by the National Religious Broadcasters (NRB) for his excellence in service to the broadcasting community.

Bishop Kelsey's contributions to the city at-large demonstrated the compassion and commitment which characterized his ministry. Under his pastorate, the church acknowledged

its debt "to serve those in need" physically as well as spiritually, by burying many of the disenfranchised and by establishing an Outreach Ministry which still exists today. This endeavor demonstrates the essence of servanthood through its clothing, food, and Summer Youth programs. The church also distributes tracts and Bibles, and has a strong Prison Outreach Ministry which serves the D.C. Jail and the Lorton Correctional Institutions.

The church often provided an open forum for the city's political process by offering its pulpit to noteworthy candidates. As an agent in social causes, the church accepted the challenge to continue rendering services during times of civil unrest. In the aftermath of the assassination of the Reverend Dr. Martin Luther King, Jr., this church provided temporary relief and shelter for duty-worn officers and civilians.

In 1953 and 1958, Bishop Samuel Kelsey was awarded both the Doctor of Divinity (DD) and Doctor of Laws (LLD) degrees, respectively, from Trinity Hall College and Seminary in Springfield, Illinois. The esteemed legacy of Samuel Kelsey is a tower to the monumental temple that is the gateway to Park Road and 14th Street, NW. It is the inheritance left by a visionary and humble servant that is deeply rooted in the essence of Pentecostalism, and continues to serve as a beacon to the weary and downtrodden. The current pastor, Elder Fred D. Morris, Sr., the former assistant pastor, has accepted the charge of continuing to spread the good news from this vantage point.

Mr. Speaker, I ask the Members in this hallowed chamber to join me in echoing the theme of the Diamond Jubilee of the Kelsey Temple Church of God In Christ, "Remembering the Past . . . Living the Present . . . Preparing for the Future."

#### TRIBUTE TO FREDERICK W. SILVERTHORNE

#### HON. THOMAS M. DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 14, 1998

Mr. DAVIS of Virginia. Mr. Speaker, I rise today to recognize the outstanding achievements of Mr. Frederick W. Silverthorne on his 80th birthday. I ask my colleagues to join me in sending warm wishes to Mr. Silverthorne on this special day.

Mr. Silverthorne has served his country both in the Armed Services and as an elected official. After he graduated from the University of Illinois, Mr. Silverthorne served twenty-seven years in the U.S. Navy where he earned several medals and commendations for his bravery, including the Distinguished Flying Cross. He retired from active duty after attaining the rank of Captain. His position as a naval aviator on the aircraft carrier *Coral Sea* allowed him to fly multiple types of aircraft. Mr. Silverthorne's bravery and valor are demonstrated by his experiences while fighting in World War II, the Korean War, and the Vietnam War. He retired from the Navy in 1968 and joined the National Security Industrial Association (NSIA) where he specialized in anti-submarine warfare for twenty years.

Mr. Silverthorne moved to the City of Fairfax in 1962. In the 1970's, he served on the City's Planning Commission and Parks and Recreation Board. He generously volunteered his time and guided the city at a time when it was experiencing rapid growth as a suburb of Metro Washington. He also served as a member of the Board and President of the Old Lee Hills Civic Association over the past thirty years and is still currently active in the organization. He helped put Old Lee Hills on the map as a politically active community. Mr. Silverthorne was elected to the Fairfax City Council in 1974 and was then elected Mayor of Fairfax in 1978 and re-elected in 1980. He took this position at a time when Fairfax City was feuding with Fairfax County over the city's independence. He was elected on a platform of preserving ties with Fairfax County including its school systems. The 1978 Mayoral election had the largest municipal turnout in City history with well over 4,000 people voting.

Mr. Silverthorne retired from the NSIA in 1988 after a long and distinguished career. Retirement has not slowed Mr. Silverthorne down, he remains active in all facets of his community. As a former champion diver, he gives diving lessons at the Country Club Hills Pool which he has been doing for 20 years. He is an avid golfer, playing any and every day the temperature is over 40 degrees. Mr. Silverthorne is also embracing the technology age by taking computer classes.

