

## EXTENSIONS OF REMARKS

## A SALUTE TO SOME OF OUR NATION'S OUTSTANDING STUDENTS

## HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. GILMAN. Mr. Speaker, it is my pleasure to recognize some of our Nation's outstanding students. The sixth annual National High School Essay Contest, sponsored by the U.N. Association, the U.N. Development Programme, and the Daily Family Foundation, recently selected its essay winners in a national competition. The top three winners were: First prize, Brian Becknell from Columbus Academy in Columbus, OH; second prize, Robert Sussland from Moon Valley High School in Phoenix, AZ; and third prize, Ken Wang from Eleanor Roosevelt High School in Greenbelt, MD.

Over 1,000 students nationwide participated in this contest. Their mission was to assume the role of the U.N. Secretary General and write a report on the role of the United Nations in combating illegal drug trafficking and drug abuse. This assignment was very challenging and thought provoking. It was an outstanding exercise which challenged our future leaders with one of the more perplexing problems confronting our world.

It is a real pleasure to observe youngsters and future leaders tackling worldwide problems such as drug trafficking and drug abuse. I would also like to take this opportunity to commend Edward C. Luck, president of the U.N. association and his staff for developing this outstanding program.

Mr. Speaker, at this time I would like to insert in the RECORD statements by my distinguished colleagues who represent these fine young Americans as they submit the winning essays into the RECORD.

## UNITED NATIONS ESSAY CONTEST

## HON. JOHN R. KASICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. KASICH. Mr. Speaker, a constituent of mine, Brian Becknell of Gahanna, OH, recently won a national essay contest sponsored by the U.N. Association of the U.S.A. on the U.N. role in combating global drug abuse. His winning essay speaks well for Brian, his family, and his teachers at Columbus Academy.

I congratulate Brian for his outstanding work and am happy to bring his essay to the attention of my colleagues.

## U.N. SECRETARY-GENERAL'S REPORT ON THE U.N. ROLE IN COMBATING ILLICIT DRUG TRAFFICKING AND DRUG ABUSE

(First place winner's report: Brian Becknell, Columbus Academy, Columbus, OH)

Ladies and gentlemen of the General Assembly: You have requested that I, as U.N. Secretary-General, make a special report on the perilous abuse and the illicit trafficking of drugs. Our legitimate concerns were identified decades ago as major global issues. However, it is only in the past several years that a genuinely international effort has been made to alleviate these problems. As business continues to boom for drug lords, as the number of addicts multiplies, as narcoterrorism slays and harasses thousands of innocents, I can only hope that we are not too late. A world enslaved by drug-induced euphoria is a world that worships total anarchy. I appeal to you, ambassadors of mankind, to collaborate and defeat this menace which threatens to destroy us all.

Picture a pyramid. At its zenith are the drug lords—hardly changing in number, always increasing in power. As we progress down the pyramid, we pass the wholesalers, who import and purchase directly from the drug lords; then the large-scale dealers, who purchase drugs wholesale and sell lesser quantities to the dealer on the streets of our cities and villages. Now we have arrived at the base of this baleful pyramid, a base that is always growing: addicts increase in number and fuel their lust for drugs with money earned from dealing them; thus, there are more addicts, and the pyramid grows to be vast and, finally, all-encompassing.

The justice and prison systems of our respective countries lack the capacity to prosecute and incarcerate offenders. Though popular antidrug resentment grows, the threat of narcoterrorism is frequently enough to silence the most vociferous denizen. Witness the 1989 airport and DAS headquarters bombings, both in Medellin, Colombia; both sponsored by the Medellin drug cartel. Innocent people are killed; governments are intimidated; drug lords continue to thrive. We have proof of collaboration between international terrorist groups and drug cartels—a mutual relationship in which bombs and money are exchanged. If they can so satisfy their desires for bellicosity, how can we, my fellow ambassadors, fulfill our desire for a serenity that lacks the presence of illicit drugs?

Recently, a convention and a special session of the General Assembly have been instrumental in defining United Nations anti-drug policy. The U.N. Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances took place in Vienna in December 1988. Though the expansion of U.N. roles and program activities was ignored, signatory nations agreed to the following: that it is a crime to cultivate, possess, and manufacture drugs; that those engaging in the practice of laundering (disguising profits from drug-dealing) ought to be investigated and prosecuted by signatory nations beyond their particular borders; finally, that a country accused of shielding a trafficker ought to either prosecute him or extradite him to the country that has indicted him.

The special session of the General Assembly occurred in February 1990. It was the alternative proposed by developing countries, in response to a 1989 British proposal to place eradication of drug trafficking under the jurisdiction of the Security Council. During the special session, the Assembly declared that the years from 1991 to 2000 are to be the U.N. Decade Against Drug Abuse. Its adoption of the Global Plan of Action was much more significant. Among other things, the plan called for "prompt identification, eradication and substitution of illicit cultivation of narcotic plants". Since narcotic plants are far more lucrative than licit crops, the plan endeavored to counter-balance the loss of profit by providing for the establishment of "complementary programmes in the fields of employment, health, housing and education". The Global Plan of Action emphasized the elimination of drug-demand by giving first priority to the "prevention and reduction of drug abuse."

The infrastructure of the U.N. drug policy mechanism is needlessly complicated by the number of participating agencies. The International Narcotics Control Board continues to monitor legal production of drugs, while tracing their movements from source to consumer to discover illegal diversions. The Commission on Narcotic Drugs is the policy-making body, and has several regional bodies, which meet regularly to evaluate needs and plot enforcement strategies. The World Health Organization is responsible for drug safety and the public health aspects of drug treatment. The Food and Agriculture Organization assists in the substitution of legal crops for drug crops. The International Labor Organization combats drug use in the workplace and rehabilitates recovering drug abusers. The U.N. Educational, Scientific, and Cultural Organization (UNESCO) works with education ministries of member countries to incorporate drug education programs into the curricula. The unnecessary complications perpetrated by these participating agencies and the lack of a centralized command agency (with authority over lesser agencies) retards the formation and enforcement of U.N. drug policy.

The U.N. Fund for Drug Abuse Control (UNFDAC), because it is privately funded by member nations, has avoided institutional limitations and made considerable progress in recent years. It has provided financial assistance to governments in combatting both the supply of and the demand for drugs. In many Third World countries, the UNFDAC provides money for rural development in exchange for halting the production of illicit drugs. The UNFDAC is subject to manipulation by funding countries; however, the Fund has repeatedly supported demand-reduction projects in developing countries that have experienced large growths in drug use. The Fund endeavored to lessen demand for heroin in South Asia in the late 1970s and for cocaine in Latin America in the 1980s. Recently, the UNFDAC has assisted transit countries on three continents with unrestricted beneficence. The UNFDAC plans to apportion 34 percent of its total expenditures to demand reduction during 1991 and 1992.

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

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

Additionally, the success of UNESCO and its antidrug education in Third World countries has led the UNFAC to include such projects in its endeavors.

Actions taken by the United Nations in the past decade against drug abuse and trafficking have been aimed at reducing demand for illicit drugs; the politically volatile nature of the 1980s merited such a pacific antidrug strategy. The Global Program of Action put demand reduction under the auspices of UNESCO. Unfortunately, UNESCO's tight budget cannot handle such an undertaking. The Program similarly invited the World Health Organization, the International Labor Organization, and the U.N. Children's Fund (UNICEF) to participate as they saw fit. They were similarly limited financially. UNFAC remains the sole organization that can appropriate significant sums of money for demand-reduction. Needless to say, the Fund has become increasingly important and necessary in the past decade; let us hope nations will continue to contribute their resources to the UNFAC.

Although the Vienna Conference defined U.N. policies, it proposed no means of direct intervention. In 1989, Prime Minister Manley of Jamaica requested the creation of a U.N. drug enforcement assistance force to help small countries militarily prosecute narcoterrorism and its drug-lord financiers. Latin Americans objected to the proposal, because they feared U.S. intervention and manipulation. (This was justifiably so, after the U.S. Army assisted Bolivia's troops in a war versus drug traffickers in 1986.) However, certain instances merit direct intervention. A favorable solution for all involved would be the deployment of a U.N. force to the area. The psychological factor would be tremendous: the notion that the world is arrayed against you is very intimidating. The force would simply be deployed as an advancement of present U.N. efforts to ameliorate enforcement of local law under the Economic and Social Council. A multinational force would erase the need for forces from individual nations: thus nations that normally appropriate funds for their particular forces could contribute instead to the U.N. deployment. The presence of an international force would reduce animosity towards any one country. Therefore the U.S. need not be feared by Latin American governments; rather, let the U.N. international force be feared by Latin American drug cartels.

Eradication of drug crops and substitution of lucrative, yet licit, crops is the key to reducing the drug supply. Strong enforcement is necessary to eliminate illicit crops, and a negative incentive (the risk of destruction of the entire illegal crop) must be omnipresent. However, no legitimate crop offers the commercial advantages of the poppy or coca plant. Simple crop substitution will simply not work; a positive incentive must be created as well. This necessity can be met by embarking on "integrated rural developments" within the country. Upgrading living standards, bettering and extending roads, and providing modern farm equipment all add positive incentive. Further incentive can be provided in South America with an offer by Western nations to relieve debts owed in exchange for adoption of domestic antidrug programs. Further incentive can be provided in the poverty-stricken countries of Laos and Afghanistan by improving the 10 percent literacy rate and by assisting each government in developing the valuable mineral resources of the country, thus providing thousands of jobs and an extremely lucrative mining industry. Unfortunately, direct inter-

vention by the already-described U.N. forces may be the only remedy in such countries as Peru, where entire regions have been overrun by the Sendero Luminoso, or Shining Path—an ultra-Maoist guerrilla movement.

In addition to the aforesaid solutions to the supply problem, I will now take the opportunity to call for a U.N. conference on the regulation of chemical commerce to take place within the next six months. Precursor chemicals are mixed with opium to form heroin and with coca leaves to form cocaine. Large shipments of such chemicals must be accounted for by national governments.

In 1989, the government of Trinidad-Tobago proposed the creation of an international narcotics tribunal to arbitrate between countries locked in extradition controversies. Although this proposal contrasts ideologically with the existing system for international law, it has immense practical value which cannot be ignored; namely, such an international court would provide an irrevocable and unbiased verdict on the accused trafficker. If convicted, the trafficker will return to his country and serve a strictly monitored sentence; he will pay court fees. If found innocent, the accusing country will pay reparations to that individual and his country, as well as court fees. Though a merciless system, it is quite pleasant when compared to the inane extradition controversies of the past decade.

Reducing the demand for drugs is far more difficult for the U.N. than reducing drug supplies. In all actuality, demand-reduction is best carried out on a local level, where specific needs and variables can be accounted for. However, certain measures may be taken by the U.N. with highly positive results. Continued UNFAC-funded antidrug education in Third World countries will result in an extremely high level of awareness about narcotics and their effects. The results of an international survey will be reported this year: a questionnaire was sent annually to all governments, regional international organizations and nongovernmental organizations. It requested details on national and regional drug demand-reduction actions. The verdict of the 1991 meeting rests on the results of the survey. Until then, we must ponder whether or not it is necessary and feasible to create an international demand-reduction system.

Finally, some basic corrections in the infrastructure of the U.N. drug policy mechanism are necessitated by these policy changes. First, narcotics should most certainly be on the Security Council's agenda. Illicit drug trafficking and drug abuse, compounded by the increasing number of incidents of narcoterrorism, certainly pose a serious threat towards international peace and harmony. The Security Council will function in an advisory capacity and will not dictate U.N. drug policy. Results of a 1990 effectiveness-assessment survey led by Jorge Montano suggest that several of the U.N. units for illicit drug policy be integrated into one program and that the Commission on Narcotic Drugs become the directing body for all U.N. drug policy decisions. I agree with this conclusion; increasing the Commission's authority will no doubt boost its effectiveness. In addition, no restrictions will be made on the length of annual meetings (presently of three days' duration). The number of member states on the Commission (presently forty) will be gradually decreased to fifteen. Seats on the Commission will rotate every five years, and developing countries will occupy at least a majority of the seats at all times. Lessening of seats will assuredly increase celerity, resulting in progress.

Ladies and gentlemen. I have endeavored all my life to be practically optimistic. It is my fervent hope that this pragmatic system of antidrug policy may deliver mankind from its drug-induced stupor. With international funding, with dedication, and with reduction of drug-supply and drug-demand, we shall overcome the temporary, drug-induced euphoria, and re-discover the euphoria of life, of progress, and of international fraternity.

ROBERT SUSSLAND TOP FINALIST  
IN UNITED NATIONS ESSAY CONTEST

HON. BOB STUMP

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. STUMP. Mr. Speaker, today, I have the pleasure of bringing to the attention of my colleagues an insightful essay written by Robert Sussland, a student at Moon Valley High School in Phoenix, AZ. Robert's fine essay on the role of the United Nations in combating illicit drug trafficking and drug abuse received a second place award from a distinguished panel of judges and captured a \$750 prize. More than 1,000 students participated in the contest, in which students assumed the role of the United Nations Secretary General and prepared a report on the United Nations role in taking a stand against substance abuse.

The essays were judged on the accuracy of facts and details about the global problems of illicit narcotics trafficking and drug abuse, and the creative, realistic proposals and initiatives for United Nations action in solving these problems.

I am pleased to submit Robert's essay into the RECORD, and commend it to the attention of my colleagues.

U.N. SECRETARY GENERAL'S REPORT ON THE U.N. ROLE IN COMBATING ILLICIT DRUG TRAFFICKING AND DRUG ABUSE

(Second place winner's report: Robert Sussland, Moon Valley High School, Phoenix, AZ)

Drug abuse is a menace which poses a truly global threat to society. During the last thirty years, the world traffic in illicit drugs has become a \$500 billion dollar a year industry, second only to armaments in gross revenue. Complex syndicates are engaged in buying illegal crops, operating underground laboratories, bribing officials, buying arms, and sponsoring terrorism. This situation results in interrelated issues which have many social, economic, and political repercussions. The United Nations is the only truly global and comprehensive organization which can effectively address these problems in the international arena—and at the same time coordinate the local programs of Member States. In outlining the future United Nations role in combatting drug abuse and narcotics trafficking, the General Assembly has asked for an analysis of the current global situation, a summary of the U.N. actions taken to fight illicit drug abuse and transport, an assessment of those actions, and proposals for progress in the war on drugs.

The current global condition in narcotics abuse and trafficking is one which has been steadily deteriorating. The amount of opium poppy, cannabis, and heroin harvested continue to increase, as do the number of ad-

dicts. Drugs are finding new inroads among the world's poor through the introduction of cheap, highly addictive substances such as coca paste ("crack") in the Americas and methamphetamines ("hiropon" or "ice") in Asia. In the west, designer drugs gain in popularity as does the deadly practice of combining different narcotics with alcohol.

To satisfy the world's addicted millions, international cartels pay peasants to grow coca in source countries such as Bolivia and Peru; from there raw crops are directed to transit nations like Colombia or Mexico, where it is processed and sent on to the U.S., Canada, or Europe. Heroin cartels, operating out of the plentiful opium poppy fields in the "Golden Triangle" (Burma, Laos and Thailand) in south-east Asia or the "Golden Crescent" (Turkey, Iran, Afghanistan) in south-west Asia use the same methodology, while their product goes mainly to Europe and the Middle-east. The cheap and abundant quantities of drugs available in source and transit nations result in high addict populations: 300,000 heroin addicts live in Burma; Colombia has a higher rate of cocaine addiction than the U.S. The fact that most of these nations have struggling, developing economies, coupled with the presence of powerful drug syndicates makes adequate law enforcement and medical care beyond the means of local governments. The cartels exploit this weakness and armed militia financed by drug money often battle with the authorities. Colombia's crackdown on the Medellín syndicate resulted in a deluge of terror as government offices were blown up and hundreds of officials were assassinated, including fifty-seven judges and two cabinet officers. Parts of northern Burma are controlled by roving bands of heavily armed heroin-smugglers. In the 1980's, drug terror destabilized entire nations in South America. Bribery and corruption are major problems in many countries, where judges and policemen are given the choice of "plom o plata" ("lead or silver").

The drug industry's weakest link lies with the hundreds of billions of dollars which they must somehow put into the international financial system. Profits are legitimized through false businesses set up for drug revenues, or banks in nations which do not have laws prohibiting money laundering.

To counter these threats, many nations have signed bilateral treaties calling for the extradition of international criminals, adopted more stringent banking laws and harsher punishments for drug users, and established regional organizations such as the Drug Advisory Program to the Colombo Plan in Oceania, the Pompidou Group in Europe, or the South American Agreement on Narcotic Drugs and Psychotropic Substances. Despite all of these efforts, drug abuse has continued to increase.

It is against a backdrop of mixed signals and failed programs that the United Nations has played its greatest role: mustering world opinion against illegal drug abuse and trafficking. Latin America led the way in 1984 by adopting the U.N. sponsored Quito Declaration Against Traffic in Narcotic Drugs, which declared drug traffic a "crime against humanity, with all the legal consequences implicit therein". The Declaration also called for a regional fund to assist developing countries in combatting the drug threat. The New York Declaration followed, which called for "a United Nations conference to adopt an international plan of action against drug trafficking, a call which would be echoed by the Secretary-General in 1985 and the General Assembly (A/Res/39/143), and

which would manifest itself in 1987 when 138 nations took part in the International Conference on Drug Abuse and Illicit Trafficking (ICDAIT). Among other things, the conference recognized the inadequacy of current anti-drug efforts and banking laws, and called for increased international funding and coordination—cries which were also echoed. To realize the goals set by ICDAIT, the U.N. convened a plenipotentiary conference in 1988, which adopted the U.N. Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances. The Convention contains the measures called for in ICDAIT, and when ratified by twenty states, will become part of international law. The world was now aware of the problem as it had never been before, and international legal measures were in place to deal with the drug abuse threat. To set priorities and practical goals in fulfilling the ideals of ICDAIT and the 1988 Convention, the U.N. convened its 17th Special Session in 1990 and adopted a Global Program of Action (GPA) which lists one hundred specific goals in a "blueprint for worldwide action". Some of the GPA's measures call for confiscation of property from criminals, higher priorities to U.N. drug control activities, and control of precursor chemicals used in illicit drug production. The GPA calls for giving equal attention to trafficking, supply, and demand—an important priority which was missing from previous agreements. In the Cartagena summit, the U.S. pledged to "support alternative development, designed to replace the coca economy in Peru and Bolivia". The most significant recent summit by far took place April 9-11, 1990 in London, where 124 nations unanimously adopted the GPA, agreed to review the existing U.N. anti-drug structures, pledged more financial support for the United Nations Fund for Drug Abuse Control, and vowed to work to decrease world demand for illegal drugs.

Achieving the objectives set by these international conferences has been the task of the U.N. agencies set up to deal with the drug issues. The forty member U.N. Commission on Narcotic Drugs is the main U.N. policy-making body on international drug control. The U.N. Division on Narcotic Drugs deals with research, assists Member States in complying with drug treaties, and performs the tasks assigned to the Secretary-General in those treaties. The United Nations Fund for Drug Abuse Control (U.N.F.D.A.C.), created in 1971, is the main source of funding for the U.N.'s drug programs. The voluntary contributions by Member States to the fund, supported 152 projects in forty-nine nations in 1989. The thirteen member International Narcotics Control Board was created to ensure that the amount of drugs produced does not exceed the world demand for legitimate uses. The Board publishes annual reports on the global drug situation. The U.N.F.D.A.C., in conjunction with the Development Program, works on crop eradication/replace-ment programs in Latin America, Pakistan and south-east Asia. The U.N.F.D.A.C. has also funded some World Health Organization studies on drug abuse, including the link between drug abuse and spread of the H.I.V. virus. In this way, the Division of Narcotics sets the policy in accordance with the international agreements, then the U.N.F.D.A.C. funds and coordinates programs with Member States and other U.N. agencies. The weaknesses of the system include the voluntary and often sporadic nature of funding—although recently, western nations have made greater commitments—and a lack of communication and coordination with

other governments and agencies. A joint U.S.-U.N. program in Bolivia to replace coca crops was jeopardized by conflicting policies of the two bureaucracies. Officials admitted not knowing too much about the general aims of the other side, and U.S. agents admitted it was not their policy to share strategic information with the U.N.F.D.A.C. South America is also an example of internal conflicts, for as the I.M.F. applies shock-treatment reforms to debt-ridden economies in Peru, Bolivia and Brazil, the resulting increases in inflation and unemployment drive many peasants to the cocaine agri-business. I.M.F. officials admit not taking the drug issues into consideration when creating fiscal policies.<sup>15</sup> Ultimately, the U.N.'s effectiveness is a measure of the willingness and resolve of Member States to make financial sacrifices and to institute reforms.

Improvement can be made in both the structure and approach of existing agencies. The U.N.F.D.A.C., The Division of Narcotics, and the Division on Narcotic Drugs should be combined into a single Division of Narcotics, headed by a U.N. Drug Czar who will command at least a partly regular budget paid biannually by Member States. Voluntary contributions should be taken for extra-budgetary projects. The Control Board could also serve as an independent watchdog of the Division, publishing annual assessments and suggestions. The establishment of an international Drug computer network by the U.N. would allow instant access to studies, files on suspected criminals or banking operations, and would also serve as a major communication and coordination link between other agencies and governments. In the field of regulation, special attention must be paid to precursor chemicals used in the illegal drug production process, and their production and transport should be strictly regulated by the Control Board. As far as overall strategy, a massive education campaign aimed at reducing demand must be the top priority, with U.N. agencies working with existing local institutions in sending out the anti-drug message. W.H.O. can assist needy states in creation of treatment programs for addicts. Only after some success has been achieved in reducing demand should the U.N.F.D.A.C. and U.N.D.P. work towards creating development programs for supply nations. The drug problem is also one of development, since crops subsidized by the U.N.D.P. can replace coca, opium, and cannabis only if the economy is growing and diversified. Reforms on this level must be in conjunction with the existing regional organizations of the area, which best understand local problems and opportunities. These measures will increase the efficiency and effectiveness of U.N. agencies, but in the final analysis, the drug war will be won by a more developed economy, where legitimate options exist to growing drug crops, and by a more intelligent society, where the community realizes that drug abuse is not a legitimate option.

HONORING KEN S. WANG, UNITED NATION'S ESSAY FINALIST

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. HOYER. Mr. Speaker, I rise today to honor Mr. Ken S. Wang, as one of the 1991 top 10 finalists of the United Nations Associa-

tion National High School Essay Contest. Mr. Wang, who placed third in the competition, is a sophomore at Eleanor Roosevelt High School in Greenbelt, MD. Ken has always had an avid interest in the United Nations and found particular interest in this year's essay topic of the United Nations' role in combating illicit drug trafficking and drug abuse. After researching the topic extensively, Ken found that not only has the United Nations found success in its programs to combat this vast problem, but that possible solutions are available for our global strategy.

Mr. Wang's response to a global issue can only help the United Nations move forward in their quest toward ending the international dilemma of illegal narcotics trafficking and drug abuse.

Mr. Speaker, I commend Ken for his insightful and thought-provoking essay. He has shown that through the cooperation of organizations such as the United Nations Association and our local school systems, our youth of today will have the opportunity to develop solutions for the problems of today and tomorrow.

The Fifth Congressional District is proud to have Ken representing them in this prestigious honor. Our county and our country is truly a better place thanks to students such as Ken who are interested in working toward making our world a better place to live, learn, and work.

U.N. SECRETARY-GENERAL'S REPORT ON THE U.N. ROLE IN COMBATING ILLICIT DRUG TRAFFICKING AND DRUG ABUSE

(Third place winner's report: Ken Wang, Eleanor Roosevelt High School, Greenbelt, MD)

#### INTRODUCTION

Drug abuse and the illicit trafficking of narcotics have made drugs one of the greatest problems the world faces today. The drug problem stretches across five continents and has become a key element of global lawlessness. The world-wide drug business, with an estimated value of \$500 billion a year is quickly infiltrating politics, economics, and financial markets. There are some 40 million illegal drug users throughout the world. The dark world of terrorism has also been linked to the drug trade. The incredible powers of the drug organizations are currently threatening to topple governments in some countries. With the cooperation of many countries, the United Nations has continuously combated the global drug problem for the last several years. Much more must be done before the scourge of drugs is completely eliminated. This report covers the current global situation with drugs and reviews the recent efforts of the United Nations. Suggestions are also offered to improve future U.N. actions.

#### GLOBAL PROBLEMS OF ILLICIT NARCOTICS TRAFFICKING AND DRUG ABUSE

Illicit narcotics trafficking and drug abuse have caused enormous social and political problems throughout the world and resulted in horrifying violence. Insurgent guerrilla groups all over the world use narcotics trafficking to finance their political campaigns and arms purchases. Drug trafficking has also spawned corruption in many governments. In fact, there is evidence of involvement in trafficking by high-level officials in at least 33 countries.

The drug trade has severely crippled Colombia. The Medellin cartel is one of the

most powerful and important trafficking organizations in Colombia, as well as the world. The cartels provide 80% of the world's cocaine and cocaine derivative crack, with estimated profits of at least \$3 billion a year. It is suspected that approximately one million Colombians are directly involved in the drug business. In 1984, cartel gunmen assassinated justice minister Rodrigo Lara Bonilla, who was the leader of the government's antinarcotics program. Today the Colombian *narcotraficantes* have created an organized system of corruption extending to many Latin American and Caribbean countries including Panama, Honduras, Haiti, the Bahamas, Mexico, and Cuba to use as transshipment sites.

There are also four main Colombian insurgent guerrilla groups which have been connected to narcotics production and smuggling. The FARC (Revolutionary Armed Forces of Colombia) is the oldest Marxist guerilla organization, and solicits payments from coca growers in return for protection. The M-19 (19th of April Movement) guerillas are involved in the guns-for-drugs trade. The ELN (National Liberation Army) and EPL (Popular Liberation Army) enforce the taxation of drug growers and traffickers.

World cocaine production is estimated to be as high as 700 tons a year. Most of the coca from which cocaine is made is grown in Peru and Bolivia, where 300,000 people in each country are directly involved in coca production. Peasant farmers earn ten times more from growing coca than any other crop, making coca irresistibly attractive.

In the United States, retail drug deals make up the \$100-billion-a-year market. Mexico is a major transshipment point for cocaine from Colombia. Over 45% of the cocaine consumed by the United States comes through Mexico.

The Golden Triangle of Burma, Thailand, and Laos is the world's major source of opium poppies, from which heroin is derived. The heroin is usually smuggled through Thailand, China, Hong Kong, or India. Asia's Golden Crescent, which stretches from Turkey across Iran and Afghanistan into Pakistan and India, also cultivates opium. In India, heroin is legal for medicinal purposes. Middle East politics are deeply involved with narco-terrorism. For example, in Lebanon, a multi-billion dollar hashish trade supports terrorism, causing civil anarchy. In Bulgaria, a trading organization known as KINTEX is involved in narco-terrorism and actively trades guns for drugs.

Drug money has to be laundered to disguise its origin and ownership. Paraguay is a significant money-laundering location in Latin and South America because of its relaxed government controls. Large amounts of cash are also easily laundered through Peru's banking system. Asian drug money is usually laundered through a maze of financial transactions in such places as gold shops, trading firms, and foreign exchange firms. Hong Kong is the major financial center for Asia's drug traffickers, because of its strict bank-secrecy laws and absence of restrictions on the import and export of foreign currency.

Drug abuse is increasing rapidly in many regions of the world according to the World Health Organization (WHO). Violence has increased as a result of the drug abuse. For example, in Washington, D.C., which had the highest murder rate in North America, officials estimate that 80% of the city's murders were drug related. Drug abusers are vulnerable to the deadly AIDS virus which can be transmitted through the use of needles. WHO

estimates that five million drug abusers use needles. Drug abuse has a great cost to society in terms of lost productivity, increased medical treatment, and higher crime.

#### ACTION TAKEN BY THE UNITED NATIONS IN COMBATING GLOBAL DRUG PROBLEMS

The United Nations has sponsored many programs to combat the world-wide drug problem. World conferences involving ministerial-level officials from drug-affected countries have been held since 1987 to discuss cooperation on controlling International narcotics production, trafficking, and abuse. In 1985, the U.N. started a series of operations called "Condor," which were somewhat successful in destroying airstrips, processing laboratories, and confiscating drugs. Operation Blast Furnace in Bolivia supported raids against suspected cocaine laboratories. In Bolivia and Peru, Operation Snowcap was an international assault combining antidrug forces from 30 nations. "Project A-1" was aimed at reducing the amount of illicit opiate raw materials as part of the International Drug Abuse Control Strategy. The International Narcotics Control Board has had campaigns to reduce coca cultivation in Bolivia and other countries. The Economic and Social Council has asked countries to strictly regulate the supply and import of precursors to illicit drugs, exchange information regarding suspected shipments, and reduce trafficking via commercial carriers.

The U.N. has launched programs in the Caribbean and Central America to improve the use of radar in surveillance and interdiction. The U.N. Fund for Drug Abuse Control (UNFDAC) has been a key element in advances in narcotics control. It has developed projects to extend programs in coca control and rural development assistance in Peru and Bolivia and other parts of South America. In the Northwest province of Pakistan, the UNFDAC and United States government started a Special Development and Enforcement Plan to control opium cultivation. The UNFDAC has also established a \$5.8 million rural integrated pilot program for opium control in the northern Vientiane province of Laos. In 1988, the U.N. convention against Illicit Traffic in Narcotics Drugs and Psychotropic Substances was adopted to strengthen international efforts to halt the drug trade. The Commission on Narcotic Drugs is the main policy maker on international drug control matters for the U.N. It has adapted 24 resolutions in an antidrug treaty to coordinate efforts against the global drug problem.

Recently, the U.N. General Assembly proclaimed a U.N. Decade against Drug abuse (1991-2000) to intensify efforts in the fight against drugs. The General Assembly also unanimously adopted a Political Programme of Action, emphasizing the prevention of diverting precursor chemicals to manufacture illicit drugs and aiding developing countries to control trafficking. The U.N. is also acting as an advisory center on demand reduction.

#### AN ASSESSMENT OF THE EFFECTIVENESS OF THE U.N. ACTION ON GLOBAL DRUG PROBLEMS

The U.N. has had much success with their combat against illicit drugs in recent years. In Mexico, the total market value of drugs that have been destroyed exceeds \$50 billion. The Mexican government was successful in reducing heroin production with aerial eradication from 6.5 metric tons in 1975 to 1.4 metric tons in 1983. With the assistance from the U.N., opium production has been reduced by 36.5 percent in Pakistan. Colombia has been

successful in using the herbicide glyphosate to control marijuana growth. During 1985, 85 percent of the marijuana cultivated along the north coast of Colombia was destroyed by aerial eradication. The Bureau of International Narcotics Matters (INM) successfully eradicated a potential 10 metric tons of cocaine in Peru. The number of countries dedicated to eradicating illicit narcotic crops in their territories has dramatically increased. In 1981, only 2 countries were eradicating crops, but by 1987, 20 countries had eradication programs. A successful U.N. project has taken place in Turkey. A crop control program implemented there with support from the Turkish government and international community led to the complete suppression of narcotics cultivation.

**PROPOSALS AND INITIATIVES FOR U.N. ACTION TO SOLVE THE GLOBAL DRUG PROBLEMS**

Proposals and initiatives for future U.N. action must comprehensively address all parts of the global drug problem from the supply to demand in order to be effective. Legalization of narcotics is definitely not the answer, since it would only lead to more drug use and signify victory for the drug traffickers. In controlling the source of narcotics, more funds should be collected from all nations to support the UNFIDAC. The UNFIDAC could then increase its efforts in aerial eradication and development projects that would help steer coca growers to licit crops. Stronger countries should give aid to drug-producing countries such as Colombia and Bolivia in providing equipment and herbicides necessary for aerial eradication. A multinational task force should be formed to lend more power to the struggling governments of unstable countries in the fight against violent traffickers. Urban countries such as the United States and Soviet Union should provide more opportunities for export of licit crops in developing countries to encourage the cultivation of other crops besides narcotics. The U.N. should also encourage foreign investments in drug-ravaged countries so that people would not have to rely on narcotics money.

The UNDP could provide incentives for research in developing the most effective herbicide to combat narcotics crops. Biotechnology should also be investigated. Coca-eating insects such as the malunya could be bred in mass numbers and released in coca cultivation areas such as Bolivia and Peru. Narcotic plants could also be genetically altered to prevent the production of the enzymes which yield the drugs. Drug-producing countries should also be given more advanced technologies such as heat-seeking equipment to detect laboratories or spectral detectors to detect specific chemical wavelengths of narcotics in processing centers. Radars or sensors could be used to monitor drug activity. A high-technology sniffing or X-ray scanning detector would also be effective in stopping the flow of drugs.

Demand-reduction for illicit drugs is essential to defeating the global drug problem. The U.N. should encourage the governments of all consumer nations to provide extensive funding for effective treatment and rehabilitation programs. A U.N. agency could be created specifically to assist countries in setting up and overseeing these treatment programs. Those programs should be free of charge since most addicts have squandered their money on drugs. In addition, the U.N. should provide funds for vigorous and creative drug education programs in consumer countries. Children's television programs about drugs could be developed by the U.N. to increase awareness and facilitate edu-

cation. Successful education programs will reduce drug demand and, in turn, can reduce illicit trafficking of narcotics.

The grower-to-user narcotics chain must be broken through a comprehensive program of international control. Pressure should be applied at all points in the chain. More severe penalties should be used against convicted drug traffickers.

**CONCLUSIONS**

All nations must work together for a united effort against the global drug problem. Instead of placing the blame and responsibility on a few countries, all nations should cooperate and do their part for the common good. Since the drug trafficking networks extend across many countries, a comprehensive multinational strategy within geographical areas is essential. The U.N. should continue to sponsor international conferences on illicit drugs, and place pressure on uncooperative countries. With an international effort on narcotics supply eradication and demand reduction programs, illicit trafficking and drug abuse will be conquered.

**PROTECT ETHNIC ALBANIANS IN KOSOVA**

**HON. DAVID E. BONIOR**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. BONIOR. Mr. Speaker, in recent weeks, world attention has been focused on the violence in Yugoslavia. Slovenia has successfully resisted attempts to forcefully prevent their bid for independence. However, the situation in Croatia remains extremely tense with increased fears of a military crackdown there.

Throughout these events, ethnic Albanians in Kosova have continued to suffer from the repression of Communist leader Slobodan Milosevic.

The 1990 State Department Country Reports on Human Rights Practices contains a litany of human rights abuses being perpetrated against ethnic Albanians in Kosova. These charges are echoed in Amnesty International and Human Rights Watch reports.

This year, Milosevic has intensified his violent campaign of repression against ethnic Albanians. Scores of Albanians have been killed, tens of thousands have been fired on the basis of ethnicity and the Albanian-language newspaper, Rilindja, remains closed. A state of emergency is still imposed in Kosova, and thousands of political prisoners have been imprisoned.

Recently, the Washington Post reported that freshman enrollment at the University of Kosova will be cut by more than two-thirds. Furthermore, half of those places will be reserved for non-Albanian speakers despite the fact that 90 percent of Kosova's population is ethnic Albanian and speaks Albanian.

Milosevic has taken direct control of the university, and fired a number of Albanian professors. This is just another example in a long series of repressive measures aimed against ethnic Albanians.

I have cosponsored a resolution introduced by my colleague, TOM LANTOS, condemning the use of force to resolve differences in Yugoslavia. Self-determination must be re-

spected in Slovenia and Croatia without violence and intimidation.

In addition, this resolution urges the President to suspend all direct assistance to Yugoslavia in response to the imposition of martial law in Kosova and the army's violent crackdown in Slovenia and Croatia. I urge my colleagues to support this important resolution.

Last Friday, Albanian, Croatian and Slovenian Americans gathered for a rally on the west lawn of the Capitol to protest this repression. Members of the Albanian-American National Council from Michigan and Croatian Americans from Warren were there. I welcomed all of them, as well as, Gjak Martini from my own district who I work with closely on these issues. Their voices will be heard.

IN HONOR OF CHIEF M. SGT. FRANK J. OLSZEWSKI, JR., ON THE OCCASION OF HIS RETIREMENT FROM THE U.S. AIR FORCE

**HON. WILLIAM L. DICKINSON**

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. DICKINSON. Mr. Speaker, today I would like to pay tribute to Chief M. Sgt. Frank Olszewski, who is retiring from the U.S. Air Force after 26 years of service.

Chief Olszewski's career with the Air Force included duty in Vietnam from 1968 to 1970, and two tours with the Office of Legislative Affairs in the Office of the Secretary of Defense. He has received a number of awards during his 26-year tenure, including the Defense Meritorious Service Medal, the Joint Service Commendation Medal, and the Air Force Commendation Medal.

Chief Olszewski spent a total of over 12 years in the Secretary of Defense's Legislative Affairs Office, which he jokes should have earned him hazardous duty pay. Frank's understanding of the Congress is considerable. This, paired with his experience and knowledge of the Department of Defense, has made him an invaluable asset to the Legislative Affairs organization, the Secretary of Defense and the Congress.

Coworkers will remember Chief Olszewski for his can-do attitude, professionalism, superior judgment, dedication, and leadership. He is the embodiment of today's military spirit—to get the job done, and get it done right. Upon his retirement from the Air Force, Frank takes with him heartfelt good wishes and the high esteem of coworkers throughout the Department of Defense as well as the appreciation of the U.S. Congress.

**THE "GREEN LINE"**

**HON. JACK REED**

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. REED. Mr. Speaker, this summer, we mark the 17th year of Cyprus' existence as a state divided.

The "Green Line", a fortification resembling the DMZ in Korea, now divides Cyprus into

Greek and Turkish zones. The demarcation is so severe that the halves of the island seem divided by an ocean rather than a manmade wall. Even Nicosia, Cyprus' capital, has been divided. Cypriots cannot go from one side of the city to the other for any reason, even to visit their families.

In 1974, when the Turkish Army invaded Cyprus, a mass exodus occurred. All Cypriots of Turkish descent were required to move to the northern part of the island, while all Cypriots of Greek descent moved to the island's southern region. In an attempt to justify its ethnic claim to the island, the Turkish Government persuaded thousands of its citizens to colonize northern Cyprus.

In the wake of the invasion, families were uprooted, property was lost and destroyed, and a barrier was erected which remains in place today. The existence of the Green Line is a reminder of the continued need for the United States to play a positive role in tearing such barriers down.

The Turkish invasion and subsequent occupation of Cyprus violates a number of United Nations' resolutions—stressing what most of us realize—the need for immediate and meaningful negotiations.

The Turkish Government has failed to negotiate in good faith. U.N. Secretary General de Cuellar has repeatedly sought to foster meaningful negotiations, yet Ankara continues to ignore his efforts. I know many in this Chamber share my hope that President Bush will continue his recent activities regarding the need for negotiations to resolve the division of Cyprus. The continued occupation of Cyprus by 30,000 Turkish troops is intolerable. Negotiations must be kept going to serve as a form for future progress.

We have all been moved by the recent reunion of Ethiopian Jews with family members in Israel. If the Turkish Cypriot Government can be brought to the table, perhaps we will hear similar tales of reunion.

I urge all of my colleagues to take an active role in ending this terrible situation. We must make every effort to restore Cyprus' sovereignty. To do less would not only condemn the people of Cyprus to continued persecution, but indecision would also betray the spirit of independence which all Americans so dearly hold.

#### THE INTRODUCTION OF THE MEDICARE OCCUPATIONAL THERAPY AMENDMENTS OF 1991

### HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. STARK. Mr. Speaker, today, together with my colleagues Mr. COYNE of Pennsylvania and Mr. LEVIN of Michigan, I am introducing H.R. 3220, the Medicare Occupational Therapy Amendments of 1991.

H.R. 3220 establishes occupational therapy services as a qualifying service for Medicare's home health benefit.

In order to qualify for Medicare's home health benefit under current law, an individual must be homebound and must be in need of

either skilled nursing care, or physical or speech therapy. Once an individual has established eligibility for home health services, he or she is then able to receive any medically necessary home health service, including occupational therapy [OT]. However, simply being homebound and needing occupational therapy does not make an individual eligible for home health services.

Medicare beneficiaries and the occupational therapists who serve them are frustrated by a policy that allows people to receive medically necessary occupational therapy only if they are in need of some other service. Requiring a multitude of services when a person needs only one is neither logical nor cost effective.

H.R. 3220 would eliminate this unnecessary barrier and allow homebound beneficiaries to qualify for home health services based on their need for occupational therapy alone.

Occupational therapy is an important part of Medicare's home health benefit, particularly for victims of strokes, heart attacks, arthritis, and other disabling conditions. It can play a critical role in ensuring full recovery. When appropriate, occupational therapy can also teach compensatory techniques that assist a patient to overcome a permanent disability and function independently in their homes.

Based on preliminary estimates, this expansion of Medicare's home health benefit would cost only \$22 million in fiscal year 1992, increasing to \$42 million in fiscal year 1996.

The bill has been drafted without the financing necessary to cover its costs. I fully anticipate that these benefits, if adopted by the Committee on Ways and Means would be fully financed on the required pay-as-you-go basis.

I urge all of my colleagues to join me in cosponsoring this bill. These services will help keep our elderly living independently.

#### FATHER ROGAN CELEBRATES GOLDEN JUBILEE OF PRIESTHOOD

### HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. MURTHA. Mr. Speaker, I would like to take a moment to congratulate Father Richard Rogan of the St. Therese church in Johnstown, PA, on the upcoming celebration of his 50th year in the priesthood.

The year 1991, is a year in which we are remembering many historical events which took place 50 years ago. As we think back 50 years, to the time our Nation became embroiled in a World War, and then realize the changes the United States has experienced since that time, it is with a sense of admiration that we celebrate the labor of an individual who is working to help people and give them spiritual guidance today, just as he was 50 years ago when these events were taking place.

And these past 50 years certainly have been eventful in Johnstown. We've seen a devastating flood, the ups and downs of an unstable economy, and the departure of many long-time residents. And we've seen many good times, as a new generation of hard-working people have made Johnstown a better

place. Our area is known for the loyalty and dedication of its people, and I can't think of anyone who exemplifies this more than Father Rogan, who has devoted the last 50 years of his life to helping people.

The parishioners of St. Therese Church are extremely fortunate to have had Father Rogan serve their parish. I join them in celebrating Father Rogan's golden jubilee of his priesthood, and I wish him all the best as he continues his work for the people of our area.

#### INCREASING FAIRNESS TO ACCESS IN HIGHER EDUCATION

### HON. TIMOTHY J. ROEMER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. ROEMER. Mr. Speaker, today I am pleased to introduce legislation which increases the maximum Pell grant award from \$3,100 to \$4,500 and increases the child-care expense allowance for Pell grant recipients from \$1,000 to \$3,600.

The current Pell grant program, which is authorized under the Higher Education Act of 1965, assists undergraduate students from low-income families in helping defray the costs of attendance at postsecondary educational institutions. While the number of Pell grant recipients has increased over the years, the purchasing power of the Pell grant has declined greatly in relation to soaring college costs. The current maximum Pell grant award of \$2,400 does not begin to cover the same percentage of education costs as it did a decade, or even a few years ago. Moreover, the average award of \$1,500 is far less than the authorized level and the actual maximum award. Neither Federal student aid funding, nor family incomes have kept pace with the rising costs of a college education.

Last year, of the 6.9 million applicants for the Pell grant, only 3.4 million students actually participated in the program. Students from families with incomes beyond \$30,000 have been virtually eliminated from the program. Raising the maximum award to \$4,500 will result in increasing Pell grants for the poorest, and therefore neediest students, as well as for those deserving students who come from working families with moderate incomes.

As we look toward the challenges our Nation faces into the 21st century, we must increase access to postsecondary education in order to enable all of our citizens to participate fully in our society. For many of our traditional and nontraditional students, access to postsecondary education is only made possible through student-aid programs. We must look at ways to improve the balance between grants and loans and restore the purchasing power of the Pell grant program so that it remains the true foundation program for Federal student aid.

Mr. Speaker, another critical impediment to access to higher education is the lack of child-care assistance. For many women, the lack of adequate child-care is the major obstacle which prevents them from pursuing or obtaining a college degree. The current child-care allowance under the Pell grant program is

capped at \$1,000, while studies reveal that the costs associated with year round child care are closer to \$3,600. Today, women over the age of 25 account for one-quarter of the college population. In many instances, these women are single heads of households who are self-supporting and struggling to finance their educations. For these women and their families, a college education will improve their lives as well as the lives of their children. I believe that we need to improve and insure higher education opportunities for low-income parents by raising the allowance for child-care costs to \$3,600.

One of the great challenges that we face as a Nation into the next century is the skills and training of our future work force at all levels. Equal access to higher education for Americans from all walks of life and the easing of the financial burdens on our middle-class families should be two of our highest priorities. This legislation directly addresses these priorities, Mr. Speaker, and I look forward to working with my colleagues on the Education and Labor Committee and in the House to make the dream of equal access to education a reality for every American.

H.R.—

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

#### SECTION 1. PELL GRANT AMOUNTS.

Section 411(b)(2) of the Higher Education Act of 1965 is amended by striking clauses (i) through (v) and inserting the following:

"(i) \$4,500 for academic year 1992-1993, and  
 "(ii) for any subsequent academic year, an amount equal to \$4,500 plus a percentage of that amount equal to the percentage change in the Consumer Price Index between June 1992 and the June preceding the beginning of such academic year."

#### SEC. 2. CHILD CARE EXPENSES ALLOWANCE FOR PELL GRANT RECIPIENTS.

Section 411F(5)(B)(iv) of the Higher Education Act of 1965 is amended by striking "\$1,000" and inserting "\$3,600".

### IT'S TIME OUR FEDERAL FLEET BURNS CLEAN, RENEWABLE FUEL

**HON. BYRON L. DORGAN**

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. DORGAN of North Dakota. Mr. Speaker, Congressman RICHARD DURBIN and I have introduced H.R. 3131, a bill to get our Federal fleet of 400,000 cars and trucks back on the track toward clean, renewable fuel.

In the early 1980's, Congress passed two laws requiring Federal fleets to be fueled with ethanol-blended gasoline, or gasohol, whenever gasohol prices are competitive. Today gasohol sells for 3 to 4 cents less than gasoline at most outlets where it is available, but very few Federal cars or trucks burn gasohol. Federal agencies threw a logjam of exemptions in front of the 1980-81 requirements to use gasohol, and the 1980's passed without compliance.

While the Federal Government has evaded the move to ethanol blends, Congress has moved to require vehicle fleets in many air-polluted cities to burn oxygenated fuel. Imple-

mentation of the Clean Air Act of 1990, for example, will soon require all fuel dealers in such cities to sell oxygenated fuels such as gasohol in the winter months. Manufacturers have moved ahead, too, approving gasohol as safe for their vehicles.

It's time we brought the Federal fleet into the clean air arena. That Federal fleet is 400,000 vehicles that could be leading the Nation to cleaner fuels and better energy security at no cost to the Federal budget. Conversion to gasohol also means less dependence on oil in favor of renewable fuel made from the grain U.S. farmers grow every year.

With rare exceptions, our Federal agencies have proven they will not buy clean fuels without an ironclad mandate from Congress. Most of the Federal employees who carry Federal fuel credit cards to retail pumps across the Nation, and those who buy fuel for Federal agencies, avoid gasohol even though they can buy gasohol for less than they can buy gasoline.

Consider this. The Department of Defense, which buys fuel for all Federal agencies, bought 160 million gallons wholesale for gasohol-type vehicles last year. Only 62,000 gallons, or 0.04 percent, were gasohol, and that was entirely for the Department of Interior. No other department ordered a drop of gasohol. In fact, Federal fleet managers are going in the wrong direction: The total was 770,000 gallons of gasohol in 1987.

In fact, U.S. Navy specifications to fuel suppliers who bid for Navy fuel contracts specifically prohibit a supplier from even offering gasohol. A fuel wholesaler who bids for fuel contracts for Air Force bases recently complained that the Air Force allowed him to bid gasohol as an alternative to gasoline, but then rejected his bid even though it was lower than bids for gasoline.

In May, we set out to tighten the 1980-81 laws. The House accepted our provisions in the Defense authorization bill that require DOD to supply gasohol to Federal agencies whenever the price is competitive.

Now we must finish that job, if we are to actually get the Federal fleet burning clean fuels. Our bill, first, requires Federal agencies to solicit price quotes for gasohol whenever buying fuel for spark-ignition vehicles, and to buy gasohol whenever the price is competitive; second, requires all Federal employees using Federal credit cards to fuel their vehicles to buy gasohol for spark-ignition vehicles whenever the retail price of gasohol is competitive; and third, requires all retail fuel distributors who have Federal fuel credit accounts to provide only gasohol when accepting a Federal credit card.

It costs the Treasury nothing, reduces air pollution, and helps get our Nation moving to cleaner fuels. We hope our colleagues will join us in this effort.

#### PARENTS' RIGHTS IN ABORTION

**HON. GERALD B.H. SOLOMON**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. SOLOMON. Mr. Speaker, in December of last year New York City newspapers re-

ported an award of \$1.2 million in damages to the parents of a 13-year-old Queens girl.

She had died from what some of my colleagues insist upon calling a safe and legal abortion.

Dawn Ravenell's parents first learned of the abortion when they were called by St. Luke's Roosevelt Hospital and told their daughter was in a coma and was not expected to survive.

When the Labor/HHS appropriations bill was considered by this body, the Ravenell's rights and interests, and the rights and interests of millions of other parents, were tossed aside on a point of order. Abortion advocates appear to have no interest in parents' rights. But when more of our citizens' daughters are harmed or killed by clinics promoted through the title X family planning program, what will their defense be? I ask my colleagues, what right does any program have to deny parents their rights?

#### WORKPLACE FAIRNESS

**HON. MERVYN M. DYMALLY**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. DYMALLY. Mr. Speaker, on July 17, this distinguished body passed H.R. 5, the Workplace Fairness Act, by an overwhelming majority. As we await a Presidential veto, I urge my colleagues to rally on the side of the working men and women of America and override the Presidential veto. Intimidating employees with the notion that they will lose their job if they choose to strike undermines the foundation of collective bargaining, because it removes any incentive on the part of management to negotiate, in good faith, an end to labor-management disputes.

Permanently replacing striking workers is a cynical method of destroying labor unions, firing employees who earned higher wages because of their seniority and instead hiring unorganized, cheaper labor.

During my visit to the 31st District of California, I joined 200 Latino, African-American, Asian and Anglo members, of the United Electrical, Radio and Machine Workers of America, UE Local 1015, who have been on strike against Carol Cable Co.—a subsidiary of the multi-billion dollar conglomerate Penn Central Corp. The main issues of the strike are: retention of quality health care insurance, and a decent wage increase. What is at stake here is survival. Antony Acosta, a shipping clerk and forklift driver for 20 years with Carol Cable, who along with his coworkers was willing to forgo reasonable wage increases in favor of retaining quality health care insurance. Antony and his 9-year-old daughter Susie suffer from serious heart problems which require comprehensive and regular medical care.

Accepting the inferior medical plan offered by Carol Cable means not only financial destruction, but also health disaster for him and his daughter.

Mr. Speaker, as leaders of the Free World, we hope that the President's "New Order" means sharing our principles of freedom, justice, and equality, with the rest of the world. This can not be done by applying on the

American people what is worst in other lands, such as the repression of working people.

We cannot allow the profit motive to plunge us back into the days of early exploitation, and erode the protections gained by the labor movement through hard struggle. Vote to override the Presidential veto on H.R. 5. Mr. Speaker a vote against the President's veto is a vote against plunging back to the days of David Copperfield.

VETERANS OF FOREIGN WARS ANNUAL VOICE OF DEMOCRACY SCRIPTWRITING CONTEST

HON. BYRON L. DORGAN

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. DORGAN of North Dakota. Mr. Speaker, Justin John Brooke was recently named the North Dakota State winner in the Veterans of Foreign Wars of the United States' Annual Voice of Democracy Scriptwriting Contest.

The Veterans of Foreign Wars of the United States and its Ladies Auxiliary sponsor the Voice of Democracy Scriptwriting Program. The program, which is in its 44th year, requires high school entrants to write and record a 3 to 5 minute script on an announced patriotic theme. This year's theme was "Democracy—The Vanguard of Freedom." Over 138,000 students participated in the program nationwide.

Justin John Brooke's excellent entry described what American citizenship, freedom, and democracy mean to him. I am inserting the text of his script immediately following my remarks here.

DEMOCRACY—THE VANGUARD OF FREEDOM  
(By Justin J. Brooke, North Dakota Winner, 1990/91 VFW Voice of Democracy Scholarship Program)

Freedom. To Americans, she is a way of life. She is laughter, joy, tears, and sorrow; blood and sweat; honesty and integrity. She is diverse as the people she represents and vast as time itself. She is heard in the speeches of politicians and can be seen in the sweeping grandeur of the Statue of Liberty.

She was there when the first explorers arrived in the New World, America. She watched as Britain taxed and abused the American colonists, and she listened when Patrick Henry heatedly cried, "Give me liberty, or give me death!" She cheered when the Revolutionary War began, and she stirred the hearts of the colonists in their fight for freedom.

Freedom. She is deeply ingrained in every aspect of America, and as beautiful and compelling as raindrops on a spider's web. But along with this beauty, freedom is innately delicate. Just as the web can be torn down by a stray summer breeze, freedom must be protected if she is to endure.

And so it was with this in mind that America was founded. The colonists realized that the freedom they had won from Britain would only last if they defended it. After much deliberation, led by great American heroes like George Washington, Thomas Jefferson, and James Madison, it was decided that America, the "land of the free," would be a democracy—a democracy founded on the principles of "life, liberty, and the pursuit of happiness."

The framers of the Constitution took a bold step forward when they established America as a democracy. They were taking a monumental risk, a gamble that had never worked in modern times. The plain truth was, no nation founded on the principle of freedom had ever lasted. But the American colonists resolved to make it work—their new-found freedoms were too precious to do otherwise. No other system of government would suffice.

Democracy. It is firmly established as the cornerstone upon which America hinges. It is a staunch defender and rock-solid bulwark that molds, shapes, and supports the American dream of freedom. It transforms freedom from a mere dream into actuality.

By definition, democracy is government in which the supreme law is lodged in the hands of the people collectively. It is government of the people, by the people, for the people. This is what makes democracy so acclaimed—its flexibility and its adaptability. As situations and circumstances change, the government responds to those changes in a way that best protects the freedoms of the American public.

One of the amazing aspects of democracy is its ability to stand for so many freedoms. Freedom is an abstract idea that can take as many forms as there are colors in the rainbow, but they are all protected under democracy. That's the beauty of democracy. It can be anything and do anything. Nothing is off limits, nothing is held back.

So what is democracy? It is the guarantee of freedom, and just as democracy defends freedom, freedom is the heart of democracy. Democracy is truly the vanguard of freedom.

JIM DEVAN: A GOOD CITIZEN AND FRIEND TO MANY

HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. GINGRICH. Mr. Speaker, recently an outstanding citizen and resident of McDonough, GA, Jim DeVan, died tragically while working on the tower of the radio station he owned. It was a great loss to the entire Henry County community, and he will be sorely missed.

Jim and I worked together for many years. I always enjoyed his friendship and appreciated the important work he did. In my opinion it's people like Jim who help make our country the best in the world. Because he cared a great deal about making his hometown and State a great place to live, he worked hard and helped many people. Those people will always remember.

While lots of us will miss him, no one will miss him as much as his wife, Karen, and his young children, Allison and Ben. But Jim was a fine person, and his legacy of good will toward the community will last for years to come.

I would like to share with my colleagues in the House two newspaper articles from the Henry Herald which give some idea of Jim's unique, irreplaceable contribution to Henry County and to Georgia.

[From the Henry Herald, July 12, 1991]

JIM DEVAN WAS A REAL SOUTHERN GENTLEMAN

(By Joe Hiett)

For the second time in the last few weeks. I was stunned, speechless, my mind saying,

"Oh, no, that cannot be true. Not him of all people?"

When we started getting reports that Jim DeVan had been injured at his radio station's transmission tower on Campground Road, all of us who knew Jim were dumbfounded. We hoped against hope our information was wrong, but then it was confirmed shortly after noon by Angie Strickland at Henry General: James Wesley (Jim) DeVan, 43, was no longer with us.

Tears came to my eyes, and I don't cry easily. "Not again," I thought. Only a few weeks ago another of my good friends, Clayton News/Daily executive Bill Wadkins, had been killed in a tragic auto accident in Jonesboro.

I first met Jim DeVan in 1986 when I came to The Henry Herald as editor and publisher. McDonough Postmaster E.G. Willis invited me to go to Rotary with him and there I was introduced to Jim. "Well, there's my competition. What a voice, of course he's in radio," I thought at the time.

Jim DeVan made a very favorable first impression. He had a way of looking at you and you knew he was really listening, not just pretending to listen. Jim was president of the Rotary Club that year, but the next year went back to being program chairman.

Being program chairman is probably the toughest, most thankless task a person can have in a civic club. Each week you have to somehow come up with a program, and it had better be interesting. Nothing makes a club lose members faster than a steady diet of boring programs.

Jim DeVan was a master at it, somehow attracting the famous and not-so-famous, the attractive and ordinary, all with one thing in common: They had a good story to tell.

It didn't surprise me to soon to learn that Jim was a very good song leader. He pioneered the monthly Rotary Hymn Sing at Starcrest Nursing Home and always was there even when the rest of us didn't go. And he was loved there too, just like everywhere he went.

As I made my rounds in McDonough and the rest of Henry County in 1986, I soon figured out that Jim had been there first. Somebody was always saying, "Well, Jim DeVan said . . ."

Most radio stations and newspapers are foes, often bitterly so. They figure they're in competition for the same advertising dollar. I guess that may be true here in a way, but somehow Jim and I never looked at it that way.

We found we respected each other's commitment to fairness, and soon began to sit together at news events. We even, horror, gave each other news tips on occasions.

I was gone from Henry County most of the time from September 1989 to March 1991, but Jim still kept in touch. He was an impartial critic, kindly but firmly. When we blew a news story, he'd tell us but in a way where we could save as much grace as possible.

Unlike many small-town radio stations, WZAL tried its best to cover local news, and did a darn good job with limited resources. The station also covered high school sports, and even allowed me to be interviewed on occasion at halftime. Again, there was no competitive rancor, just an appreciation for the game and each other's talents.

Rotary Club will not be the same without Jim DeVan. Covering county commission meetings won't be the same either. Or the parades, or shows like Music On The Square, or . . . Yes, the passing of Jim DeVan has left a gigantic void in Henry County.

To Karen and the kids, we all say, "We love you. We're incredibly sorry Jim had to be snatched from you. Remember the husband, father, and community giant he was."

We were all made a little bit better by having known Jim DeVan. And it still hurts that he is gone.

[From the Henry Herald, July 12, 1991]

COUNTY MOURNING LOSS OF WZAL'S JIM DEVAN

(By Joe Hiett)

"It has left a big void in Henry County," commented Henry Chamber of Commerce President David Shedd upon learning of the tragic death Wednesday of WZAL General Manager Jim DeVan. Other well known leaders, both in Henry County and in the Georgia Association of Broadcasters, were also saddened by the news, and shared their thoughts with The Herald.

McDonough Mayor Billy Copeland said, "I was just taken aback. I had been in Rome all day, and I was just devastated. I still cannot believe it. He was a dear friend."

"Although he was not in elective office, he was the greatest public servant Henry County has ever known. He believed in us. We're lowering the flag in McDonough through Monday in his memory."

"I've been so sad. It's been a terrible day for all of us. I think about the pageant, Music In The Park, all the things he was involved in," Mayor Copeland added. "Certainly the entire Henry County community has suffered a tremendous loss."

"The entire community is really shaken up. I don't know of a finer more community-minded person anywhere, and he was a fine Christian gentleman," said Tom Wise, Vice President of C & S Bank of McDonough. "I first met him in 1984 and two months later he and I with some others were very involved in bringing a Rotary Club to Henry County. It's just hard to believe. Jim was a selfless person, always genuinely caring."

"He epitomized the ideal corporate citizen, and really the ideal citizen," Shedd added. "He was committed and devoted to Henry County, a real cheerleader for everything that is good here. In so many ways for so many different reasons he'll be missed."

Earlier this year, DeVan was selected as the first recipient of the Small Businessperson of the Year award bestowed by the Henry Chamber of Commerce. "He was nominated by one of his employees (Tom Linde), which says a lot. The decision by the committee to award the honor to Jim was unanimous," Shedd said.

Dick Melious is 1991-92 president of the Rotary Club of Henry and was a close friend of DeVan. Melious said, "Jim was a tremendous guy, really hardworking. He was well educated, well read, and had a great sense of humor. He was interested in the arts, and knew jazz and classical music. He and I used to swap records. Everybody is certainly going to miss him."

Dr. Jim Bradshaw, pastor of The First Baptist Church of McDonough, was shaken up by the news. He said, "It's certainly a loss of a great personal friend, and one of the finest Christians I've ever met. He was so gracious and kind, and reminded me of the thought that 'you'd rather see a sermon lived than hear one.' Jim was the best in everything he did. We've lost not only a friend, but one of the strongest contributors to making the world a better place."

Shedd, Melious, Wise and Bradshaw all were in the Rotary Club with DeVan. They all talked of his hard work there, serving one term as club president and the other years as

program chairman, a hard task he did very well.

County Commissioner Dave Crawford said, "I think Jim was Mr. Henry County. He volunteered his time at all the functions—gave so much to this community. He was a really dedicated person, really involved. I'm really shaken up. If you were around Henry County much, you know he gave so much to the community. I just really hate it, I'll really miss him."

"In his news reporting from the county commission, he was really fair. I thought he did a super job. The entire community will miss him greatly," Crawford added. "I feel for his super wife and two children."

Bill Sanders, executive director of the Georgia Association of Broadcasters, said Thursday morning he had known DeVan for almost 20 years. "I think Jim's death is a blow to the broadcasting industry. He is a former pres of GAB, and devoted a tremendous amount of time and energy to the association for more than a decade."

"For me it's a personal loss as well. I have held Jim up for many years as the model of what a small time aggressive broadcaster should be. I was receiving calls as late as midnight from broadcasters throughout Georgia, expressing their sorrow. I've been in this business over 30 years and this is one of the most devastating blows this industry has suffered."

#### INTRODUCTION OF LEGISLATION REPEALING THE CAP ON PHYSICAL THERAPY SERVICES

HON. BILL RICHARDSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. RICHARDSON. Mr. Speaker, today I am introducing legislation to repeal section 1833(g) of the Social Security Act which limits Medicare reimbursement to \$750 in any calendar year for physical therapy or occupational therapy provided by therapists in independent practice.

The \$750 cap on Medicare reimbursement is arbitrary, and is a redundant and ineffective means of utilization control and cost containment. More importantly, the cap negatively impacts beneficiary quality of care because of interruptions in the course of treatment as the cap is neared or breached.

Medicare coverage guidelines already ensure the medical necessity of treatment by requiring that all physical and occupational therapy services provided to beneficiaries pass a three-point test. First, all therapy services must be prescribed by a physician. Second, a written plan of treatment relating the type, amount, frequency, and duration of the therapy services including the anticipated goals of the treatment must be provided by the attending physician. Any changes in the plan of treatment must be approved by the physician. Finally, the beneficiary's physician must review the plan of treatment and recertify the patient's continuing need for therapy services as least every 30 days.

Additionally, the Health Care Financing Administration under the mandate of the Omnibus Budget Reconciliation Act of 1989 (Public Law 101-239) has placed the services of physical and occupational therapists in inde-

pendent practice under the new Medicare physician fee schedule and volume performance standards. Medicare reimbursements for therapy services furnished by independent practitioners will be further controlled by the fee schedule. More importantly, overall therapy service volumes will be subject to the new volume performance standards. Medical necessity and cost containment are ensured by these provisions, not an arbitrary limit of \$750.

The cap also unfairly targets only those services provided by therapists in independent practice and disrupts prescribed therapy services for Medicare beneficiaries. Physical and occupational therapy care for most illnesses and injuries require a series of treatments over a period of several weeks or even months, rather than a single treatment. While most therapy patients are able to receive a full course of treatment within the financial constraints of the \$750 limit, those who cannot merely circumvent the limit by continuing care in more expensive alternative settings such as physician's offices or hospital-based settings.

As is to be expected, data indicates that the Government is paying a higher price for this alternative therapy. A study of 1988 Medicare reimbursement data for physical therapy services indicates that on average, Medicare paid \$1.62 more for the same services when they were delivered by physician providers than when they were provided by physical therapists in independent practice. This number becomes significant when one considers that one billion physical therapy procedures were billed to Medicare in 1988.

This inequity is of particular concern in rural areas. An October 1990 Department of Health and Human Service report to Congress on health personnel shortages found a majority of States, including my State of New Mexico, reporting a severe shortage of physical therapists. The report states that "shortages were especially severe in rural areas, where many rural counties have no access to physical therapy services whatsoever." The \$750 limit is especially burdensome on the elderly in rural areas where access to other providers of therapy services is severely limited if available at all.

My legislation would eliminate this arbitrary limit and allow beneficiaries to receive therapy which is certified as medically necessary and reimbursed pursuant to a fee schedule. Patients most in need of treatment would no longer face the choice of discounting treatment on their own, or receiving therapy services in another, perhaps more costly, setting. I urge my colleagues to support this important legislation.

HONORING FRANK PASQUERILLA

HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. MURTHA. Mr. Speaker, I would like to take a moment to recognize an outstanding community leader and a close personal friend, Mr. Frank Pasquerilla, on the occasion of his 65th birthday.

A native of Johnstown, Frank has been a cornerstone of the community for many years.

He joined a small construction company in Johnstown in 1951 as a payroll clerk and junior engineer. Forty years later, Frank is the chairman and chief executive officer of the Crown American Corp., the small construction company that has now developed more than 30 shopping malls, as well as hotels and office buildings. Crown American also operates Hess' Department Stores, the 26th largest retail firm in the country.

Frank is a shining example of how hard work and dedication can result in success. And best of all, Frank has shared this success. His contributions to Georgetown University, the Pittsburgh Opera, the University of Pittsburgh at Johnstown, St. Francis College, and Notre Dame University, as well as many other worthy causes, show how much Frank cares about his fellow man. But most important is the concern Frank shows for individuals, especially for families. So many people tell me of the things he has done, quietly, for people in need. I know this concern comes from how much Frank's own family, his wife Sylvia and his children, Mark and Leah, mean to him.

There are many success stories in our Nation, stories of people who have risen from modest means to become outstanding leaders in their field. Few of them can match the Frank Pasquerilla story. I'm proud to call Frank a friend, and I'd like to wish him a happy 65th birthday, with the knowledge that 65 doesn't mark an ending point in his career, it simply opens a new phase in Frank's contributions to the people of Johnstown and the United States.

VOTING RECORD OF THE  
HONORABLE DON J. PEASE

HON. DONALD J. PEASE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. PEASE. Mr. Speaker, it has become my practice to insert periodically in the CONGRESSIONAL RECORD a list of key votes that I have cast in the U.S. House of Representatives.

The list is arranged in this manner: Each item begins with the rollcall vote number of the bill or resolution that the House was considering, followed by the bill number and a summary of the issue. This is followed by my own vote on the issue and the vote outcome.

This list of votes covers the period of January 12, 1991, through June 26, 1991.

KEY VOTES OF CONGRESSMAN DON J. PEASE

(7) H. Con. Res. 32. Authorization of Action Against Iraq. Expressing Congress' sense that, according to the U.S. Constitution, the president must receive congressional approval before taking offensive action against Iraq. Yes. Passed 302-131.

(8) H. Con. Res. 33. Sanctions Against Iraq. Expressing Congress' sense that continued sanctions and diplomatic efforts should be given more time to pressure Iraq to withdraw from Kuwait. Yes. Failed 183-250.

(9) H.J. Res. 77. Force Against Iraq. Authorizing military force against Iraq if it has not withdrawn from Kuwait and complied with U.N. Security Council resolutions by January 15. No. Passed 250-183.

(10) S. Con. Res. 2. U.S. Forces in the Gulf. Commending and supporting the president's

efforts in the Persian Gulf and supporting unequivocally members of the armed forces in the Gulf. Yes. Passed 399-6.

(11) H. Con. Res. 41. Iraqi Attacks on Israel. Condemning Iraq for its attacks on Israel, commending Israel for showing restraint, recognizing Israel's right to self-defense, and reaffirming America's commitment to helping Israel preserve its freedom and security. Yes. Passed 416-0.

(16) H.R. 556. Agent Orange Act. Providing permanent disability benefits to veterans suffering conditions from exposure to Agent Orange. Yes. Passed 412-0.

(17) H.R. 555. Soldiers' and Sailors' Civil Relief Amendments. Reinstating automatic health insurance for people in the armed services called for active duty, suspending evictions, civil actions and professional liability insurance for them. Yes. Passed 414-0.

(27) H.R. 707. CFTC Reauthorization. Reauthorizing the Commodity Futures Trading Commission, providing \$48.5 million in FY 1992 and \$53 million in FY 1993 and instituting a number of measures to establish closer regulation of the futures markets. No. Passed 395-27.

(28) H. Res. 95. Desert Storm Commendation. Acclaiming the president for his leadership in the Persian Gulf, expressing the highest commendation for U.S. and coalition troops in Operation Desert Storm, conveying condolences to families and friends of war casualties, and supporting continued peace promotion efforts in the Persian Gulf region. Yes. Passed 410-8.

(29) H.R. 991. Defense Production Act. Authorizing \$50 million to ensure that domestic industry can provide goods necessary for national defense and permitting the president to block the takeover of U.S. businesses by foreign investors. Yes. Passed 416-0.

(56) S. 419. RTC Financing. Conference report providing \$30 billion to the Resolution Trust Corporation to pay for FY 1991's costs of failed thrifts. Yes. Passed 225-188.

(58) S. 275. FY 1991 Defense Supplemental Authorization. Authorizing Defense Department to draw on foreign contributions to pay for Operation Desert Shield/Storm and \$15 billion in U.S. funds if foreign funds are insufficient; authorizing an increase in troop levels; authorizing \$400 million for family, health, and other benefits for military personnel and \$255 million for education programs for veterans in FY 1992-1993. Yes. Passed 396-4.

(61) H.R. 1281. FY 1991 Supplemental Appropriations. Providing \$5,441,058,100 in FY 1991 for various government agencies and programs, including \$655 million in increased military and veterans benefits. Yes. Passed 340-48.

(62) H.R. 1282. Desert Storm Supplemental Appropriations. Providing \$42 billion for costs of the Gulf War, up to \$15 billion from U.S. funds if foreign contributions are insufficient. Yes. Passed 379-11.

(65) H.R. 1047. Veterans' Benefits Improvement Act. Authorizing \$5 million annually for the next five years to improve veterans' compensation, pension, and life insurance programs, including protecting veterans against reductions in disability benefits if a veteran's condition has not improved. Yes. Passed 399-3.

(69) H. Con. Res. 121. FY 1992 Budget Resolution. Amendment cutting entitlement programs by \$48.6 billion over five years, including \$27.2 billion in Medicare cuts over five years. No. Failed 114-303.

(72) H.J. Res. 222. Railroad Dispute. Mandating mediation to end a nationwide railroad strike. Yes. Passed 400-5.

(76) H.R. 1988. FY 1992-1994 NASA Authorization \$14.9 billion in FY 1992, \$10.8 billion in FY 1993, and \$11 billion in FY 1994 for the National Aeronautics and Space Administration. Yes. Passed 361-36.

(83) H.R. 7. Handgun Waiting Period. Requires seven-day waiting period for handgun purchases to allow authorities to conduct a criminal records check on the purchaser. Yes. Passed 239-186.

(97) H.R. 2100. FY 1992 Defense Authorization. Amendment terminating the Strategic Defense Initiative Organization and permitting only basic SDI research program. No. Failed 118-266.

(109) H.R. 2100. FY 1992 Defense Authorization. Amendment providing reproductive health services, including privately paid abortions, at military hospitals, for servicemen and dependents overseas. Yes. Passed 220-208.

(110) H.R. 2100. FY 1992 Defense Authorization. Authorizing appropriations of \$291 billion for Defense Department and related programs for FY 1992, terminating production of the B-2 "Stealth" bomber, cutting funding for some SDI research, and allowing the use of women as combat pilots in the Navy and Air Force. Yes. Passed 268-161.

(112) H. Con. Res. 121. FY 1992 Budget Resolution. Setting budget levels for FY 1992 at \$1.59 trillion budget authority, with a \$278.8 billion deficit. Yes. Passed 239-181.

(113) H.R. 2251. Iraqi Refugee Supplemental Appropriations. Appropriating \$235.5 million in FY 1991 for humanitarian aid to Iraqi refugees, including the Kurds, and peacekeeping operations, \$320.5 million for the Defense Department's humanitarian relief operations, and \$16 million for financial aid to families of U.S. servicemen. Yes. Passed 387-33.

(115) H. Res. 101. Disapproval of Fast-Track Procedures. Disapproving the president's request for a two-year extension of fast-track negotiating procedures for trade agreements such as a U.S.-Mexico Free Trade Agreement. Yes. Failed 192-231.

(119) H.R. 2427. FY 1992 Energy and Water Appropriations. Appropriating \$21 billion in FY 1992 for energy, water, and nuclear energy programs, including \$500,000 to shore up the Lorain Lighthouse. Yes. Passed 392-24.

(121) H.R. 2426. FY 1992 Military Construction Appropriations. Appropriating \$8,483,006,000 for military construction and family housing, including \$759 million for the cost of shutting down U.S. military bases. Yes. Passed 392-18.

(131) H.R. 1. Civil Rights Act of 1991. Reversing and modifying six Supreme Court decisions that weakened job discrimination laws and authorizing monetary damages for victims of discrimination based on religion, sex, or disability. Yes. Passed 273-158.

(137) H.R. 2506. FY 1992 Legislative Branch Appropriations. Appropriating \$1.8 billion for congressional and legislative agencies' operations in FY 1992. Yes. Passed 308-110.

(143) H.R. 2519. FY 1992 VA and HUD Appropriations. Appropriating \$81 billion in FY 1992 for the Department of Veterans' Affairs, the Department of Housing and Urban Development, the Environmental Protection Agency, the National Aeronautics and Space Administration, the National Science Foundation, and other agencies. No. Passed 363-39.

(145) H.R. 2521. FY 1992 Defense Appropriations. Appropriating \$270 billion for the Department of Defense for personnel, operations and maintenance, procurement, and research and development in FY 1992. No. Passed 273-105.

(154) H.R. 2608. FY 1992 Commerce, Justice, State, and Judiciary Appropriations. Appro-

prising \$20.9 billion for the Department of Commerce, Justice, State, and for the Judiciary and related agencies. Yes. Passed 338-80.

(164) H.R. 2622. FY 1992 Treasury/Postal Appropriations. Appropriating \$19.7 billion for the Treasury, the United States Postal Service, the Executive Office of the President, and independent agencies. Yes. Passed 349-48.

(173) H.R. 2508. FY 1992-1993 Foreign Aid Authorization. Amendment withholding \$82.5 million from Israel in FY 1992 unless the Israel government demonstrates that it is not investing in new settlements in the West Bank and Gaza Strip. Yes. Failed 44-378.

(176) H.R. 2508. FY 1992-1993 Foreign Aid Authorization. Amendment prohibiting aid to the USSR unless the president certifies that the USSR has improved human rights, entered negotiations with the Baltic States, decreased military expenditures, taken steps toward a free market economy, or unless it is in the national interest to provide aid. Yes. Passed 374-41.

(181) H.R. 2621. FY 1992 Foreign Operations Appropriations. Appropriating \$15 billion for foreign military and economic assistance and export financing in FY 1992. No. Passed 301-102.

(185) H.R. 2508. FY 1992-1993 foreign Aid Authorization. Authorizing \$12.4 billion in FY 1992 and FY 1993 for foreign economic and military assistance. No. Passed 274-138.

(187) H.R. 429. Reclamation Projects Authorization. Authorizing funds for various water projects, providing for fish and wildlife restoration, and other purposes. Yes. Passed 360-24.

(192) H.R. 2686. FY 1992 Interior Appropriations. Amendment eliminating all funding for the National Endowment for the Arts. No. Failed 66-361.

(194) H.R. 2686. FY 1992 Interior Appropriations. Amendment increasing the domestic livestock grazing fee on public lands administered by the Bureau of Land Management. Yes. Passed 232-192.

(196) H.R. 2686. FY 1992 Interior Appropriations. Appropriating \$12.7 billion for the Department of Interior and related agencies in FY 1992. Yes. Passed 345-76.

(200) H.R. 2707. FY 1992 Labor, HHS, and Education Appropriations. Appropriating \$204 billion for the Departments of Labor, Health and Human Services, and Education and for related agencies. Prohibiting the use of funds to keep federally funded family planning projects from giving information on abortions. Yes. Passed 353-74.

(201) H.R. 2698. FY 1992 Agricultural Appropriations. Appropriating \$52 billion in FY 1992 for the Department of Agriculture, the Rural Development Administration, the Food and Drug Administration, and related agencies. No. Passed 368-48.

### THE FOOD QUALITY PROTECTION ACT OF 1991

**HON. TERRY L. BRUCE**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. BRUCE. Mr. Speaker, as many of America's farmers suffer through another drought, the effects of lost production on regional economies, food costs, individual farmers, and consumers are becoming painfully clear.

This drought, and the floods which harmed many other areas of the country, cannot be

controlled by man. The devastation which they bring can only be avoided through the most extravagant of measures. If Congress is not careful, we could add to this devastation through passage of food safety legislation which adds neither to food safety, nor the overall quality of the American diet. Fortunately, an effective and responsible alternative now exists.

Today, I am joined by my good friends, Mr. BLILEY, Mr. STENHOLM, Mr. ROBERTS and many others in introducing the Food Quality Protection Act of 1991. This legislation addresses the legitimate need to remove pesticides deemed to be harmful to human health from the food supply. It also establishes a responsible negligible risk standard which protects human health while giving the Environmental Protection Agency the ability to adjust standards as science evolves.

When former Surgeon General C. Everett Koop submitted testimony to the House Health and Environment Subcommittee earlier this summer, he summed up the extent of current health problems resulting from the quality of food produced in the United States. Koop said:

While approximately 9,000 people die from bacteria-caused food poisoning each year, there is no scientific evidence showing that residues from the lawful application of pesticides to food have ever caused illness or death.

Some well-meaning efforts to improve the safety of the Nation's food could actually cause health problems, particularly for low-income Americans. Nearly 30 million Americans spend 40 percent or more of their income on food. While wealthy Americans may be able to afford 10- to 15-percent increases in the costs of grain-based foods, and up to 35-percent increases in fruits and vegetables, these low-income Americans will be forced to do with less. Less fiber. Fewer vitamins and minerals. But more malnutrition. Passing legislation which ignores the human health benefits of an affordable and abundant food supply would be irresponsible.

There are other fundamental considerations which must be taken into account in pursuing food safety legislation in this Congress. When crop yields suffer, whom will we tell they must do without food? Will it be the peoples of the Sudan, India, and the Soviet Union? Or will we be telling this to the peoples of Appalachia, the impoverished in my congressional district, low-income urban residents, or the poor elderly?

We must know that even if America decides it can feed its own citizens, the lost production will result in lost markets overseas. In place of United States grain, will the Brazilians accelerate their rain forest destruction to provide more food crops to the global markets? Will other countries expand their production? How will other countries regulate pesticide use on this increased production? Better than the United States? I doubt it. Should we be involved in passing legislation which provides no health benefits to Americans, destroys the livelihood of thousands of U.S. families, and leads to additional pesticide ingestion in the world's most impoverished countries? The answer is no.

The Food Quality Protection Act also answers these questions with a resounding "No"

by recognizing the careful balancing which must occur between providing for sound nutrition and the desire to remove pesticides from our food supply. No one wants pesticide residues on their food. But the simple fact is that herbicides, insecticides, and fungicides are an integral part of the growing process. They are needed to protect the quality and affordability of our food.

This legislation takes several critical steps to improving food safety which less-comprehensive proposals ignore. The Food Quality Protection Act would streamline the lengthy and cumbersome pesticide cancellation process under the Federal Insecticide, Fungicide and Rodenticide Act [FIFRA]. These changes will significantly reduce the timeframe for removing pesticides from the market after EPA determines them to be hazardous.

In addition, the legislation requires the Administrator of the EPA and the Secretary of Agriculture to research, develop, and disseminate information on integrated pest management techniques and other pest control methods. These efforts would enable producers to reduce or eliminate applications of pesticides which pose greater than negligible dietary risk to humans. This provision requires that the program focus first on crops critical to a balanced, healthy diet.

Tremendous problems already exist in lost production resulting from pesticides no longer accessible to minor-use crops. Already, the concerns of lost pesticide use derived from the intensive and expensive EPA review process is being felt by consumers, and farmers.

Additions to this legislation will be needed to address this substantial problem. While the sponsors of this bill have yet to produce a section which we believe would satisfy these very legitimate concerns, it is our intention to continue working on this problem with many interested Members of the Congress, including Mr. LEHMAN of California and Mr. ROWLAND of Georgia.

The Food Quality Protection Act of 1991 is responsible, effective, and carefully crafted to protect consumers, farmers, and the quality of the Nation's diet. I urge my colleagues to join us in pursuing a rational response to the crisis of confidence in our Nation's food supply.

### THE STEP BILL

**HON. TIM JOHNSON**

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. JOHNSON of South Dakota. Mr. Speaker, today I have introduced the Small Town Environmental Planning Act [STEP]. Its overall goal is to relieve small towns from compliance with specific environmental deadlines and to let them achieve compliance with all relevant Federal environmental laws as fast as they can, given financial constraints. This is the companion to Senator JEFFORD'S bill. S. 1226.

The bill creates a voluntary environmental planning process. Small towns and communities that choose to participate prepare a plan to achieve full compliance. As long as States implement their plan, they cannot be sued by EPA or citizens. In preparing the plan, the

communities can include economic and technical considerations in setting their compliance priorities.

EPA must prepare a list of regulations with which small communities must comply in an easy-to-read format. EPA must issue the regulations required to implement this program in a form that is easy to understand. The regulations must be such that the resulting plan need not be more than 20 pages long. Last, States can choose to prepare the plans for small towns.

The STEP bill will assist small towns in South Dakota and across the Nation that are unable to comply with existing mandates. Under current conditions, EPA and States undertake compliance actions against towns held in violation of current law. The towns will then spend money on lawyers rather than on compliance. Ultimately, EPA and the town will come up with a compliance schedule. This bill accomplishes the same result with less hardship and litigation. EPA's resources are also not misdirected at a large number of small towns.

Mr. Speaker, if passed, the STEP bill will enhance the environment and public health because it will encourage compliance with existing law, while also allowing rural America to attack serious environmental problems.

THE 100TH ANNIVERSARY OF THE  
COUNTY LONGFORD ASSOCIATION

HON. THOMAS J. MANTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. MANTON. Mr. Speaker, I wish to bring to my colleagues' attention an important landmark which was reached this past February by a valuable New York City civic organization. This year the County Longford Association of Greater New York celebrates its 100th anniversary of service to the ethnic and cultural growth of New York City.

On February 12, 1891, a group of six Irish pioneers bonded together and founded the County Longford Association to dedicate themselves to serve those in need and enhance the quality of life in New York City. These pioneers adhered to the last words of Padric Pearse, "We have kept faith with the past and have handed a tradition to the future." Their goals were to extend love, friendship, and Christian charity to their members and friends. The County Longford Association has successfully met its goals of helping others and will undoubtedly continue to do so in the years ahead. They take pride in their Irish heritage and that for which it stands.

Mr. Speaker, as we mark the Centennial of the County Longford Association of Greater New York, we must remember the Longford pioneers' 100 years of dedication and commitment to the New York community. I commend the Longford Association for their invaluable services to society.

TAX CODE AMENDMENT

HON. JIM MOODY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. MOODY. Mr. Speaker, last week in testimony before the Ways and Means Committee, the American Bar Association joined a chorus of voices criticizing an obscure provision of the 1990 Budget Reconciliation Act which has had an extremely negative effect on efforts of corporations to avoid bankruptcy. Today, I am introducing an amendment to the Tax Code to respond to the appeal of a growing number of tax experts who believe that the 1990 amendment should be repealed.

Section 11325(a) of the Revenue Reconciliation Act of 1990 amended title 26 of the Internal Revenue Code of 1986 [IRC] by adding section 108(e)(11) and repealing section 1275(a)(4). These amendments significantly affected the treatment of exchange of outstanding debt instruments for new debt instruments of the issuer—debt-for-debt exchanges. In addition to the American Bar Association, a number of tax and financial experts, including the New York State Bar Association's tax section, have carefully examined the action taken by the Congress last year and concluded that it was a mistake. My bill, set out below, is intended to remedy that mistake and restore the preexisting law.