Mr. Silverthorne married the former Bette Brackett in 1943. They had four children: Craig, Janet, Nancy, and Scott. Scott has moved on to follow in his father's footsteps by serving as a five term member of the Fairfax City Council.

Mr. Speaker, distinguished colleagues, please join me in honoring the birthday of Frederick W. Silverthorne. As Mayor John Mason stated, "Frederick Silverthorne has made an enormous contribution to the Fairfax community not only as mayor or but as an outstanding civic leader." His 80 years have showed us what being a devoted and loyal American truly means.

#### TRANSATLANTIC EDUCATION AGENDA

### HON. HENRY HYDE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 14, 1998

Mr. HYDE. Mr. Speaker, one of our nation's great experts on education, Dr. D.L. Cuddy has written a valuable article on current legislative initiatives that we all can profit from reading. I herewith share it with my colleagues.

THE NEW TRANSATLANTIC  
(By D.L. Cuddy, Ph.D.)

In the U.S. Congress, Rep. Henry Hyde has been warning people about school-to-work (STW) education initiatives, and Senator John Ashcroft has amended the Workforce Investment Partnership Act now being discussed to prohibit its funding of STW. At the state level, N.C. Rep. Don Davis is chairing a House Select Committee for Federal Education Grants, which has been investigating

STW grants among others, and invited Richmond Times-Dispatch op-ed editor Robert Holland to address the Select Committee on this subject.

While the implications of STW at the state and national levels have been widely debated, not much has been written about the international connections. On May 18, the White House released a statement at the conclusion of the U.S.-European Summit in London, indicating that "through the New Transatlantic Agenda (NTA), created in 1995, the United States and the European Union have focused on addressing the challenges and opportunities of global integration."

One part of this "global integration" in 1995 was the agreement between the U.S. and the European Community establishing a co-operation program in higher education and vocational education and training. The agreement, signed December 21 of that year, called for "improving the quality of human resource development . . . Transatlantic student mobility, . . . and thus portability of academic credits." In this regard, a Joint Committee would reach decisions by consensus.

As part of the NTA, the U.S. and European Union then convened a major conference, "Bringing the Atlantic: People-to-People Links," on May 5-6, 1997 calling for "thematic networks for curriculum development," and further stating that in an information-based global economy, "governments too are obliged to adapt their economic, training and social welfare programs." The conference final report noted that in the U.S., ACHIEVE has been one of the organizations at the forefront of defining key issues in this regard and developing strategies to address them. ACHIEVE has been measuring and reporting each state's annual progress in establishing internationally competitive standards, and business leaders involved have indicated their commitment to consider the quality of each state's standards when making business location or expansion decisions.

The "Partners in a Global Economy Working Group" of the conference discussed "what redesigning of curricula is required . . . (i.e. what career skills are needed), . . . portability of skill certificates, . . . and institutionalizing cross-national learning/training activities."

Most people debating STW in the U.S. are familiar with the role of Marc Tucker, president of the National Center on Education and the Economy. He's also on the National Skill Standards Board (NSSB), and on its website under international links, one finds "Smartcards Project Forum," under which one reads: "The Tavistock Institute and the European Commission are working on a feasibility study to research the affect of using Smart Cards in competence accreditation. The study will be carried out in the USA and parts of Europe." The project involves assessing and validating students' skills, with information placed on personal skills Smartcards, which "become real passports to employment."

If without a passport one cannot enter a country, does this mean that without a skills passport one may not be able to get a job in the future?

In October 1997, the Tavistock Institute (and Manchester University) completed the final report for the European Commission, and described in a report summary were the relevancy of Goals 2000, SCANS (U.S. Department of Labor "Secretary's Commission on Achieving Necessary Skills") typology with its "profound implications for the cur-

riculum and training changes that this will require," valid skills standards, and portable credentials "benchmarked to international standards such as those promulgated by the International Standards Organization (ISO)."