In the course of restructuring debt, corporations sometimes enter into agreements with debt holders to exchange old bonds with a high interest rate for new bonds with the same face value but with a lower interest rate. For example, if a company cannot afford to pay 10 percent interest on a \$100-million debt, bond holders may agree to exchange the existing 10 percent bonds for new bonds worth \$100 million at an interest rate of 7 percent, with the same maturity date as the original bond. The advantage of such a restructuring is that it enables the company to remain a going concern with continued capability to meet its obligations not only to debt holders, but also to continue to provide jobs for its workers, dividends to its stockholders and Federal treasuries. The alternative would often be bankruptcy. Last year corporate bond defaults increased 109 percent over those in 1989—from \$11.7 billion to \$24.6 billion—according to the Bond Investors Association.

Prior to amendment of the code by the 1990 Revenue Reconciliation Act, the exchange of new bonds at a lower interest rate for old, higher rate bonds did not create a taxable event as long as the face value of the bonds remained the same. The basis for this treatment was that the bond holder remained liable for the full repayment of the amount of principle on the face value of the bond and, therefore, there was no gain in capital to the borrower.

However, as noted above, the 1990 Revenue Reconciliation Act eliminated those provisions in the code which exempted these kinds of debt-for-debt exchanges from taxation. Under the 1990 amendment, the new bonds are not valued at their face amount but are discounted to the amount of their trading value on a securities exchange. Thus, if a \$1,000

bond, carrying a 15-percent interest rate with an 8-year maturity, were exchanged 2 years after it was issued for a \$1,000 bond maturing in 6 years but carrying a 10-percent interest rate, the bond might trade publicly for only \$400. The \$600 difference between the face value of the bond and the discounted value would be considered taxable to the issuer of the bonds. The result is that a company and its creditors, who are trying to work out ways of keeping the business going, will be saddled with a 34% tax on their efforts. Harvard Professor Michael Jensen believes that companies restructuring after the repeal of 1275(a)(4) no longer opt for debt swaps but file for bankruptcy in order to avoid possible tax liability. This obviously discourages informal restructuring efforts.

With an opportunity to more carefully examine the practical consequences of the repeal, it might be noted that rather than engage in the kind of informal restructuring encouraged by 1275(a)(4) companies will now simply choose formal bankruptcy proceedings. Under the code as it now stands after the repeal, non-taxable debt-for-debt exchange is still permitted if the debtor is insolvent. This encourages companies to choose bankruptcy over an informal negotiated restructuring with their creditors outside of the bankruptcy courts. A recent example is Astex, Inc., a Long Island electronics distributor, which on May 30 of this year issued a press release stating that it was declaring bankruptcy because last year's tax law changes made any other form of restructuring impossible. Encouraging companies into bankruptcy is never good public policy. As was noted in a recent article by Gary Wilcox and David Bierman published in the "Virginia Tax Review" (Vol. 10, No. 3, Winter 1991 at 665) concerning the change made in the 1990 Act:

Although it may be early to assess the economic impact of the legislation on corporate debt restructurings, certain adverse consequences are virtually certain to follow. Troubled taxpayers that need to restructure their debt outside of bankruptcy, but have neither sufficient insolvency nor NOL carryforwards to offset the cancellation of indebtedness income, may be forced to elect bankruptcy as the only means of avoiding a substantial tax liability.

Moreover, it should be noted that the practical impact of the repeal and its drastic reduction or elimination of the informal restructuring option will have a significant impact on the revenue projections accompanying this change in the law. Obviously, the assumption was that by making the debt-for-debt exchange in the informal restructuring a taxable event, revenue would be raised. However, as several experts in the field have noted, the repeal has made the informal option far less appealing and such restructuring arrangements may simply not take place as Astex, Inc.'s, decision demonstrates.

Mr. Speaker, I believe the hasty step undertaken in the 1990 Reconciliation Act must be reviewed and its unfortunate consequences reconsidered. We must carefully consider the views of a growing number of experts in this field, such as the 1990 Nobel economic laureate Morton Miller, who in his acceptance speech in Stockholm, characterized this change in the code as unfortunate. I hope my

amendment to reverse this unfortunate mistake would be given early and favorable consideration.

#### WISCONSIN FOURTH DISTRICT GIRL SCOUTS RECEIVE GOLD AWARDS

**HON. GERALD D. KLECZKA**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. KLECZKA. Mr. Speaker, last month, four Girl Scouts from the Fourth Congressional District of Wisconsin, which I am privileged to represent, were given Gold Awards, the organization's highest honor.

These young women are an asset to the community, and I would like to take this opportunity to give deserved recognition to their work and dedication.

Gold Awards can only be earned by Senior Girl Scouts between the ages of 14 and 17. They are required to complete four special interest projects which include 30 hours of leadership in at least two activities, an intensive career investigation, and a special service project.

The young women who received the Gold Award and their special projects are: Therese Galecke of Greendale who developed a 5-year land management plan for a Girl Scout memorial sanctuary; Melissa Kosinski of Greenfield who planned and implemented an Easter basket food drive; Christine Stailey of West Allis who planned and implemented a blood donation drive; and Wendy Zens of Oak Creek who also coordinated and implemented an Easter basket food drive.

Again, I congratulate these young women and thank them for their service to the community.

#### A TRIBUTE TO THE INTER- NATIONAL JEWISH COMMITTEE FOR SEPHARAD '92

**HON. STEPHEN J. SOLARZ**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. SOLARZ. Mr. Speaker, I rise today to pay tribute to the International Jewish Committee for Sepharad '92. This committee was established to commemorate the 500th anniversary of the expulsion of the Jews from Spain. It is critically important to remember this tragic moment of anti-Semitism and intolerance because it teaches us valuable lessons about the horrors of prejudice which are just as relevant today.

Mr. Andre G. Sassoon, the co-president of the Committee, has written an eloquent article in the New York Jewish Week which articulates the lessons of the expulsion and the goals of this commemoration. I proudly commend Mr. Sassoon's commentary to my colleagues.

[From the Jewish Week, Inc., May 31-June 6, 1991]

#### THE MEANING OF SEPHARAD '92

(By Andre G. Sassoon)

As we approach 1992, questions have been raised concerning the campaign for the quincenarian of the expulsion of Jews from Spain.

What or why are we celebrating? Has Spain been exonerated? Why not only recognize Turkey's assistance?

Unfortunately, some of the questioners already have provided their own misinformed answers.

Let me try to put some issues to rest.

The International Jewish Committee for Sepharad '92 was formed to commemorate the 500th anniversary of the expulsion of the Jews from Spain. That event was a tragic occurrence and must remain etched in the historic memory of the Jewish people.

Spanish Jews were forced to choose. Some chose conversion and the loss of their collective identity. About half responded with their feet and undertook a long, painful march to new lands rather than surrender the traditions of their ancestors.

Families were torn apart. Thousands died en route. Those deaths must continue to be mourned, for the tragic loss to individual families and to the Jewish world was immense.

However, Sepharad '92 was created not only to commemorate a tragedy but also to celebrate the Sephardic heritage and its contributions to Jewish and world history. With the forthcoming quincenarian, we have been given a unique opportunity. Any educator or publicist would agree that the Jewish contributions to Spanish culture could not be celebrated in any other year as fittingly as it will be in 1992, when public awareness will be at its height.

We are utilizing this unique opportunity to create an awareness of Jewish history and its impact on the Iberian Peninsula and throughout Europe, the Mediterranean basin and the Western Hemisphere.

Through a major traveling exhibition in cooperation with the Smithsonian Institution, as well as through special events and educational projects, the committee is capitalizing on the public attention that will be given to this landmark year. In general, our programs hope to sensitize the world to varied and highly creative accomplishments of Sephardic Jewry, especially during the period known as the "Golden Age."

Under the Moslem caliphate Jewish creativity exploded in such areas as science, religious thought, poetry and music—the poetry of Yehuda Ha Levi, the scientific and philosophic innovations of Maimonides, and, later, the profound contributions to astronomy by Abraham Zacuto.

Certainly, the trauma of the expulsion and the subsequent welcome and resettlement of Jews in other countries, especially in the Ottoman Turkish Empire and in Morocco, are part of the Jewish experience that must be appropriately recognized.

But that trauma must also teach us something for our time. We therefore are promoting the lessons to be learned from the destructive impact of intolerance and prejudice. This is a propitious moment, for the uncertainty of economic and political changes has unleashed racism, anti-Semitism and xenophobia in much of the world.

Our program is also targeted at bringing together Jews, Christians and Moslems, recalling a time when these three faith communities dwelt in harmony in Spain and gave birth to great scientific, literary and

religious works. Is it not possible that applied to the Middle East, such an effort at reconciliation would be a step toward peace between Israel and its Moslem neighbors?

Many Spaniards now accept the negative impact the expulsion had on their own nation. Spain rejected a uniquely talented minority that had contributed enormously to the development of its daily life. The result was an irreparable loss to its culture, commerce and scientific development.

We can also legitimately recognize that changes are taking place and encourage additional changes. Long identified by its Catholic majority, Spain has recently made Judaism and Protestantism equal to Catholicism before the law. It now has normal diplomatic relations with Israel.

Reacting to the concept that the quincenarian should provide the world with greater insight into the devastating effects of prejudice and discrimination, the king agreed that on March 31, 1992, he will move to officially lift the Edict of Expulsion. More recently the crown prince awarded to Sephardim the prestigious Prince of Asturias Concorde Prize, which is the Spanish equivalent of the Nobel Prize.

Do we conclude that because there have been changes in the relations between Spain and the Jewish world, Jews should now be silenced? On the contrary. Not for one instant are we going to paper over the enormous tragedy of the expulsion. But there is also a history of which we can be immensely proud, and I want my children and grandchildren to be proud of their Jewish heritage.

We will reaffirm the resiliency of the Jewish people and its ability to survive and flourish despite heavy odds. We will continue to emphasize the centrality of the state of Israel and its importance to the creativity and well-being of the Jewish people. We will illustrate the contributions Jews have made to the many nations and cultures in which they lived. Are these not worthy of celebration?

Sepharad '92 is an issue in which the entire Jewish world should get involved. And it doesn't stop in 1992.

The message will continue: "Here is your heritage and your history. Carry them with great pride, for you have earned it."

#### "CATCH THE VISION" OF SMYRNA, GA

**HON. GEORGE (BUDDY) DARDEN**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. DARDEN. Mr. Speaker, over the past several decades, the escalating popularity of shopping malls, suburbs, and the like has slowly suffocated downtown life as we once knew it. In order to meet the growing needs of the more desirable outlying areas, most businesses took their business elsewhere. Those which did stay behind usually suffered greatly due to the demise of patron traffic. Many downtown communities were transformed into veritable ghost towns.

Just more than a year ago, the city of Smyrna, GA decided to bring its downtown community back to life. Under the leadership of Smyrna Mayor Max Bacon and the Smyrna city council, the city launched its greatest project in city history titled "Building a Dream." The plan includes a \$15 million for a 55,000-

square-foot community center and a 28,000-square-foot library. The Community center will feature two gymnasiums, an indoor track, weight room, an arts-and-crafts work station, a community room with table seating for 60, three racket-ball courts, a television room, and a child-care area. The new library, which opened this past week, has been deemed a success with more than 1,000 books being checked out its first day of operation. The library houses a meeting room, conference room, theater, children's library reading lounge, and 53,000 books with a capacity to hold 106,000 books. A new city hall, police station, and fire station also are planned.

On Saturday the city of Smyrna is inviting everyone to "Catch the Vision" in its theme for a dedication ceremony and grandopening party for the two new completed facilities.

Mr. Speaker, Smyrna should serve as a model to other cities in danger of losing their historic downtown communities. These restoration and improvement efforts will ensure that Smyrna maintains a viable and lively downtown community. There will be plenty of room to grow for many years to come. This project has been an exceptional one in concept, design, and planning. I would like to commend the following on a job well done: Mayor Bacon; the members of the Smyrna city council, Jack Shinall, Bob Davis, Wade Lnenicka, Bill Scoggins, Jim Hawkins, Kathy Jordan, and Pete Wood, and former councilman John Steely; City Administrator John Patterson; and Atlanta businessman John Williams. Together, they have created and accomplished a lasting contribution to the city of Smyrna and State of Georgia.

#### HONORING JOHN O. CROSBY

#### HON. BILL RICHARDSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. RICHARDSON. Mr. Speaker, it gives me tremendous pride and joy to share with you the news that one of my constituents is one of our Nation's National Medal of Arts recipients. The founder and current president of the Santa Fe Opera, John Crosby, is the well deserved winner of this year's prestigious arts competition.

I have known John for many years and can assure my colleagues that there is no one more deserving of this medal than he. Through John's extraordinary vision, he has created an internationally known opera that has drawn attendees from numerous countries, has helped train countless numbers of American artists, and has proudly presented new and unknown works.

I urge my colleagues to join me in congratulating this distinguished American, John Crosby, for his outstanding contributions in the arts community. A short article about John and the other National Medal of Arts winners which appeared in the Washington Post follows:

J. Carter Brown, director of the National Gallery of Art for the past 22 years, yesterday was named one of this year's 12 recipients of the National Medal of Arts. During Brown's tenure, attendance at the gallery

has increased from 1 million to nearly 7 million a year, and the museum's collection of 20th-century art has expanded greatly, in large part through the opening of the I.M. Pei-designed East Wing. He will receive his medal from President Bush and his wife, Barbara, in a Rose Garden ceremony today.

Violinist Isaac Stern, country singer Roy Acuff and Actress Kitty Carlisle Hart are among the other winners of the medal, given annually since 1985 to artists, art administrators and patrons for their contributions to the cultural life of the United States. The remaining recipients are Maurice Abravanel, the retired conductor of the Utah Symphony; Pietro Belluschi, an architect from Portland, Ore.; tap dancer Charles "Honi" Coles of East Elmhurst, N.Y.; John O. Crosby, founder and general director of the Santa Fe (N.M.) Opera; abstract expressionist painter Richard Diebenkorn of Healdsburg, Calif.; R. Philip Hanes Jr., chairman of the board of the Hanes Cos. and longtime arts patron from Winston-Salem, N.C.; and dancer, choreographer and anthropologist Pearl Primus of New Rochelle, N.Y. The Texaco oil company will also receive a medal for its 50 years of sponsoring live weekly radio broadcasts of the Metropolitan Opera of New York.

#### INTRODUCTION OF LEGISLATION TO AMEND THE INTERNATIONAL ORGANIZATION IMMUNITIES ACT

#### HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Ms. NORTON. Mr. Speaker, I am pleased to introduce legislation to amend the International Organization Immunities Act (22 USC 288 et seq.). My purpose is to resolve a confusing contradiction in international law that adversely affects the financial health of the District of Columbia, as well as several other large American cities.

According to the Foreign Sovereign Immunities Act of 1976, real property owned in the United States by foreign governments is not protected from taxation by local jurisdictions if the property is used for commercial activity. The taxation of the real property of foreign governments is also addressed in the Vienna Convention on Diplomatic Relations. There, foreign mission property is also said to be exempt from local taxation unless it is used for commercial purposes. Contrasting with these clear declarations, is the International Organization Immunities Act which grants such organizations an exemption from property taxes without regard to the use made of the subject property. I cannot believe that understanding this distinction, Congress would wish it to remain.

Here in the District, the massive headquarters building of the International Telecommunications Satellite Organization [INTELSAT], located at the intersection of Connecticut and Van Ness Avenues, N.W., presents a striking example of this problem. Commercial space in this building has been leased to WJLA TV, Riggs Bank, and a travel agency. Clearly, none of these firms is engaged in international affairs. INTELSAT is, as the result of the current exemption, making a tax-free profit from this business activity. This

gives it a competitive advantage over other commercial landlords who have to factor property taxes into their rents. It also deprives the district of much-needed tax revenue, which it desperately needs to continue providing essential services such as police and fire protection to INTELSAT and to other businesses and residents of this community. A hefty 55 percent of the District's real property is exempt from taxation largely because of ownership by the Federal Government, foreign governments, or international organizations. The Federal Government at least partially makes up its tax exemption through the Federal payment; and foreign governments engaged in commercial activity are not exempt from paying property taxes. Only international organizations are now tax free.

This unconditional exemption has effects well beyond the District. Other large cities such as Los Angeles, New York, San Francisco, Miami, and Chicago, where international organizations maintain facilities, are also losing tax revenues as a result. Mr. Speaker, it is time to put an end to this unintended contradiction and make the law uniform. I urge my colleagues to give their strong support to this bill.

#### HAPPY BIRTHDAY WABF

#### HON. SONNY CALLAHAN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. CALLAHAN. Mr. Speaker, as a general rule, the older we get, the more most of us try to forget about our birthdays. However, I have a radio station in my district that celebrates getting older, because as it gets older, it is also getting better.

On August 12, 1991, WABF Radio in Fairhope, AL, will celebrate its 30th birthday. WABF first signed on at 5:15 a.m. on August 12, 1961, becoming the first radio station to serve the Eastern Shore of Mobile Bay. Over the years, the Eastern Shore has experienced enormous growth and change, but WABF has continued to offer the same high-quality broadcasts on which it has always prided itself.

Today, under the ownership of my good friend Bob Clark, this station puts forth a daily format of big band, ballad, and jazz music from the 40's, 50's, and 60's, as well as a liberal amount of local, national, and world news, sports, and weather. WABF also has an impressive track record for community involvement and is the station in the Mobile market for the "Swap Shop" and "So What's New" telephone call-in programs.

Mr. Speaker, I would invite you to join me today in congratulating WABF Radio for 30 years of outstanding service to the Eastern Shore of Baldwin County.

Happy Birthday, WABF.

## HEALTH CARE: TIME FOR A BIG CHANGE

**HON. NORMAN Y. MINETA**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. MINETA. Mr. Speaker, our Nation's health care system is in shambles. We can no longer ignore this problem as it undermines the well-being of this country. It is time for Congress to act decisively and significantly. It is time for us to have the political courage to move beyond minor repairs and seek substantive, systemic change.

Our health care costs are rising astronomically compared to other countries, exceeding \$600 billion just last year. The average price for a hospital stay nearly doubled in the last decade.

Over 37 million Americans have no health insurance whatsoever and over 50 million more are underinsured. According to a 1990 Census Bureau study, 28 percent of the population, is uninsured at least 1 month of each year. The fact is that health care is becoming a privilege available to the few. Mr. Speaker, quality health care should be the right of every American.

For years we have been content with minor repairs. And for years, the problem has intensified. Opponents of Government reform cry: "Let the free market forces work!" Well, these forces have worked, and they have worked to magnify the problem. Of all the options available to us now, Mr. Speaker, the status quo is the worst possible choice to make.

Of course, we can sit and watch Adam Smith's invisible hand work its compassionless will. And in so doing, we can sit and watch the entire health care system deteriorate. But I believe we can and must do more.

Mr. Speaker, health is one of the most fundamental components of individual well-being and integrity. In a country supposedly dedicated to the principles of individual welfare, we are amazingly lax in our oversight of the health care of our citizens. The problem affects both the rich and the poor, both the healthy and the sick, both Republicans and Democrats.

Rising health care costs are hurting all sectors of our society. Health expenditures are slowly crowding out other domestic spending. At the same time, the crisis in health care is undermining business and U.S. competitiveness overseas.

Lee Iococca, the chairman of Chrysler, is often quoted for the following statistic: In the United States, businesses spend \$700 per car for health insurance costs. This is atrocious given that German companies spend only \$337 per car, and the Japanese only \$246 per car. And the irony is, Mr. Speaker, the Germans and the Japanese are more satisfied with their health care.

The simple fact is that fundamental change is needed, and is needed now. Health is too important to ignore. We must act while we are still well enough to do so, and not wait until it is too late.

## EXTENSIONS OF REMARKS

## HONORING HIGHLAND, IL

**HON. JERRY F. COSTELLO**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. COSTELLO. Mr. Speaker, today I rise with pride in honor of a city in my congressional district with a very special heritage. The city of Highland, IL, was founded in 1831 by Swiss immigrants led by Dr. Casper Koepfli of Sursee, Switzerland. These immigrants chose to settle in this area of eastern Madison County for its rich, fertile farm land and close location to the Mississippi River.

I draw my colleagues' attention to this community today for some of its ancestors' participation in the American Civil War. An exhibit is on display at the Madison Building of the Library of Congress called "The Sister Republics: Switzerland and the United States." In this display hangs a Swiss-American flag made by two Swiss women from Highland, Andrea Nehrt and Claire Drake, during the war. The flag incorporates symbols from both national flags with its white cross and 34 stars for each State in the Union at the time of the war.

The flag was carried by the Swiss Regiment in the Civil War, the 15th Missouri Regiment. Nearly 6,000 Swiss-born soldiers served during the U.S. Civil War in this and other regiments. These Swiss felt a great desire to fight for their beloved freedoms they had acquired since arriving in this country.

Today, Highland is a thriving community in southwestern Illinois. With a growing business sector and a strong, small-town spirit, the legacy left by the town's pioneers lives on even today, and I thank my colleagues for joining me in recognizing this contribution.

## THE PRACTICE OF OVERPAYMENTS IS UNACCEPTABLE

**HON. J.J. PICKLE**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. PICKLE. Mr. Speaker, I rise today to call the attention of the Members of the House to a report that has recently been completed by the U.S. General Accounting Office in response to a request that the Honorable William M. Thomas and I made in January 1989. The report, entitled "Debt Management: More Aggressive Actions Needed To Reduce Billions in Overpayments," examines the problems associated with overpayments at the Office of Personnel Management, the Railroad Retirement Board, the Department of Veterans Affairs, and, last but certainly not least, the Social Security Administration.

In this report the GAO found that as of September 30, 1989, these four agencies collectively reported debts totalling \$2.9 billion due from overpaid individuals. What is of most concern to me is the fact that \$2.4 billion is due to Social Security overpayments. In this regard, GAO goes on to report that: "During the past 4 years, SSA's overpayment collections have remained a constant 28 percent of

August 2, 1991

outstanding debt. SSA has written off almost a billion dollars of debt as uncollectible, making little progress in increasing the percentage of debt collected because it lacks an organizational focus for debt management, has insufficient information to control and account for the more than \$2 billion in overpayments; does not adhere to debt collection policies; and has been legally restricted from using certain collection methods that have been successfully used by other agencies."

This condition is simply unacceptable. Other agencies have successfully collected in excess of 50 percent of their overpayments and have more successfully limited the overpayments they made. I know this situation is of serious concern to my colleagues on the Social Security Subcommittee, and I have joined with Chairman Andy Jacobs in asking GAO to report to us on the causes of SSA overpayments, the sizes of these overpayments, and the kinds of beneficiaries who receive these overpayments. The best answer to this loss of billions of dollars is for the SSA to stop making overpayments in the first place. But, when they are made it is incumbent upon the agency to actively seek their repayment.

## IT'S TIME TO HONOR MO UDALL

**HON. DAVID R. OBEY**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. OBEY. Mr. Speaker, today, along with my colleague, JOHN RHODES of Arizona, I am introducing legislation to establish the Morris K. Udall Scholarship and Excellence in Environmental Policy Foundation. Mo Udall served in this body for 30 years with great personal distinction. I think it is fitting that we honor Mo by assuring that his legacy and achievements will be carried on by those who have been and will be inspired by his example and leadership.

Mo Udall is someone very special. As a unique public servant he appealed to the decent side of our nature. He was a passionate advocate not only for the field of environmental protection, but also for peace not war, basic social justice, and economic fairness and opportunity for working people.

Throughout his public career, Mo conveyed to the entire political system the importance of character. He has a lot of legislative achievements, but I think his most important contribution was simply putting a decent face on politics and showing that whether you are serving in the House or whether you are running for President you can take positions in the public interest and do it with grace and wit and even humor.

In terms of legislation, Mo's greatest achievement was adding millions and millions of acres to the public domain and preserving them from degradation and destruction. He really understood what it meant to be a steward of the land.

It is in recognition of the stewardship that I am pleased to join with my Senate colleague DENNIS DECONCINI to introduce legislation which will establish a National Foundation to increase the awareness of the importance and

promote the benefit and enjoyment of our Nation's natural resources; foster a greater recognition and understanding of the role of the environment, public lands and resources in the development of the United States; identify critical environmental issues; develop resources to properly train professionals in the environment and related fields; and provide educational outreach regarding environmental policy. To accomplish these goals, the legislation establishes a 10-member Board of Directors which will be comprised of 2 members of the House of Representatives, 2 members of the Senate, 2 individuals selected by the President, the Secretaries of Interior and Education, and 2 members from Mo's alma mater, the University of Arizona. The Board will award scholarships, fellowships, internships, and grants to deserving individuals to pursue studies related to the environment.

The Foundation will also support the activities of the Udall Center on the campus of the University of Arizona. The Udall Center was established in 1987 to sponsor research and forums on a variety of critical public policy issues. Among the activities of the Udall Center that will be supported by the Foundation are the establishment of an environmental conflict resolution center, the creation of a repository for the Udall papers, and assembling an annual panel of experts to discuss contemporary environmental issues.

The legislation authorizes a one-time appropriation of a \$40 million endowment, the proceeds of which will enable the Foundation to carry out the provisions of this legislation.

Mr. Speaker, Mo Udall is in a class by himself. He is a special person and he deserves special recognition.

IN RECOGNITION OF THE RESIGNATION OF FATHER GEORGE CLEMENTS

**HON. CHARLES A. HAYES**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. HAYES of Illinois. Mr. Speaker, on the occasion of his resignation, I would like to take the opportunity to recognize one of my constituents and one of Chicago's most celebrated and well-known Roman Catholic priests, Father George Clements. Father Clements, a long-time civil rights activist and former religious adviser to the Black Panthers, brought an energy to his ministry that is sometimes lacking in the orthodox Catholic Church.

In the early 1980's, Father Clements, defying church tradition, adopted three sons, and encouraged members of his congregation to do the same. "One Church, One Child," a program Father Clements started, took root nationwide and at present has placed 15,000 African-American children in adoptive homes. This is but one example of Father Clements' undying commitment to the pressing social issues of the day.

After burying an 18-year-old, who had died of a drug overdose, Father Clements decided it was time for him to do something about the drug epidemic. It's carnivorous nature was eating young men at a ravenous pace; Father

Clements decided it had to end. He marched to a convenience store a few blocks from the rectory in which he lived and demanded that the proprietor remove the drug paraphernalia. The owner refused, and Father Clements proceeded to stand outside his store, warning prospective clients that the owner was selling drug paraphernalia to their kids.

After 45 minutes, Father Clements had successfully deterred every potential customer from patronizing the store; finally the owner gave up and removed the paraphernalia. Clements did not stop with that one store, he organized boycotts of other stores and eventually went after the area wholesaler that supplied the paraphernalia to the local stores.

His protests eventually led to the passage of a bill by the Illinois State Legislature making it illegal for stores to carry drug paraphernalia. Father Clements, however, did not achieve this without being put in extreme danger. At one point body guards were assigned him in the fear that someone would attempt to take his life.

His fight against drugs won him acclaim in Washington, DC, from President Bush and Drug Czar William Bennett, who cited him for his hard work in the war on drugs.

Father Clements also supported major curriculum improvements and tighter discipline in the South Side Chicago parish school system. The reforms were so popular that students began enrolling from all over the South Side of Chicago and now the school operates year-round and has a waiting list for admission.

Before retiring from his career, Father Clements would like to be a missionary in Nigeria, where he holds the distinction of being the first African-American to hold the honorary title of chief of the Yoruba Tribe. However, he first has to get a ban lifted on his traveling visa incurred when he went to South Africa to celebrate Nelson Mandela's release from prison. For now, Clements will take a much-earned sabbatical and then serve the Diocese of Nassau in the Bahamas.

Father Clements has, in his years at the Holy Angels Church, served as a shining example of the level of commitment to community every American should strive for. His work in this country on behalf of those who traditionally have not had a voice—the young, the poor, and the uneducated—have earned him the recognition I am proud to bestow upon him today. I ask that my colleagues join me today in recognizing my constituent, a person for whom I have great respect, Father George Clements.

NEW REPORT ON MICROENTERPRISE

**HON. TONY P. HALL**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. HALL of Ohio. Mr. Speaker, I would like to share with you and my colleagues a Progressive Policy Institute report released recently which discusses the importance of microenterprises in helping low-income persons escape the poverty and despair embedded in so many of our inner cities. The report

is called "Microenterprise: Human Reconstruction in America's Inner Cities" and was written by Lewis D. Solomon, professor of law at George Washington University.

Mr. Speaker, there is no such thing as a disadvantaged person. Everyone has an advantage. It's a matter of turning that advantage into economic opportunity. And in America, it is through the tools of capitalism that we provide such opportunities.

Traditional welfare programs prohibit things like initiative, capitalist creativity, the spirit of American entrepreneurial investment. Microenterprise depends on them. It is prowork, profamily, and procapitalist.

I've seen microenterprise programs end poverty in the developing world. They work. We ought to use them to help Americans who are stuck in poverty.

The Freedom From Want Act, legislation I recently introduced, develops microenterprise programs for low-income persons. I urge my colleagues to read this important new report and to support my legislation.

CLEVELAND'S UNEMPLOYMENT CRISIS

**HON. LOUIS STOKES**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. STOKES. Mr. Speaker, I rise today to present to my colleagues another installment from a series of articles published by The Cleveland Plain Dealer discussing the unemployment crisis in Cleveland.

The series looks at different aspects of the unemployment situation, from its causes to its impact. The series of articles I present today examine the pitfalls faced by the unemployed and different ways in which assistance is being extended to the unemployed, such as youth summer job programs and the Ohio Bureau of Employment Services.

Mr. Speaker, I hope my colleagues will take the time to read these informative articles. The Cleveland Plain Dealer and the reporters working on these articles, Michael Sanigiaco, Norman Parish, Rodney Ferguson, Frances Robles, Jonathan Walters, Paul Shepard, and Laura Yee are to be commended for their work.

PROGRAM OFFERS YOUTHS JOBS FOR THE SUMMER

When the city grapples with the problem of massive unemployment for adults, there is a temporary solution that will provide summer jobs for about 3,400 of the city's youths.

Students in Cleveland's public schools have until Friday to apply for a job in the Summer Youth Employment and Training Program, which provides a job and training for a possible future career.

Parochial school students can apply through June 7, when their schools will be visited by recruiters.

The funding for the program comes from a \$2.9 million federal grant provided under the Job Training Partnership Act and is organized by the city, the schools and the United Labor Agency.

Available will be jobs in 425 government agencies, schools, colleges, museums, research facilities and hospitals. Pay ranges from \$4.25 to \$4.50 an hour.

Participating in the program are the Alta House, a community center of Mayfield Rd.; the Metroparks Zoo; Camp Cleveland; NASA Lewis Research Center; the Cleveland Clinic; Burke Lakefront Airport and the U.S. Coast Guard.

The program is for Cleveland residents ages 14 to 21, who are enrolled in a school or college and meet federal low-income guidelines.

Applications are available at city schools or through the Cleveland Public Schools Youth Service Office.

#### PITFALLS SURROUND PATH OF UNEMPLOYED (By Norman Paris)

They are caught in the web of unemployment.

For some, the biggest fear is the despair that comes with surrendering to a cold, uncaring bureaucracy. Others fight the lure of easy money from selling drugs and other crimes. And experts talk about a distinct correlation between high rates of black unemployment and death.

For Lula Blocker, the biggest enemy is a depression born of futility in trying to find work. And despite the 51-year-old Cleveland woman's desperate efforts, she sees no way out.

Blocker joined the unemployed in March when her position as a Cleveland Department of Health clerk was eliminated along with many other city jobs.

The cuts followed the city's budget crunch and deficit. The city's coffers are in trouble, partly because of lost jobs that help fuel the city's economy, some experts said.

But the unemployment web doesn't stop at City Hall. It contributes to overburdened social ills such as crime and poverty and pulls people like Blocker into a state of depression, experts said.

"I have gone to different places and tried to put in resumes," Blocker said. "I even went to one high school and they seemed cold. They wouldn't even let me put in a resume. A lot of other places are laying off. I'm getting tired of looking."

The black unemployment rate in Cleveland—20.7%—was the highest among the nation's big cities last year. The city's overall unemployment rate—13.8%—ranks as the second-worst and the white unemployment rate—9%—ranks as the third-worst in a national study by the U.S. Department of Labor.

"The longer the duration of unemployment, the longer the family gets into debt," said Sar Levitan, director of the Center for Social Poverty at George Washington University in Washington, D.C. "That in itself affects the mind. That could lead to more people seeking mental health counseling."

Edward Dutton, a Cleveland psychiatrist, agrees.

"You lose your self-confidence," Dutton said. "If you lose your self-confidence, your motivation to seek jobs is lost."

Dutton said the number of people, mostly blacks, who come to him for counseling related to joblessness has increased from 1% to 10% during the eight years he has practiced in the city.

"When there are high rates of black unemployment, you see increases in the number of black deaths," Dutton said. "There are increases in the number of deaths related to heart disease, suicide, homicide, and even increases in the number of cases of cirrhosis of the liver, often related to chronic alcoholism, and an increase in state psychiatric admissions."

Dutton said a study for a subcommittee to the President's Committee on Mental Health

in 1978 showed that for every percentage increase in black unemployment, there is a 2% increase in black mortality, heart attacks and strokes; a 5% increase in imprisonment and infant mortality; and a 6% increase in homicides.

"So you can see the devastating effect that unemployment has on blacks—particularly black males," Dutton said. "When faced with this, there needs to be a greater awareness of the problems associated with unemployment. There should be a greater emphasis on helping blacks get appropriate psychiatric counseling."

Lt. John James, head of the Cleveland Police Department's homicide unit, is sure Cleveland's unemployment rate has influenced the homicide rate.

"If you are a young person in the streets, rather than working minimum-wage jobs—and those aren't too prevalent—then you start selling crack cocaine," he said.

Some people talk about the big enemy of the unemployed, "the lure," which could mean several things.

"Drugs are out there destroying lives," said Gregory Johnson, an unemployed Cleveland resident. "You have to stay focused or you can stray very easily. People in my neighborhood just give up. They fall victim to a guy that says, 'You can't work, why not do this (sell drugs)?' It's not just blacks either. The devil's work knows no color."

When crack was introduced on Cleveland streets in 1987, city crime also increased, James said. One crime category that increased was homicides, according to Police Department statistics.

There were 139 homicides in 1986 and 156 in 1987, he said. The number rose to 180 in 1990.

The lure could mean giving in to the system.

"They just sit back and collect welfare," said one man. "Why bother even trying to work?"

"Some guys fall into a hole," said another unemployed resident, Roy Holt. "They say the hell with it, get a bottle of wine and sit around all day with their buddies. They don't get a lot of encouragement to work, that's why it's got to come from within. A lot of us do it to ourselves."

As unemployment rates remain high, so do teen births, said Nina McLellan, director of the Council on Children, Youth and Families for the Federation For Community Planning, a non-profit citizens organization in Cleveland.

"If there is unemployment among men, then there is less formation of marriage," McLellan said.

There was a steady rise in out-of-wedlock black teen births during the 1980s, when Cleveland's black unemployment rate was often around 20%. In 1985, there were 1,645 such births; in 1986, 1,699; 1987, 1,837; and in 1988, 1,853, Federation of Community Planning statistics show.

Experts said welfare requests also increased during high levels of unemployment.

Linda Miller, a spokeswoman for the Cuyahoga County Department of Human Services, said the number of people applying for Aid to Families with Dependent Children benefits had increased.

Just this past January, the county had a record number of requests for welfare benefits—4,555 applicants. The old record of 3,816 was set in January 1990. But as temperatures increased, the number of requests decreased. Monthly applications now are about 3,500, Miller said.

"They have to get through their benefits and they have to get through their savings

before they get to us," Miller said. "We are a last resort or should be a last resort."

An increasingly poor, unemployed population eventually tears at the economic fabric of a community.

Cleveland, where blacks are nearly half the city's population, ranked as the fifth-worst metropolitan area for blacks economically, according to a 1986 study by American Demographic Magazine, based in New York City.

The study, which examined 48 metropolitan areas with black populations of at least 100,000 blacks, was based on nine economic factors involving income and home ownership. The study found the Nassau-Suffolk area on Long Island near New York City was the best place for black families to live, while Buffalo was the worst. The second-worst place was Newark, N.J., with Milwaukee third worst and Chicago, fourth worst.

While Cleveland ranked poorly, several other Ohio cities received high marks. Columbus ranked as the sixth-best city, Dayton, the eighth best, and Cincinnati, 28th best.

Experts cite such problems as the loss of manufacturing jobs as a major reason for the differences.

One safety net affected by the problems is the unemployment-insurance system, said Isaac Shapiro, senior research analyst at the Center on Budget and Policy Priorities, a research group based in Washington, D.C.

"The unemployment-insurance system is at its lowest point since World War II," Shapiro said. "It is due to the cutbacks in unemployment-insurance benefits. It will be hard for people to make it."

Fewer than four in 10 jobless workers nationwide—37%—received unemployment benefits in an average month in 1990, Shapiro found in a recent report.

In Ohio, only one in three jobless workers received unemployment benefits last year. That was below the national average, the report said.

Insurance benefits are just one of many problems for people like Blocker. She continues to draw unemployment checks, but joblessness has rocked her life.

After going to the same job for 21 years and eight months, she now simply wants something to fill the empty moments in her life while she holds on to the self-respect her job once provided.

"I'm still drawing unemployment and I'm still looking," Blocker said. "At 8 o'clock in the morning I was always at work—never late. In fact, I was there early. At 8 o'clock now, I try to do some painting or some other chore to keep myself from stressing out too much. When I sit down and think about this, it just makes me angry."

#### ALTERNATIVES TO JOBLESSNESS A CALL AWAY—GED OPENS CAREER DOORS

(By Michael Sangiacomo and Paul Shepard)

Lawrence J. Simpson doesn't believe everyone in Cleveland can get a job, but he says anyone in the city who wants help can get it.

Simpson, the executive director of the Center for Training and Economic Development at Cuyahoga Community College, said there is a great pool of help out there just waiting to be tapped.

"There are recourses to being unemployed," he said. "There is help available. There is no one that is beyond help."

Despite the high unemployment figures for Cleveland in general and blacks in particular, experts say that anyone who truly wants a job has alternatives just a phone call away.

"The problem now is that we are experiencing a damned depression, but the oppor-

tunities are out there," said Michael Murphy, executive director of the United Labor Agency. "It isn't as easy to place people as it was just three years ago. It's hard but the programs are out there."

Look at the bottom of the unemployment barrel in Cleveland and you'll find an illiterate high school dropout with no skills. Simpson said that person can get ahead.

"First, he can come to us or many other places in the city and learn to read," Simpson said. "He has to do it if he wants to get a job. There are programs to pay for his schooling, and we have very adult-oriented literacy classes that allow a person to proceed at his own pace. They are not insulting classes.

"Once he learns to read, then he takes classes, either here or elsewhere for his GED," Simpson said. "We will train him until he is ready, and won't let him take the test until he is ready. It's funny that some people think GED tests are easier to pass than getting a diploma.

"Considering how some schools will allow students to slide by and graduate, the GED is harder," he said. "You have to know math, reading and other areas and prove it."

When a person can read and has a General Educational Development certificate, many career fields open.

That's where people like Murphy and David Roth, director of Cleveland Works Inc. job training program enter the equation to provide training and employment opportunities.

"Regardless of a person's drug history or criminal history, if that person can read and write and has the desire to turn their life around, they will be a success here," said Roth, a former substance abuse counselor at the Free Clinic of Greater Cleveland.

If applicants have a substance abuse problem, Cleveland Works will enroll them in a counseling program to help them kick their habit. Roth said the lure of a good job at a good wage is often enough to help people beat chemical dependencies.

"I've found that the most successful drug treatment is a job," Roth said. "Many people say the only reason they get messed up on drugs in the first place is that they have nothing to do and the four walls at home start closing in on them.

"I think the drug abuse question is overexaggerated and misunderstood by people," Roth said. "Most people are willing to stop if you can show them the road to a better life."

He added that clients are informed that most of the 350 employers on the Cleveland Works books test prospective employees for drugs.

Roth likened the Cleveland Works process to boot camp training. After an orientation test, from the first day of class, trainees must attend daily classes in clothes they would wear to work.

"We don't ask anything of them that an employer wouldn't ask," Roth said. "If someone is willing to meet us halfway, we will get them off of welfare."

Each job must be full time and provide health benefits for workers and their immediate families, Roth said.

At Cuyahoga Community College, training programs are offered through the Jobs Training Partnership Act and are available at no charge through the city or the county to people eligible for welfare.

The college has two programs under the JTPA. The first is Training in Office Procedure, a nine-month program that trains people for clerical or secretarial positions.

"Our problem is not getting jobs for our graduates—that's easy," Simpson said. "Our problem is getting them to stay for the whole nine months. They are frequently lured away by businesses who want to hire them even before they complete the training. The program has a good reputation in the business community."

So far, 80 people, mostly women, have completed the program. The second program, which has graduated 15 people so far, trains people to work with young children in preschools. It also trains people to be teachers aids and to work with the disabled.

Another training and employment service is offered by the Cuyahoga County Department of Human Services as part of a State-mandated system for people on public assistance and Aid to Dependent Children.

"Since last January, these people are required to participate in education, job training and job searching," said Maureen Wiegand. "Last year we found full-time jobs, with benefits, for 1,500 people. This year we expect to do the same for 3,000. We're already on track with about 750 jobs by the end of the first quarter."

Like the community college program, the county program arranges to have unemployed people educated to the high school level by contracting with city and suburban schools. They also send people to the community college program.

To make it easier, the county will pay for child-care, transportation and incidental expenses during the education and training.

"We have a large variety of training programs," Wiegand said. "We contract under the (county) Jobs Training Partnership Act to train people in plumbing, heating and air conditioning, secretarial, clerical, janitorial and many other professions."

She said once the training is over, the work begins.

"We have something called the Job Club," she said. "It's a trainer and 15 people who meet every day and work on getting jobs. We prepare resumes, go over interviewing techniques, then start calling companies and trying to get people in for interviews."

She said even during the current recession, they have been successful.

"The recession has slowed down the process, but it still works," she said. "There are a lot of entry-level positions out there, companies are crying for people. Middle-management positions, which pay more, are harder to find. Most of the people we placed last year averaged about \$6.83 an hour."

In the United Labor Agency program, applicants can enter a skilled pre-apprenticeship program where they can learn skills such as roofing, carpentry and computer programming, and earn \$5 per hour. After about 12 weeks, the applicant can move into a three- or four-year apprenticeship for \$8 per hour.

Both Murphy and Roth say the high black unemployment problem can be traced directly to the job the Cleveland public schools have done to prepare young blacks for the work world.