The report summary went on to say that "there is increasing attention being focused on developing global skill standards and accreditation agreements," and there will be "partnerships between government, industry, and representatives of worker organizations . . . (and) a high degree of integration . . . embedding skills within the broader context of economic and social activity, and specifically within the areas of secondary education, work-based learning and local and regional economic development." The NSSB, Goals 2000, STW Program are all combining to act as a catalyst to promote the formation of partnerships to develop skills standards. In this regard, a system like O\*Net can be seen as the "glue" that holds everything together.

O\*Net is a new occupational database system sponsored by the U.S. Department of Labor's Employment and Training Administration, and is being piloted in Texas, South Carolina, California, New York and Minnesota. It includes information such as "Worker Characteristics" (abilities, interests and work styles) and "Worker Requirements" (e.g., basic skills, knowledge and education).

#### HEROES OF EAST CHICAGO, IN

### HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 14, 1998

Mr. VISCLOSKY. Mr. Speaker, it is my distinct honor and pleasure to commend the following residents of Indiana's First Congressional District for their display of bravery, community service, and altruistic heroism in rescuing over one hundred senior citizens from a fire in the Lake County Nursing and Rehabilitation Center, in East Chicago, Indiana, on June 20, 1998: Foster Battle, Leroy Butts, Dion Cook, Dwayne Cook, Priscilla Cook, Jermaine Cousinard, Betty Gibbs, Johnny Gillis, Darcey Glenn, Mitch Glover, Andrew Gregory, Dwayne Jackson, Anna Rose Jefferson, Jackie Jones, Joey Jones, Johnny Jones, Tyrus Julkes, Bennie Sapp, Louis Sapp, Willie Scott, Alan Simmons, Tim Taylor, Waylana Upshaw, Louis Ward, and Arthur Washington. In recognition of their unselfish efforts, these valiant heroes were honored by the City of East Chicago in a ceremony on July 1st, in Riley Park.

Though five residents of the nursing home were hospitalized, there would have been many more injuries, and even death, if not for the dozens of neighbors, friends, and passers-by who rushed to the scene of the fire. Minutes before the fire trucks and firefighters arrived from the East Chicago Fire Department, the intrepid rescuers were breaking windows with their hands and feet to evacuate the 112 residents from the blazing nursing home. Placing their own lives in danger, these brave humanitarians repeatedly entered the building, evacuated residents, and aided firefighters in caring for the injured until medical help could arrive. If not for their heroic efforts, many more

could have been injured, or might have perished, in the fire.

This neighborhood effort shows the importance of community and friendship to the people of Northwest Indiana. Without the teamwork, leadership, and effort shown by these heroes, an unthinkable tragedy might have occurred. Moreover, these dauntless efforts represent the real value, respect, and honor the region shows its senior citizens. This noble rescue shows what a neighborhood can accomplish when working in concert, as well as representing an ideal of every true American community in a crisis.

Mr. Speaker, I ask you and my other distinguished colleagues to join me in commending the brave efforts of these upstanding citizens, as well as the East Chicago Fire Department, for their extraordinarily heroic efforts, last month, which saved the lives of the 112 residents of the Lake County Nursing and Rehabilitation Center.

#### COMMENDING KIM BEAL

### HON. JOHN ELIAS BALDACCI

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 14, 1998

Mr. BALDACCI. Mr. Speaker, during the July District Work Period, I had the opportunity to meet an extraordinary young girl from Addison, Maine. Kim Beal, who is now 11 years old, is a true American hero. I am pleased to be able to bring her to the attention of the House.

Kim has faced many challenges in her life. Diagnosed at the age of 4, Kim has battled a rare form of cancer. She has received chemotherapy treatments, has faced surgeries, and has developed a weakened heart, a common side effect of some forms of chemotherapy.

But her positive attitude and will to survive have kept her going, and kept her one step ahead of the cancer. Today, there is no sign of the cancer in Kim.

That is battle enough to qualify Kim for the designation of "hero." But that is not all of Kim's story.

During her recovery from cancer, Kim learned to swim. Doctors recommended swimming as a good sport to help Kim regain strength in her chest where her tumor was removed. Over time, she has become a very strong and confident swimmer.

The past April, her swimming skills were put to the test. As she played by the pool at a hotel in Ellsworth, Maine, 4 year old Morgan Beal (who is the daughter of Kim's 4-H leader and is not related to Kim) jumped into the pool while an adult was distracted. Kim heard the splash, and looked over to see that the girl could not swim. Kim swam to the girl, grabbed hold of her, and swam toward the side of the pool. Although the girl was grasping at Kim and making it difficult for her to swim, Kim managed to get her to the side of the pool where others helped to pull her out.

It is no understatement to say that Kim's actions that day were heroic. She put her own safety at risk to help a small child who was drowning. Were it not for Kim's actions, the day could have been tragic.

While in my District, I was pleased to have the opportunity to present Kim Beal with the Role Model of the Year Award at the Maine 4-H Teen Conference. Kim truly is a role model for all her peers, and I'm glad she is getting the recognition she so clearly deserves.

#### TRIBUTE TO BILL OBAN

### HON. EARL POMEROY

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 14, 1998

Mr. POMEROY. Mr. Speaker, today, North Dakotans said goodbye to a great friend and one of the most compassionate leaders the State has ever seen. State Representative Bill Oban passed away last week and I would like to take this opportunity to pay him tribute.

As a leader in the State legislature over the past 14 years, Bill worked tirelessly on behalf of those who needed the most help. His energy seemed endless during tough battles over compensation for injured workers and education for students with special needs. Bill represented the best part of the Democratic Party—he was, as one good friend described him, the party's conscience—giving a voice to so many people without one. During a time when our country is long on political rhetoric and in short supply of people with vision working on behalf of others, Bill stood tall as a true champion.

You see, Bill was less interested in taking credit than he was in making a difference. And with that attitude, what a difference he did make! Sadly, he leaves behind a wonderful family that is just beginning to deal with their great loss. His wife Alice and his children Heather, Shawn and Chad are in my thoughts and prayers during this terribly difficult time.

North Dakotans not only lost a smart, caring legislator—they lost a good friend in Bill Oban. The newspaper from the State's largest city, The Forum, joined with the rest of the State in mourning the huge loss, calling Bill a family man first, an educator second, a lawmaker third. Knowing Bill, I am sure that is exactly how he would have liked people to remember him.

#### BILL OBAN WILL BE MISSED

North Dakotans didn't have to agree with state Rep. Bill Oban in order to respect his commitment to the people of his state. When the Bismarck Democrat died Friday from injuries suffered in an automobile crash a few days before, the state lost a compassionate and intelligent legislator.

Oban, 51, earned the respect of his colleagues because of his dedication to his ideals. His passion, which sometimes rose to indignant anger, made for lively committee meetings and floor debates in the state House of Representatives.

Even his political foes enjoyed Oban's style because they understood his determination to make North Dakota a better place for all. As a member of the minority, he often lost the issue, but never lost his sense of humor.

Oban grew up in New Rockford, lived in Grafton, and eventually settled his family in Bismarck. He had a good grasp of the different needs of rural and urban counties.

He was a family man first, an educator second, a lawmaker third. That combination

served him well as an advocate for youth, families and people in need.

One of Oban's colleagues described him as "the conscience" of his political party. We would extend that characterization. His record suggests he was the conscience of the Legislature, often reminding the House of its responsibility to all North Dakotans, no matter their social or economic status.

North Dakotans say goodbye to Oban today. We join with his family, friends, and colleagues in mourning his death. He will be missed.

#### PERSONAL EXPLANATION

### HON. KENNY C. HULSHOF

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 14, 1998

Mr. HULSHOF. Mr. Speaker, due to business in my Congressional District, I was not present for roll call votes 267 through 274. Had I been present, I would have voted yea on roll call 267, no on roll call 268, yea on roll call 269, aye on roll call 270, nay on roll call 271, nay on roll call 272, nay on roll call 273 and aye on roll call 274.