"Black males get screwed in the school system, and they can't compete for jobs," Murphy said. "They just keep falling behind because there are no programs to deal with young black males."

Roth said the schools "aren't equipping or enabling young blacks to get a piece of the pie."

"They aren't coming out with the skills they need," Roth said.

## OSHA REFORM

## HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. GAYDOS. Mr. Speaker, for the past 20 years, we have been waiting for the Occupational Safety and Health Administration [OSHA] to make a more positive impact on worker safety and health, but it just has not been able to do it.

With roughly 110 million Americans at work in about 5½ million workplaces, it is virtually impossible for OSHA's 1,100 inspectors—about half for safety and half for health—to make an impact on conditions that lead to at least 7,500 occupational deaths and more than 1 million work-related injuries each year.

That is why it is so important that we proceed with this bill, the Comprehensive Occupational Safety and Health Reform Act.

This bill, which we are introducing today, recognizes that OSHA can't do the job all by itself. It recognizes that employees and employers, working together, will have to assume a greater role in ensuring safe and healthful places of work.

The two most critical elements of this legislation are written safety and health programs for workplaces that provide a structure for identifying and addressing safety and health hazards and the establishment of joint employer-employee safety and health committees to examine and inspect worksites and make recommendations for eliminating specific hazards.

Additionally, the legislation imposes a structure which OSHA must follow in its rulemaking process, specifying times by which aspects of the regulatory activity are to be completed or requiring public and published statements as to why the deadlines are being missed. Perhaps the embarrassment factor of having to make a public statement about the agency's failure to meet its deadlines will create enough pressure so that new regulations are promulgated in a more expeditious manner.

There are just two other elements of this proposal that deserve immediate mention. One enables employees to pay a greater role in the settlement process and the other requires abatement of cited hazards that pose an imminent danger to workers even if the employer plans to challenge the citation.

At the present time, employees and their representatives can only question the amount of time the employer is being given to correct a hazard already cited by OSHA. As we all know, OSHA, while often proposing gigantic fines for violators of its rules and regulations at the initial stages, seems far too willing to reduce the amount of fines and to water down the actual form of abatement in what it calls the settlement process.

A study of settlement records shows that OSHA, in fact, reduces proposed fines to about 30 cents on the dollar, a far cry from the initial amount proposed and one that seems to have little impact on the violator.

Under the present Occupational Safety and Health Act of 1970, an employer who contests an OSHA citation, whether on its merits or because of the dollar amount of the fine, does

not have to abate the hazard until after the case is finally determined, either by an administrative law judge, the Occupational Safety and Health Review Commission, or the Federal courts.

Often, the hazard is a serious one, posing an imminent danger to the health and safety of workers who are exposed to it. This bill would require that hazards posing an imminent danger would have to be abated even if the employer is challenging the citation.

For all of the years I have sat on the Subcommittee on Health and Safety and for the 14 years I have been chairman, I have never heard an Assistant Secretary of Labor for OSHA come and tell me that there are insufficient funds available to do what has to be done. They always say they can meet the statutory and regulatory requirements with the staff and funds available.

Well, we all know that it isn't true. A staff of 1,100 inspectors just isn't going to make a big enough impact, especially when their work is undercut by slaps on the wrists for serious violators.

A budget of \$300 million isn't sufficient to fund OSHA's regulatory program that is already bogged down, to operate an enforcement system that will make a difference, and to support State OSHA programs as they ought to be supported.

OSHA keeps telling us that they can achieve many of these goals through administrative actions. Frankly, that just will never happen.

And, if by chance, a current OSHA administrator takes some steps to change the system, the next one can very easily reverse the change. Remember, over the 20 years of OSHA, there have been 15 assistant secretaries or acting assistant secretaries in charge of the agency, an average of only 16 months per administrator. With that kind of record, it's not surprising that OSHA can't or won't do what it should.

This reform bill is overdue, but I believe the climate is right. It is time for employees and employers to make the workplace safer and healthier and it is time for us to force OSHA to be more aggressive in assisting that effort.

#### CHILD WELFARE: A SPLINTERED SYSTEM

**HON. MICHAEL A. ANDREWS**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Friday, August 2, 1991*

Mr. ANDREWS of Texas. Mr. Speaker, our child welfare system is like Texas before the revolution. The territory was segmented. Conflicts arose from differences of language and culture. But with the courage, leadership, and vision of Sam Houston, Texans forged a common goal and defeated an overwhelming military force.

The battle to protect the welfare of children has the same challenges. We have too many programs and too little coordination. The many funding sources and mandates from Washington undermine local efforts to concentrate resources where we need them the most.

It is the children who suffer the consequences of this disorganization. Reports of

child abuse in Texas have more than doubled over 10 years. Yet half of these children did not receive any child welfare services when they needed them.

The Family Preservation Act of 1991, H.R. 2571, sets out to end this tragedy. It will permit States to combine the resources now available for foster care and family preservation. States like Texas will be able to prevent child abuse while preserving the family. For example, the homebuilders program in Michigan has had a 75-percent success rate of keeping families together with no cases of continuing child abuse.

In Texas, we face the problem of not removing children fast enough from life-threatening situations. Our foster care placement rate is one-fifth the national average. One reason is that Texas receives less Federal foster care funding than other States because foster care payments are tied to welfare benefits, which are set very low in Texas.

This bill ends the Federal mandate that Federal foster care payments go only to poorest of children. Child abuse is not confined to the poor; Federal law should protect all children regardless of income.

The bill also includes a new initiative, which I have proposed, for the United States-Mexico border region. Universities serving the border region would work in conjunction with the departments of human services to train bilingual child-welfare workers who are culturally sensitive so they are better able to deliver services along the border.

Congress will have to consider carefully the cost of the Family Preservation Act. But the cost of not acting is even greater. Two-thirds of all felons have been abused as children. We must cut into this cycle of violence.

We know what programs work, and we know what we need to do. This bill won't solve all the problems, but it does move child-welfare policy forward as we enter the next century.

#### WE MOURN THE LOSS OF FRED HARTMAN OF BAYTOWN, TX

**HON. JACK FIELDS**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Friday, August 2, 1991*

Mr. FIELDS. Mr. Speaker, the men and women of Harris County suffered a tremendous loss this past Saturday with the death of Fred Hartman of Baytown, TX. For 60 years, Fred Hartman played a pivotal role in serving his adopted hometown of Baytown, Harris County, and the entire State of Texas. Those of us who live in eastern Harris County are the better for his efforts on our behalf.

Fred was a friend of mine. I liked his company and I valued his advice. I will miss him, as will men and women throughout Harris County, and throughout Texas, whose lives he touched.

By the time he died Saturday at age 83, Fred Hartman had done more in his life than most of us could ever hope to do if we lived to be much, much older. Recognized in 1985 as Baytown's "Man of the Last Half Century" by the Baytown Chamber of Commerce, Fred

served as editor and publisher of the Baytown Sun for 24 years before being named chairman of the board of Southern Newspapers, Inc., an organization that owns and operates newspapers in a number of States. He eventually founded his own newspaper group, which has since evolved into the Texas Newspaper Group, owned by his son, Bill Hartman.

Throughout his long and distinguished journalism career, Fred used his position to improve the communities he served. He always believed that a newspaper should be an integral part of its community, a partner in progress rather than a standoffish overseer, and he often used the pages of his beloved Baytown Sun to promote and sell the many virtues of Baytown and eastern Harris County. More often than no, his voice was heard loud and clear.

But Fred found time to serve his community, his county, and his State in other ways as well. Fred was an extremely generous man. In 1972, Fred donated \$50,000 to his alma mater, Baylor University, to help with the construction of a journalism-communications center. He also was instrumental in arranging a \$400,000 gift to the Baylor Journalism Scholarship Fund. But Fred was also generous with something more precious than his money; he gave of his time and talents in order to help others.

Indeed, public service seemed to come naturally to Fred. His work with the Baytown Chamber of Commerce and the Baytown Rotary Club improved the lives of thousands of men and women. Over the years, he served as chairman of the Harris County Appraisal District, the board of directors of San Jacinto Methodist Hospital in Baytown, the Texas Air Control Board, and the Governor's Task force on Hazardous Waste Management. Fred also served on Lamar University's board of regents, the San Jacinto Battleground Park Commission, the Texas State Library Board, the board of the Methodist Hospital, and the board of San Jacinto Methodist Hospital. He served as president of the Texas Newspaper Association in 1965.

Fred, a devoted baseball fan, helped found, and for many years was an officer of, the Houston chapter of the Baseball Writers Association of America.

Mr. Speaker, next year a new \$92 million bridge over the Houston Ship Channel will be completed and will link the cities of Baytown and LaPorte. The new bridge will replace the current antiquated tunnel, and upon the recommendation of the Harris County Commissioners Court, it will be named for Fred Hartman. That bridge seems a fitting tribute to this wonderful man who brought people and communities together to work for the common good. I regret only that Fred won't be able to inaugurate the bridge that will bear his name.

I want to express my condolences to Fred's family, especially his wife, Elizabeth; his son, Bill; and his daughter, Mary. I hope that in their time of loss, they recognize how many of us cared about Fred, and that we share in their sadness. But I sincerely hope that when they pick up a newspaper, when they meet an aspiring young journalist, when they visit a hospital on whose board Fred served, or when they drive over the Fred Hartman Bridge that they will remember just how many lives were

made better by the good deeds of Fred Hartman.

#### WHO'S OPPOSING JUDGE THOMAS?

### HON. E. THOMAS COLEMAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. COLEMAN of Missouri. Mr. Speaker, since Judge Robert H. Bork was rejected as Ronald Reagan's nominee to the U.S. Supreme Court in 1987, the American public has taken an increasingly active role in the confirmation process.

Once reserved for the scholarly and subdued deliberations of the U.S. Senate and its Judiciary Committee, debate over the suitability of nominees to serve on our Highest Court has, in recent years, become a political donnybrook and a public spectacle. No longer are judicial experience, impeccable qualifications, and superior personal character sufficient for confirmation. Instead, announcement by the President of a nominee can be expected to generate a plethora of publicly postured statements from a broad spectrum of special interest groups. Each is carefully crafted and released to maximize the polarizing power of media, and each suggests that only nominees who think correctly—by their definitions—be confirmed.

Grassroots participation in any political process in our democracy is desirable. But does the political activity which blocked the Bork nomination and now attempts to do the same to Judge Clarence Thomas represent the public participation or inappropriate manipulation of the judicial process by special interest groups? Did the public think Robert Bork was unfit to serve, or was he the victim of special interests which insist that only "politically correct" thinking individuals are qualified to serve?

Under present law, we'll never know. Unlike those who support and finance our elected public officials, there is no requirement that those financing elaborate campaigns to block the nomination of Supreme Court Justices disclose their identity. While blatant political lobbying for or against a nominee is not prohibited, it has never been an accepted part of the confirmation process, and it has degraded the Court's independent statute.

The American people and the Senators who cast the deciding votes have the right to know who is sponsoring powerful campaigns to support or defeat a nominee to the Nation's Highest Court. If we correctly insist the public should know who finances political campaigns for the Presidency, Congress, and our school boards, then we also should be allowed to know who finances political activity relating to Supreme Court nominees.

Individuals or groups are spending millions of dollars to influence the outcome of a Supreme Court nomination. Minimally, we should know who they are. That is why I am today reintroducing legislation—first offered in 1987—requiring individuals and organizations lobbying for or against Supreme Court nominees to file Federal financial disclosure forms similar to those required of those involved in election

campaigns. Failure to disclose, under the bill, would carry severe penalties.

Some 200 groups campaigned for or against the Bork nomination. Judge Thomas' nomination has generated less passion but similar levels of activity. Campaign-like activities surrounding the Bork and Thomas nominations have set a dangerous precedent that goes to the heart of our constitutional government by threatening the independence of the judiciary. Under the terms of this bill, the public and the Senate will know precisely who these groups are and where they get their money to wage million-dollar public relations efforts.

Mr. Speaker, the confirmation process was never intended to include the campaign-style activity we see today. We must contain and control it. Public disclosure of financial supporters is the essential first step.

#### JUDGE VICTOR S. PFAU

### HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. JACOBS. Mr. Speaker, the following articles from the Indianapolis Star and the Indianapolis News will give a person an idea about the splendid life and career of Judge Victor S. Pfau.

I doubt very seriously that any words could adequately describe his talent, his scintillating personality and his unstinting fairness. The judiciary is much the better for his contributions. And Indianapolis weeps because of his death.

[From the Indianapolis News, July 8, 1991]

#### PROBATE JUDGE VICTOR PFAU DIES

Marion County Probate Court Judge Victor S. Pfau, 64, died Sunday in Indiana University Hospital.

Pfau, a Democrat, was a judge from 1964-1968 and 1975 until the present.

Friends and associates remembered Pfau as a compassionate man and a judge with integrity, honesty, and a keen understanding of the law.

"He was a great one to see behind the pretense—whether of a legal nature or human nature," said Judge Pro Tem Charles J. Deiter, who was a commissioner in Pfau's court. "What is important is that he decided to use his mind, talent and heart in the service of the public. He always wanted to do the right thing."

Pfau's secretary and former court reporter, Rita Haggerty, said the judge fought his colon cancer for nearly five years. She said few were surprised to hear of his death.

"We actually thought it was overdue," she said. "He was such a fighter. He just wouldn't let go because he wanted to live so much."

Attorney Francis J. Feeney Jr., who knew Pfau for 30 years, said the judge earned a reputation for fairness and honesty among lawyers who practiced in his court.

"He always worried about not being affected by personal friendships with lawyers. I was always so impressed with his honesty," Feeney said.

Attorney Gordon D. Wishard said Pfau worked hard to keep the probate court running smoothly and expected the same dedication from his staff and the lawyers who appeared before him.

"He cared a great deal about his court and this community, and he knew that sooner or later almost everybody would end up in his court—for a guardianship, an adoption or to settle an estate," Wishard said.

"He went out of his way to make sure citizens understood what was taking place. He was a great man."

Pfau had been a Marion County deputy prosecutor and a deputy attorney general in the inheritance tax division.

He had been chairman of the Judiciary and Ethics Committees of the Indianapolis Bar Association and was director of the Domestic Relations Counseling Services Inc. (1968-1972) and the Indiana Judges Association (1975-1983).

Pfau was a general practitioner from 1967 to 1974 with Auberry & Treacy law firm and was a member of the Governor's Committee for the Study of Mental Health from 1977 to 1979.

A longtime Democrat, Pfau was chairman of the Second Ward from 1962-64 and was treasurer of the Marion County Democratic Central Committee from 1972-74.

In addition to the IBA, he was a member of the Indiana State Bar Association, National College of Probate Judges, Holy Spirit Catholic Church and Knights of Columbus, Fatima Council.

He was a graduate of Butler University in 1950 and Indiana University School of Law in 1956. He was an Army veteran of World War II.

Memorial contributions may be made to St. Vincent DePaul Society or Little Sisters of the Poor.

Survivors—sons Victor Steven, John Andrew, Michael Bernard, Kenneth Joseph Pfau; sisters Annette Mueller, Theresa Horstman, Marjorie Klemm; brothers Ralph A., Francis J., Donald S. Pfau.

[From the Indianapolis News, July 10, 1991]

#### JUDGE VICTOR S. PFAU

Victor S. Pfau served his community well, both as county probate judge for many years and in various kinds of civic service.

Judge Pfau died earlier this week at the age of 64.

As a judge, he took extra steps to make sure people understood the courtroom process, which can seem complicated and incomprehensible to non-lawyers at times.

As a citizen, he was willing to pitch in and help improve the community in many ways.

"He cared a great deal about his court and this community," said attorney Gordon D. Wishard. "And he knew that sooner or later almost everybody would end up in his court—for a guardianship, an adoption or to settle an estate. He went out of his way to make sure citizens understood what was taking place."

He will be missed, both on and off the judicial bench. But his community service will be remembered with gratitude.

[From the Indianapolis Star, July 9, 1991]

#### JUDGE VICTOR PFAU, 64, DIES

Friends of longtime Probate Judge Victor S. Pfau remembered the jurist Monday as a man with a keen sense of fairness and an ample ability to laugh at himself.

Pfau, 64, who had presided in the Probate Division of Marion Superior Court since 1975, died Sunday in Methodist Hospital, ending a lengthy battle with cancer.

Services will be at 12:30 p.m. Wednesday in Feeney-Hornak Shadeland Mortuary and at 1 p.m. in Holy Spirit Church.

Calling will be from 1 p.m. to 8 p.m. today in the funeral home.

Local attorneys and judges recalled Judge Pfau, a Democrat, as someone who never forgot that his role was to serve the public.

"One of the things he did was to care about the treatment of people and see that they were treated properly," said Evan D. Goodman, presiding judge of Municipal Court.

"He wouldn't let banks or lawyers, just because of their powerful positions, cheat people or take advantage of them."

Marion Superior Court Judge John F. Hanley described Judge Pfau as "dean" of the county's superior court jurists because of his long tenure.

Longtime friends who practiced in front of Judge Pfau also noted that everybody was treated fairly in his courtroom.

"He is not going to do down in history like a United States Supreme Court justice, but he had their integrity and honesty. I think if you talk to any attorney in this city you will find that no one got special treatment," said attorney Francis J. "Sandy" Feeney of Indianapolis.

Feeney also praised Judge Pfau's ability to keep his court operating smoothly.

"He didn't tolerate lawyers who didn't get their work done and the estates closed. That was one big service that he did," Feeney said.

James L. Tuohy, an Indianapolis attorney who attended law school with Judge Pfau, said that even as the judge battled the cancer that eventually took his life, he retained his sharp sense of humor.

"He had a great, good wit and kept it through a couple of years of agony," Tuohy said.

Gov. Matthew E. Welsh appointed Judge Pfau as a probate court judge in 1964 to serve the unexpired term of Floyd R. Mannon, who died. Judge Pfau served until 1966.

After working two years as a deputy attorney general and several more years in private practice with the law firm of Auberry & Treacy, he returned to the bench after winning election in 1974.

Judge Pfau's term runs until the end of 1996. Gov. Evan Bayh will appoint a successor.

Considered an expert in probate law, he was the author of the inheritance tax section of Estate Planning and Administration in Indiana and the disclaimer section of Estate and Business Planning after 1981 Tax Revision Act.

A graduate of Butler University and the Indiana University School of Law, Judge Pfau was a Marion County deputy prosecutor from 1959 to 1961.

In addition, he served on the Governor's Committee for the Study of Mental Health from 1977 to 1979.

He also had been chairman of the Judiciary and Ethics committees of the Indianapolis Bar Association.

An active member of the local Democratic Party, Judge Pfau was treasurer of the Marion County Democratic Central Committee from 1972 to 1974.

He was an Army veteran of World War II. Survivors: sons, Victor Steven, John Andrew, Michael Bernard and Kenneth Joseph Pfau; sisters, Annette Mueller, Teresa Hostman and Marjorie Klemm; brothers, Ralph A., Francis J. and Donald S. Pfau.

Memorial contributions may be made to St. Vincent DePaul Society or Little Sisters of the Poor.

## BILL MELTON NAMED 1991 "MOST VALUABLE PUBLIC OFFICIAL" FOR COUNTY GOVERNMENT IN THE UNITED STATES

### HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. JOHNSON of Texas. Mr. Speaker, Dallas County Treasurer Bill Melton has been named by City and State Magazine as the 1991 "Most Valuable Public Official" for County Government in the United States. The award will be presented on September 12, 1991, in Washington, DC, during the 7th annual Most Valuable Official Awards Dinner.

City and State Publisher Dan Miller stated, "We were particularly impressed by several aspects of Bill Melton's career: the leadership shown at the national and local level on financial as well as general public-policy issues; professionalism introduced and maintained in the office; (and) a superb record on cash management and investments, which would put to shame many Wall Street firms."

Melton has served as Dallas County Treasurer since 1977 and in that 14 year period has earned more money for the taxpayers than all previous county treasurers combined, in the 131 year history of Dallas County, TX.

Mr. Speaker, I congratulate Bill on the "Most Valuable Public Official" award. Bill Melton reminds all of us that there are dedicated and able public officials who manage the public's money with an eye toward security and fiscal responsibility.

## COMMITTEE ROTATION

### HON. E. CLAY SHAW, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. SHAW. Mr. Speaker, during the past decade several resolutions have been introduced to limit congressional terms. Such proposals attempt to solve perceived problems, but I believe they create new ones. Prohibiting the American people from re-electing their representatives after a limited number of years in Congress would adulterate the Democratic spirit and squeeze out much of the talent experience now in Congress. Additionally, term limitation would enhance the power and influence of unelected Government bureaucrats and congressional staff.

I have a better solution.

Today I am introducing a bill that would amend House rules and require all Members to rotate to a different committee after serving 12 years on any one committee. If passed, the count would begin at the beginning of the 103d Congress.

Committee rotation would broaden a Member's knowledge and influence over a wide range of issues, rather than locking him or her into the walls of one committee room. It would also facilitate the introduction of fresh ideas at the committee level, where new Members could inject a different perspective and new solutions to old problems.

I urge my fellow colleagues to cosponsor this legislation. It will improve congressional effectiveness without destroying the democratic rights of the American people.

## TRIBUTE TO JENNIE GRIMES

### HON. MAXINE WATERS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Ms. WATERS. Mr. Speaker, thank you for the opportunity to pay tribute to someone who has become a true inspiration in our community.

The South-Central Los Angeles community of Watts has a jewel in its possession. The jewel is Jennie Grimes, a 96-year-old resident of the community. Grimes, who has lived there since 1924, has loved and served her community for more than 67 years.

Jennie Grimes, along with her husband Green Grimes moved to Los Angeles some 67 years ago from Webster County, Georgia. The couple raised 4 children and gently yet firmly guided each one through South-Central Los Angeles' Jordan High School. Ms. Grimes prides herself on having made all her children's clothing.

Grimes is also an amateur horticulturist, whose house is considered to be the "Showplace of Watts." She started cultivating flowers when she moved to L.A. where she saw "geraniums growing like weeds." Grimes did not limit herself to just flowers, she eventually raised chickens, rabbits, and pigeons. Her other hobbies include antiques, quilting, and fishing.

Jennie Grimes believes in supporting her community. Though Watts has its fair share of problems, she says that she would not live anywhere else.

She has been an active member of Tabernacle of Faith Baptist Church from its very beginnings. Her life attests to her beliefs in self-sufficiency. She feels that independence and equality for African-Americans can only be reached by entrepreneurship and using your money wisely. She brags about having "every dollar her husband ever earned," as well as having savings bonds dating back to 1942.

Jennie Grimes has a positive outlook on life, and does not mourn about the fact that she has outlived her husband and 4 children. She says they all had long and productive lives, and for that she is thankful. Mrs. Grimes is a mentor, community historian, but most of all, she is the pride of Watts.

## A POINT OF LIGHT AND A HALF

### HON. MARGE ROUKEMA

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mrs. ROUKEMA. Mr. Speaker, it gives me great pleasure to rise today to honor one of New Jersey's most dedicated spiritual and civic leaders, one who should rightfully be characterized as a "Point of Light and a Half"—Monsignor William J. Linder, pastor of St. Rose of Lima Church in Newark, NJ.

My colleagues in the House will recall the horrible destruction that occurred in the city of Newark during the riots of 1967. In the dawn after the nightmare of the violence, emerged Monsignor Linder, who has dedicated his life and resources to create the nonprofit New Community Corporation. Like the legendary Phoenix, the New Community Corporation has risen, a shining city, from the ashes of the rubble-strewn streets of Newark's central ward.

The New Community Corporation is proof that the public and private sectors can come together to solve a community's problems. It is the very ideal on which the HOME Program that the Congress authorized in 1990 is built. The basic premise of HOME is that government cannot alone solve all of society's ills. The private sector and dedicated people like Monsignor Linder must step in to fill the gaps.

In 20 years, the New Community Corporation has built 2,400 low-income housing units, a transitional housing facility for homeless a 180-bed nursing home, a shelter for battered women, five day-care centers including one for children with AIDS, medical offices, and a shopping center that the Monsignor deftly used to attract the city's first new supermarket in years. The project has resurrected 22 city blocks and provided Newark with 1,150 new jobs.

I had the distinct pleasure of touring the New Community Corporation in late 1989. What struck me most as we drove through the more depressed areas of Newark was this oasis of a community that arose before us. The Monsignor and I walked through the day care centers, the community center, the recreation areas, and the housing units. I talked with the residents, who shared with me their desire for a new start for their families. With each of these, it was clear that Monsignor Linder has brought not only safe, affordable housing to the city but also opportunity and hope to people who would otherwise live in continued deprivation—people who had no "bootstraps" of their own.

Monsignor Linder helps the otherwise helpless to help themselves. He did this by establishing a complete network of social services in order to offer the people of Newark the help that is needed to make full lives for themselves and become productive members of society. He is providing the boost that many require to begin their climb up the ladder of society.

In recognition of his outstanding and selfless accomplishment, in 1989 former Governor Tom Kean of New Jersey awarded Monsignor Linder the Governor's Gold Medal, the most prestigious award bestowed by the State of New Jersey.

In June of this year, Monsignor Linder was recognized with a fellowship from the John D. and Catherine T. MacArthur Foundation of Chicago, the Genius Award, as it is known. The foundation will provide the New Community Corporation with \$330,000 over the next 5 years. At that time, his efforts also earned him recognition as ABC Network News "Person of the Week".

Today, I ask my colleagues in the House to join me in commending New Jersey's "genius," our own "Person of the Week, Month and Year," Monsignor William J. Linder and his New Community Corporation for their ac-

complishments. Together they have brought hope, home, and self-respect to the people of New Community and a model for the Nation.

COMMISSION ON NEW WORLD  
ORDER ECONOMICS AND GOV-  
ERNMENTAL AFFAIRS

HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. BENNETT. Mr. Speaker, today I am introducing a bill to create a Presidential Commission on New World Order Economics and Governmental Affairs. This Commission will have the responsibility of rendering assistance to the governments of the Eastern European nations and the Soviet Union on matters related to the restructuring of their economies and the strengthening of their democratic institutions. The goal will be to hasten the transition of the nations to democracy and a market economy.

Because of the collapse of the communist stranglehold on the nations of Eastern Europe and the desire of many in the Soviet Union to move toward a democratic form of government, President Bush has stated that we should embark on a foreign policy for the new world order. This post-cold war policy includes improving our relations with the Soviet Union and the former Warsaw Pact nations.

However, these nations are facing great difficulties in their struggle to strip themselves of decades of centralized economic policy and closed political practice. To date there has been more chaos than clear progress. Yet, we have no specific American group whose primary responsibility is to help these nations make the transition to democracy and a free market economy. The Commission I am proposing today would have this responsibility.

The Commission would be a presidentially appointed group that would consist of experienced people in industry, academics, politics, and the military. The members would be primarily Americans, but could be expanded to include foreign nationals. The President would appoint these foreign members after consultation with foreign leaders.

The members would not be paid for their service but would be reimbursed for their expenses. Funds would be provided for a small staff to assist the Commission. Offices would be provided to the staff and the Commission's head.

I believe that there are outstanding American citizens who have made great achievements in free enterprise and in government who would gladly serve without pay in this important quest for prompt and workable answers to the challenges of free enterprise and democracy in the Eastern European nations and the Soviet Union.

A primary goal of the Commission will be to assist in converting the Soviet military-industrial complex to the production of consumer products. There can be no doubt that continued heavy military expenditures are a serious drag on the Soviet economy. The Soviet defense industry is probably the only sector with the capacity, skilled labor, and management

experience necessary to meet quickly the civilian consumer needs. We should be able to help the Soviets better match their civilian needs with their existing industrial resources.

The Commission can also make recommendations on how these governments can make better use of their natural resources, including land. The Russian government owns great natural resources such as oil, manganese, and rich farm land.

One example of how the Commission could help the Soviet Government is in the area of affordable housing. The unavailability of affordable housing and consumer products is a great unmet Russian need. The Soviet Government owns millions of acres of land. Free enterprise could provide decent affordable housing to the millions who need it. The government could convert some military plants to produce affordable prestructured housing and build homes on government land. The titles to the new homes could be held in a lease-purchase contract with the government being allowed to collect rents, and when the contractual obligations are fully met, the title could pass to the tenant. Lease-purchase is the way thousands of poor and lower middle income populations in America's South were given title to homes in years gone by. This type of action would help alleviate the severe housing shortage in the Soviet Union.

If we are to help mold the new world order of the future we need leadership and vision. It may be that the American taxpayer, who already pays very high taxes, would not be inclined to provide massive financial assistance to the governments of Eastern Europe and the Soviet Union, as in the Marshall Plan, but it is clear that prompt assistance of advice, consultation and free enterprise cooperation can and should be given. This is the time to help. We can't choose any other time. This is it!

I am convinced that there are able people in our great country who would accept the challenge offered by the creation of this commission. I hope that it will soon be a working institution. Perhaps one of our former Presidents, or some public-minded and outstanding business leader would be persuaded to be its first chairman.

TRIBUTE TO COLONEL EDWARD J.  
SHANNON

HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. ORTIZ. Mr. Speaker, I rise today to ask my colleagues to join me in paying tribute to the career of Col. Edward J. Shannon, the outgoing commander of Corpus Christi Army Depot—commonly known as CCAD in our community. The Corpus Christi Army Depot is the largest industrial employer in Corpus Christi.

I have worked closely with Ed Shannon for 2 years, during his tenure as CCAD commander. Colonel Shannon has been a great asset to the Corpus Christi Army Depot demonstrating leadership, foresight, and dedication. His maintenance of a good rapport with CCAD employees, government officials, and

the community has contributed immeasurably to the success and stability of the depot.

Colonel Shannon has served his country well since his enlistment in the Army in 1963. Upon receiving his commission as a second lieutenant in 1966 he continued his military career through two tours in Vietnam and a later tour at Fort Lewis. His great military achievements have merited a number of awards and decorations for Colonel Shannon. He has attained the Bronze Star award twice, the Meritorious Service Medal three times, and numerous other commendations for outstanding service to his country.

He led men in Vietnam—and he earned their respect. He has run the Corpus Christi Army Depot, and earned the respect of the employees and the community. He has been a positive influence on CCAD—and what is good for CCAD is good for Corpus Christi.

I salute you, Colonel Shannon, as a fine citizen, as an outstanding commander, and as a friend. You indeed leave large shoes to fill. Best of luck to you, my friend, in all your future endeavors.

H.R. 3180, THE LONG-TERM HOME CARE ACT OF 1991

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. ROYBAL. Mr. Speaker, yesterday I introduced legislation that would establish a new long-term home care benefit under part A of Medicare for chronically ill elderly, disabled, and children. As you may recall, I first cosponsored this legislation with my colleague, the late Claude Pepper. I am joined in this effort by my Senate colleague, the Honorable BROCK ADAMS, chairman of the Senate Committee on Labor and Human Resources' Subcommittee on Aging. This plan would provide a compassionate and cost-effective form of care for persons with long-term disease, many of whom otherwise would be forced into costly and less appropriate nursing home or hospital care.

Chronically ill seniors, with Alzheimer's, Parkinson's, and other debilitating illnesses, could receive care in their homes. Young parents would no longer face the hopeless situation of going bankrupt while caring for their chronically ill children.

Long-term care is the primary health-related cause of financial ruin among the elderly and the young because current public and private insurance does not provide adequate protection against these costs. Today, the only option for many of these Americans is to exhaust all of their resources to become eligible for welfare assistance in a costly nursing home.

Examples of individuals who should benefit from long-term home care are elderly persons with advanced Alzheimer's disease or Parkinson's disease, children born with chronic lung impairments, elderly stroke victims, working-age Americans left paralyzed or otherwise disabled by accident, injury or disease, and children and elderly with long-term cancer.

This proposal is progressively funded and completely self-financing. It would be paid for

from revenues resulting from the elimination of the caps on individual income on which the Medicare payroll tax of 1.45 percent and the disability payroll tax of 0.6 percent are levied. The current caps are \$125,000 for the Medicare payroll tax and \$53,400 for the disability payroll tax. Since 95 percent of working Americans earn below the \$53,400 level, such a change would affect only 5 percent of American workers.

The Congressional Budget Office estimates that this change would raise about \$10.9 billion in 1992 and \$11.8 billion in 1993; the projected cost of the new long-term home care coverage is \$7.7 billion in 1992 and \$8.9 billion in 1993. Thus, this proposal will generate a surplus of \$6.1 billion over the next 2 years.

In addition, to absolutely ensure that this legislation will be self-financing into the future, the bill contains language that strictly prohibits the use of any general revenue funds or other Medicare trust fund moneys to pay for the new long-term home care program.

The Pepper Commission, after 2 years of study and deliberation, has recommended Federal coverage of long-term home care. A poll conducted by Louis Harris and Associates found overwhelming support among Americans of all ages, incomes, regions, and political allegiances for this kind of program.

In the Harris poll over 8 of 10 Americans supported such a Federal plan; over 7 of 10 Americans favored removing the cap on income subject to the Medicare payroll tax to pay for it, including 73 percent of Americans with incomes above the cap and 78 percent of business executives. Because this long-term home care coverage will benefit the disabled as well as the elderly, we can expect that the American public would equally support lifting the cap on income subject to the disability payroll tax.

Mr. Speaker, this legislation is long overdue. Each day we postpone its enactment, young and old across America will continue to struggle and suffer the indignities of forced destitution in the face of debilitating and uninsurable diseases. This should not persist in America. I would like to recall the words of Claude Pepper on that day in 1988 when the question of this bill was first brought before this distinguished body. He said:

My dear friends, this is an opportunity that will be rare for us in our legislative experience. By a tax that will not hurt anybody \* \* \* we can help millions of people to meet crises in their homes that are heart-rending in their character. \* \* \*

I ask you, my dear friends, think about it, think about the people who are affected, think about what it will mean to the people of this country less fortunate than we \* \* \*

I ask you, my colleagues, when you go home tonight and you close your eyes and you sleep and you ask, "What have I done today to lighten the burden upon those who suffer," at least you could say, "I helped a little bit today; I voted to help those who needed help."

It may not answer all the problems, and it does not, but it will give comfort. It will cool the brow of many who suffer. It will give hope to many who almost are despaired.

I ask you, my dear colleagues, do not be fooled by technicalities or little things that are not important. Think about the human values involved in this matter and vote to help those people who need help without hurting anybody while you are doing it.

I urge my colleagues to join me in supporting this timely and greatly needed legislation to provide comprehensive home care to those who need it most.

INTRODUCTION OF THE INTER-AMERICAN SCIENTIFIC COOPERATION ACT OF 1991

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. BROWN. Mr. Speaker, today I am introducing legislation aimed at increasing our scientific and technological ties with the nations of Latin America. The importance of our relationship with Latin American nations has recently been highlighted by the debates in this Chamber over extending fast-track status for United States-Mexico free trade negotiations, as well as proposals for a Western Hemisphere Free Trade Zone, and the gradual implementation of the President's admirable Enterprise for the Americas Initiative. It is my hope that these developments foreshadow a new era of better understanding between the United States and our neighbors to the South.

For many years I have been concerned about the unwillingness of the United States to forge relations with Latin American nations that are rooted in a spirit of equal partnership and hemisphere unity. In March of 1979, for example, I spoke in this Chamber about our relationship with Mexico. At that time I said:

We must begin the long-overdue process of elevating our relations with Mexico to the level that European countries enjoy with the United States and we must expand this increasing maturity to our relations with all of the nonaligned countries. A U.S. foreign policy based on need is seen in the Third World as a foreign policy based on greed. Do we wait until Honduras discovers gold or Upper Volta discovers uranium deposits until we begin to show an attitude of respect and sensitivity toward those countries.

The context for my remarks in 1979 was Mexico's discovery of huge new oil reserves, and the increased attention that the United States was focusing on Mexico as a result. That was a time of extreme instability in oil prices, and we had a very strong motivation for focusing on Mexico: We wanted preferential access to their oil. When the price of oil dropped in the early eighties, so did our interest in Mexico—that is, until the decline in oil prices precipitated a severe economic crisis in Mexico, which threatened the solvency of some United States banks that had made huge loans to the Mexican Government.

Our relationship with Mexico has been emblematic of our dealings with most other Latin American nations. Our policy has been reactionary, and often of a military nature. This is in sharp contrast to the long-term continuity, stability, and tolerance that we have worked hard to perpetuate with our allies, and even with some of our adversaries, in Europe over the past 50 years.

Several developments over the past 5 years are creating a new motivation for the United States to approach its relations with Latin America in a more serious and egalitarian

manner. First, and perhaps most spectacularly, the end of the cold war has forced us to expand the horizons of our foreign policy objectives beyond ideological and military confrontation with Communist nations.

Second, the progressive decline in U.S. economic competitiveness has demonstrated the need for new international markets for U.S. goods and services. This has forced us to understand that the economic development woes suffered by many of our neighbors to the South robs us of a huge reservoir of potential buyers for our exports.

Third, the growing recognition of the consequences of environmental degradation and resource consumption—and especially the recognition of the potential consequences of global climate change—has pointed to the end for concerted, international action. This provides a positive, mutually beneficial contest for unprecedented cooperation between the developed and developing world.

The cumulative effect of these and related changes has helped us to realize that we must deepen and strengthen our relations with the other nations of the Western Hemisphere. Most importantly, we must act to encourage and promote long-term, sustainable economic development. Such development is a requirement not only for those Latin American nations that are striving to increase the quality of life of their citizens in an economically and environmentally sound manner, but also for the United States in its efforts to compete effectively with the our friends in the European Community and the Pacific rim.

There are many elements required for sustainable economic development in the context of a global marketplace. President Bush's Enterprise for the Americas Initiative [AEI] has focused on three of the most important: trade, investment, and debt.

What EAI does not consider, however, is the critical role that science and technology [S&T] play in economic growth. In fact, neither our foreign policy in general, nor the specific debate over free trade with Mexico, have included S&T as a crucial part of the development formula. This is somewhat ironic, because the Bush administration is highly sensitive to the importance of scientific research and development [R&D] on the domestic front. For example, the administration's fiscal year 1991 budget proposal to Congress justified our \$70 billion Federal investment in R&D by explicitly linking it to economic vitality:

Research and development yields new knowledge, products and processes that, over the long term, result in economic growth and improved quality of life for all Americans.

If this is true for the United States, isn't it also true for the countries of Latin America? In fact, a 1988 study commissioned by the National Science Foundation [NSF], entitled "New Directions for U.S.-Latin American Cooperation in Science and Technology," concludes that S&T is:

\*\*\* an integral part of the region's efforts to solve its international debt problems, to achieve economic growth and a place in the global economy, and to deal with environmental concerns and the conservation of natural resources.

It is also important to point out that scientific research has a not insubstantial role to play in

the democratic process. The scientific community at universities and other centers of research in several Latin American nations were subjected to severe ideological purges at the hands of repressive governments in the 1970's and 1980's. Now, as much of Latin America emerges from those troubled times, a reinvigorated scientific community in recently democratized nations can help to restore traditions of free inquiry, free thought, free association, and free speech.

I hasten to emphasize that there are many potential direct benefits to the United States from increased scientific and technological cooperation with Latin America. First of all, to the extent that we can assist in promoting economic growth in the hemisphere, we can create new markets for our own goods and services. Equally importantly, there are a wide range of problems that we share with Latin America that can more successfully be solved by cooperative effort than by acting alone. These include, but are certainly not limited to, challenges in the fields of human health, air and water pollution abatement and control, biotechnology, natural hazard mitigation, aridlands agriculture, sustainable energy, urban transportation, and maintenance of species diversity.

In fact, as discussed in the 1988 NSF report that I cited previously, there are many areas in which U.S. scientists and engineers can greatly benefit by increased contact with their colleagues in Latin America. Furthermore, if the United States doesn't work to increase S&T cooperation with Latin America, other nations will. As stated in the NSF report:

Given the important role that S&T are perceived to have in economic development, Latin American countries may become increasingly involved in cooperation with Europe and Japan in the absence of U.S.-sponsored opportunities, continuing the decline in [scientific] ties between the United States and Latin America.

Indeed, this is already taking place. Japan and the European Community have launched a number of aggressive S&T exchange programs with various Latin American nations.

Because of the critical importance of science and technology to economic development, and because of the conspicuous lack of S&T provisions in other U.S. initiatives aimed at increasing our ties with Latin America, I am today introducing the Inter-American Scientific Cooperation Act. I am joined in introducing this bill by the following cosponsors: Representatives TORRICELLI, BOUCHER, DE LA GARZA, SENSENBRENNER, KOLBE, MORRISON, SCHIFF, BARTON, GILCHREST, OLVER, CRAMER, TRAFICANT, SCHEUER, NAGLE, HORN, and PORTER. I also want to acknowledge the important contribution of my colleague, Mr. ROE, the former chairman of the Science, Space, and Technology Committee, who was the author of an earlier version of this legislation.

This Inter-American Scientific Cooperation Act has three major components:

First, establishment of an Inter-American Scientific Cooperation Program at the National Science Foundation, which would coordinate and provide the U.S. share of funding for joint research, education exchanges, and information transfer;

Second, authorization for NSF to provide funds for debt-for-science exchanges, which

would allow Latin American nations with severe external debt burdens to act as full partners in supporting joint scientific research programs; and

Third, creation of a United States-Mexico Binational Science Endowment, in special recognition of the many scientific and environmental problems that we share with our neighbor to the South, and in light of the need to ensure a stable mechanism for active technical cooperation that would parallel our increasingly open trade relations.

I insert, for the RECORD, a section-by-section description of the bill:

INTER-AMERICAN SCIENTIFIC COOPERATION ACT  
SECTION-BY-SECTION SUMMARY

Section 1. Short title.

Section 2. Findings and definitions.

Section 3. Establishment of the program: Establishes an Inter-American Scientific Cooperation Program ("The Program") at the National Science Foundation, aimed at increasing the level and consistency of science and technology cooperation between the U.S. and Latin America. Funding sources in addition to NSF will be identified for cost-sharing, including other government agencies, nongovernmental sources, and Latin American sources.

The Program will include the following elements:

First, support of cooperative research projects between U.S. and Latin American scientists and engineers;

Second, establishment of a U.S.-Latin America educational exchange program for graduate students and postdoctoral fellows;

Third, establishment of joint data bases, computer linkages, and other mechanisms of information and technology transfer.

Section 4. United States-Latin American debt-for-science exchange: Authorizes the NSF to provide funds for the purchase of discounted commercial bank debt owed by Latin American nations, in exchange for a contribution of funds by the debtor nation for support of joint scientific research and/or education projects. Support by the debtor nation for the projects should be no less than 75 percent of the full face value of the purchased discounted debt, or at least 20 percent greater than the purchase price of the discounted debt. NSF grants for purchase of discounted debt must be equally matched by non-Federal contributions.

Section 5. United States-Mexico binational science endowment: Authorizes the Director of the NSF, in consultation with the Director of the Office of Science and Technology Policy, to work with representatives of the Mexican Government in establishing a board of governors for a United States-Mexico science endowment. The endowment will be a nongovernmental organization that supports research and educational activities of interest and benefit to both the United States and Mexico. Support for the endowment will be derived from debt-for-science exchanges, as well as direct contributions from governmental and nongovernmental sources.

Section 6. Report: The Director of the NSF shall submit an annual report to Congress documenting activities of the program. Every 2 years, this report will include a description of all Federal research and development activities carried out in, or in cooperation with, Latin American nations.

Section 7. Authorization of appropriations: Authorizes the appropriation of up to \$10 million of NSF funds for fiscal year 1992 and fiscal year 1993 to support the program. Au-

thorizes the appropriation of \$5 million from the Agency for International Development for a debt-swap to support the United States-Mexico binational science endowment.

**INTRODUCTION OF LEGISLATION  
TO ESTABLISH A MEMORIAL TO  
AFRICAN-AMERICANS WHO  
SERVED IN THE UNION ARMY  
DURING THE CIVIL WAR**

**HON. ELEANOR HOLMES NORTON**

OF THE DISTRICT OF COLUMBIA  
IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Ms. NORTON. Mr. Speaker, I am very proud to stand before this body today to introduce legislation to establish a memorial to African-Americans who died while serving as Union soldiers during the Civil War.

The issuance of the Emancipation Proclamation by President Lincoln not only freed the slaves but provided that African-Americans would be "received into the armed services of the United States." Those African-Americans who served with the Union Army did so as volunteers. At first they were barred from combat and made to contribute only as members of service and labor battalions. Ultimately, however, their determination, courage, and love for their country and for the cause of freedom, enabled them to transcend this barrier.

Just two years ago, the release of the film "Glory" brought national attention to the role played by African-American soldiers during the Civil War. This movie told the story of the 54th Massachusetts Regiment which distinguished itself at the historic battle of Fort Wagner in July 1863. This unit was not the first African-American regiment organized or the first to be tested in combat. Four other units fought valiantly during the Vicksburg campaign earlier that same summer. Eventually, a total of 166 African-American regiments were organized.

Recently, the Council of the District of Columbia approved a ceremonial resolution authored by Councilmember Frank Smith, Jr. to honor and recognize African-Americans who served in the Civil War and calling for the establishment of a memorial. I am pleased to have this opportunity to respond to this call by introducing this important bill. I urge my colleagues to give the measure your full support.

**HOUSE CONCURRENT RESOLUTION  
96, A RESOLUTION TO SUPPORT  
THE PREPARATION OF A NEW  
MONUMENTAL CORE AREA PLAN  
BY THE NATIONAL CAPITAL  
PLANNING COMMISSION**

**HON. RONALD V. DELLUMS**

OF CALIFORNIA  
IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. DELLUMS. Mr. Speaker, today I introduced House Concurrent Resolution 96, a sense of the Congress resolution to support the National Capital Planning Commission's [NCP] initiative to prepare a new Monumental Core Area Plan.

The beauty of the National Capital Mall area, which is generally praised worldwide, is the result of the serious planning task undertaken by the 1901 Senate McMillan Commission. It is now time to revisit this plan and expand upon this grand vision in order to accommodate present and future needs. The NCP has initiated the preparation of an updated plan for the Mall and the central monumental core area of the Nation's Capital. This plan is being prepared in response to the multitude of pressures for use of the limited space available and to preserve the historic features of the area while accommodating necessary growth. Over the next 10 years, there will be proposals for several new museums, memorials, new executive branch department headquarters buildings, as well as the traffic, transportation, and parking accommodations for increased tourism. The historic 1901 McMillan Mall Plan has been fulfilled. There is growing need for a new expanded vision that will guide development into the 21st Century.

This congressional resolution is intended to give support and to encourage broad cooperation within the federal family, that is, the executive, legislative, and judicial branches of government, as well as the public nationwide.

The NCP, created by Congress in 1926, has the mission of planning for the future while preserving important historical and natural features in the National Capital area. It is the central planning agency for the federal government in the National Capital Region. The NCP is composed of the Secretary of Interior, the Secretary of Defense, the Administrator of the General Services Administration, the Mayor, the Chairman of the District of Columbia Council, the Chairman of the Committee on the District of Columbia of the House of Representatives, and the Chairman of the Senate Committee on Governmental Affairs, or such alternates as they may designate. In addition, five citizens with experience in city or regional planning, three of whom are appointed by the President and two of whom are appointed by the Mayor. Of the citizen members appointed by the President, at least one is a bona fide resident of Virginia and at least one is a bona fide resident of Maryland. The President designates the Chairman of the Commission.

The NCP has enjoyed widespread recognition for its success in area planning. Its efforts in carrying out and enlarging upon the McMillan Mall Plan are well documented. In 1952, Congress further charged NCP with the duty of preparing and adopting a comprehensive, consistent, and coordinated plan for the recently updated and published comprehensive plan for the Nation's Capital.

The NCP, with its 65-year history and role in federal planning, is uniquely qualified to undertake this momentous planning task. The Commission intends to establish a seven to nine member Blue Ribbon Panel of distinguished nationally and internationally recognized leaders from a wide variety of disciplines to provide advice in the preparation of the plan. The Panel will contribute interdisciplinary professional views from a broad spectrum of opinion, interest, and expertise.

H. CON. RES. 196

Whereas, over the past two centuries, the monumental core of the Nation's Capital has

become one of the world's finest examples of civic art under the guidance of the original L'Enfant Plan and the McMillan Commission Plan of 1901. It is a precious area, framed generally by the Capitol, White House, Lincoln Memorial, Arlington Cemetery, and the Pentagon. History, monuments, and outstanding public buildings abound, along with the symbolic architecture that has established itself in the affections of the Nation. However, the vigor and vitality of a growing society have generated demands that outpace the guidance provided in these historic plans;

Whereas, it is time to take a bold and fresh look into the future. As the bicentennial of the original plan for the Federal City approaches, the aspirations for the monumental core put forth in turn-of-the-century plans have been largely fulfilled. A new vision for this central monumental area is needed to guide its development into the 21st Century. The beauty and dignity of this historic area must not be put at risk by ad hoc development taking place in the absence of a well-considered new plan that preserves and respects this national treasure;

Whereas, the challenge of technological change is upon the Nation as the capital adjusts to an expanding international leadership role in the emerging global information age. Facilities designed for new kinds of Federal Government operations and requirements must be accommodated. If history is a guide, new cabinet level departments and operations will evolve in the coming generations that might expect to be housed at the seat of government. The Federal Judiciary is also expanding rapidly, and should similarly be accommodated in a manner that respects its stature as the third branch of government;

Whereas, pressure for space in the monumental core is intense. Proposals for several new museums are under discussion. Congress has recently authorized several new memorials and additional proposals are pending. Several executive branch agencies are seeking prominent new headquarters locations. Meanwhile, visitation will continue to increase as the area faces both complex traffic problems and the challenge of providing sufficient parking to meet current and future needs. The 18-20 million Americans who currently visit their Nation's Capital each year must be accommodated. These issues, while frequently discussed, remain unsolved. Clearly, the demand to reflect national achievements, culture, and history in the heart of the National Capital will not cease merely because of the near completion of the McMillan Commission Plan;

Whereas, a forward looking and inspirational plan that preserves this legacy for future generations, yet accommodates future growth, is needed. That plan must have beauty, nobility, and power—the power to proclaim vividly Washington's stature as the heart of a great democracy and as a world Capital; and

Whereas, the National Capital Planning Commission is developing this plan in a collaborative and cooperative manner, its efforts merit the participation of the Federal Government and the governments within the National Capital Region towards ensuring the grandeur and an appropriate, functional, and symbolic setting for our Capital: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), that Congress supports the National Capital Planning Commission in undertaking the creation of such a visionary plan in its unique role as the central

Federal Planning Agency in the National Capital.

HONORING THE "LOOK GOOD \* \* \*  
FEEL BETTER PROGRAM"

**HON. CONSTANCE A. MORELLA**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mrs. MORELLA. Mr. Speaker, I rise today to commend the "Look Good \* \* \* Feel Better" [LGFB] cancer patient program. This free national public service program provides women cancer patients with instruction in the use of cosmetics, wigs, and other accessories to diminish traumatic appearance-related side effects of chemotherapy and radiation treatment and help enhance their self-image. All of the cosmetics used by the patients in this program are donated by the cosmetics industry.

"Look Good \* \* \* Feel Better" was developed in 1989 and is sponsored by the Cosmetic, Toiletry, and Fragrance Association Foundation in partnership with the American Cancer Society and the National Cosmetology Association. The program is currently available in 45 States and Washington, DC, and will serve more than 20,000 patients nationwide this year.

Last week, I visited Washington Adventist Hospital in Takoma Park, MD, to observe a demonstration of a LGFB Program. Here, five patients undergoing cancer treatment learned the skills they can use on a daily basis to take control and cope with the distressing side effects. These effects can include loss of hair, eyebrows, eyelashes, and extreme effects on skin tone and texture. I was moved by the resolve of these brave women in the face of their current battle and I was impressed by how "Look Good \* \* \* Feel Better" strengthened their determination to prevail. Keeping one's self-esteem and self-confidence during this trying time are important elements for a complete recovery. I salute LGFB and its sponsors for their efforts on behalf of women cancer patients.

Mr. Speaker, I ask all my colleagues to join me in supporting the "Look Good \* \* \* Feel Better" Program and its dedication to reaching out to the one of every three women in the United States who will develop cancer this year.

NEGOTIATING FROM STRENGTH

**HON. DEAN A. GALLO**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. GALLO. Mr. Speaker, President Bush deserves the thanks and gratitude of the American people—and of freedom-loving people around the world—for his outstanding leadership in bringing to a conclusion the Strategic Arms Reduction Treaty signed earlier this week in Moscow.

The President has again demonstrated his commitment to peace with the signing of this treaty. By significantly reducing the number of

EXTENSIONS OF REMARKS

nuclear weapons on both sides, this agreement will make the world a much safer, secure, and peaceful place.

Once again President Bush's farsighted foreign policy has resulted in a victory for peace and stability.

By continuing the tradition of Republican leadership, the President has secured a world marked by superpower cooperation rather than confrontation.

This agreement did not come easily. For 9 years, during some very difficult times in our relations with the Soviets—and with this Congress—Presidents Reagan and Bush pursued a policy of a strong defense as the way to peace.

It was this firm and resolute policy that brought the Soviets to the bargaining table and kept them there.

I am proud to have strongly supported both Presidents in their quest for peace.

This is truly a victory for peace and stability. Mr. Speaker, the President deserves our continued support in his pursuit of a new world order. We should remember the success of this experience, and the reasons for it.

Together with the President, let us continue to promote policies that will allow us to negotiate from a position of strength.

OVERPAYMENT BY GOVERNMENT  
AGENCIES

**HON. WILLIAM M. THOMAS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. THOMAS of California. Mr. Speaker, I want to join our colleague, Congressman PICKLE, in announcing that we have received a second report from the General Accounting Office concerning overpayments by Government agencies. When we began investigating this problem several years ago, we had hoped we would find Government payments were made efficiently. Unfortunately, GAO's studies show a serious problem that needs to be addressed.

As of September 1989, GAO had found evidence of nearly \$2.9 billion in uncollected debts after investigating Social Security, Veterans Administration, Railroad Retirement Board, and Office of Personnel Management accounts. Social Security, which collects only about 28 percent of its overpayments, had the largest share: \$2.4 billion. Social Security has even written off debts as uncollectible. Other agencies are collecting far more but they too can improve their performance.

The latest report includes some ideas Congress must explore. For example, it recommends having Social Security create a central administrative office with specific responsibility for collecting debts. In other agencies, it may be possible to improve collections by making better use of existing agency resources for debt collection.

It is clear we need to do more to stop overpayments from being made in the first place. I am pleased that Congressman PICKLE and the chairman of the Subcommittee on Social Security have asked for a further report from GAO that will give us information on just why

the Social Security overpayments are being made. The report we already have, however, shows that today's debt collection practices must be changed. Letting overpayments go uncollected means families have to pay taxes twice for the same level of Government service, and that is totally unacceptable.

TRIBUTE TO BRAVE CYPRIOTS ON  
17TH ANNIVERSARY OF INVA-  
SION AND OCCUPATION OF THE  
REPUBLIC OF GREEK CYPRUS BY  
TURKEY

**HON. WILLIAM M. THOMAS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. THOMAS of California. Mr. Speaker, today I rise to join my many colleagues in tribute to the brave people of the Republic of Greek Cyprus on this, the 17th anniversary of the occupation and division of that island country. Seventeen years ago, on July 20, 1974, Turkey illegally invaded a sovereign nation and member of the United Nations, a shameful occupation which has continued to this day despite repeated protests from the Greek Cypriots and the community of nations.

The people of Cyprus deserve better than to languish for 17 years under Turkish occupation. Turkey's invasion and occupation of this country is a continuing violation of both the U.N. and North Atlantic Treaty Organization Charters, and its seizure of over 35,000 Greek Cypriot homes and prolonged detention of over 1,000 Greek Cypriots ignores the basic standards of human rights set forth by the Geneva Convention.

This United States has just emerged from a war against a brutal aggressor, a war conducted with the help of 28 U.N. allies, including Turkey, and waged to protect the rights of sovereign nations to peacefully coexist with their neighbors. The parallels between Kuwait's grievance with Iraq and Cyprus' continuing struggle against Turkey should be obvious to all concerned. The parallel need for a settlement of Cyprus' legitimate complaints should be equally apparent.

In his recent visit to Greece, President Bush declared that a peaceful settlement of the plight of Cyprus should immediately be undertaken by Greece and Turkey, two NATO partners who both played important roles in the war against Iraq. In the aftermath of that war, the President has spoken much on the need for a new world order between nations based upon law and democratic institutions, put in place with the consent of the governed, but for the past 17 years, this right has been denied Cyprus.

I believe the ability to craft a peaceful settlement of the Cyprus question between the governments of Turkey and Greece is the first test of the new world order which we all seek. In order to create this new order, however, the rule of international law must be applied evenly to friend and foe alike. I urge Turkish President Turgut Ozal to cooperate fully with U.N. efforts to break this 17-year-old impasse. Mr. Speaker, I believe it is high time to restore freedom to the island of Cyprus.

FREE TRADE AGREEMENT WITH  
CHILE

HON. JIM KOLBE

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. KOLBE. Mr. Speaker, yesterday I was pleased to join Representative BILL RICHARDSON in introducing legislation calling on the President to begin consultations with the Government of Chile with the goal of negotiating a free-trade agreement with that country. I would urge my colleagues to cosponsor this bill, H.R. 3193.

Free trade has been a controversial buzzword in the Congress lately. The intense debate on this issue was brought to a head by the vote of Congress in May to extend Fast Trade trade negotiating authority until June 1, 1993. As a result of that vote, we are currently involved in historic negotiations with the Governments of Mexico and Canada to form a North American free-trade zone. This zone will form the largest open economic market in the world.

But even with this development, our work is not done. The United States Trade Representative, Ambassador Carla Hills, is also bargaining for more open markets at the Uruguay Round of the GATT talks. Clearly, it is the policy of this Government that free and open trade is a benefit to all who accept it.

I concur with a recent statement by Commerce Secretary Robert A. Mosbacher:

Countries that seize the opportunities created by economic cooperation will deliver rising standards of living to their citizens. Countries that do not are in danger of being left behind.

Most other nations of the world now agree with this view. And in our own hemisphere, the view that open markets do indeed create a tide of economic prosperity that lifts all boats is nearly unanimous. With the exception of Cuba, every Central and South American nation has signed a framework agreement with the United States to explore options for trade liberalization.

These framework agreements are the first vital step in President Bush's Enterprise for the Americas Initiative [EAI] that will eventually spawn open markets from Alaska to Tierra Del Fuego. The EAI is built on the three pillars of trade liberalization, lessening of investment restrictions, and the reduction of outstanding debts. However, the EAI goes well beyond simple trade liberalization. As President Bush has said, "The EAI can link our nations with their diverse cultures, work forces and creative forces."

Chile in particular has taken all the right steps to be the first nation to be integrated under the EAI. Free trade with that nation will be the natural result. Representative RICHARDSON and I agree that the Congress must begin an examination of this issue. It is our hope that we will gain significant support for our legislation from both sides of the aisle, and both sides of the Congress.

Chile has taken painful—but necessary—steps to liberalize its economy. Even more remarkable, it has taken these economic steps while transforming its government from the to-

talitarian Pinochet regime to the openly democratic regime of President Patricio Aylwin, who was elected in March, 1990.

In welcoming President Bush to Chile in December 1990, President Aylwin said:

Beyond circumstances and obstacles, Chile has kept its constant love of liberty and has engaged in battles to defend it. This allows us to welcome you in democracy today after having recovered a tradition characteristic in your own country.

Democracy in Chile has resulted in both a return of traditional political establishments, including an opposition party, and in a renewal of what has been described as democratic rules and traditions. Just as in the United States Congress, the political leaders of Chile have found it impossible to move forward on broad policy issues without varying degrees of consensus, cooperation, and coalition building. It was only through these efforts that Chile was able to implement tax reforms, condemnation of terrorist activities, and the approval of the Rettig Commission report on human rights and abuses under the military regime.

On the issue of human rights, the Presidency of Patricio Aylwin has made great progress in a short time considering the legacy that was left by President of General Augusto Pinochet. The Amnesty International report for 1991 acknowledged that "the scope of the government's human rights initiatives was limited by factors inherited by the previous government."

In light of the record left by Augusto Pinochet, it is worth noting that one of President Aylwin's first official acts was to establish the National Commission for Truth and Reconciliation charged with investigating disappearances, torture allegations, and illegal executions carried out by the previous regime. Amnesty International has welcomed these measures, but recognizes that more investigation needs to be undertaken. As a result, the National Commission for Truth and Reconciliation has invited Amnesty International to submit a series of recommendations for preventing further human rights abuses.

The Chilean economy has made impressive strides over the past decade. During the mid-1980's Chile began implementing a plan to reduce import tariffs and to strengthen exports. State enterprises were sold, and significant tax reforms were enacted. Public spending policies were changed to accommodate increased savings and investment. The result has been an annual average growth rate of 5.6 percent between 1984 and 1990. GDP projections for 1991 range from 4 to 6 percent. Private savings has grown from 2.2 percent of the Chilean GDP to more than 9.6 percent.

Like most Latin American nations, Chile has had to contend with high inflation and higher interest rates. However, Chile has taken necessary steps to keep inflation below 30 percent. The projections for 1991 indicate an inflation rate of closer to 20 percent. Unemployment is slightly lower than 6 percent.

The most significant recent development for the Chilean economy was the first EAI bilateral debt reduction agreement signed between the United States and Chile on June 27 of this year. Such an agreement was only possible after Chile undertook broad macroeconomic

and structural reforms, liberalized their investment regimes, and reached agreement on their commercial bank debt. The agreement resulted in a 40-percent reduction of Chile's food assistance debt to the United States from approximately \$39 million to \$23 million. This agreement will lead to another agreement whereby Chile will be able to apply its interest payments on its debt to a Chilean environmental fund established.

A press release by the White House after the signing said:

Chile's sound macroeconomic policies, stable and receptive foreign investment regime, and good relations with commercial creditors have helped lead the way for reform in Latin America and the Caribbean.

A free-trade agreement with Chile will expand and enhance Chile's economy and pave the way for a new and robust market for American goods. Like the United States, exports have paved the way for Chilean economic reforms and subsequent growth.

Chile's exports amounted to more than \$8.3 billion and accounted for 30 percent of that nation's GDP during 1990. Trade between the United States and Chile amounted to more than \$2.8 billion, making the United States both the largest importer and exporter for Chile. Trade between our two nations is enhanced by Chile's flat tariff rate of 15 percent for all imports, and the average tariff of approximately 5 percent for the United States. In addition, more than 40 percent of all foreign investment in Chile over the past decade has been from the United States.

An FTA with Chile makes sound economic sense. I recognize that the timing of such an agreement is difficult today. As I mentioned, Ambassador Hills is currently involved in complex and intense negotiations with Canada and Mexico and at the Uruguay round. However, these agreements, especially the successful conclusion of the NAFTA talks, will pave the way for what I hope will be a quick free-trade agreement with Chile. Indeed, each of the negotiating groups involved with the NAFTA is considering the prospect of docking other nations onto the agreement in future years.

I recently visited with the Chilean Ambassador to the United States, Patricio Silva Echenique, who accepted that NAFTA must come first, but that Chile should be a close second. He also indicated that Chile would be willing to sign onto the parameters established under the NAFTA agreement.

It is interesting to note that free trade between the United States, Canada, Mexico, and Chile is not as far-fetched as some may believe. As mentioned previously, the United States is Chile's largest importer and exporter. In addition, Mexico has signed a free-trade agreement with Chile, and last year, Canada was the largest foreign investor in Chile. The interest among all parties is clearly growing rapidly.

During an address to the National Congress of Chile last December, President Bush said:

Chile has moved farther, faster than any other nation in South America toward real free market reform and the payoff is evident to all, seven straight years of economic growth; in exports alone a 15 to 20 percent increase in value in each of the past five years.

This explosive growth has secured for Chile a growing impact on the world economy.

I have submitted the full text of this speech for the RECORD.

I would urge my colleagues to carefully consider the advances that have been made in Chile, and in Chilean/United States relations, and I would again urge my colleagues to support H.R. 3193 introduced by myself and my colleague, BILL RICHARDSON.

PRESIDENT GEORGE BUSH'S ADDRESS TO THE JOINT SESSION OF THE NATIONAL CONGRESS OF CHILE

First, may I salute the President of Senate, President Valdes. And far be it from me to lecture to his colleagues in these distinguished bodies. And I first knew him years ago when he served the United Nations with such distinction. And I would simply say to everybody here, I think we can all understand why, with that service behind him, he has what I would say is a very forward-looking global view. And I respect his views. And thank you very much, Mr. President, not only for your remarks, but for your welcome.

I want to salute the President of the Chamber of Deputies, José Antonion Viera-Gallo, members of the national Congress, and all the people of Chile. And really it is for me, having come out of our Congress in the United States, a great privilege to address you today and to bring you on behalf of the American people our heartfelt congratulations on Chile's return to democratic rule. Here amid the hills of Valparaíso, here in the halls of this beautiful assembly stands proof that Chile has returned to the democratic past, proof that in Chile once more the people shall govern.

It is my hope that this visit will renew and strengthen the ties between our two nations that trace back to the first days of Chilean independence, to your first Congress, convened on the fourth of July, 1811, to the guiding principles we share, the community of ideas that linked your new nation to our nation nearly 180 years ago.

#### THE DEMOCRATIC IDEAL

At the center of that community of ideas stand the shining principles that unite us today: individual liberty and democracy. In the past year, the world has focused on the dramatic events that brought freedom and democracy to Eastern Europe and an end to an era of cold war and conflict that your president just talked about, but the principles at the root of those revolutions across the Atlantic are the very same that give life to our own democratic destiny. And in spite of the remarkable events unfolding in Europe, we should not lose sight of the fact that the triumph of the democratic ideal promises to make the Americas the first fully free hemisphere in all of history.

Chileans can take great pride in the role they have played in Latin America's democratic renaissance. Since the plebiscite of October 1988, Chile has undergone a political transformation every bit as far-reaching as the revolutions that changed the face of Eastern Europe. When others, frustrated by the long years under autocratic rule, might have engaged in recrimination, you, Chile, chose reconciliation. When others might have consumed themselves with settling scores, Chile chose to draw a positive lesson from the agony, the pain of the past. Every year under autocratic rule served only to deepen your devotion to freedom and tolerance and respect for human rights, to strengthen Chile's collective resolve to make this return to democracy permanent, and to make it irreversible.

Chile's peaceful return to the way of democracy owes much to the leadership of a man of vision, a man of great moral courage, President Patricio Aylwin. But as President Aylwin understands, as everyone in this chamber knows, democracy's ultimate success rests not on the shoulders of one man alone, but on the collective commitment of every Chilean, every citizen in every region, from every station in society, to put allegiance to democracy above any differences that divide you.

Chile has also been a part of a greater collective commitment through your steadfast participation in the international coalition now facing down aggression in the Persian Gulf. Chile, at considerable expense to your own economy, is upholding the sanctions against Iraq, despite the costs, because of the far greater cost to world stability should brutal aggression go unchecked. You understand through hard experience the fundamental importance of the rule of law.

As a friend of Chile, as the representative of a fellow democracy, I have deep respect for all that this nation has done to move forward in peace to this new day of freedom. What is happening here in Chile is part, you see, of a larger movement that is sweeping this continent. Centuries ago, the Americas represented to the explorers of Europe the New World, an uncharted territory of promise and possibility. In the dawn of Chile's own independence Bernardo O'Higgins, Chilean patriot and patron of liberty for all of Latin America, spoke of America's shared destiny when he wrote, "The day of liberty has arrived for the Americas from the Mississippi to Cape Horn, an area comprising almost half the world, we now proclaim the independence of the new world." At long last the new world O'Higgins wrote about is dawning across the Americas, a new dawn of democracy in which all men and women are free to live, work, and to worship as they please.

My travels these past few days have made me more certain than ever that the Americas share a common democratic destiny and that Latin America's future lies with free government and free markets. Chile now returned to the democratic path, has long recognized the merits of a free market economy. From the day Diego Almagro first set foot on what is now Chilean soil, your lifeblood has been trade. What has been true for Chile throughout its long history is today increasingly true for all nations.

#### CHILE'S SUCCESS

Chile has moved farther, faster than any other nation in South America toward real free market reform and the payoff is evident to all, seven straight years of economic growth; in exports alone a 15 to 20 percent increase in value in each of the past five years. This explosive growth has secured for Chile a growing impact on the world economy.

Today the farmer in San Fernando labors not just to feed his family or even his village, but to deliver products to the dinner tables of Japan, Europe and the United States. From the miner in Calama, the world obtains the raw materials it puts to use in everything from new homes to skyscrapers, to space shuttles. Chile's success, your success, is the product of wise policy, a comprehensive plan to transform this nation's economy into an engine for growth. Chile has worked to create an open and inviting investment climate for foreign capital. Since 1985, US\$2.5 billion in new investment has flowed into Chile. Capital flight, which has sapped the economic strength of so many Latin nations, has now reversed itself,

turned around, with returning funds spurring new investment here at home.

And Chile has pioneered some of the world's most creative debt reduction programs, these debt for equity swaps, exchanges that have transformed debt from a dead weight on development into new opportunities for growth.

Chile is the land of tremendous natural resources. Near limitless potential; the mineral wealth of the arid Atacama, the black earth of the central valley, the safe haven here at Valparaíso, for centuries Chile's main port of entry and access point to the world beyond.

But all of these abundant resources pale in comparison to this nation's most significant asset, the vast human potential of the people of Chile. Give to the people of Chile the opportunity to better themselves, to provide for their families, their children, and Chile will build its future and let the people reap the rewards of their own hard work, and incentive will spur enterprise.

The future of Chile is the sum total of every individual's hopes and dreams. Unleash these energies, and uncover a reservoir of riches. Tap this source, and transform a nation. What has worked here in Chile can work all across the continent.

#### THE ENTERPRISE FOR THE AMERICAS INITIATIVE

Last June, as your President mentioned, I introduced an initiative that I call Enterprise for the Americas, a comprehensive plan to reduce the crippling burden of debt and increase trade and investment. Across the Americas, for North or South, for Central, the Enterprise for the Americas Initiative challenges all countries in Latin America, and the Caribbean area, too, to commit themselves to the free market policies that will help them attract the new capital central to achieving strong economic growth.

To this end, Enterprise for the Americas seeks to promote open investment policies, through a new lending program too, in the Inter-American Development Bank, as well as the creation of a multilateral fund to support investment reform.

We recognize that the burden of external debt weighs heavily on efforts to breathe new life into Latin America and the Caribbean economies. For that reason, the United States will help countries committed to free market reform shake loose this burden of debt.

Chile's strong economic performance makes it a prime candidate for the debt reduction measures proposed as part of the Enterprise for the Americas Initiative.

And finally, our initiative recognized the critical importance of our environment and the need to design debt reduction measures that encourage environmental protection and conservation.

Enterprise for the Americas has generated great hope in the future of free markets across the continent. Already, during President Aylwin's recent visit to Washington, our two countries have signed a bilateral trade and investment framework agreement under this initiative, and I look to Chile to continue to lead the way, to remain at the forefront of the free market movement that's now beginning to take hold all across Latin America, to work together the ultimate aim of the Enterprise for the Americas, which is the creation of a hemispheric trade zone that is free, a free trade zone from the Arctic regions in the North down to the southernmost tip of Cape Horn.

#### A NEW PARTNERSHIP

I want to see our two nations work together to bring down barriers to free and fair

trade, not just here in the Americas but around the world. The great economic lesson of the past half-century is that protectionism stifles progress, and that free markets breed prosperity. And that's why the successful completion of these current Uruguay Round negotiations remains my highest trade priority.

In the Uruguay talks, both our nations have sought a deep reduction and ultimately the complete elimination of counterproductive agricultural subsidies. And together with Chile and other neighbors in the hemisphere, we here in the Americas constitute a potent force for free trade.

So let me say to all of you today, the United States stands ready to forge this new partnership in prosperity. Some scholars say that the word "Chile" means the ends of the earth. Today, what Chile means to the world is far different. Your nation is at the very center of the democratic revival transforming our entire continent, bringing us closer each passing day to the new world we seek, because what matters in this new world is not the vast differences that separate us, but the vital ideals that bring us together.

So let today mark the beginning of a new partnership between our people, and let us—let us all—across the Americas, work together toward a new world, toward that new dawn of democracy in which every nation is the home of liberty, democracy, and progress.

Once again, thank you from a very grateful heart for this welcome here in Chile, and may God bless the people of your great country.

Thank you all very, very much.

#### JOB FAIRNESS AND TRADE EQUITY ACT OF 1991

**HON. DALE E. KILDEE**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. KILDEE. Mr. Speaker, I rise today to introduce the Trade Equity Act of 1991. This legislation will restore consistency to the U.S. tariff regulations for minivans and sports utility vehicles by stating that any motor vehicle that is classified as a light-duty truck for emissions standards or a light truck for fuel economy standards, shall be classified as a truck for the purpose of U.S. tariff. This legislation is bipartisan, as Senator ALFONSE D'AMATO has introduced a companion bill in the Senate.

The lack of a classification for these hybrid vehicles has allowed foreign importers to manipulate the U.S. import duty fees to suit their own needs. I simply cannot understand how a vehicle can be classified as a truck for safety, fuel economy, and emissions standards, but be classified as a car for tariff purposes and pay the 2.5-percent duty assessed on cars, instead of the higher 25-percent import fee for trucks.

The idea to institute such a classification is now new. On January 4, 1989, the U.S. Customs Service, attempting to eliminate the confusion associated with the importation of minivans and sports utility vehicles, also known as multipurpose vehicles [MPV's], issued a ruling classifying these vehicles. However, acting at the request of three foreign auto importers, U.S. Treasury Secretary Nich-

olas Brady overruled the Customs Service. This ill-conceived decision has allowed foreign importers to continue using the loopholes in the existing import regulation to switch the classifications of a vehicle for a truck to a car. Moreover, this manipulation of our tariff regulations has been estimated to be costing the U.S. Treasury as much as \$500 million per year in import duty fees.

Soon after the Treasury Department revised the tariff classification, I asked Secretary Brady in a House Budget Committee hearing why he decided to overrule the Customs Service. In response to my question, Secretary Brady stated that the decision was made after some Treasury personnel went "to Baltimore and looked at the cars as they came off the ships from overseas manufacturing plants" and to Detroit to look at the designs for next years models. Treasury determined that the classification of a truck will be based on how many doors are on the MPV's and whether minivans have side windows and rear seats. As a result, the same make and model of MPV's and minivans are being imported as both cars and trucks.

While Customs spent well over a year soliciting public and industry comments before making its ruling, the Treasury Department decide to revise the Customs ruling after only 6 weeks of deliberations. Moreover, although Treasury decision allows minivans and MPV's to come into the United States at the lower 2.5-percent car tariff, these same vehicles are not required to meet the stringent fuel economy and auto emissions requirements we have for cars. Congress, through the emission, safety, and fuel economy standards, has defined what is a car and what is a truck.

In fact, MPV's and minivans are classified by the Environmental Protection Agencies [EPA] and the Department of Transportation [DOT] as a truck. For example, the Range Rover, which is made in Britain, is classified as a light truck by the DOT for safety and fuel economy standards and by the EPA for emissions requirement. However, the U.S. Customs Service classifies it as a car for the import duty fee because it has four doors. To add to the confusion, although the Range Rover is over \$30,000 and hence subject to the luxury tax, the IRS classifies it as a truck and therefore the Range Rover is exempt from the luxury tax. How can two agencies, both under the Treasury Department, have two different definitions of a truck?

Another example is the Nissan Pathfinder, which is imported as both a car and a truck. Customs classifies the two-door version of the Pathfinder as a truck and imposes the 25-percent duty on trucks. However, the four-door version is classified as a car and only pays the 2.5-percent duty assessed on cars. Neither the DOT nor the EPA finds any significant difference between the two versions and both agencies classify the two-door and four-door model as a truck. Why is our Treasury Department, with our huge trade deficit, helping foreign importers evade our tariff laws?

The Trade Equity Act will restore consistency to our trade laws and put us on an even playing field with our trading partners. While some people may argue that such a tariff would be unfair to foreign manufacturers, Japan does not seem to have a problem mak-

ing American manufacturers pay exorbitant fees that make our vehicles uncompetitive. In a recent speech by Lee Iococca, CEO for Chrysler, he stated that in order to sell the Jeep Cherokee in Japan, Chrysler must pay over \$12,000 for customs fees, distribution costs, and to meet certain unique Japanese vehicle regulations. "So the Cherokee arrives in Japan with a huge price disadvantage."

Unfortunately, the Treasury decision in 1989 does not seem to be an isolated incident. Recent reports have surfaced accusing the Treasury Department of forcing the Customs Service to retreat from a decision to collect \$20 million in duties from Honda Motor Co. for exaggerating the North American content of cars shipped to the United States from Canada. Although the Customs audit is still under review, the intention by Treasury to intervene alarms me. Congress must get tough with our trading partner because I have lost my faith in the Treasury Department to defend our U.S. trade laws.

By using the EPA and DOT definitions of a truck, the Trade Equity Act will establish a consistent classification of MPV's and minivans that will eliminate the ambiguity in our tariff regulation. If the vehicle is a truck for emissions or for fuel economy standards, then that vehicle should also be a truck for the purpose of the import tariff. For too long we have let our international trading partners exploit our market and our laws, it is time to stop the abuse of our import duty fees.

H.R. —

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Trade Equity Act of 1991".

#### SEC. 2. CLASSIFICATION OF MOTOR VEHICLES FOR THE TRANSPORT OF GOODS.

The Additional United States Notes to chapter 87 of the Harmonized Tariff Schedule of the United States are amended by adding at the end thereof the following new note:

"3. Any motor vehicle that is—  
"(a) a light truck within the meaning of section 523.5 of title 49 of the Code of Federal Regulations (as in effect on October 1, 1990); or

"(b) a light-duty truck within the meaning of such term as defined in section 86.082-2 of title 40 of the Code of Federal Regulations (as in effect July 1, 1990); shall be classified under heading 8704."

#### SEC. 3. EFFECTIVE DATE.

The amendment made by section 2 applies with respect to goods entered, or withdrawn from warehouse for consumption, on or after the 15th day after the date of the enactment of this Act.

#### TRIBUTE TO DIONICIO MORALES AND THE MEXICAN-AMERICAN OPPORTUNITY FOUNDATION

**HON. ESTEBAN EDWARD TORRES**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. TORRES. Mr. Speaker, I rise today to recognize the remarkable achievements of the Mexican-American Opportunity Foundation

[MAOF] and its founder and president, Mr. Dionicio Morales.

Motivated by the vital needs of the Hispanic community, Mr. Morales founded the Mexican-American Opportunity Foundation nearly three decades ago in order to provide employment, education, linguistic, and health services to Americans of Mexican descent. Born in Arizona and raised in Moorpark, CA, Mr. Morales was the son of migrant farmworker parents. Morales was educated at California State Teacher's College in Santa Barbara and went on to study at the University of Southern California. He now resides with his wife and the youngest of his four children in Pico Rivera, CA.

In the past, Morales has dutifully served 4 years as a State apprenticeship commissioner where he headed the State committee in charge of insuring minority involvement in building and construction apprenticeships. He has also served on the Los Angeles County Manpower Council [LACMPC], on the National Advisory Committee for the U.S. Department of Labor, and as advisor to the California Employment Development Department.

The exponential growth of the Mexican-American population in the Los Angeles area over the past decades has provided Mr. Morales and the Mexican-American Opportunity Foundation with enormous challenges. The organization has faced these challenges with its exemplary commitment and dedication. Under Morales' leadership, the foundation has established numerous programs to meet the needs of the Hispanic community. These important services include skills training programs, child-care centers, a handy-man program to repair low-income homes, a senior aides program to provide part-time employment to the elderly, a nutrition program for the elderly, and a professional recruitment program in computer science and management, an employment services program, and an information and referral service to facilitate the placement of children in public and private child-care agencies.

As a branch of the United Way organization, the Mexican-American Opportunity Foundation provides assistance to Los Angeles County residents under the Federal Jobs Training Partnership Act. The MAOF's two major job training programs have been extremely successful in assisting low-income Hispanics in acquiring the skills necessary for employment. The MAOF teaches participants how to write résumés and prepare for interviews, and then introduces them to word processing, data base management, and other clerical skills, all free of charge.

Due to the foundation's outstanding fund-raising accomplishments, the MAOF has been able to provide an on-the-job training program that reimburses private companies for a percentage of wages paid to in-training employees. Indeed, over the past 30 years, the foundation has raised over \$100 million from private and public sources.

Mr. Speaker, I would like to take this opportunity to praise both Mr. Morales and the Mexican-American Opportunity Foundation for their devotion to the advancement of the Hispanic-American community. The successes of the foundation clearly demonstrate that achievement and growth is a reality for many low-income Hispanic-Americans. I ask my col-

leagues to join me in honoring the Mexican-American Opportunity Foundation and its outstanding leader, Mr. Dionicio Morales, and I wish them continued success in working for the Hispanic-American community.

#### GENDER DISPARITY IN WOMEN'S HEALTH CARE

**HON. MARILYN LLOYD**

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mrs. LLOYD. Mr. Speaker, last Thursday's edition of the New England Journal of Medicine contained two studies demonstrating again that women are treated as second-class citizens in our health care system. Although heart disease is the leading killer of women over age 50 and overall takes the lives of more women than men, the studies show strong evidence that women do not have the same access to aggressive diagnostic and treatment services as their male counterparts.

Mr. Speaker, what will it take for women's health needs to be taken seriously in this country? In a recent hearing I chaired, I heard from a number of witnesses who presented a rather grim picture of the treatment women are receiving from our health care system. A representative of the American Medical Association testified to a number of studies demonstrating that a person's sex directly affects the treatment and services they receive. This includes access to lifesaving treatment and diagnostic services such as kidney dialysis and transplantation, catheterization for coronary bypass surgery, and testing for lung cancer, the most common cause of cancer in women.

Perhaps even more disturbing is evidence that women are not taken seriously in their doctors' offices. Women who seek health care for cardiac concerns are more likely to have these concerns attributed to emotional factors, resulting in seriously compromised care.

Another witness testified of her experience with women who have gone to the same physician for years but who have never had a breast exam or been referred for mammography. An isolated case, you may wonder? Absolutely not. Only a little over 25 percent of all women over age 50 get mammograms according to the recommended guidelines established by the American Cancer Society and the National Cancer Institute. Minority women have even worse records. It is estimated that a full 30 percent of breast cancer deaths could be alleviated if women participated in regular screening. Yet a recent study on older women demonstrated that the top two reasons for not getting a mammogram were that their doctors never told them they needed to and that they themselves did not know they needed to.

Mr. Speaker, perhaps you can understand why I get incensed by Secretary Sullivan, the head of this Nation's Department of Health and Human Services, and his opposition to increasing women's health research under the NIH Revitalization Amendments Act passed by this body last week. As a doctor at the Subcommittee hearing so aptly stated, "Research feeds medical education and medical education is reflected in clinical practice." Both

women and physicians are adversely affected by the past lack of emphasis in women's health research at our renowned National Institutes of Health.

I would like to conclude by quoting the words of Dr. Healy, the Director of the National Institutes of Health in response to a question asked of her at our hearing:

"Many women have written to me and to the staff of the NIH Office of Research on Women's Health, expressing their very deep and serious concerns about their treatment by the health care system. They do feel alienated, intimidated, and sometimes powerless. Unfortunately, gender disparities exist in the ways patients are treated and in the ways physicians make clinical decisions regarding their patients.

Research alone cannot correct the disparities, inequities or insensitivities of the health care system, but it does have a critical contribution to make to alleviate these inequities. Because much of our current knowledge is based on research on men, the particular challenge for the NIH is to establish the science base that will permit reliable diagnoses, and effective treatment and prevention strategies, to provide appropriate care for women."

Mr. Speaker, I urge those members who voted against the NIH Revitalization Amendments bill last week to think again when they refer to the increased funding for women's research as unnecessary. Your vote extends way beyond the research lab and reaches into our medical school classrooms and ultimately, into the homes of American families.

#### INTRODUCTION OF LEGISLATION TO EXPAND COBRA HEALTH INSURANCE CONTINUATION COVERAGE REQUIREMENTS

**HON. BRIAN J. DONNELLY**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. DONNELLY. Mr. Speaker, I am introducing legislation today to expand the so-called COBRA health insurance continuation coverage requirements. Present law contains a major loophole for failed banks and savings and loans, and my legislation would plug that loophole.

Mr. Speaker, Congress enacted the COBRA continuation provisions in 1985, and I strongly supported their enactment. The provisions require employers to continue providing health insurance companies to employees who have been laid off, to families of employees who have passed away, and certain other specified events. Generally, coverage continues for either 18 months or 36 months.

The COBRA provisions are enforced by a \$100 per-day, per-incident excise tax on a failure to comply with the requirements. The excise tax is generally imposed on the employer. Unfortunately, it appears that when a bank or S&L fails and is taken over by the Federal Government, the COBRA requirement can be avoided. This is inexcusable, and this loophole was never intended by Congress.