#### CONGRATULATIONS TO BOB HOULDING SR.

### HON. GEORGE P. RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 14, 1998

Mr. RADANOVICH. Mr. Speaker, I rise today to congratulate Bob Houlding Sr., for being recognized as the recipient of the 1998 Senior Farmer of the year award. Mr. Houlding has been providing dedicated services to the agricultural community for Madera County since the 1920's and is very deserving of this honor.

Mr. Houlding family's connection to Madera goes back to the 1800's. Bob Houlding Sr. is the son of William and Ludema Houlding. William Houlding came with his family from Nebraska to Madera in 1891. Bob Houlding Sr.'s brothers are Frank, Bill and Vigil, and his sister Ludema (Houlding) Weis.

Mr. Houlding started school in 1922 at Howard School, the year it was built, and graduated from Madera High School in 1934. In 1939, Bob Sr. joined the Air Force to serve his country, staying in until 1946. He initially signed up for a 3-year hitch, but just as his first tour was nearing its end, World War II broke out and he continued to serve. In the Air Force he worked as an engineer, repairing B-24s and B-29s in the 21st Bomb Squadron and serving in places such as New Orleans, La.; Riverside Ca.; Kansas; and the Aleutian Islands.

In 1942 he married Mildred Sonier. After marrying, the couple raised three sons, Bob Jr., Jerry and Mike. Mr. Houlding continued to farm once he returned to Madera, growing cotton, alfalfa, wheat and potatoes. As the years passed, Bob Houlding Sr. got his sons involved, and now together they own 3,500 acres in Madera and on the west side of the

San Joaquin Valley. His grandchildren and their spouses are also involved in the farming. All of the grandchildren are graduates, current students, or have aspirations of attending Cal Poly, San Luis Obispo.

Mr. Houlding began by farming row crops, but since 1976, has moved into growing tomatoes, cotton, wheat and almonds on the west side of Madera and Fresno County. Mr. Houlding's action plan for farming has always been to diversify the kinds of crops he grows and to use modern farming techniques as micro-sprinklers. Mr. Houlding has been a great proponent of reduced pesticide usage through the introduction of predator insects and water conservation through the installation of drip and sprinkler irrigation systems.

Mr. Houlding has always been supportive to his community and youth in agriculture. He was a member of the board of directors of the Golden State Gin, a member of the Trade Club, and a charter member of the Reel and Gun Club.

Mr. Speaker, it is with great honor that I congratulate Bob Houlding Sr. for receiving the Senior Farmer 1998 Award for Madera County. I applaud Mr. Houlding's dedicated services and leadership to the agricultural community. I ask my colleagues to join me in wishing Mr. Houlding many more years of success.

#### PERSONAL EXPLANATION

### HON. JUANITA MILLENDER-McDONALD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 14, 1998*

Ms. MILLENDER-McDONALD. Mr. Speaker, during roll call vote number 267 on June 25, 1998, I was unavoidably detained. Had I been present, I would have voted "nay."

#### LABOR/HHS APPROPRIATIONS BILL

### HON. RON PACKARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 14, 1998*

Mr. PACKARD. Mr. Speaker, I would like to express my strong support of the FY99 Labor/HHS Appropriations bill, which is being marked up by the full Appropriations Committee this afternoon.

While this year's legislation saves taxpayers nearly \$2.6 billion, Chairman PORTER and his subcommittee have ensured that this Congress remains committed to the health of every American family. I am very pleased to note that this year's legislation contains almost \$100 million more than President Clinton requested for the National Institutes of Health. We simply can't retreat in the fight against disease and sickness and this bill continues our commitment to vital research.

I am also pleased with the subcommittee's continued commitment to education in America. The subcommittee took a major step toward loosening the government restrictions that hamper local efforts at improving our children's education. I strongly support the sub-

#### EXTENSIONS OF REMARKS

committee's recommendation to reduce GOALS 2000 funding by one-half. The GOALS 2000 program required states to develop complex student performance standards while subverting the ability of local school boards and families to decide what's best for their children. These "standards" measure only the cash, number of employees, and programs in the schools, while ignoring the results in terms of what our children learn. The federal bureaucracy's role in education has expanded over the years, but little has been done to foster the real reform that our children need.