My legislation corrects it, and it is absolutely imperative that we enact this legislation as soon as possible. With all of the failures of

banks and S&L's that we read about in the paper daily, and the large number of individuals who lose employment because of financial institution failures, there is a pressing need for action. Many—if not all—of the terminated employees lose all health insurance coverage.

Mr. Speaker, as a member of the Committee on Ways and Means, I plan to push for enactment of this measure at the first opportunity our committee has to consider any tax legislation—possibly in the context of tax simplification legislation. I urge members to support the bill.

I ask that a technical description of my legislation be included in the RECORD at this point.

**EXTENSION OF COBRA HEALTH CONTINUATION PROVISIONS FOR EMPLOYEES OF FAILED FINANCIAL INSTITUTIONS**

**PRESENT LAW**

Section 4980B of the Internal Revenue Code of 1986 imposes an excise tax on employers who fail to provide continuation of health care benefits to certain individuals. The tax is generally equal to \$100 per day on which a failure occurs per qualified beneficiary. These provisions are sometimes referred to as the "COBRA continuation" provisions after their enactment as part of the Consolidated Omnibus Budget Reconciliation Act of 1985.

In general, the COBRA continuation provisions require employers to offer to employees continued coverage in the employer's health insurance plan for up to 36 months in the case of a "qualifying event". A qualifying event includes (1) the death of the covered employee; (2) termination or reduction of hours in the covered employee's employment; (3) the divorce or legal separation of the covered employee; (4) the covered employee becoming entitled to Medicare; or (5) the bankruptcy of the employer. Employers may require qualified individuals to pay a premium of 102% with respect to their continued coverage.

The COBRA continuation provisions do not apply to businesses employing less than 20 employees, any governmental plan, or any church plan.

If a bank or a savings and loan association fails and is taken over or sold by the Federal Deposit Insurance Corporation or the Resolution Trust Corporation, present law is unclear as to whether COBRA continuation provisions apply. This is because the FDIC, the RTC, any bridge bank, or any successor corporation may not be the "employer" for purposes of the COBRA excise tax.

For example, if the ABC bank fails and is taken over by the FDIC, the FDIC may terminate employment of 10 tellers of the ABC Bank. Those 10 tellers may not qualify for COBRA continuation coverage, because the FDIC may not consider itself the "employer" of the 10 tellers. If ABC bank is operated by a "bridge bank" or is acquired by another bank, the same rationale may apply.

**EXPLANATION OF PROPOSAL**

Under the bill, the Federal Deposit Insurance Corporation, the Resolution Trust Corporation, a bridge bank, or any entity that acquires substantially all of the assets or liabilities of an insured bank or savings and loan is treated as an employer for purposes of the COBRA excise tax.

<sup>1</sup>The maximum required period in this instance is 18 months, unless the employee is entitled to Social Security disability benefits (in which case the period is 29 months).

**EFFECTIVE DATE**

The legislation is effective for plan years beginning on or after the date of the enactment of the Act, regardless of whether the qualifying event occurred before, on, or after that date.

**CENTENNIAL CEREMONY**

**HON. SUSAN MOLINARI**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Ms. MOLINARI. Mr. Speaker, I rise today in order to recognize a very special anniversary. On August 24, 1991, there will be a Centennial Ceremony for Ladder Company 109 to celebrate 100 years of service to the Bay Ridge community of Brooklyn since its formation in 1891.

Ladder 109 has had the good fortune throughout the years to have dedicated members. These people have generously committed their lives to serve Ladder 109 and the Bay Ridge community. I would like to honor past members, and make mention of the members of Ladder Company 109 today. The officers and firefighters are:

Capt. Christopher Plunkett, Lt. James R. Young, Lt. William Gillespie, Lt. Thomas Campanelli, FF. Terrence Cleary, FF. Michael Moog, FF. Kevin Kilkenny, FF. Richard Lloret, FF. Joseph Flynn, FF. Herman Emighilz, FF. Michael Burns, FF. Joseph Mondello, FF. Peter Patinella, FF. Michael Mullaly, FF. John Picarello, FF. Andrew Hornbuckle, FF. Gerard Callahan, FF. Raymond Tremmer, FF. Paul Fischer, FF. James Ruland, FF. James Lane, FF. William Nikosey, FF. Bryant Phillips, FF. William O'Connor, FF. John Costello, FF. Patrick Whalen, FF. Richard Obermayer, FF. Daniel Earle.

Mr. Speaker, it is with great respect and admiration that I congratulate Ladder Company 109 upon its 100th anniversary. I extend my personal thanks and gratitude on behalf of the Bay Ridge community to the "Third Avenue Express." May they continue to provide the community with their services for another 100 years.

**TRIP TO THE EXPLORER CADETS OF THE IMPERIAL COUNTY SHERIFF'S DEPARTMENT**

**HON. DUNCAN HUNTER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. HUNTER. Mr. Speaker, I want to take a moment to talk about some very exceptional young people in my congressional district located in Imperial County, CA. Unfortunately, these are not the kind of youth who are featured on the evening news or in the daily newspapers.

The Imperial County Sheriff's Department Explorer Cadets are taught basic law enforcement skills by veteran law enforcement officers to instill in these youngsters a sense of community pride and self-worth. Their newfound leadership skills prepare them for com-

munity service and instill in them a deep respect for the fundamental rights of the citizen.

The Imperial County Sheriff's Explorer Post No. 500 is composed of boys and girls between the ages of 14 and 21 years of age, and is recognized as one of the exemplary Law Enforcement Explorer Posts in the United States.

The cadets have performed outstanding community service by supporting and participating in charitable and civic functions and have received over 150 awards and civic commendations.

The Explorers Post encourages young people to be law abiding individuals and helps prevent crime and delinquency through its many activities and programs. In fact, many former cadets have gone on to distinguished careers in California law enforcement.

Mr. Speaker, too often we hear only about the troubled youth in our country. I am extremely proud of these young men and women and the constructive and positive impact they are having on their communities. The Imperial County Sheriff's Explorer Post No. 500 rightly deserves the praise of this Congress.

**WILL THE U.S. TRADE AMBASSADOR JOIN OUR TEAM?**

**HON. BYRON L. DORGAN**

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. DORGAN of North Dakota. Mr. Speaker, in my hand I have an editorial from The Forum, a daily newspaper of Fargo, North Dakota. I bring it to your attention because our durum wheat growers have been left by our trade ambassador to twist in a void in our 1989 free-trade agreement with Canada.

Specifically, our farmers are trying to grow durum profitably for a 75-million-bushel domestic market. Durum is the wheat we use to make pasta.

At the same time, Canada produces a great surplus of durum for export. In recent years the Canadian Wheat Board, Canada's sole export grain marketer, has flooded our market, setting new records each year in exports to the United States. Canada sent nearly 13 million bushels to the United States in the past year, and sent it to the United States on a huge rail subsidy. The imported durum replaces our own farm production and depresses U.S. durum prices. Our farmers have to sell their durum for far less than it costs them to produce the grain.

Such inroads into the U.S. market are not accidental, but require a marketing strategy. For more than 2 years we have called upon the administration to help us determine the prices at which Canada exports durum into the United States, and to identify how the rail subsidy affects the export prices. The United States-Canada FTA lacked a specific requirement for reporting export prices, on price "transparency," and such transparency is necessary to determine if the partners in the agreement are complying with restrictions against dumping grain in one another's market. The FTA requires that neither nation sell across the border at less than its own market price.

Secretary of Agriculture Edward Madigan says he is very concerned about this abrupt rise in Canadian imports and the effects it has on United States durum growers, and he has agreed to work on the problem.

Meanwhile, our U.S. Trade Representative is supposed to represent American trade interests. However, after years of appeals by durum farmers to our administration for relief from the flood of Canadian durum, our assistant trade representative for agriculture testified at a House hearing that she is not yet concerned about this problem. She also said there has not been, to her knowledge, one written communication to the Canadians demanding price reporting so that the durum sales can be properly monitored.

Mr. Speaker, when are we going to get our trade ambassador to stand up for American interests?

[From The Forum]

#### CANADIAN DURUM SITUATION IS INTOLERABLE

As Congressman Byron Dorgan, D-N.D., is fond of saying: The real issue is fair trade, not free trade.

In the context of Canadian exports of durum wheat into the United States, the congressman is right. The Canadian-U.S. free trade agreement is stacked against U.S. durum growers. That's bad news for North Dakota, where most of the nation's durum is raised.

A hearing Monday in Washington, D.C., was frustrating for durum growers. A U.S. trade ambassador told a subcommittee of the House Ways and Means Committee there is no evidence Canada is dumping durum into the United States in violation of the free trade pact. Suzanne Early told Dorgan the United States has no proof of durum dumping and therefore cannot make allegations against Canada.

That's precisely the problem.

The United States has no evidence against Canada because the data to build a case is unavailable. A study that found no difference in the price of Canadian and U.S. durum is flawed because it was based on information from U.S. imports and millers. The real price of Canadian durum—the price that stimulates dumping from Canada—is not disclosed by the Canadian Wheat Board. The board sets the price and often undercuts U.S. or world prices in order to sell Canadian durum. Some analysts call that dumping.

Part of the wheat board's pricing strategy is a transportation subsidy (allowed in the free-trade agreement) that American farmers say undercuts domestic durum markets.

The astonishing increase in the volume of Canadian durum flowing south suggests the free-trade provisions are not fair. In 1987, 2.3 million bushels of Canadian durum came into the United States; this year the figure is 12.8 million bushels—20 percent of U.S. consumption.

Bill Ongstad, a durum farmer from Manfred, N.D., and past president of the U.S. Durum Growers Association, expressed the anger and frustration North Dakota farmers feel. He said the farm program and free-trade agreement are causing him and his neighbors to produce less wheat while the Canadian government subsidizes excess wheat production in Canada to sell to his former customers in the United States. Is it any wonder American durum farmers say the trade relationship between the two nations is unfair?

U.S. trade officials seem to be hiding behind their lack of information about Canadian durum pricing practices. "No proof,"

they whine. It's up to them to get the information. They should be pushing our neighbors to the north for price disclosure.

It is not possible for free trade to be fair when one of the trading partners is manipulating markets by dumping durum at what appear to be artificially low prices.

#### GENERAL EXPLANATION OF THE UNIFORM BUSINESS TAX ACT OF 1991

#### HON. RICHARD T. SCHULZE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. SCHULZE. Mr. Speaker, the Uniform Business Tax Act of 1991 is intended to provide a framework for progress; the initial step toward redesigning the U.S. tax system in accordance with a national strategy to serve the long-term best interest of America in the emerging global economy of the 1990's.

The present business net income and employer-paid payroll taxes would be replaced by a 9-percent Uniform Business Tax [UBT] on the annual net business receipts of each taxable business that produces and/or sells goods or services in the United States. The amount of a business' net business receipts is determined by adding up its receipts from sales of goods and services and subtracting the cost of goods and services purchased from other businesses.

This simple, low-rate business tax is border-adjustable. Therefore, it does not apply to export sales; thereby helping to make American-made goods less expensive and more competitive in international markets. Conversely, the UBT does apply to imports; thereby assuring that foreign-made goods will no longer be able to compete in U.S. markets on a virtually tax-free basis.

In addition, the UBT allows U.S. manufacturers of American-made goods to expense their purchases of productive capital equipment; thereby reducing the presently high cost of capital in the United States and further helping to make American-made goods more competitive both here and abroad. Nevertheless, the UBT is revenue neutral with respect to present U.S. business taxes. It will raise the same amount of revenue as the existing business taxes it replaces.

Additional revenue of approximately \$60 billion per year will be derived primarily from broadening the tax base to include foreign-owned companies that presently receive about \$600 billion per year from the sale of foreign-made goods in the United States. This border-tax element of the UBT is consistent with international practice as applied by our trading partners around the world. It will extract from foreign companies a fair share of tax revenue commensurate with the benefits they receive from participating in the U.S. economy.

The additional \$60 billion in annual revenue from the import tax will be used primarily to pay for additional fundamental tax reforms to stimulate economic growth—perhaps including an outright, across-the-board tax cut for all Americans. A portion of the added revenues may also be used to reduce the deficit more rapidly than is provided for under present law.

The added revenues would not permit the overall and by-category caps on discretionary spending under the new budget law to be exceeded. To further assure that the intended tax cuts and deficit reduction are not derailed by more Federal spending, additional enforcement procedures will be drafted to provide that the added revenue cannot be used to justify increases in entitlement spending.

#### REASSURING THE INTEGRITY OF THE SOCIAL SECURITY TRUST FUND

Because the UBT would, for example, replace the existing employer-paid portion of the FICA payroll tax, as well as the existing corporate and other business income taxes, strict statutory rules are provided to reassure the integrity of the Social Security Trust Fund. The minimum amount of UBT payable by a business cannot be less than the amount its FICA payroll tax liability would be had that tax not been replaced. A similar rule is provided with respect to the railroad retirement tax. That minimum amount of UBT would be paid into the fund to the same extent and on the same rapid schedule as under present law. There would be absolutely no change in the financial capacity of the fund or in any OASDI or other benefits. The employee-paid portion of the FICA tax would continue as under present law.

#### ANALOGOUS TO COMBINATION OF AN EMPLOYER PAYROLL TAX AND A FUNDAMENTALLY REFORMED BUSINESS TAX

The remainder of a business's annual UBT liability would be paid into general revenues quarter-annually, on an estimated basis, subject to a final annual reconciliation and return, in generally the same manner as the present corporate and other business income taxes.

Thus, when viewed as a whole, the UBT resembles a combination of the present employer-paid payroll tax and a fundamentally reformed and simplified business tax system. The UBT will eliminate the self-defeating, anti-growth biases against U.S. jobs and competitiveness that are needlessly imposed by the present corporate income tax.

#### DISTINGUISHING FEATURES OF THE UBT

The UBT is designed with positive purposes in mind—to enhance instead of impede economic growth; to help instead of hurt U.S. businesses; to make American-made goods more instead of less competitive both here and around the world; to rebuild the declining industrial base of America and provide more better-paying jobs at home; to broaden the tax base to include foreign companies that now participate in our economy on a virtually tax-free basis; and, ultimately, to reduce taxes for all Americans instead of continuing to compound and concentrate the tax burden on ourselves.

#### A COMPETITIVE TAX SYSTEM FOR A COMPETITIVE GLOBAL ECONOMY

Before American-made goods can again become truly competitive, we must first have a competitive tax system. Other countries with which we compete in world trade have adopted tax systems of the modern variety that work to their advantage. They exempt from tax the foreign-made goods they sell into our economy and impose tax on the American-made goods we sell into their economies. Indeed, with the recent additions of Canada and Japan, border-adjustable taxes have become

the international norm among countries that understandably seek to serve their own best interests.

In contrast, we in the United States do just the opposite. As a general rule, we tax the income that our own companies receive from manufacturing goods in the United States that they sell abroad. On the other hand, as a practical matter, we do not tax foreign companies on the amount they receive from manufacturing goods abroad that are sold in the U.S. markets. Recent data from the Commissioner of Internal Revenue show that foreign-owned subsidiaries—operating in the United States right along-side our own companies—each year receive about \$600 billion from sales in U.S. markets of goods manufactured abroad by their foreign-parent corporations. Yet, as a group, they pay no U.S. income tax. By and large, that tax-free status is not because they are evading taxes. Rather, it is because the present U.S. business tax system does not require payment of tax on the amount foreigners receive from manufacturing goods abroad even though sold here.

By conforming the U.S. tax system to the international norm of border-adjustable taxes, the UBT will eliminate these present tax biases that work against American-made goods and U.S. jobs in favor of foreign manufacturers and their employees. Under the UBT, exports of American-made goods will be exempt and imports of foreign-made goods will be taxed.

#### POSITIVE ADVANTAGES FROM SUBSTITUTING UBT FOR EXISTING TAXES

Major positive advantages for U.S. companies and their employees, as well as for U.S. consumers, will be obtained because the UBT is a substitute tax instead of an additional tax. Any additional tax such as an increase in the corporate income tax—would bear heavily on U.S. businesses and their employees as well as on consumers—either in the form of higher product prices or reduced output. In all cases, the increased tax cost—whether measured by net income in the case of the present corporate income tax or by net receipts in the case of the UBT—would tend to make American-made goods more expensive and less competitive with foreign-made goods.

Even if made border-adjustable, an additional tax would not provide the same positive advantage for American-made goods and U.S. jobs as will be achieved by substituting the UBT for existing U.S. business taxes. For example, if an additional tax increased the tax cost of producing an American-made product by \$1, an export rebate of the additional tax would serve only to prevent that product from being made more expensive and less competitive in world trade. Although preferable to an additional tax without an export rebate, American-made goods still would not gain any net advantage in foreign markets compared to present law. Also, if an additional tax increased the tax cost of producing an American-made product for sale at home, the import tax would serve only to similarly increase the tax costs of foreign-owned companies that manufacture goods abroad for sale in U.S. markets. American-made goods would only have been kept even. The artificial advantage that foreign-made goods presently enjoy would not have been removed.

When, however, as in the case of the UBT, a border-adjustable net business receipts tax is substituted for the corporate income tax and other existing business taxes, major positive advantages result. For example, if \$1 of the present corporate income tax is imbedded in the cost of producing an American-made product, and if the UBT is substituted for that corporate income tax and then rebated on an export sale, the American-made product will be \$1 less expensive and \$1 more competitive in world trade.

Also because the UBT is a substitute tax instead of an additional tax, there will be no net tax increase on present U.S. taxpayers. Because U.S. businesses will have had no net tax increase, there will be no greater amount of tax imbedded in the cost of American-made goods produced for sale at home. Therefore, price competition from U.S. companies will tend to prevent the import tax on foreign-made goods from being passed on in the form of higher prices to U.S. purchasers. When a foreign-owned subsidiary imports goods manufactured abroad by its parent corporation, it will directly pay the import tax and generally absorb it as an expense. When a U.S. importer goes abroad to purchase foreign-made goods, the foreign manufacturer will generally have to adjust the selling price to offset the import tax that will have to be paid when the goods are brought into the United States for resale in the U.S. economy. The burden of the import tax will be primarily borne by foreign companies, not by Americans.

In some cases where imports are required regardless of price, such as with imported oil, the import tax will increase the cost to U.S. purchasers. That effect will, however, be small compared to the \$60 billion per year in additional revenue from all imports which is available to pay for tax cuts for Americans and for deficit reduction. Certainly the effect on the cost of imported oil will be more than offset by other provisions of the UBT which enhance economic growth and provide more better paying U.S. jobs.

#### THE UBT ALLOWS EXPENSING OF CAPITAL EQUIPMENT

In order to rebuild the industrial base of America and provide more and better jobs at home, we must put more and better tools in the hands of American workers. The cost of capital for productive machinery and equipment is inordinately high in the United States, and higher than in many other countries; in significant part because the present U.S. tax system allows businesses to recover their capital equipment costs only in increments through depreciation over long periods of time.

Many of the most respected academic economists and others concerned about economic growth in the United States have long called for enactment of a cashflow tax that would allow businesses to currently deduct the cost of capital equipment the same way they do with inventory, supplies, and other expenses.

Because the UBT is a type of business cashflow tax, the cost of productive new machinery and equipment would be subtracted from business receipts in arriving at net business receipts; thereby greatly reducing the cost of capital in the United States and further making American-made products less expensive and more competitive around the world.

#### THE UBT IS A TERRITORIAL TAX

Although it would tax the net business receipts of all businesses—whether foreign-owned or U.S.-owned—from their operations in this country, the UBT would not tax operations of U.S.-owned business carried on solely in the area of foreign competition outside the United States.

This territorial rule, which is an important corollary to the fact that the UBT would not be imposed on U.S. exports, is in marked contrast to the present corporate income tax. Presently, foreign-owned companies operating in the United States are, as a practical matter, largely free of any U.S. income tax. Conversely, U.S.-owned companies competing in international markets—where they pay large amounts of income and other taxes to other countries—must in addition pay U.S. income tax on their strictly foreign operations as well as on their U.S. operations. In theory, this extra-territorial U.S. tax is supposed to be offset by a credit for the taxes U.S. companies pay to other countries. In practice, however, because of a series of tortuously complex limitations and income recalculation rules imposed over the years, U.S. companies operating abroad typically are subject to multiple layers of taxation.

#### THE UBT IS A LOW RATE, SIMPLE TAX

Two universally endorsed goals of fundamental tax reform have long been to reduce the marginal rates of tax and to greatly simplify the system—in both cases, in order to avoid the major economic distortions that impede growth.

The rate of tax under the UBT will be no more than 8 to 10 percent and is the lowest business tax rate in modern times in the United States. Although the marginal tax rates under the present income tax have been reduced from their historic highs around the time of World War II, the corporate tax rate is still 34 percent and the top rate on unincorporated businesses is 31 percent.

The UBT is a simple tax involving little more than household account rudimentary bookkeeping; in absolute contrast to the present business income tax system which occupies hundreds of pages of the Internal Revenue Code and contains thousands of special rules and exceptions.

#### NO TAX INCREASE FOR AMERICANS

Perhaps the most significant aspect of the UBT is that all these fundamental tax reforms to enhance economic growth can be achieved without either increasing the Federal budget deficit or enacting law taxes on Americans to pay for them.

In fact, the additional revenues from the import tax largely paid by foreigners will permit both deficit reduction and tax cuts for Americans.

#### FURTHER REFINEMENT AND IMPROVEMENT

Although the UBT contains the basic framework for an efficient, correctly functioning border-adjustable tax and is intended to set the standard for constructive change, further refinements may still need to be made.

Technical comments and substantive suggestions for improvement will be welcomed. A full debate is in order—directed toward achieving the goal of a well-designed tax system that will best serve the long-term interests of the United States.

## OPERATION DESERT SHARE

HON. JILL L. LONG

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Ms. LONG. Mr. Speaker, many Members were recently informed of a new interagency task force being coordinated by the General Services Administration, called Operation Desert Share. This task force is coordinating a program, a humanitarian effort to distribute surplus food left over from Operation Desert Storm, designed to feed needy individuals throughout the United States, particularly the homeless.

The program brings together the Department of Defense [DOD], the Interagency Council on the Homeless, and State Agencies for Surplus Property, in an attempt to distribute an estimated \$300 million in excess food over the next 3 months. The Interagency Council on the Homeless will handle the first phase of distribution, consisting of \$2.6 million of perishable and semipermanent foods at the Norfolk Naval Base in Virginia and \$1 million of nonperishable foods at Port Elizabeth, NJ. The food will be transferred to the Second Harvest Food Bank Network for distribution to member banks, which will distribute the food to 42,000 soup kitchens, church pantries, senior and daycare centers, drug and alcohol treatment centers, homeless shelters, and other nonprofit food programs.

Next month, the Department of Defense will finish inventorying the food at four DOD depots to determine how much and what food will be declared excess, thus freeing it for distribution to Federal and State agencies.

The third phase of Operation Desert Share will reroute foodstuffs currently located in Saudi Arabia and on ships in transit to the United States. After inventory, these items will be made available to various Federal agencies. Each State agency will identify organizations in need of the surplus food.

To ensure prompt and efficient distribution of the food items, an interagency task force headed by General Services Administration Deputy Administrator John Hiler, a former Member of the House, will coordinate policies for allocation of excess food.

Mr. Speaker, Operation Desert Share is a good program. It represents a cooperative humanitarian effort to help alleviate hunger in the United States.

## IN HONOR OF SCOTT LAGO

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Ms. PELOSI. Mr. Speaker, I rise today to commemorate the contributions of Scott Lago, who died of AIDS on July 30, 1990, at the age of 31. Scott was one of the founding members of the NAMES Project Foundation. In June 1987, Scott joined six other people in an empty San Francisco storefront. Each came with the hope of creating something that would serve as a lasting symbol of love and remem-

brance to those who had died. Starting out with sewing needles, thread, and a few scraps of fabric, their memorial took the shape of a quilt made up of individual 3 by 6 foot panels, each memorializing an individual who had died.

On October 11, 1987, Scott Lago and the NAMES Project displayed the AIDS Memorial Quilt for the first time on the Capitol Mall in Washington, DC. The quilt, made up 1,920 panels covered a space just larger than two football fields. Half a million people visited the quilt that day.

Beginning in March 1988, traveling with six others and 3,488 panels, Scott managed a national tour of the AIDS Memorial Quilt to 19 American cities. Over 4 months, his passionate work and his vivid eloquence helped open the hearts and minds of half a million people who saw the quilt and raised over \$400,000 in donations to local direct service AIDS organizations. When the quilt returned to Washington, DC, in October it had grown to 8,288 panels. Scott coordinated a display of the quilt at the United Nations on World AIDS Day. His work with the NAMES Project gained international recognition when the quilt was nominated for a Nobel Peace Prize.

Scott's dedication and continued work with the NAMES Project Foundation made the quilt available to the growing numbers of those who needed a way in which to respond to the epidemic. He developed programs to allow for even more displays of the AIDS Memorial Quilt in schools, churches and temples, museums, airports, and shopping malls across the country and the world. His contributions have evolved into lasting traditions that visitors to the quilt can see today as the NAMES Project Memorial Quilt, now containing over 14,000 panels, continues to be displayed.

Mr. Speaker, Scott Lago gave voice to the sufferers, friends, and family of the AIDS epidemic. Through the good works of Scott, the NAMES Project and the quilt, millions of people throughout the world have a better understanding of the human dimension of AIDS. Scott Lago's death is a loss to all of us.

## SEE THE USA ALL THE WAY

HON. TOBY ROTH

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. ROTH. Mr. Speaker, I have recently introduced House Resolution 209 in support of establishing a Rural Tourism Development Foundation. This resolution is designed to generate support for recent Senate action approving the establishment of a vital new Rural Tourism Development Foundation.

The foundation amendment is included in S. 1204, the Surface Transportation Efficiency Act of 1991, but is highly unlikely to be included in the House version of this legislation.

Therefore, cosponsors are needed for H. Res. 209 to help persuade the House Members of any future conference on this legislation to accept the Senate language concerning the Rural Tourism Development Foundation.

Rural tourism in America and Wisconsin has the potential to be one of the country's major

"exports" in future years if a new tourism policy is adopted and a rural tourism foundation is established by Congress.

I recently read a revealing report prepared for the United States Travel and Tourism Administration. The report, a National Policy Study on Rural Tourism and Small Business Development, concludes what I have long known. There is no coherent national policy on rural tourism development and little systematic coordination between Federal agencies whose programs and actions affect tourism enterprises in rural areas.

Furthermore, the report states:

Until a recognized national policy is established, effective federal coordination is achieved, the tourism industry cannot make its fullest contribution to the diversification and revitalization of rural America.

The conclusions and legislative recommendations called for by the report are addressed by my bill, H.R. 418. Now H. Res. 209 is designed to raise the collective congressional consciousness about the good we can do for the U.S. economy and to continue to build a trade surplus in the travel and tourism industry even larger than the \$5.2 billion surplus we have now. To me, that \$5.2 billion surplus is only the beginning.

Let me tell you about some of the tools that currently exist that could potentially attract international visitors and allow our trade surplus to grow.

Two years ago in my district, the Lac du Flambeau Indians built the Chippewa Museum and Cultural Center in Lac du Flambeau, WI. They built it on the banks of the Flambeau Lake. The museum features full-size exhibits of the Lac du Flambeau history and culture, as well as hands-on workshops including finger weaving, threading decorative beads on a moccasin, and carving a fishing lure. People can even join in a traditional powwow and play ceremonial drums.

The foundation described in my resolution could be the conduit for coordinating ways to publicize the efforts of these and other native American groups to educate and attract international and domestic travelers to discover first hand native American culture and heritage.

Other underutilized and underpublicized programs currently in existence are the Rustic Road system in Wisconsin and the Great Lakes Circle tours. These and other scenic byways provide some of the most beautiful and relaxing driving in the world. But again, people need to know about them.

The Rural Tourism Development Foundation would be a nonprofit, non-Government-managed, privately funded entity that would finance planning, development, and implementation of programs having the potential to increase travel and tourism export revenues by attracting foreign visitors to rural America.

Financing would be available for Federal land management agencies, private enterprises, State and local governments, and other entities that work abroad to promote U.S. rural tourism destinations.

And finally, the foundation would act as an umbrella group for all areas of rural tourism.

In this way, we can eliminate some of the duplication and waste in the Federal Government. Let me give you an example.

If foreign visitors want to travel to federally owned land East of the Mississippi they could get maps from the National Forest Service, the Federal Bureau of Land Management, and the National Park Service, but they could not get one map with all the Federal land shown on it for a particular location. There is no one central source.

This duplication is ridiculous, wasteful, and needs to be addressed with better coordination as the aforementioned report recommends and which the tourism foundation would provide.

Those of us in Congress who are acquainted with tourism are dedicated to do all we can to make tourists welcome to the United States. We also are committed to providing jobs and economic improvement to all who serve our invited guests.

#### H. RES. 209

Whereas in 1990, the travel and tourism industry injected \$327,000,000 into the United States economy, comprising nearly 7 percent of the gross national product in that year;

Whereas international travel services were the United States' largest export in 1989;

Whereas in 1990, the United States had a \$5,200,000,000 trade surplus with respect to the travel and tourism industry;

Whereas travel and tourism is the second largest retail sales industry in the United States;

Whereas foreign visitors spend 7 times as much while in the United States as do United States residents traveling within the United States;

Whereas 56 percent of foreign visitors spend more than 8 nights in the United States, while United States residents average only a 3-night stay while travelling within the United States;

Whereas 82 percent of foreign visitors go shopping while travelling within the United States, generating tax revenue and creating thousands of jobs for workers in the United States;

Whereas the market share of the United States with respect to international arrivals grew by only 1/2 of 1 percent from 1989 to 1990;

Whereas the market share of the United States with respect to international tourism receipts grew only by 1.2 percent from 1990 to 1991;

Whereas the President has proposed initiatives on rural economic development, including the establishment of a Rural Development Program consisting of a coordinated series of regional rural development demonstration projects;

Whereas tourism receipts contribute significantly to the economic development process and could be an important factor in revitalizing rural America;

Whereas in 1989, foreign visitors to the United States consumed nearly 37,000,000 gallons of milk, 32,900,000 pounds of cheese, and 37,100,000 gallons of ice cream, and drank nearly 10,300,000 cases of beer;

Whereas in 1988, foreign visitors to the United States consumed enough link sausages to stretch halfway around the world (a distance equal to the distance between Washington, D.C., and Singapore) and as many chickens as were raised in all of California and Iowa in that year;

Whereas in 1989, foreign visitors to the United States consumed enough steaks to make a stack nearly 400 miles high and enough potatoes to fill more than 6,334 box-cars;

Whereas on an average day in 1989, foreign visitors to the United States consumed more than 809,000,000 eggs, nearly 400,000,000 slices of bacon, and 192,000 pounds of hamburger;

Whereas each year, foreign visitors to the United States use nearly 78,000,000 hotel rooms;

Whereas in 1989, the travel and tourism industry generated \$42,900,000,000 in tax revenues for Federal, State, and local governments;

Whereas 12 cents of every dollar spent on travel and tourism goes for taxes;

Whereas the Federal Government receives \$2,382 in tax revenues each minute as a result of foreign visitors spending money in the United States;

Whereas S. 1204, as passed by the Senate during the 102nd Congress by a 91-7 vote, provides for the establishment of the rural Tourism Development Foundation (as does H.R. 418, as introduced during that Congress); and

Whereas every State and nearly every congressional district would benefit from the establishment of the foundation: Now, therefore, be it

*Resolved*, That it is the sense of the House of Representatives that now is the time to act and show support for the establishment of the Rural Tourism Development Foundation, as provided for in S. 1204, as passed by the Senate during the 102nd Congress.

#### ESTABLISH PREFRESHMAN SUMMER PROGRAMS FOR DISADVANTAGED STUDENTS

#### HON. SUSAN MOLINARI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Ms. MOLINARI. Mr. Speaker, today, I have introduced a bill to establish a prefreshman summer program to supplement existing Federal and State efforts to help disadvantaged students successfully complete college level study programs.

Years of experience in New York State's opportunity programs demonstrate that prefreshman summer programs are highly correlated with academic success for economically and educationally disadvantaged students. Of the nearly 7,000 students entering the State's opportunity programs each year, approximately 4,500 receive services from prefreshman programs. These summer programs contribute to remarkable successes reflected in these students grade point averages, credit accumulation rates, graduation rates, and post-graduation activities. Based on a 1988 audit of State funded opportunity programs at the City University of New York [CUNY], the State's Legislative Commission on Expenditure Review concluded that prefreshman summers were so highly associated with successful outcomes that they should be required of all CUNY students enrolled in opportunity programs.

A national prefreshman summer program would provide grants to States to support institutions of higher education that were already giving academic year supportive services to disadvantaged students. Students participating in prefreshman summer programs would be assured of a tuition-free prefreshman summer filled with a wide range of supportive services and financial aid living expenses.

Mr. Speaker, the value and importance of a national prefreshman summer program are already documented with academic success and post-graduate achievement. I believe the proposed legislative measure will help ensure academic success for disadvantaged students.

#### DECENNIAL CENSUS IMPROVEMENT ACT OF 1991

#### HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. CLAY. Mr. Speaker, as chairman of the Committee on Post Office and Civil Service, I am pleased to inform my colleagues of the introduction of the Decennial Census Improvement Act of 1991. This legislation, which is sponsored by Congressman TOM SAWYER, the chairman of the Subcommittee on Census and Population, provides for a comprehensive study, to be conducted by the National Academy of Sciences, on means of improving the decennial census. Specifically, this legislation authorizes a study of means by which the Government can achieve the most accurate population count possible. In addition, the decennial census improvement Act of 1991 provides for a thorough review of the kinds of information collected in the census, including a review of the need for that information and consideration of alternative methods of obtaining that information.

The 1990 census failed its purposes in many respects. Most fundamentally, the 1990 census failed to accurately count the population of the United States. By the Census Bureau's own estimates, the 1990 census understates the population of the United States by 5 million people. Fifteen million Americans were miscounted, 10 million of whom were never counted at all. In my view, what is even more disturbing is the fact that minorities were more likely not to have been counted than others and are disproportionately underrepresented to a greater extent than in the 1980 census. As a result, the 1990 census will directly result in the underrepresentation of minorities in State and local political bodies and the loss of millions of dollars of Federal and State funds for their communities.

As chairman of the committee responsible for oversight of the census, I am committed to ensuring that the failures of 1990 are not repeated in the year 2000. Enactment of the legislation that Congressman SAWYER has introduced today is an important first step in this process. Let me also caution my colleagues that while the National Academy of Sciences study will prove an invaluable aid in planning the next census, it will not of itself be sufficient to correct the problems. I urge my colleagues to support adequate funding for the planning that is vital if the census is to be improved. It is my intention, as a result of this and other action on the part of the Congress, to make certain that the next census counts all Americans accurately and efficiently. I urge my colleagues to join in this effort.

THE RADON AWARENESS AND  
DISCLOSURE ACT OF 1991

**HON. EDWARD J. MARKEY**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. MARKEY. Mr. Speaker, I rise to offer the Radon Awareness and Disclosure Act of 1991. My colleague from New Jersey, Mr. RINALDO, joins me in offering this legislation to increase the accuracy of radon testing, to increase public awareness of the health threat of radon gas, and to test all schools for the presence of high levels of radon by 1998. I will soon be introducing companion legislation to require that a radon test be conducted and its results made available to consumers before they purchase a home.

Radon is the silent killer. The U.S. Environmental Protection Agency has determined that odorless, colorless, radioactive radon gas is second only to smoking as the leading cause of lung cancer in this country. Radon claims an estimated 16,000 lives prematurely each year. Radon has nearly as many victims every year as does homicide. Radon kills more people than do airplane crashes, drownings, fires, and accidental poisonings—added together.

One in ten households in this country is exposed to a radon level of 4.0 picocuries per liter or higher. In my State of Massachusetts it's even worse: more than 2 in 10 homes are exposed to this level.

What does a level of 4.0 pCi/l mean to the families in these homes? EPA estimates that a 4.0 level produces the same lung cancer risk as smoking half a pack of cigarettes a day. It's the same lung cancer risk as receiving 400 chest x rays a year. For smokers, the risks are even greater.

Exposure to radon is a public health disaster. And sadly enough, even though the average cost of testing a home is as little as \$30, only a few percent of the Nation's homes have been tested so far. For those homes that test high, it usually costs only a few hundred dollars to remove radon's risk. Testing and mitigating exposure to radon is one of our most cost-effective safety moves—at an estimated \$250,000 per saved life, it's comparable to fire detectors and seat belts.

I am reintroducing legislation that I first introduced last year to tackle radon head on. My legislation shares much in common with legislation introduced by Senators MITCHELL, LAUTENBERG, and CHAFEE; Congressmen GORDON and KENNEDY; and other Members of Congress. First, it protects consumers from fraudulent or inaccurate radon testing by requiring the testing and certification of radon testers. Second, because radon is especially hazardous to children, it calls for the testing of all schools by 1998. Third, it extends the grant program that assists State governments in dealing with this problem for an additional 3 years. Fourth, it establishes a President's Commission on Radon Awareness.

PERFORMANCE PROGRAM FOR RADON TESTING

The Government Accounting Office reported in August of last year that the voluntary nature of the proficiency program was allowing companies producing faulty or inaccurate testing devices or services to continue offering their

product to the public. The result was a loss of consumer confidence in the industry, less testing, and a waste of consumer resources. In this bill we require that the proficiency program be mandatory and direct the administrator to implement the quality control assurances recommended by the GAO.

RADON IN SCHOOLS

Radon is especially hazardous to children, and the bill's provisions for the testing of all schools by 1998 will protect the most vulnerable members of our society. It establishes a fund to provide grants and loans to local educational agencies, and requires that those schools in areas with a greater than average health risk of radon exposure be tested by 1994, and all schools by 1998. Again, many schools will test below the EPA action level, but for the very low cost of the test, it is certainly worth testing all schools to determine which ones have dangerous levels of radon exposure. This is particularly true given that the EPA has found some areas of the country where 50 percent, 60 percent, or even 70 percent of homes have elevated levels of radon.

EXTENSION OF THE STATE GRANT PROGRAM

The bill will extend the Federal grant program which helps States to establish radon testing and mitigation programs for an additional 3 years.

PRESIDENT'S COMMISSION ON RADON AWARENESS

Efforts to raise public awareness of the health threats of radon have had disappointing results to date. The Presidential Commission created in this bill will draw the best available talent to develop innovative ways of raising public awareness, and encourage people to take the individual action necessary to protect their families.

This legislation does not require mitigation of radon, although mitigation is relatively inexpensive. The bill leaves the decision to take action against radon in the hands of the individual, and focuses on promoting testing, disclosure, and public awareness. The bill provides that information be made more readily available and more dependable so that consumers can make informed decisions about radon. Armed with accurate information about radon levels in homes, schools, and work places, people will be able to make more rational and cost-effective decisions to protect their own health and that of their family.

IN HONOR OF REAR ADM. PHILIP  
ANSELMO

**HON. BILL LOWERY**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. LOWERY of California. Mr. Speaker, I ask that you and my colleagues join me today in honoring a distinguished San Diegoan and noble serviceman, Rear Adm. Philip Anselmo of the U.S. Navy. Admiral Anselmo is commander of the Fighter Airborne Early Wing Pacific, headquartered at Naval Air Station Miramar in San Diego.

Admiral Anselmo is a dedicated, professional naval officer and air warfare tactician. He has held leadership positions aboard the

U.S.S. *Constellation*, Kansas City, and *Little Rock*, ever a rock-solid leader and model for all public servants. He served with valor during the Vietnam war, the Suez Canal, and Lebanon operations. Admiral Anselmo further exemplifies the ideal U.S. Naval Officer in his aviation skills. He is a distinguished graduate of both the Topgun Fighter Weapons School and the Navy Test Pilot School.

In addition, Admiral Anselmo is an outstanding member of the San Diego community. He is a loving husband, caring father, and aspiring Italian cook. He has proven that the best leaders must be both professional and compassionate in their demeanor.

Rear Adm. Philip Anselmo is a role model for men and women in and out of the armed services of this great Nation. His consistent excellence, good nature, and devotion to duty have earned him numerous decorations, civic awards, and praise. As he departs from my congressional district for new duties in the Navy, please join me I express my gratitude and congratulations to Admiral Anselmo for another job well done.

SAUL E. ASHKENAZI HONORED

**HON. FRANK PALLONE, JR.**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. PALLONE. Mr. Speaker, on Thursday, June 27, 1991, Mr. Saul E. Ashkenazi, honorary chairman of the Hillel Yeshiva in Ocean Township, NJ, was honored at a testimonial dinner at the Ocean Place Hilton, Long Branch, NJ.

Saul Ashkenazi has been a true success story as a businessman in his capacity as a founder of Soundesign Corp., a multinational company. He has further distinguished himself as a community leader and philanthropist who has given of his time and energy to make a difference in the life of his community. Mr. Ashkenazi has devoted his efforts to assisting the Jewish Communal Fund, the United Jewish Appeal, and Israel Bonds, among other organizations and institutions.

Mr. Ashkenazi's chairmanship of the Hillel Yeshiva Building Fund has resulted in the creation of an unsurpassed educational complex enrolling some 800 youngsters. The complex includes the Geri and Abe M. Cohen Elementary School, the Charles Mamiye Junior High School, and the Shaul and Miriam Tawil High School. Mr. Ashkenazi's next project is the construction of a pre-school building. Completion of this facility will realize his vision of creating a campus serving 1,200 young people from the age of 3 to 17, providing them with a sound education firmly grounded in the principles of morality, decency, and community.

Mr. Speaker, Saul E. Ashkenazi is one of those rare members of the community who possess the combination of devotion to the community and the ability to translate visions of concern into concrete results. His many friends and admirers have worked hard to prepare a suitable tribute to this fine individual. It gives me great pleasure to share his accomplishments with my colleagues in the House of Representatives.

THE GULF WAR COMPENSATION  
ACT OF 1991

**HON. MEL LEVINE**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. LEVINE of California. Mr. Speaker, I would like today to bring to my colleagues attention an important piece of legislation that I, and a bipartisan group of 16 colleagues, are introducing, the Gulf War Compensation Act of 1991.

I am also pleased to be joined in support by the Disabled Veterans of America, the American Legion, Veterans of Foreign Wars, American Veterans, and the Paralyzed Veterans of America.

When I voted to support the use of force against Saddam Hussein, I hoped that my vote would be a deterrent to war, not its prelude. Unfortunately, Saddam Hussein had no intention of resolving the crisis peacefully. Even today he continues to terrorize his own people.

Justice demands that reparations benefit those who suffered and stood up for freedom—American veterans and their families, Kurdish refugees, and our Mideast allies like Israel and Turkey.

Rather than turning frozen Iraqi Government assets in the United States over to Saddam Hussein—a giveaway that at best could be read as implicit support of his ongoing repression, and at worst would further prop-up his inhumane regime—we should use them to compensate those who have paid a personal price to defeat Iraqi aggression.

In particular, the legislation provides \$700 million in recognition of the men and women who did the dirty work of freedom in the gulf. They are the heroes of our time. Yet today, many of America's veterans programs are dangerously underfunded.

We must also make sure that the children and spouses of the brave Americans who died or were disabled in the gulf, and other American conflicts, are offered the educational opportunities they deserve. This is not a luxury; it is a national obligation.

In addition, the legislation sets-up a \$100 million disaster relief loan fund to assist small businesses who have suffered economic injury due to the deployments of Desert Storm and Desert Shield.

Sadly, many small businesses have already paid a dear economic price as whole communities were uprooted overseas to defeat Saddam; this fund will help them and also be available for future deployments.

At the same time simple justice demands that some of Iraq's assets be used to benefit the victims of the war and Saddam's brutal policies.

To this end, \$40 million would be granted directly to international aid organizations to assist Kurdish refugees, whose tragic plight both before and after this war has been well-documented.

Finally, Iraq must be held accountable for the enormous physical damage it has inflicted on the region, in particular to the noncombatant countries who sustained direct physical damage from Iraqi attacks during the Persian Gulf conflict.

EXTENSIONS OF REMARKS

The bill would provide \$150 million to help those countries rebuild their war-torn infrastructures.

My legislation would put Saddam's money invested in this country to the best possible use—to relieve the suffering of the victims of his aggression. If the United States does not take this action, it is possible that he could use any unfrozen money to rebuild his military capabilities for his own personal enrichment.

My bill is a modest step in putting the war behind us and dealing with the inevitable hardships which are a consequence of armed conflict. I urge my colleagues to join me, and the other 16 original cosponsors, in supporting this bill.

ALLIED SERVICES HONORED DURING  
NATIONAL REHABILITATION  
WEEK

**HON. PAUL E. KANJORSKI**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. KANJORSKI. Mr. Speaker, more than 43 million Americans wake each morning faced with the challenge of a disability. Millions of these Americans, through advances in rehabilitation technology have confronted these challenges and are achieving independence. Modern rehabilitation is enabling our Nation to utilize the skills and talents of disabled individuals. The week of September 15, 1991, is National Rehabilitation Week, and it is these advances and the many people who give of themselves to assist others with disabilities, that we praise and recognize.

Recently, Allied Services of Wilkes-Barre, PA, demonstrated to me and my Pennsylvania colleagues the remarkable advances in rehabilitation technology. A patient of Allied Services, Patti Davis of Danville, is paralyzed from the waist down due to injuries sustained in an automobile accident. Patti, through the use of a computer and sheer determination and will power, is now able to stand and walk. Without this rehabilitation, Patti would most likely be bedridden or confined to a wheelchair. Patti is an excellent example of the millions of Americans who overcoming their disabilities.

National Rehabilitation Week not only draws attention to past success stories, but also offers communities the opportunity to recognize the determination of disabled Americans and the endless opportunities that are now available to them. Many disabled Americans are not aware of the quality and capabilities of rehabilitative services throughout the country. This week of observance, serves as a catalyst for the growing awareness and rising expectations.

In addition, National Rehabilitation Week provides a chance for caregivers to exchange ideas and focus on new forms of care. Since 1978, Rehabilitation Week has enable physicians to interact with other specialists, exchange ideas, and draw attention to new studies, research or technologies that may meet their patients individuals needs.

Mr. Speaker, I wish you could have seen the look on Patti Davis' face when she stood up and strode across that room. She seemed

to glow with a sense of pride and accomplishment. Rehabilitation instills this kind of pride. Our disabled and their caregivers are truly inspirations of which we can all be proud.

THE 20TH ANNIVERSARY OF ST.  
GERMAIN MANOR

**HON. RONALD K. MACHTLEY**

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. MACHTLEY. Mr. Speaker, I rise today to join with the residents of St. Germain Manor in celebrating their 20th anniversary. St. Germain Manor is a high-rise for the elderly that provides for sound and safe housing. St. Germain Manor is the most invaluable homestead to the elderly because it allows them to feel invulnerable and protected in their own surroundings.

St. Germain Manor is noted by its residents as specifically for its family-like atmosphere where everyone looks out for the other and acts as protective and caring neighbors. Elevators provide the senior citizens with easily accessible ways of getting around.

Another aspect of its family-like atmosphere are the planned events for the tenants. There are holiday festivities during Christmas, Easter, and Thanksgiving, in addition to anniversary banquet celebrations. I have attended these festivities and can attest that they are full of fun and excitement. Other planned events include bingo, where proceeds provide free meals for the senior citizens, and many more. At these events, the seniors dispense with jubilation and have the opportunity to socialize other tenants.

I would like once again to recognize St. Germain Manor for its devoted energies toward elderly housing and for its contributions to make a safe and sound place for people to live. I extend my best wishes to Bea St. Germain, the president of St. Germain Manor, and all its residents, for success in future endeavors.

CONGRATULATE THE NATIONAL  
PARK SERVICE ON THEIR 75TH  
ANNIVERSARY

**HON. HENRY A. WAXMAN**

OF CALIFORNIA

**HON. HOWARD L. BERMAN**

OF CALIFORNIA

**HON. MEL LEVINE**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. WAXMAN. Mr. Speaker, it is with great pleasure and appreciation that we congratulate the National Park Service on its 75th anniversary. On August 25, 1991, the Santa Monica Mountains National Recreation Area will be hosting a celebration in honor of the anniversary.

The Santa Monica National Recreation Area, created in 1978 and a unit of the National Park Service, provides our families,

friends, and constituents with a serene and peaceful environment, just minutes away from the hustle and bustle of Los Angeles.

The Santa Monica Mountains National Recreation Area is the result of years of hard work by those persons concerned with the environmental, recreational, cultural, and natural value this area has to offer. Besides being an important resource for the public the Santa Monica Mountains National Recreation Area is also helping preserve a fragile and threatened ecosystem.

Congress created the Land and Water Conservation Fund, which authorized the purchase of the park lands on November 10, 1978. We want to urge the Department of the Interior to continue to make land acquisition funds available for its rapid completion.

We are proud to have been instrumental in the creation of this park and ask our colleagues to join us in congratulating the Santa Monica Mountains National Recreation Area and the National Park Service on this momentous occasion.

#### LOW-INCOME MEDICARE BENEFICIARY NOTIFICATION ACT

### HON. PETER H. KOSTMAYER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. KOSTMAYER. Mr. Speaker, in 1988, Congress passed a very important program to assist low-income senior citizens, and then we kept it a secret. I am referring to the Qualified Medicare Beneficiaries [QMB-quimby] Program which permits low-income seniors to have Medicaid pay for their Medicare premiums, deductibles, and copayments.

Less than half of the estimated 4.2 million individuals who are eligible for this program are receiving benefits. Most of these individuals probably have never heard of this program. They are senior Americans who earn less than \$7,000 a year as an individual or less than \$9,000 as a couple. Either they are spending up to one-sixth of their income on Medicare or they are foregoing health insurance.

I have proposed a simple solution: Let's tell them about the program. Even better, let's make it easy to apply. Currently, this program is only available through local assistance offices. But most of those eligible have never received any form of public assistance and have no other way of hearing about or applying for this program.

Each year the Department of Health and Human Services sends out an annual notice to all Medicare beneficiaries informing them of their benefits, their premiums for the next year, and any changes in the program. It would cost little not only to inform Medicare beneficiaries of this program in this notice, but to also provide an application so that individuals can apply for the program through the mail.

QMB is a good benefit. It is an important benefit. It should not be a secret benefit.

#### A SPECIAL SALUTE TO DR.

HERBERT O. REID, SR.

### HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. STOKES. Mr. Speaker, I rise today to pay tribute to an outstanding individual and a real giant in the field of law. On June 14, 1991, we mourned the death of Dr. Herbert O. Reid, Sr. Dr. Reid was a highly respected attorney, a popular professor, and a great champion of civil rights. Just prior to his passing, Dr. Reid served as the Corporation Counsel for the District of Columbia, general counsel for the National Association for Equal Opportunity in Higher Education, and the Charles Hamilton Hughes Professor of Law Emeritus at Howard University.

During a career which spanned 45 years, Dr. Reid distinguished himself as a legal scholar, public servant, and leader. He was the first African-American to clerk for the Supreme Court of Massachusetts, he advised and counseled President John F. Kennedy, Dr. Martin Luther King, Jr., and other political leaders, and he participated in nearly all of the major civil rights cases to go before the Supreme Court since 1947.

Mr. Speaker, I and many others benefited from Dr. Reid's friendship and counsel over the years. He was a renowned scholar of constitutional law, a teacher, and a brilliant individual whom I greatly admired. Dr. Reid's spirit will live on in the memories of his family, friends, and students.

Prior to his passing, Black Enterprise Magazine published an article on Dr. Herbert Reid. In the article the author noted that, "Herbert Reid is a man who has used his formidable talents for the service of his fellow man, a man who had dedicated his life to the ideal of justice for all people, and a man who serves as a model of scholarship and excellence for all of us to emulate."

Mr. Speaker, I am pleased to share the article from Black Enterprise magazine with my colleagues. I also take this opportunity to extend my condolences to Dr. Reid's family and many friends. He was a giant of a man who will be greatly missed.

Herbert O. Reid, Sr. currently serves as the Corporation Counsel for the District of Columbia, General Counsel for the National Association for Equal Opportunity in Higher Education, and is the Charles Hamilton Houston Distinguished Professor of Law Emeritus at Howard University School of Law. His forty-five year legal career has included many roles—legal scholar, leader, public servant—but always one vision: "A life of public service is its own reward."

Inspired by the words of Charles Hamilton Houston, Dr. Reid decided early on that he would become a lawyer. The youngest of five children, Reid came from parents who emphasized education and public service. He knew that he wanted to contribute in a significant way to social change for African Americans. He was convinced that the law would be his tool. He left Wilson, North Carolina to pursue higher education.

His civil rights career began in his first years of college in Charlotte, North Carolina. While a student there he led a boycott of

businesses which would not serve African Americans, and worked in political campaigns to elect an African American to the Charlotte City Council. His political activity led to the suggestion that he transfer to some other college to complete his work. He chose Howard University because of its history of political action.

He graduated from Howard University in 1938. After serving in the military, he pursued his law degree at Harvard, the alma mater of Charles H. Houston. After graduating in 1945, he became the first African American to clerk for the Supreme Court of Massachusetts. While clerking, he served as general counsel to Boston's NAACP.

Since both of Reid's parents were educators it is not surprising that he chose teaching as his primary career. Howard University was then a laboratory for Houstonian jurisprudence and Reid wanted to be a part of that.

In 1947, Dr. Reid began his teaching career at Howard University. For over forty years Reid inspired and challenged his students to view the law as "a tool for social engineering." Through his teaching, Dr. Reid has touched the lives of more students than any other professor in the history of Howard's law school—students who have gone on to become judges, practicing attorneys, government lawyers, and political leaders. J. Clay Smith, Jr., Professor of Law, Howard University Law School remembers.

One of the legacies that Herbert Reid established for his students is how to interpret the Constitution as it relates to protecting and expanding on the rights of African-Americans. He also impressed upon us the need for a serious study of the law. He taught us that law was more than rules; it was also methodology.

Herbert Reid introduced us to Charles Hamilton Houston who was the architect of modern Civil Rights litigation strategies and whom Herbert Reid, himself, emulated.

Finally, he taught us that the more politically outspoken sectors of society would need lawyers to protect their freedom of speech.

When asked about his years as a student at Howard under Dr. Reid, Judge Dameon Keith of Detroit said:

The thing that impressed me about him was his total commitment to the black struggle, the law school, and the role that law graduates should play in making equal justice under the law for all Americans.

He was a man who did not tolerate mediocrity; he pushed you as far as you could go—and then further. Reid would always find time to discuss with students any problems they might have had concerning legal cases. When you were around him, you knew you were in the presence of a great intellect. His was the clearest mind, a mind of greatness, a mind which radiated a sense of mission and purpose.

Whatever success I've had is in large measure due to Herbert Reid. He did not tolerate anything but the very best.

As a result of my being at Howard University under his tutelage, we developed a very close friendship. I know him as a person and man. And I respect him as one who recognizes the obstacles WE as Black people still face in America.

Dr. Reid was never content to confine his activities to the classroom. He participated in nearly all of the major civil rights cases to go before the Supreme Court since 1947. He extended to some of his best and brightest students the opportunity to participate in those cases with him. Through his partici-

pattern in cases such as *Powell v. McCormack*, *Brown v. Board of Education*, *Bolling v. Sharpe*, *Adams v. Richardson*, *Bakke v. Regents of the University of California*, *United Steel Workers of America, AFL-CIO, Kaiser Aluminum & Chemical Corp. v. United States*, *Equal Employment Opportunity Commission v. Weber*, *Ruiz v. Delgado*, and *Dixon v. Alabama*, he changed the lives of all African Americans, indeed, all Americans.

As a renowned scholar of constitutional law, Dr. Reid has appeared as an expert witness before both houses of Congress. He is always generous with his time and talent, whether assisting Congress with its deliberations on full voting rights for the District of Columbia or devising legal strategy to prevent the executive branch from stripping away the protection of the speech and debate clause. His service to Congress has been recognized on several occasions in the CONGRESSIONAL RECORD.

He has advised and counselled President John F. Kennedy, Senator Edward Kennedy, the Honorable Adam C. Powell, the Honorable John Conyers, former Governor G. Mennen Williams, Reverend Martin Luther King, Jr., Reverend Jesse Jackson, Mayor Marion S. Barry, and others.

He has contributed to several law reviews and other publications, including a book entitled "Search and Destroy." He identified his favorite article as *Assault on Affirmative Action: The Delusion of a Color-Blind America*, 23 *How. L.J.* 381 (1980).

Because of his contributions to the law, Dr. Reid has received numerous honorary degrees, citations and awards from universities, civil rights groups, and professional organizations. Those awards include the Charles Hamilton Houston Medallion of Merit (1979), William Robert Ming Advocacy Award (1984), and Special Legal Issues Scholar Award (1985). One of the honorary degrees was awarded by Lincoln University, who cited him for his *amicus curiae* brief in the *Adams* litigation, crediting his efforts in preserving historically black colleges from a legal assault.

He raised two children, Carlene and Herbert, Jr. He instilled in them a keen sense of justice. Carlene recalls him teaching her by example that all people, regardless of their station in life, were entitled to the same respect. Herbert, Jr. pursued a career in the law and is a member of the District of Columbia bar.

Herbert Reid is a man who has used his formidable talents for the service of his fellow man, a man who has dedicated his life to the ideal of justice for all people, and a man who serves as a model of scholarship and excellence for all of us to emulate.

#### A TRIBUTE TO JOHN HOPE FRANKLIN

#### HON. JOHN LEWIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. LEWIS OF Georgia. Mr. Speaker, I rise today to pay tribute to Dr. John Hope Franklin, a distinguished American.

Dr. John Hope Franklin was born and raised in Oklahoma. He received a bachelor's degree from Fisk University, and master's and doctorate degrees from Harvard University. He has been honored with 89 honorary degrees.

Dr. Franklin is currently serving as an emeritus professor of history at Duke University.

Dr. Franklin is the author of 11 books and more than 100 scholarly articles. He is probably best known for the superb and outstanding book, "From Slavery To Freedom: A History of Negro Americans," which was first published in 1947.

Dr. Franklin is a noted historian. He has taught history and lectured at several colleges and universities throughout the United States.

The July 28, 1991 edition of the *Atlanta Journal-Constitution* featured a wonderful article entitled "The History of John Hope Franklin" by Tom Chaffin. I am submitting the article for the RECORD.

Mr. Speaker, I salute this great and outstanding historian, who has made a difference for this generation of Americans and for generations yet unborn.

[From the *Atlanta Journal-Constitution*, July 28, 1991]

#### A QUIET SCHOLAR CHANGED THE WAY AMERICAN SEES ITS BITTER RACIAL PAST (By Tom Chaffin)

DURHAM, NC—When Robert Bork was nominated for the U.S. Supreme Court in 1987, John Hope Franklin didn't hesitate to damn him before a Senate committee. In fact, the Duke University historian testified, blacks might still be riding in the back of the bus if it had been up to the Borks of the world.

Four years later, Dr. Franklin again squarely opposes a conservative high court nominee, Clarence Thomas. So he'll again testify when Senate hearings start soon—right?

Dr. Franklin isn't sure.

Oh. Why?

The historian suddenly seems less decisive: A combination of factors, he answers vaguely.

Could it be that Dr. Franklin is reluctant to torpedo a man who would be only the second African-American to sit on the nation's highest court?

The historian laughs. "My pride doesn't extend that far," he says. "If President Bush was colorblind, I certainly have to be."

As it turns out, Dr. Franklin's indecision hinges more on matters of scheduling and whether his testimony is needed. But it's a measure of his stature that he enjoys the luxury of deciding whether to be heard by the senators.

Reminders of that stature have been fairly constant in recent years.

With 89 honorary degrees, John Hope Franklin, 76, may be the nation's most honored academician. His magnum opus, the recently revised "From Slavery to Freedom: A History of Negro Americans," first published in 1947, has sold more than 2 million copies and has been translated into four languages. It remains the definitive narrative of the black Americans experience.

All of which led Arthur Ashe, the tennis great, to lament recently that more Americans know Bo Jackson's name than John Hope Franklin's.

Although often called America's leading "black historian," Dr. Franklin rejects the term as narrowly parochial—more a reference to his skin color than his work.

Whatever term is used, few would disagree that he has played a pioneering role over the past 50 years in shaping the study of Southern and African-American history. He fashioned new lenses by which black Americans could be glimpsed, undistorted by the racism of older white historians. More broadly, like C. Vann Woodward and David M. Potter, Dr. Franklin's name belongs with the revision-

ists who recognized the South's biracial character and liberated Southern historiography from Lost Cause sentimentality.

Dr. Franklin also has helped make history through quiet advocacy as a scholar and writer. He provided research assistance to then-NAACP attorney Thurgood Marshall in the landmark 1954 school desegregation case, *Brown v. Board of Education*. And he has befriended activists from W.E.B. DuBois to the Rev. Jesse Jackson, who often stays in the Franklin home. Three presidents—Kennedy, Johnson and Carter—offered him ambassadorships, and he declined them all.

"I HAVE ORCHID BREAKS"

At the moment, though, things historical and political are far from Dr. Franklin's mind. As he guides a visitor through his backyard greenhouse, teeming with orchids on a sunny summer afternoon, just the idea of any kind of colorblindness seems beside the point.

"Oh," he exclaims, noticing a certain specimen: "John Hope Franklin!"

That would be the John Hope Franklin orchid, a variety developed in his honor a few years ago by a Chicago friend.

Dr. Franklin collects orchids the way others take pictures. He began 30 years ago when he was a guest professor at the University of Hawaii and admired the flowers everyone seemed to grow on porches. Now he carries a special card from the Agriculture Department to get orchids through customs.

Raising his voice over the whir of the humidifier that keeps the humidity a sweltering 65 percent, he gestures expansively over the rows and rows of plants—900 species from six continents. "It represents an enormous spread of orchidacea," he says. "Some people have tea or coffee breaks. I have orchid breaks. I come out here several times a day."

Dr. Franklin, 6 feet tall and thin, has close-cropped gray hair, a slight mustache and gold-framed bifocals. Whether he's dressing on flowers or the Freedmen's Bureau, the professor's manner charms with a courtliness honed in an age when male students still wore white shirts and then neckties to class. Even in today's outfit—a gray cotton "leisure suit" he picked up in Senegal—he looks and sounds every inch the distinguished professor.

That courteous manner is what students and colleagues remember best.

At the convention of the American Historical Association in April, a dozen of them gathered in a Louisville, Ky., restaurant to toast Dr. Franklin. The banquet itself was a surprise. But the real surprise was the presentation of a leather-bound collection of essays in his honor, most by former students.

The testimonials weren't so much of grand scholarly enterprises as of small kindnesses. Former student Paul Finkelman, now a professor at Brooklyn Law School, recalled how Dr. Franklin volunteered to drive him to a conference to deliver his first academic paper. During the drive, the freshly minted Ph.D. realized he hadn't planned for lunch, and now there wasn't time. Dr. Franklin produced a sandwich he had made that morning for his student.

JIM CROW ARCHIVES

Amid the toasts and reminiscences that warmed the evening, a central irony hovered: When Dr. Franklin knocked on the profession's door, it was only grudgingly opened.

Born and reared in segregated Oklahoma—his father was a lawyer, his mother a school teacher—Dr. Franklin earned his undergraduate degree at Nashville's Fisk University. Although his parents had been suffi-

ciently scholastic to name their only son after John Hope, an admired professor from their college years, the young man didn't leave home with professorial aspirations. He wanted to follow his father into a legal career.

At Fisk, Dr. Franklin met the soft-spoken woman who a few years later became his wife. Aurelia, now 76, worked as a high school librarian during the early years of their marriage. They have one son, John W. Franklin, 38, a program coordinator at the Smithsonian Institution.

Also at Fisk, Dr. Franklin met Ted Currier, a young professor whose influence soon led the student to select history as his major. Even today, Dr. Franklin recalls him with something akin to reverence.

"He was the most exciting teacher anywhere, at any time, at any level," he recalls softly. "I was 17, and he was all of 29. But he was my teacher, counselor, mentor, peer. To have someone like that . . . treat you like a human being at a time when you didn't get many white people who thought you were a human being . . . can give you such a confidence and sense of well-being."

When it came time for graduate school, Dr. Currier encouraged his student to apply to Harvard University. After he was accepted and his parents could provide only a small amount of money for living expenses, Dr. Currier went to the bank and borrowed \$500 for his protegee.

Arriving at Harvard in 1935, young Franklin soon chafed at what he still calls the school's "pretentiousness." He was eager to leave after completing his course work and exams.

Back in the South, he quickly discovered that even enrollment at a prestigious university couldn't guarantee some things. Never mind separate but equal; at the North Carolina archives in Raleigh, neither Jim Crow nor the building's architect had contemplated the possibility of a black person doing research. Lacking a "colored" section to steer him toward, archivists accommodated the young historian by clearing out a separate room, away from white patrons.

The Harvard doctorate was awarded in 1941, but it hardly curbed the racial slights.

#### SCHOLARSHIP FREE OF RANCOR

Dr. Franklin began his teaching career with stints at two small black schools in North Carolina—St. Augustine's College and North Carolina College (now North Carolina Central). In 1955, amid fanfare that ranked Page One coverage in *The New York Times*, he was appointed to chair Brooklyn College's history department—becoming the first African-American to head an academic department at a major, predominantly white university.

He soon discovered, however, that real estate agents were in no hurry to sell him and his wife a house in the mostly white neighborhoods near the school. More than 30 agents and private sellers refused to show the couple properties. After they finally found a house, the two discovered that Brooklyn banks were loath to provide financing. Only their personal attorney's intervention with his father, who had connections at the bank, secured a loan.

The situation was little different within the walls of academe. During the late '50s, he chaired a panel planning a program for the Southern Historical Association's convention, already booked at a segregated Memphis hotel. "I promised I would work hard to make the program so attractive that everyone would come except me," he recalls. "I wouldn't go because I couldn't sleep in the Peabody Hotel."

Later, during the early '70s, Dr. Franklin served as president of the organization.

Despite hardships, colleagues say, Dr. Franklin has produced a body of scholarship remarkably free of rancor. Compassion for the downtrodden is there. But so is a hard-edged objectivity devoid of ideological axgrinding—a remarkable balance given the racial hurdles he has had to clear. Indeed, colleagues say, the historian is the sum of such balances—equipoises between pride and modesty, pain and hurt, rage and compassion, scholarship and activism.

#### KEEPING A SENSE OF RAGE

"He has never bowed to the pressure of fashions and the propaganda of black nationalism," says Yale University historian C. Vann Woodward.

"He didn't lose his dignity. He also didn't lose his anger, and he's channeled that anger in a way that's informed his whole life," adds Emory University historian Dan T. Carter.

Probably only Frank Sinatra has had more "retirements" than John Hope Franklin.

He nominally left regular professorial duties in 1980 when he ended 16 years of teaching at the University of Chicago, his favorite post. After a two-year fellowship at the National Humanities Center in North Carolina's Research Triangle Park, he accepted a professorship in Duke's history department. In 1985, the same year he retired from that department, he began his current professorship in Duke's law school, where he teaches part of a constitutional history course.

The limited teaching schedule affords more time for research and writing: Dr. Franklin has written 11 books and edited eight others. Ironically, his best-known work, "From Slavery to Freedom," began as something of a fluke. He agreed to write it only after persistent persuasion from an editor at Alfred A. Knopf.

These days, in addition to a work-in-progress on runaway slaves, he is editing his father's autobiography, a bittersweet memoir of practicing law in Oklahoma. A low point came in 1921 when the elder Franklin was trying to move the family to Tulsa. The building he was buying for an office was burned during a race riot, and he had to work out of a tent for months.

#### NO FAN OF NATIONALISM

Such a background might have led another to either submit to the established order or become stridently militant. Dr. Franklin did neither. Indeed, friends and colleagues say, his life has straddled too many racial and national borders to nourish any sort of parochialism.

His dismissal of black nationalism, for instance, is both practical ("Nationalism involves things that it would be difficult for blacks in the U.S. to have—like a distinct language, land") and idealistic ("I do not regard nationalism, whether American or black nationalism, as particularly commendable, because it carries with it a certain amount of emotionalism").

Though he has traveled extensively in Africa, Dr. Franklin declines to describe the sojourns as any sort of personal epiphany: "It is my fatherland, and I'm proud of it. But, I mean, I didn't kiss the ground and all the rest of it."

Still, age has hardly made him an apologist for the status quo. He disagrees sharply with President Bush's Persian Gulf policy and recent attacks on affirmative action. Dr. Franklin sees political motivations at work behind the latter: "he's trying to create a Willie Horton for himself for 1992."

Perhaps ironically, however, since much of his work chronicles the horrors of Dixie's historical racism, the professor can sound downright boosterish when discussing the South he returned to in 1980.

Strolling back from lunch at a nearby cafe, he gestures over the green lawns of the leafy Durham suburb that he considers "the best place I've ever lived." There was a day when this neighborhood and most local restaurants would have been closed to him. But that's hardly something to dwell on, he says.

"You come back to an area where you had bitter memories, and you find that the area has changed significantly, it's all the more sweet, it seems to me. The bitterest memories I have of living anywhere are from New York City.

"I hope I never lose a sense of rage, but I'm not going to let that paralyze me," he says. "The historian has to not only see change but appreciate change."

#### KIDS VOTING

### HON. LAWRENCE J. SMITH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. SMITH of Florida. Mr. Speaker, political apathy has a strong hold on our Nation's children.

There has been a precipitous decline in voter registration and electoral participation over the last 30 years. The United States, the first democracy, now ranks last in citizen participation, behind every other democratic country.

Every public official and every concerned American must do what they can to reenergize and excite our potential electorate. We need to get all those eligible to vote registered. We need to educate voters so they can better understand our political process, and that education should start with our children both in the home and in the classroom. If we can do this, we would begin to get back on the track of political awareness, electoral participation, and citizen activism; leaving the age of apathy and cynicism in our wake.

How can we get children and young adults excited about voting? How can we get them excited enough to get their parents involved, too? We need a mechanism to inspire children and their parents to participate in the process. We need to entice them to learn more about the importance and responsibilities of living in a democracy, not just on election day but 364 other days of the year.

One such program already exists, and it is called "Kids Voting." It is a bipartisan nonprofit project which, in cooperation with local school systems, has developed a K-12 curriculum that seeks to educate and motivate students in the electoral process. I believe this program, run at no cost to the taxpayers, will help turn around the current trend of political apathy and peak the interest of our youth in the process. It is presently being conducted in 15 communities around the country and also has drawn international interest, including the U.S.S.R. I am committed to seeing its success become nationwide here.

Cofounders Bob Evans, Max Jennings, and Chuck Wahlheim were originally introduced to "Kids Voting" in Costa Rica and brought the

concept to Arizona in 1988. In that year nearly 700,000 of Arizona's students were involved in this program, learning about the responsibilities of democracy, increasing their political awareness, voting, and best of all bringing their parents along for the ride. Voter turnout in 1990 increased by 2½ percent as a direct result of "Kids Voting."

It is anticipated "Kids Voting" will soon be conducted in 15 school systems in 7 States including my own Dade County, FL; Baltimore, MD; Knoxville, TN; Dayton, OH; Denver, CO; Austin, TX, and the entire Arizona State school system.

I urge you to join me in raising national awareness of and support for "Kids Voting," and a greater participation of our citizens in the electoral process.

I am submitting an article on this program by Tom Fiedler of the Miami Herald.

[From the Miami Herald, July 21, 1991]

KIDS VOTING: CULTIVATING CITIZENSHIP

(By Tom Fiedler)

I met Ann Kravitz barely six weeks ago, although she had phoned me a month or so before to tell me about an idea she had picked up in her travels.

"Kids Voting," she said, pressing her business card into my hands. "I'll send you material on it."

She was, as anyone who has met her can attest, more than true to her word. As a Holocaust survivor who came to America from Vienna at the age of 4 "just a step ahead of the storm troopers," as her husband puts it, Ann was a fervent apostle of citizenship.

A packet soon arrived, solid with information. I opened it expecting little more than an outline of curriculum materials culminating in a mock election at school, the sort of program that, while worthwhile, rarely produces results beyond that semester.

What I found was a plan that far exceeded my imaginings, one that provides more hope than anything I have seen for inculcating the values of citizenship in America's youth long before they are old enough to enjoy the right to vote.

As a small gesture of gratitude to Ann, I offer this column to her, I hope it will do some good. I only wish I had written it sooner.

Ann would be the first to admit that the concept for Kids Voting is not original with her. She picked it up last summer while traveling with her professor-husband, Sanford Kravitz, through Arizona.

Its Arizona founders, in turn, credited a program in Costa Rica—Central America's most stable democracy where the typical election turnout is 90 percent—with being the model.

The concept of Kids Voting is simple; the execution is considerably more complex. Beginning in elementary school and continuing through the senior year of high school, the program incorporates important state and national elections into the curriculum.

While learning about such abstracts as democracy, civics and constitutional principles, students also gain the hands-on experience of a political campaign.

Each may be assigned to follow a specific candidate, to gather campaign brochures, clip newspaper articles, tape television debates and ads, attend speeches. They must research issues and share their findings.

They are required, also, to bring their work home with them to discuss with family members, ideally their parents. And they must register to vote on a special roll kept by the county, just as eligible voters do.

#### ELECTION DAY CLIMAX

The climax occurs on Election Day when they go to their local polling place—not a mock booth set up at their school—and cast their ballot along with their parents. Although their vote won't, of course, be tallied in the same way, it will be processed within 24 hours with those of other Kids Voting participants and the results announced.

Ann was convinced that this program's emphasis on full family participation, its realistic approach to citizen action and the fact that the tally would be reported on the day after the election alongside the "real" results gave it a unique dimension.

Moreover, the experience of repeating the process—over time, the typical high school graduate could cast three presidential Kids Voting ballots before marking a real one—would imbue the habit as nothing else had.

To me, therein rested its genuine value. Of the many problems facing our nation, few may be more insidious, more alarming, than the growing disconnection between Americans and their government.

The notion of citizenship seems increasingly confined to nationality. Fewer and fewer recognize that citizenship also implies a balanced set of rights and responsibilities, one of which is casting an informed ballot.

#### FRIGHTENING TRENDS

The trends should frighten us all. Barely half of all eligible Americans—and just 44 percent of all eligible Floridians—cast ballots in the 1988 presidential election. That contrasts with nearly 65 percent in 1960, when John F. Kennedy defeated Richard Nixon by a margin of one vote per precinct nationwide.

And among young voters, those between the ages of 18 and 21, the drop has been even more precipitous. In the most recent presidential election, just 33 percent of these young people turned out. This is the very group that was shipped out to the Persian Gulf, that is affected most directly by abortion rights decisions, and that should insist upon shaping the long-term policies affecting the world they will inhabit.

The lamentations over this generation's impact have echoed widely. American Demographics magazine reports this month that America's high school Class of 1986 seeks "money, not meaning" and places "play before work."

In an article based upon exhaustive surveys conducted by the University of Michigan, the magazine disputed analysts who say that today's youth, like the children of the '60s, are turning toward nonmaterialistic goals.

"In fact," the authors wrote, "young adults seem to be turning away from intellectual and philosophical concerns."

#### TURNOUT DROPPED

A citizen action group, People for the American Way, sounded a similar alarm in June during a press conference called to mark the 20th anniversary of the 26th Amendment to the Constitution giving 18-year-olds the right to vote. Since that amendment took effect in the 1972 election, turnout has steadily dropped.

In a survey the group conducted of 15- to 24-year-olds on the meaning of citizenship, just one in eight linked voting to being a good citizen.

More distressing, when the youths were asked to rank their life goals, 72 percent placed highest emphasis on "career success" and 57 percent cited the importance of "enjoying life and having a good time."

"Ranking dead last was 'being involved in helping the community to be a better

place,'" said the study, called, chillingly, Democracy's Next Generation.

To reverse the erosion of citizenship values, People for the American Way and a score of other organizations are also pushing voter education and registration programs nationwide. Notably the centerpiece of this effort, called First Vote, is modeled after one that has been in place in Dade schools for a decade.

We can be proud that in Dade County public schools, 100 percent of the eligible 18-year-olds were registered to vote during classroom ceremonies last year, a national record. But registration is just part of the battle, as Ann Kravitz would say.

The hidden agenda of Kids Voting is that, in addition to drawing youths directly into the political maelstrom, it captures many of their parents. Home discussion with parents is central, as is accompanying a parent to the polls.

In Arizona, voter turnout in precincts where Kids Voting was in effect averaged 3 percent above the state average. That translated to about 32,000 votes in a recent governor's race decided by a single percentage point. (Ironically, the "kids" voted heavily for the losing candidate, a Democrat. They also voted overwhelmingly to make Martin Luther King Jr.'s birthday a State holiday, another measure defeated by their parents at the cost of a Super Bowl.)

Ann's program in Dade County, though only five months old, is well on its way to bearing fruit. The county school district and the elections division are planning a pilot program for the November 1992 presidential race.

Meanwhile, both Secretary of State Jim Smith and Florida Education Commissioner Betty Castor have expressed interest in the project with the thought of bringing it to every county by 1994.

Unfortunately Ann won't see it. After undergoing chemotherapy for cancer, she died on July 2, two days before her favorite holiday.

PROVIDING EQUAL ACCESS TO THE FEDERAL COURTS FOR THE PEOPLE OF PINELLAS COUNTY, FL

HON. C.W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. YOUNG of Florida. Mr. Speaker, all Americans have a constitutional right to full and fair access to the Federal court system without being impeded by cost or geographical barriers. However, this right has long been denied the people I represent in Pinellas County, Florida's third most populous county.

For more than 30 years, Federal court has been authorized to sit in St. Petersburg, the largest city in the county, but the judiciary has never recommended the construction of facilities there. This despite the fact that St. Petersburg and Pinellas County, FL, with 851,659 residents, has the largest population of any county within the middle district of Florida, and a population larger than Tampa and Hillsborough County, where all Pinellas County litigants, jurors, and attorneys must travel to Federal court. Of Florida's five most populated States, Pinellas is the only one without a Federal court facility.

Even though there is no Federal court presence in St. Petersburg, more than one-third of the criminal, civil, and bankruptcy caseload filed in the Tampa Division of the Middle District of Florida is generated in Pinellas County.

There is no denying that there is ample need for additional court facilities in the middle district of Florida, and particularly in the Tampa division where criminal case filings have more than doubled since 1980 and where the caseload has become so heavy that the division has had to suspend hearing civil cases. The U.S. Bankruptcy Court in Tampa has experienced a 350-percent increase in its caseload over the past 5 years.

Legislation I am introducing today would authorize the construction of a Federal court facility in St. Petersburg to fulfill the statutory authority conferred by this Congress in 1960 to allow court to sit there.

Although St. Petersburg and Tampa are located just 20 miles apart, they are separated by Tampa Bay and are only connected by three bridges, each in excess of seven miles long. This unique geographical situation has created a major barrier between these two cities and often has proven to be disruptive to the courts. Dense traffic, delays on the bridges, and a lack of alternative routes frequently cause litigants, jurors, and attorneys to be late for scheduled proceedings.

All these factors have an impact on the frame of mind of jurors, one of the greatest concerns of Federal judges. Every Member of Congress who must cross the Potomac River by bridge each day to reach the U.S. Capitol certainly is aware of the impact the stress and strain of traffic can have on your schedule and your frame of mind when you reach work.

St. Petersburg affords those people from Pinellas County seeking access to the Federal courts the opportunity to avoid these time consuming and costly delays and would bring a Federal facility into the middle district's largest population center not currently served by a Federal court. Make no mistake about it, the time and cost involved in traveling between St. Petersburg and Tampa are so high, that a growing number of Pinellas County attorneys recommend that prospective clients seek counsel in Tampa to minimize the expense of paying for an attorney's time to travel between these cities.

Mr. Speaker, following my remarks, I would like to include for the benefit of my colleagues, the results of a survey of Pinellas County attorneys conducted by the St. Petersburg Bar Association, which documents the impact the lack of a Federal courthouse has had on their ability to represent clients having business before the Federal court. These testimonials from attorneys clearly show that in many cases, access to Federal court was denied the people of Pinellas County, that often times Pinellas County attorney's refused to take cases to save their clients money, and that the distance and travel time between cities has resulted in lost opportunities to resolve pressing matters before the court.

The need for a court facility in St. Petersburg is such a high priority to the people I represent that last month, the St. Petersburg City Council, by a unanimous vote, approved the donation of 4.6 acres of prime, downtown real estate, valued at \$9 million, to the Federal

Government for the construction of a Federal courthouse. This historic site on Martin Luther King Street is centrally located, is within one block of an interstate highway ramp, is located along a major mass transit route, and would have available abundant public parking. It also is already properly zoned, has been approved for a project of this magnitude, and can accommodate a facility large enough to meet the court's projected needs.

In addition to providing court rooms for Federal judges to hear criminal and civil cases, a St. Petersburg court facility also would provide much needed space for the large number of visiting and senior status judges who travel to Florida, especially in the winter months, to help relieve the tremendous backlog of civil and criminal cases. Many of these judges reside in Pinellas County during their stay in Florida. It also would provide significant space for the current and the anticipated increased number of bankruptcy judges. Federal bankruptcy filings have more than doubled in the past 4 years and, as stated earlier, the number of these cases is projected to sharply increase. The number of Pinellas bankruptcy filings is fast approaching the number filed from Hillsborough County and over this same 4-year period, the number of Pinellas filings were 10 percent higher than those in Hillsborough. A St. Petersburg court facility would especially provide ease of access to the Federal bankruptcy process for Pinellas County residents and with the availability of large amounts of public parking would ease the flow of the large number of litigants, attorneys, and creditors involved in the process.

Finally, a Federal court facility in St. Petersburg would enable the U.S. attorney and the office of the Federal public defender to establish, for the first time, an office in Pinellas County. The current lack of their presence compromises criminal investigations and limits the availability of public representation for low-income residents of my district.

There is ample precedent in the Federal court system to locate facilities within close proximity to each other. Within the middle district of Florida, Federal Court facilities in Ocala and Gainesville, two cities whose populations do not even begin to approach that of St. Petersburg and Tampa, are within just 35 miles of each other, and in the southern district, facilities in Miami and Fort Lauderdale are located just 25 miles apart.

Mr. Speaker, In making decisions about where to locate Federal court facilities, the Congress is obligated to do what is right not for the convenience of the judges or the political benefit of elected officials, but for the good of the American people who deserve fair and equal access to Federal courts of law. For more than 30 years, that right has been denied to the people of Pinellas County. Swift enactment of the legislation I introduce today will enable us to move forward with a project that meets the judiciary's critical need for additional space in the middle district of Florida while at the same time bringing the judges closer to the people they are appointed to serve.

ST. PETERSBURG BAR ASSOCIATION SURVEY ON THE NEED FOR A COURTHOUSE IN ST. PETERSBURG, FL

An informal poll was conducted over a period of approximately three hours one Friday

afternoon and fifteen minutes the following Saturday morning among a random sample of many St. Petersburg attorneys regarding the need for a federal courthouse in St. Petersburg. The sample consisted of approximately twenty attorneys and included attorneys from large, medium and small firms, as well as sole practitioners. Every person polled agreed that a St. Petersburg federal courthouse was needed in order to provide the citizens of this county better access to the federal judicial system. Below are just a few real life incidents pulled from these few in this short amount of time which highlight the critical need for a federal courthouse facility in St. Petersburg.

#### INCIDENT I

One St. Petersburg attorney has as a client, a leasing company, with offices in several states. The company carries insurance on approximately 15,000 employees. At 3:00 P.M., on June 3, the company received a letter from its insurance carrier that the policy would be cancelled on June 4 if more than \$1,000,000.00 in disputed premiums/claims was not paid by the company by midnight June 4. The lawyer had only two hours to file an action, get a case number and judge assignment and set a hearing for a temporary restraining order (TRO). The hearing was set for the next day at 3:00 P.M. The lawyer knew that federal jurisdiction existed due to diversity of citizenship. However, he had to file in state court in St. Petersburg due to the travel, traffic and parking problems attendant to filing in Tampa. There was simply insufficient time to file the action in federal court. Shortly before the hearing the next day the insurance carrier removed the state court action to federal court because there was diversity of citizenship. The hearing time for the TRO in state court was lost because the state judge no longer had jurisdiction, and there was insufficient time to obtain a case number, judge assignment and hearing time in federal court. As a result, the company was compelled to pay over \$1,000,000.00 to the carrier to prevent the lapse of insurance coverage. Without a doubt, this loss would have been prevented if there had been a federal courthouse located in St. Petersburg.

#### INCIDENT II

This lawyer handles pro bono consumer law cases. He agreed to accept a pro bono case for an elderly client who lived in St. Petersburg and had cancer. For such a person, a Tampa attorney is not feasible and may not be possible (unless the Tampa attorney is willing to make the drive over the bridge to service the client). She purchased a car from a Pinellas County dealer in order to transport herself to her cancer treatments. The car showed 15,000 miles on the odometer but actually had about 150,000 miles on it. The car continually broke down, making it difficult for this senior citizen to get to her cancer therapy. A federal action was brought. The case proceeded slowly due to the incredible case load of the federal judges. No sitting judge had the time to handle the case. Finally, a visiting judge from Michigan was assigned to try it. Tragically, the client died before the case got to trial (because she could not get to her cancer therapy?). Her survivors settled for a fraction of the value of the claim, knowing that even the visiting judge may not have reached the case for months.