Mr. Speaker, I would like to thank Mr. PORTER for his continued hard work and dedication as Chairman of this important subcommittee. I support his legislation and I look forward to its full consideration in the House.

#### COMMEMORATING THE RETIREMENT OF JOHN VANDER LANS, CITY PROSECUTOR OF LONG BEACH, CALIFORNIA

### HON. STEPHEN HORN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 14, 1998*

Mr. HORN. Mr. Speaker, I rise today to recognize the long and distinguished career of the Honorable John Vander Lans, the City Prosecutor of Long Beach, California. I have been privileged to know John Vander Lans for over 20 years.

John Vander Lans was raised in Long Beach where he attended St. Anthony High School and Long Beach City College. He served 2 years in the United States Marine Corps where he attained the rank of Captain. After completing studies for his law degree at the Loyola School of Law, John went to work for the California Attorney General. He then worked for 18 months as a deputy Long Beach city prosecutor, before going into private practice in Long Beach.

John Vander Lans, was first elected to the City Prosecutor's office in 1978. Long Beach has the only elected City Prosecutor in the State of California. During his tenure, the City Prosecutor's office grew from nine to 15 attorneys. He started special units to handle misdemeanor domestic violence cases and environmental crimes. The Domestic Violence Prosecution Unit has its own courtroom and has recently achieved a 78 percent conviction rate. The Hazardous Materials Prosecution Unit has raised over \$2.5 million for our community.

Under John Vander Lans's leadership the City of Long Beach Prosecutor's office has successfully resolved 98 percent of building code complaints against slumlords without going to court. This is just another example of the fine work that John has done for Long Beach over the past 20 years. I know that John will be missed at City Hall, but I also know that he and Patricia, his wife of 38 years, will continue to serve our community for years to come.

*July 14, 1998*

#### PERSONAL EXPLANATION

### HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 14, 1998*

Mr. BRADY of Texas. Mr. Speaker, on Thursday, June 25, 1998 by unanimous consent I was granted a leave of absence for official business at the request of House Majority Leader DICK ARMEY. As a member of the House International Relations Committee, I proudly co-hosted the European Parliament for the 49th United States/European Parliament Interparliamentary Meeting in College Station, Texas, which I represent.

Had I been present I would have voted "aye" on roll call vote 267, "nay" on roll call vote 268, "aye" on roll call vote 269, "aye" on roll call vote 270, "nay" on roll call vote 271, "aye" on roll call vote 272, "nay" on roll call vote 273 and "aye" on roll call vote 274.

#### COMMEMORATING THE RETIREMENT OF JOHN R. CALHOUN, CITY ATTORNEY OF LONG BEACH, CA

### HON. STEPHEN HORN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 14, 1998*

Mr. HORN. Mr. Speaker, I rise today to recognize the retirement of Hon. John R. Calhoun as the elected City Attorney of Long Beach, California. John Calhoun has served with distinction the city government and residents of Long Beach. During John's tenure, Long Beach has become the 5th largest city in California and the 31st largest in the nation.

As he retires, John Calhoun is the longest serving elected City Attorney in California.

Mr. Speaker, John Calhoun has overseen the legal affairs of the city of Long Beach for 15 years. In that time its seaport has become one of America's largest. John has substantially assisted the International trade of the United States, especially in the great Pacific Rim Basin, for which the Port of Long Beach has become a basic transportation hub.

John Calhoun also has had a distinguished career in the U.S. Army Reserve, from which he retired as a Colonel in the Judge Advocate Corps.

Mr. Speaker, on behalf of a number of our many colleagues—past and present—in the House who have come to know City Attorney Calhoun over the years, I would offer his commitment to public service as an example of the quality local governmental leadership and professionalism that personifies good government for all our citizens. John's career has been marked by a strict insistence on courtesy and fairness to all the city's citizens and to the elected officials with whom he has shared leadership for so many years.

So best wishes to John Calhoun and his wife, Betty. I think that dynamic couple will offer even more constructive service in the years ahead.