#### INCIDENT III

A third lawyer recited that he represented a local client who had a case with exclusive federal jurisdiction valued at about

\$20,000.00—not a large but certainly not an insignificant amount. The client was informed that the only federal courthouse was in Tampa. As a result, his travel time would be greater and his attorney's fees would be greater (due to more travel time for the attorney as well). Further, he was informed that due to the caseload of the federal judges, it would be two to four years before he ever got to trial. The client chose not to bring this action at all due to the increased attorney's fees and the delay in reaching a resolution. A St. Petersburg courthouse would have made it possible for this citizen to pursue his claim.

## INCIDENT IV

A fourth lawyer's firm handles bankruptcy cases. He had a long standing client who had fallen into economic hardship and faced the inevitability of bankruptcy. The client was informed that the only bankruptcy court is in Tampa, which of course would mean more travel time and therefore more attorney's fees. Already being in serious financial condition, the client could not afford the additional fees and was forced to choose a Tampa attorney to handle the case. Denial of the attorney of your choice is tantamount to denial of equal access to court.

## INCIDENT V

This fifth St. Petersburg lawyer routinely handles "1983" civil rights federal cases. His clients are municipalities who, in these lean times, can not easily afford the delay and additional cost of a federal action. This lawyer must leave his office one and half hours prior to the scheduled time for any court proceeding in order to allow for travel time and the additional time necessary to locate a parking space. Using a little math, at a typical billing rate of \$150 an hour, each proceeding requiring the attorney's presence in Tampa adds about \$375.00 to the amount billed to that client. If each case has only ten appearances (which may be a modest number of appearances), that municipality must pay \$3,750.00 more per case just because the only federal courthouse is in Tampa.

## CONCLUSION

Every lawyer expressed the opinion that a federal courthouse in St. Petersburg would make it easier, less expensive, less time-consuming, and in many cases simply possible, for his or her clients to pursue their federal claims. Further, many lawyers have reported that the lack of a St. Petersburg courthouse has meant that many pro bono cases which involve exclusive federal issues are not filed because the lawyer cannot afford the additional time and expense. Those indigent and working-poor citizens go without relief or remedy.

## FALSE AIM AGAINST AIDS

## HON. GERRY E. STUDDS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. STUDDS. Mr. Speaker, all Americans share a common interest in attacking the human immunodeficiency virus which causes AIDS in the most effective way possible. Generally it is our public health professionals, not our politicians, who have developed the most scientific responses.

A classic illustration is the administration's confused and politically driven policy placing travel and immigration restrictions on HIV

positive individuals. Uniformly, public health professionals have opposed the restrictions.

Dr. Louis Sullivan, Secretary of Health and Human Services, recommended removing the restrictions in January. The Immigration and Naturalization Service, however, has argued that HIV infection should exclude entry.

Today's Washington Post reports that the administration will likely announce within a few days a continuation of this illogical ban on travel and immigration. That would be a purely political decision with tragic public health consequences. It is a path I would strongly counsel against.

One of the most articulate and reasoned voices to participate in this debate belongs to Harvey V. Fineberg, Dean of the School of Public Health at Harvard University. In the July 31, 1991, issue of The New York Times, he has presented a cogent, scientific rationale for an appropriate policy in this area. I strongly commend this editorial to the attention of my colleagues.

[From the New York Times, July 31, 1991]

## FALSE AIM AGAINST AIDS

(By Harvey V. Fineberg)

CAMBRIDGE, MA.—Foreigners who wish to enter the U.S. are required to declare whether they are infected with human immunodeficiency virus, the cause of AIDS. Those with the virus generally are not permitted into the country.

Despite protests by the Department of Health and Human Services and many scientists, the Justice Department, which administers the Department of Immigration and Naturalization wants to continue this restriction.

The result would be the continuing, needless humiliation of travelers, a blow to international cooperation in the struggle against AIDS, a distraction from the real sources of infection at home and not one iota of added protection of the public.

No responsible health official considers this policy sound. After hearing expert testimony, the Centers for Disease Control concluded that only active tuberculosis, which can be spread through casual contact, should qualify as an excludable medical condition.

This finding was endorsed in January by the Secretary of Health and Human Services, Louis Sullivan, who recommended that travelers and immigrants no longer be kept out solely because they are carrying HIV or have diseases like syphilis and gonorrhea.

Then science and sound public policy were overtaken by misunderstanding and prejudice. More than 40,000 Americans wrote letters to the Government supporting the restrictions. Bolstered by this pressure and the encouragement of ultra-conservative politicians, like-minded officials in the Justice Department overturned Dr. Sullivan's recommendations, which were to have gone into effect on June 1.

In response, Dr. Sullivan was able to institute a two-month comment period during which the HIV restrictions remain in place while final rules are being discussed. This period ends Saturday, when the controls could become permanent.

The principal arguments expressed in favor of keeping those with HIV out of the U.S. are that the spread of the disease remains a mystery and that HIV infection is expensive to treat. Public fears notwithstanding, the evidence against spread by casual contact is overwhelming.

AIDS treatment is indeed expensive, yet other medical conditions, such as chronic

kidney failure, are equally if not more costly. Since existing immigration laws already provide for excluding anyone who may become a public charge, why single out HIV infection?

The real reasons behind the exclusionary policy are unstated—irrational fear, misunderstanding and prejudice, salted by political opportunism and cowardice. Foreigners are an easy target, especially those with a dread disease associated with a life style that some despise. Excluding those with HIV infection is a surrogate for keeping out social undesirables.

The HIV epidemic is a global catastrophe. Limiting international travel by people with AIDS denies basic human rights and dignity, with no legitimate public benefit. Secretary Sullivan must be allowed to correct the existing immigration rules.

More significant, let's take action that could truly prevent the spread of HIV: promote sex education and the use of condoms, provide drug treatment on demand, and put more money into AIDS research.

## IN HONOR OF MAJ. GEN. JOHN S. GRINALDS

## HON. BILL LOWERY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. LOWERY of California. Mr. Speaker, I rise today to recognize and commend Maj. Gen. John S. Grinalds and 33 years of meritorious service to this country. His life has been conscientiously devoted to the defense and safekeeping of the United States of America.

General Grinalds was the first West Point cadet since 1814 to receive a commission as a second lieutenant in the Marine Corps immediately upon graduation from the U.S. Military Academy. His dedication to the Marine Corps and our country is particularly worthy of praise, both for its longevity and its strength.

While recent events in the Persian Gulf have once again focused this country's attention on the fortitude and professionalism of all members of our armed services, General Grinalds' career is especially distinguished. He served his country in Vietnam, where he performed impeccably as senior adviser to the 4th Battalion. He also served as aide-de-camp to the commanding general, FMF, Pacific, and was promoted to major in November 1967, for his brilliant service.

Besides being an exemplary Marine, General Grinalds is, you might say, a gentleman and a scholar. Major General Grinalds received a B.A. in geography from Oxford University in 1963, an M.A. in geography from Oxford University in 1967, and an M.B.A. from Harvard University in 1974. Major General Grinalds, who assumed his rank in 1988, exemplifies the spirit and dedication of the U.S. Marine Corps.

Mr. Speaker, I ask that you and my colleagues join me in honoring Maj. Gen. John S. Grinalds, U.S. Marine, for his patriotic service and commitment. As he retires, let us acknowledge the great contributions he has made to the strength of our country. He has brought honor upon himself and his country through unwavering and heroic service.

BILLING FOR LONG-DISTANCE  
TELEPHONE SERVICE

HON. BILL RICHARDSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. RICHARDSON. Mr. Speaker, I am introducing legislation to require long-distance telephone companies to provide all customers, whether they be business or residential, with the same billing options. It is a House companion bill to legislation that has been introduced in the U.S. Senate.

At the present time, residential customers are billed for their long-distance calls on a per minute basis while business customers are afforded the use of more modern billing techniques that measure a telephone call to the nearest 6-second increment. This arrangement is simply unfair to residential customers. Why should only business users benefit from incremental billing while residential customers have their telephone calls rounded up to the nearest full minute?

If I were to call to Sante Fe, NM, from a business office in Washington, DC, for 6 minutes and 4 seconds, the long-distance telephone company would charge me for the exact time of the call or at worst, 6 minutes and 6 seconds. If I were to make the same telephone call to Sante Fe from my Washington, DC residence, instead of a business, the call is rounded up to the nearest full minute, and I get billed for 7 minutes.

Mr. Speaker, I don't think it's fair for long-distance telephone companies to charge a customer a different price for the same call, simply on the basis of where the call was placed.

It may seem like residential customers are only being overcharged for a couple of seconds here and there, but it adds up to a considerable amount of money. The practice of rounding up residential telephone calls accounts for about \$1.6 billion in additional revenue for the long-distance telephone industry. That's money residential users shouldn't be paying.

I think it's time for long-distance telephone companies to offer their residential customers a more equitable billing arrangement. When business customers demanded incremental billing, they got it. I think residential customers should be afforded the right to make that same choice.

Mr. Speaker, I urge my colleagues to join me in supporting this bill. It has the support of the Consumer Federation of America, and I hope Congress will take the necessary steps to remedy this inequity in the way residential customers are billed by long-distance telephone companies.

H.R. 3276

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

## SECTION 1. INCREMENT TIME BILLING.

Effective 180 days following the date of the enactment of this Act, each provider of long distance telephone service shall make available to all customers, including business and residential, the same increment time billing for such long distance telephone service.

## SEC. 2. FEDERAL COMMUNICATIONS COMMISSION.

The Federal Communications Commission, within 60 days following the date of the enactment of this Act, shall issue such regulations as may be necessary to implement the purposes of this Act.

## SEC. 3. DEFINITION.

For purposes of this Act, the term "increment time billing" means the method used by a provider of long distance telephone services in calculating, for purposes of billing, the time utilized in connection with a long distance telephone call.

SMALL TELECOMMUNICATIONS  
COMPANIES SUPPORT H.R. 1527

HON. JIM SLATTERY

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. SLATTERY. Mr. Speaker, during the 102d Congress, debate on the modification of final judgment [MFJ] has resulted in a Senate bill, S. 173, being passed and hearings at the subcommittee level in the Energy and Commerce and Judiciary Committees on legislation, H.R. 1527, my colleague from Louisiana, Mr. TAUZIN, and I introduced in March. This bill would repeal the manufacturing restriction on the regional Bell Co. contained in the MFJ.

To date, 78 small telecommunication companies, including many equipment manufacturers, have come out in strong support of H.R. 1527. In the aggregate, these companies employ 20,000 U.S. workers and produce annual revenues that total \$3 billion.

At this point, I'd like to include the list of these small companies in the RECORD:

AD-HOC COALITION OF SMALL TELECOMMUNICATIONS COMPANIES PUBLICLY ENDORSING H.R. 1527

(By City and State)

## ALABAMA

Adtran:  
Corporate Headquarters, Huntsville, AL.  
Manufacturing Location, Huntsville, AL.

## CALIFORNIA

Able Telecommunications, Inc.:  
Corporate Headquarters, Milpitas, CA.  
Manufacturing Location, Milpitas, CA.  
Applied Digital Access:  
Corporate Headquarters, San Diego, CA.  
Manufacturing Location, San Diego, CA.  
Centigram Communications Corporation:  
Corporate Headquarters, San Jose, CA.  
Manufacturing Location, San Jose, CA.  
Multipoint Networks, Inc.:  
Corporate Headquarters, San Carlos, CA.  
Manufacturing Location, San Carlos, CA.  
Pairgain Technologies, Inc.:  
Corporate Headquarters, Torrance, CA.  
Manufacturing Location, Torrance, CA.  
Protocol Engines, Inc.:  
Corporate Headquarters, Santa Barbara, CA.

CA.  
Manufacturing Location, Santa Barbara, CA.

Silicon General, Inc.:  
Corporate Headquarters, San Jose, CA.  
Manufacturing Location, San Jose, CA.  
Superior Teletec:  
Manufacturing Location, Chino, CA.  
Telesciences, Inc.:  
Corporate Headquarters, San Francisco, CA.

Manufacturing Location, Fremont, CA.  
Verilink Corporation:  
Corporate Headquarters, San Jose, CA.  
Manufacturing Location, San Jose, CA.  
Lumisys:  
Corporate Headquarters, San Jose, CA.  
Vicorp Interactive Systems, Inc.:  
Manufacturing Location, San Francisco, CA.  
CA.  
TeleSensory Systems, Inc.:  
Corporate Headquarters, Mountain View, CA.

## COLORADO

BI, Inc.:  
Corporate Headquarters, Boulder, CO.  
XEL Communications, Inc.:  
Corporate Headquarters, Aurora, CO.

## CONNECTICUT

Cobotyx:  
Corporate Headquarters, Danbury, CT.  
Manufacturing Location, Danbury, CT.  
Trident Technologies Corp.:  
Corporate Headquarters, Stamford, CT.

## FLORIDA

Restor Industries, Inc.:  
Corporate Headquarters, Ocoee, FL.  
Manufacturing Location, Ocoee, FL.  
Manufacturing Location, Orlando, FL.  
AmPro Corporation:  
Corporate Headquarters, Titusville, FL.  
Manufacturing Location, Titusville, FL.  
Elcotel Inc.:  
Corporate Headquarters, Sarasota, FL.  
Aptek Technologies, Inc.:  
Corporate Headquarters, Deerfield Beach, FL.

## GEORGIA

Solid State Systems, Inc.:  
Corporate Headquarters, Kennesaw, GA.  
Manufacturing Location, Kennesaw, GA.  
Superior Teletec:  
Corporate Headquarters, Atlanta, GA.  
Manufacturing Location, Marietta, GA.

## ILLINOIS

HealthTech:  
Corporate Headquarters, Northbrook, IL.  
Keptel, Inc.:

Manufacturing Location, Addison, IL.  
Telesciences, Inc.:

Manufacturing Location, Bloomingdale, IL.

Teltrend:  
Corporate Headquarters, St. Charles, IL.  
Trim, Inc.:  
Corporate Headquarters, Libertyville, IL.  
Manufacturing Location, Libertyville, IL.  
Teradyne, Inc.:

Manufacturing Location, Deerfield, IL.

## INDIANA

EMAR, Inc.:  
Corporate Headquarters, Muncie, IN.  
Manufacturing Location, Muncie, IN.  
Indiana Electronic Manufacturers Assoc.:  
Headquarters, Indianapolis, IN.

## MAINE

Oval Window Audio:  
Corporate Headquarters, Yarmouth, ME.  
Manufacturing Location, Gardiner, ME.

## MASSACHUSETTS

Kurzweil Applied Intelligence, Inc.:  
Corporate Headquarters, Wartham, MA.  
Data Con, Inc.:  
Corporate Headquarters, Burlington, MA.  
Vicorp Interactive Systems, Inc.:  
Corporate Headquarters, Boston, MA.  
Manufacturing Location, Boston, MA.  
LHS, Inc.:

Corporate Headquarters, Woburn, MA.  
Teradyne, Inc.:  
Corporate Headquarters, Boston, MA.

MICHIGAN  
Advance Concrete Products Co.:  
Corporate Headquarters, Highland, MI.  
Manufacturing Location, Highland, MI.  
Silent Call Corp.:  
Corporate Headquarters, Clarkston, MI.

MINNESOTA  
Nicollet Technologies, Inc.:  
Corporate Headquarters, Bloomfield, MN.  
Manufacturing Location, Bloomfield, MN.

MISSISSIPPI  
Corinth Telecommunications, Inc.:  
Corporate Headquarters, Corinth, MS.  
Manufacturing Location, Corinth, MS.  
International Teleservices, Inc.:  
Manufacturing Location, Corinth, MS.  
Solid State Systems, Inc.:  
Manufacturing Location, Corinth, MS.

NEVADA  
Restor Industries, Inc.:  
Manufacturing Location, Las Vegas, NV.

NEW HAMPSHIRE  
Summa Four, Inc.:  
Corporate Headquarters, Manchester, NH.  
Manufacturing Location, Manchester, NH.

NEW JERSEY  
Keptel, Inc.:  
Corporate Headquarters, Tinton Falls, NJ.  
Manufacturing Location, Tinton Falls, NJ.  
Integrated Network Corporation:  
Corporate Headquarters, Bridgewater, NJ.  
Phone—TTY:  
Corporate Headquarters, Hackensack, NJ.  
Telesciences, Inc.:  
Manufacturing Location, Moorestown, NJ.  
X-10 (USA), Inc.:  
Corporate Headquarters, Northvale, NJ.

NEW YORK  
American Pipe and Plastics:  
Corporate Headquarters, Binghamton, NY.  
Manufacturing Location, Kirkwood, NY.  
Cobotyx:  
Manufacturing Location, Binghamton, NY.  
Manufacturing Location, Poughkeepsie, NY.

Eagle Telephonics, Inc.:  
Corporate Headquarters, Hauppauge, NY.  
Frontier Communications Corporation:  
Corporate Headquarters, New York, NY.  
Manufacturing Location, New York, NY.  
Vicorp Interactive Systems, Inc.:  
Manufacturing Location, New York, NY.  
Computer Consoles, Inc.:  
Corporate Headquarters, Rochester, NY.

NORTH CAROLINA  
Broadband Technologies, Inc.:  
Corporate Headquarters, Research Triangle Park, NC.  
Manufacturing Location, Research Triangle Park, NC.

OHIO  
Applied Innovations, Inc.:  
Corporate Headquarters, Columbus, OH.  
Manufacturing Location, Columbus, OH.  
Restor Industries, Inc.:  
Manufacturing Location, Cincinnati, OH.  
L.M. Berry Co.:  
Corporate Headquarters, Cincinnati, OH.

OKLAHOMA  
Seiscor Technologies, Inc.:  
Corporate Headquarters, Tulsa, OK.

OREGON  
Bejed, Inc.:  
Corporate Headquarters, Portland, OR.  
Accurate Electronics Inc.:  
Corporate Headquarters, Beaverton, OR.

Restor Industries, Inc.:  
Manufacturing Location, Portland, OR.

PENNSYLVANIA  
Biddle Instruments:  
Corporate Headquarters, Blue Bell, PA.  
Manufacturing Location, Blue Bell, PA.  
Communications Test Design:  
Corporate Headquarters, West Chester, PA.  
Manufacturing Location, West Chester, PA.

Eagle Telephonics, Inc.:  
Manufacturing Location, —, PA.  
International Mobile Machines Corporation:  
Corporate Headquarters, King of Prussia, PA.  
Manufacturing Location, King of Prussia, PA.

International Teleservices, Inc.:  
Corporate Headquarters, Lansdale, PA.  
URIX Corporation:  
Corporate Headquarters, Horsham, PA.  
Manufacturing Location, Horsham, PA.

SOUTH CAROLINA  
American Pipe and Plastics:  
Manufacturing Location, Fountain Inn, SC.

The Triangle Tool Group, Inc.:  
Corporate Headquarters, Orangeburg, SC.

TEXAS  
Biddle Instruments:  
Manufacturing Location, Dallas, TX.  
International Teleservices, Inc.:  
Manufacturing Location, Garland, TX.  
Microwave Networks Incorporated:  
Corporate Headquarters, Houston, TX.  
XY Resources, Inc.:  
Corporate Headquarters, Ardmore, TX.  
Manufacturing Location, Ardmore, TX.  
Voice Control Systems:  
Corporate Headquarters, Dallas, TX.  
Manufacturing Location, Dallas, TX.  
SLT Communications, Inc.:  
Corporate Headquarters, Sugarland, TX.  
Ambox, Inc.:  
Corporate Headquarters, Houston, TX.  
Manufacturing Location, Houston, TX.  
Restor Industries, Inc.:  
Manufacturing Location, Dallas, TX.  
The Tigon Corp.:  
Corporate Headquarters, Dallas, TX.  
Axes Technologies Inc.:  
Corporate Headquarters, Carrollton, TX.  
Electronic Modules, Inc.:  
Corporate Headquarters, Dallas, TX.

VIRGINIA  
International Teleservices, Inc.:  
Manufacturing Location, Orange, VA.  
LC Technologies, Inc.:  
Corporate Headquarters, Fairfax, VA.  
Manufacturing Location, Fairfax, VA.

WASHINGTON  
Advanced Electronics Applications, Inc.:  
Corporate Headquarters, Lynnwood, WA.  
Manufacturing Location, Redmond, WA.  
Applied Voice Technology, Inc.:  
Corporate Headquarters, Kirkland, WA.  
Manufacturing Location, Kirkland, WA.  
Crest Industries:  
Corporate Headquarters, Pacific, WA.  
Manufacturing Location, Pacific, WA.  
Eldec Corporation:  
Corporate Headquarters, Lynnwood, WA.  
Manufacturing Location, Lynnwood, WA.  
Everett Sound Machine Works, Inc.:  
Corporate Headquarters, Everett, WA.  
Manufacturing Location, Everett, WA.  
ICOM America:  
Corporate Headquarters, Bellevue, WA.  
Meteor Communications Corp.:  
Corporate Headquarters, Kent, WA.  
Manufacturing Location, Kent, WA.

Telect:  
Corporate Headquarters, Liberty Lake, WA.

Racon, Inc.:  
Corporate Headquarters, Seattle, WA.  
Manufacturing Location, Seattle, WA.  
Utilix Corporation:  
Corporate Headquarters, Kent, WA.  
Manufacturing Location, Kent, WA.

## VIOLETIONS OF BASIC HUMAN RIGHTS IN EL SALVADOR

### HON. BARBARA BOXER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mrs. BOXER. Mr. Speaker, 2 weeks ago 50 of my colleagues joined me in a letter to President Cristiani expressing our deep concern about recent attacks against the leaders and members of the Salvadoran Communal Movement [MCS], an organization of 159 member communities working to provide decent housing and basic services to the poorest slum dwellers of El Salvador. In one case, a husband was brutally murdered and his wife seriously injured when the offices of the MCS were searched and ransacked.

These incidents are not only violations of basic human rights, but are also detrimental to efforts to achieve a democratic society and an end to war in El Salvador. They may also be part of a larger pattern of human rights abuses by the Salvadoran Armed Forces.

The following article by Marc Siegel, a research associate with the Washington-based Council on Hemispheric Affairs, details the plight of the poor and landless in El Salvador. I urge my colleagues to give it their utmost attention during upcoming debate on the issue of aid to El Salvador.

#### SALVADORAN GOVERNMENT CRACKS DOWN ON SQUATTERS

(By Marc Siegel, COHA Research Associate)

Tensions have escalated between the ARENA government and the country's hundreds of thousands of landless over the occupation of vacant properties, as the authorities ordered the military to forcibly evict illegal dwellers from settlements that they had established. Last March, security forces harshly handled residents of Soledad Viuda de Alas I, II, and III, and in late June, in two of the largest operations of their kind in recent years, they evicted fifty families from both the Cooperative Gusamutut and Colonia San Luis. Even more reminiscent of the past, in separate death-squad style killings, military operatives slaughtered Gustavo Rosa Ramirez Aguilar, an activist member of the leftist Democratic Convergence party, as well as Martin Ayala Ramirez, a security guard for the Committee of Marginal Communities, an advocacy group for slum dwellers that has orchestrated land occupations in greater San Salvador.

In a stepped-up effort in response to the demands of landowners—a powerful constituency within the ruling ARENA party—the military is using scare tactics to perhaps influence the FMLN guerrilla leadership to back down from its demand for authentic land reform before a cease-fire is reached and a newly-formed United Nations commission to monitor human rights arrives. Despite its atrocious human rights record, the military

has no reason to fear Washington's wrath after the White House, over Congressional opposition, recently obligated \$21 million in military aid.

In early July, the government and the Democratic Peasant Alliance agreed to allow a number of illegal squatters to remain where they were if other unoccupied properties are not taken over. Unfortunately, the agreement will affect only about 5,000 of an estimated 600,000 landless campesinos. Efforts are also underway to resolve the broader issue of land seizures through mediation. San Salvador officials insist that, even though the land is essentially useless, it still belongs either the state or to private owners and therefore squatters have no legal claim to it. Bishop Rosa Chavez counters by saying that "hunger and ethical and moral factors make it impossible to see this only from a legal point of view." Forcible evictions are not likely to resolve this age-old problem bedeviling the tiny land-starved nation, whose territory sustains one of the highest per-capita populations in the world. Without assistance in relocating the peasants to non-controversial parcels, they inevitably will move to other unoccupied property, with the scenario constantly being repeated.

While squatter communities have existed for many years, the ongoing decade-old civil war and the earthquake of 1986, which displaced at least 300,000 people have increased the frequency with which they arise. With little or no governmental assistance and with almost none of the \$186 million in international earthquake aid ever having reached the needy, thousands of the victims have flocked to San Salvador and set up shanties in the least desirable areas near garbage dumps, highways and ravines. As families claimed their individual lots, communities began to develop a distinct subculture. Because of the squalor in which they are forced to live and a dearth of potable water, residents continue to suffer from severe health problems, the most prevalent being intestinal diseases such as parasites and dysentery. In some urban communities, members subsist by selling the scrap materials that they find in the very dumps upon which they live.

In the countryside, peasants live and work on farm cooperatives, many of which had been nationalized by the Washington-backed Christian Democratic government of Jose Napoleon Duarte from original owners who fled the country's violence. The co-ops resent the privatization initiatives now being sponsored by the government and the U.S. Agency for International Development because individual campesinos tend to lack the resources to survive on their own. Without the efforts of numerous domestic and international support groups, Salvadoran squatters likely would be abandoned to suffer from a grievous lack of water, health care, and political representation. In mid-July, 20 agricultural cooperatives united with 33 community groups to form a new organization, the Peasant Democratic Association. Far from being the exception, the land settlers represent the plight of most of the poor in a nation where the government itself estimates that 85 percent of the population is living at or below the poverty level.

## SALUTE TO WINCHESTER-FREDERICK COUNTY AS A WINNER OF THE 1991 ALL-AMERICAN CITY AWARD

**HON. D. FRENCH SLAUGHTER, JR.**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. SLAUGHTER of Virginia. Mr. Speaker, this afternoon I want to take a moment to congratulate the communities of Winchester-Frederick County for being selected as one of 10 winners of the prestigious All-American City Award. The award is sponsored by the National Civic League.

On June 8, 1991, in the city of San Antonio [TX] representatives from the chamber of commerce won recognition as an All-American City. Thirty finalists made presentations to judges who eventually chose 10 winners. The competition was rigorous as nearly 100 cities and city-county communities sought the recognition All-American City status confers.

All participants in the project in both the city of Winchester and the county of Frederick deserve praise for a job well done. All of the more than 60,000 residents that make up the community at large deserve recognition for their extraordinary commitment to volunteer activity that does so much to improve the quality of life for others who are less fortunate.

Next week, on August 6, 1991, President Bush will be honoring all 10 winners in a Rose Garden ceremony. Congratulations Winchester-Frederick County and congratulations to the other winners: Baltimore [MD], Gadsden [AL], Greencastle [IN], Gothenburg [NE], Newark [NJ], Albany [NY], Greensboro [NC], Dayton [OH], and Austin [TX].

Finally, I wish to enter into the RECORD an editorial that appeared in the Wednesday, June 12, 1991 edition of the Winchester Star. The editorial best expresses the sense of pride and genuine excitement in the community.

ALL-AMERICAN—WINCHESTER AND FREDERICK COUNTY

Bill Shendow, executive director of the Winchester-Frederick County Chamber of Commerce said he was "just tickled pink." Winchester Mayor Elizabeth Helm said, "It speaks so well for this area." Kenneth Stiles, chairman of the Frederick County Board of Supervisors, thinks "it's fantastic."

Mr. Stiles, Mayor Helm, and Mr. Shendow are all so happy because Winchester and Frederick Community have been officially recognized as an All-American community—one of 10 communities so honored this year.

"I think all along we knew we were an All-American community, but now the rest of the world knows it," Mr. Stiles said.

The designation, from the National Civic League, is the result of the hard work of a seven-member city-county group that traveled to San Antonio this past weekend to present a 10-minute video and answer 10 minutes of questions about Winchester and Frederick County.

The Winchester-Frederick County team, by the way, was the only city-county entry in this year's competition, which goes to show how much a little cooperation can accomplish.

The All-American designation is, in Mr. Shendow's words, "big stuff."

It means a mention on the Today Show, a visit to the White House by representatives from the community, and—for two of the 10 winners—a visit by Charles Kuralt.

Mr. Shendow said, "As far as a marketing tool—certainly it's a selling point. . . . It's very definitely a source of pride for the community."

An All-American community, Mr. Shendow pointed out, is not an idyllic community without problems. Communities who earn the All-American designation are communities in which, he said, "the citizens really care enough to get involved."

The Winchester-Frederick County presentation was different from that of most of the competing communities, Mr. Shendow said. Most entries focused on how the communities are dealing with economic adversity. And many focused on how local government addressed community problems.

The Winchester-Frederick County entry concentrated on local people's efforts to deal with local problems, highlighting programs such as Rhythms Teen Center, the Free Medical Center, and City Light.

"Ours was less government," Mr. Shendow said. The team that presented Winchester and Frederick County's claim to All-American status focused on "the volunteer spirit in our community that steps forward to address problems."

The award, Mr. Shendow said, is "really a reflection . . . on the caring people, on the volunteerism. That's the strongest point in the whole community, I think, the volunteerism."

Being chosen an All-American community is "big stuff." It is a good selling point and a source of pride. So, if you live or work in Winchester or Frederick County, congratulations. You are a part of an All-American community.

IN HONOR OF REAR ADM. GRADY  
L. JACKSON

**HON. BILL LOWERY**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. LOWERY of California. Mr. Speaker, I rise today in order to recognize and commend the outstanding achievements of U.S. Navy Rear Adm. Grady L. Jackson. His career has been a model of dedication and service to the United States of America.

Admiral Jackson has served our country for the past 30 years in a variety of capacities. Recent events in the Persian Gulf have once again directed this Nation's attention to our armed services and the important role played by those who have dedicated their lives and efforts to our national defense. We must marvel that Rear Admiral Jackson's contributions span a generation.

Admiral Jackson began his naval service in 1961, receiving his commission as an ensign after graduating from Newberry College. After completion of preflight training, Jackson completed two cruises to the western Pacific, flying the AD-5Q Skyraider jamming aircraft. He went on to risk his life in 179 combat missions in Vietnam. There, he served valiantly as a bombardier and navigator in an A-6A Intruder all-weather attack aircraft.

Admiral Jackson has also been a magnificent leader. He served as commanding officer

of VAQ-129 Vikings, the EA-6B Fleet Readiness Squadron, and of the U.S. Navy Support Facility at Diego Garcia. Pursuing a career of excellence and technical expertise, Admiral Jackson became Director of the Electronic Warfare Division, Office of the Chief of Naval Operations, in 1985. Then, in 1988, Rear Admiral Jackson assumed his present position as commander of the naval base at San Diego.

Admiral Jackson's numerous decorations and awards attest to the bravery and leadership he has displayed in his 30 years of service. As he retires, the importance of his commitment to this country becomes overwhelmingly apparent.

Mr. Speaker, I hope you and all of our colleagues will join me in commending the three decades which Rear Adm. Grady L. Jackson has given to the United States of America. We wish him well in his retirement. He will be missed.

THE 20TH ANNIVERSARY OF  
GUARDRAIL

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. PALLONE. Mr. Speaker, the Department of the Army is planning a 20-year anniversary celebration of the Guardrail Airborne Signals Intelligence Program at Fort Monmouth, NJ, with a series of celebrations on August 28, and 29.

Mr. Speaker, this program has successfully produced and fielded seven generations of Guardrail intercept and direction finding systems. Prior to development of this program, airborne surveillance capabilities were limited by the number of personnel who could be on the aircraft to operate signal collection equipment, and by the need to transport the data to a ground facility for processing after it was collected.

Then, in 1971, ESL, Inc., a subsidiary of TRW Corp., developed a much better way to perform this vital national security function. The control and collection equipment would be remotely controlled, while the personnel would be placed in a safer and more productive environment on the ground. In addition, the data would be transmitted directly from the aircraft to the ground facility, thus eliminating lag time.

In a mere 5 months' time, under heavy Government deadline pressure, that idea was translated into the first generation of the Guardrail system. It is no exaggeration to say that this system has completely changed tactical reconnaissance. Although the system has, of course, been modified and improved over the past 20 years, the basic system concept has been unchanged. The story of the Guardrail is an ongoing one. But, this year's anniversary gives us an opportunity to look back at how a major conceptual insight, combined with talented personnel and a first-class organizational structure, can produce brilliant technological breakthroughs. It is also an example of our private sector working with the Defense Department to keep America's defense technology the finest in the world.

A TRIBUTE TO LUCILE M. SCOTT

HON. JOHN LEWIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. LEWIS of Georgia. Mr. Speaker, I rise today to pay tribute to Lucile M. Scott, a distinguished journalist. Celebrating her 90th birthday, Mrs. Scott has been one of Atlanta's most prominent voices during this century. Her contributions as a writer and columnist at the Atlanta Daily World has touched the lives of countless individuals.

Born in Jackson, MS, Mrs. Scott is a graduate of Tennessee State University. She began her career at the Birmingham World and went to the Atlanta Daily World in 1934. During her long career at the Daily World, Mrs. Scott worked as a feature writer, columnist, bookkeeper, national circulation manager and payroll clerk.

Active in her sorority for many years, Mrs. Scott served as editor-in-chief of the Ivy Leaf, a publication of the Alpha Kappa Alpha sorority.

Mrs. Scott has achieved a long list of accomplishments in community service. Honored by numerous organizations for her community service, Mrs. Scott was recognized as one of Atlanta's Black Women Pioneers by the Atlanta Black Women's Coalition. Mrs. Scott has also been a life member of the National Council of Negro Women.

Mr. Speaker, I salute this great and outstanding woman. She has made a difference for generations of Atlantans and for generations yet unborn.

SAVING THE RIVERS OF SOUTH  
JERSEY

HON. PETER H. KOSTMAYER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. KOSTMAYER. Mr. Speaker, this past Saturday, I traveled from my home in Bucks County, PA to Cumberland County, NJ for a visit to three rivers which are currently being studied for wild and scenic designation.

I had read about the Maurice River for many years, because it is a pristine waterway in the Nation's most densely populated State.

The Manumuskin River and Menantico Creek feed into the Maurice River, which runs into the Delaware Bay.

Jane Galetto, the president of Citizens United to Protect the Maurice River, a citizens group dedicated to bringing wild and scenic designation to the Maurice and its two tributaries, was our hostess for the day.

Fortunately, the heavy rain, which was falling all morning, stopped after lunch and we were able to board a small boat with Leslie and Tony Ficcaglia to travel up the Manumuskin River.

Leslie and Tony are both psychologists who work in the public schools of Cumberland County. They own a lovely home on the banks of the Manumuskin.

We boarded the Ficcaglia's 15-foot motorized skiff and took off up the river. We could

hardly believe we were in one of America's most congested States. Except for an occasional house on the river, we saw nothing for miles but the beautiful wild flowers, trees and wildlife, including some of the 15 endangered species that call this area home.

After making our way several miles up the Manumuskin, we turned around and headed back downriver, past Tony and Leslie's lovely home and into the Maurice. There we headed south toward the Delaware Bay passing the tiny New Jersey villages of Port Elizabeth, Port Norris, Bivalve and other tiny villages on the banks of the Maurice.

Along the way, we stopped and visited with several folks working to restore an old oyster schooner docked in the Maurice. Sometimes, Mr. Speaker, there are as many as 30 people volunteering their time to restore the old schooner which has already been designated as New Jersey's representative in the July 4, 1992 Tall Ships Spectacle in New York Harbor.

Jane Galetto and her husband Peter live on the Maurice River. They have worked for a very long time, as have Leslie and Tony, to preserve the Maurice, the Manumuskin and the Menantico. They have found a champion in our colleague, BILL HUGHES. It is impossible to be in south Jersey and not find admirers of Congressman HUGHES, both in the environmental community and the business community as well.

People like the Galetto's and the Ficcaglia's who have devoted countless hours to preserving the natural features of their communities are American heroes. They are the people who do the work; the people who write the letters, lick and stamp the envelopes, and raise the money to preserve the American landscape. They do not do it to enhance their own wealth, they do it because they feel strongly that we should be doing more to preserve what little we have left in the metropolitan regions of the Middle Atlantic States.

Mr. Speaker, to find rivers like this in a State as developed as New Jersey so near to big cities like New York, Philadelphia, Baltimore, and Wilmington is nothing short of extraordinary. The water of the Manumuskin is defined as pristine, one can safely drink directly from the river. If these rivers aren't given the strongest protection by the Federal Government, they will go the way of so many other tributaries on the eastern seaboard.

The Department of Interior is scheduled to make a recommendation on these rivers in the coming months. The question that will then be before the Congress is whether we want to preserve the rare environment which boasts a pristine river and is home to 15 endangered species, including American bald eagles.

Of course, Mr. Speaker, I will be guided by the judgment of Mr. HUGHES, but I am hopeful that the Maurice, the Menantico, and the Manumuskin, which were designated as study rivers by the Congress through the efforts of BILL HUGHES and Senators BILL BRADLEY, and FRANK LAUTENBERG, will be designated as wild and scenic rivers so there will be a few waterways in the Garden State which may be enjoyed by future New Jerseyans and by future visitors from around the country.

Late on Saturday afternoon as Tony guided us up the Maurice River, we looked for bald

eagles. We weren't lucky enough to see any, but we did see several endangered ospreys and great blue herons. These magnificent creatures live in the peace and tranquility of an isolated and rural region of one of America's most populous States. Without the protection of the Federal Government it will not remain that way for long. The pace of growth and development will spread out from Philadelphia, Wilmington, New York, and Baltimore until there are no more places like Port Elizabeth and Leesburg, Bivalve, and Shellpile. It's simply not enough to leave it up to the local governments. They just don't have the resources to do it alone, without the aid of Congress.

We must act, or these areas will be destroyed. Future generations who grow up in the region in which I was born and raised and which I proudly serve, will condemn us for not saving what is still in our power to save.

#### AN EMERGENCY IN AMERICA

### HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. ANDERSON. Mr. Speaker, the American worker has been hit hard by the recession. Our country now faces its highest unemployment rate in the last 5 years, with an additional 2 million workers unemployed since last year. These workers, unemployed through no fault of their own, have turned to unemployment insurance to provide security for themselves and their families. It is time for Congress to extend these unemployment benefits to help the American workers get back on their feet again.

While it is true that the country is showing definite signs of recovering from the recession, the recovery has been a slow one. As an example, California's unemployment rate has climbed to just over 8 percent. Passing this legislation would aid these workers and their families with 20 additional weeks of unemployment benefits. Extending these benefits will ensure that the American worker has the security to be a part of our economic recovery.

I am reluctant to authorize funds that we clearly do not have. But we face a true domestic emergency. We cannot afford to stand idle while so many Americans remain unemployed. In all but one recession since the 1950's, Congress has enacted extra weeks of benefits for the unemployed. Such bold action is needed today to help our workers, and our country, recover from this recession.

#### OF MICE AND WOMEN: BASIC SCIENCE IN THE SERVICE OF WOMEN'S HEALTH

### HON. GEORGE W. GEKAS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. GEKAS. Mr. Speaker, I would like to share with you some remarks by Dr. Mary-Clair King. Dr. King received her Ph.D. in ge-

netics from the University of California at Berkeley in 1973 and was named by the American Association of University Women as Outstanding Young Woman Scientist. I am sure we will agree with that honor. She is presently a practicing geneticist and Professor of Epidemiology at the School of Public Health, University of California. Dr. King will discuss her work on the role of genetics in early-onset breast cancer in the following text:

#### OF MICE AND WOMEN: BASIC SCIENCE IN THE SERVICE OF WOMEN'S HEALTH

(Remarks of Dr. Mary-Clair King)

It's a great pleasure and honor to be asked to talk with you today about some critical issues in women's health and about the basic biology that lies behind their solution. The Congressional Biomedical Research Caucus has made it possible for us to communicate directly with Congress and we are grateful to the caucus for the opportunity. I am a geneticist working both in the School of Public Health and the Department of Molecular and Cell Biology at the University of California at Berkeley. I am a geneticist because I was able to attend graduate school at Berkeley on an NSF Fellowship; I work in cancer biology because I was able to do NIH-sponsored postdoctoral work in cancer biology at the University of California at San Francisco. My postdocs and graduate students are all supported by NSF or NIH Fellowships or NIH training grants; all of the work in my lab is supported by R01 grants from NIH. Virtually everything we use in our work is made in the USA, not simply because we prefer it that way, but because these are the best biomedical research products to be had. Of course, since we live in the San Francisco area, much of what we buy is made right down the street. So, first, thank you all for your help, and most importantly, for your consistent help in supporting our work and our young investigators.

I hope to make the point today that health concerns of women can be addressed best and most quickly by developing a wide diversity of areas in basic science and simultaneously putting that basic science to the service of solving applied questions.

To convince you that progress in basic science and progress in women's health are inextricably connected, I'd like to tell you the stories of Betty and Catherine. I first met Betty when she was about 50. She was (and is) well and productive, despite having been diagnosed with breast cancer at the age of 29. She contacted me twenty years after the diagnosis because her daughter had just been diagnosed with breast cancer at age 25. Betty and I talked about the rest of her family. Betty's sister had also developed breast cancer in her 20's. Neither their mother nor their father had any cancer at all; they were doing very well in their 70's. But, Betty's father had five sisters, and of those five sisters, three had developed breast cancer, all in their 30's and 40's. Two of Betty's cousins had breast cancer as well; in all, 8 women in her extended family. "This horror is entering my daughter's generation," Betty said, "there must be something to be done about it."

The story of Catherine is similar. I met Catherine just last year, when she was diagnosed with breast cancer. She was 30 years old. Catherine's mother and aunt are strong and vital women who had developed breast cancer in their 30's, been treated successfully, then developed ovarian cancer in their 40's. These three women had endured five cancers before any of them were 45 years old.

Another of Catherine's aunts had no symptoms of cancer at all, and none of her grandparents had any cancer. I met Catherine's maternal grandparents, lively winegrowers in their 70's. "You know," said her grandfather, "my sisters died 30 years ago in Italy, only a few years after we moved to California. We should check into that." As it turned out, both of his sisters and his mother had died of ovarian cancer, all in their 40's. "This is four generations," said Catherine, "I don't want my daughter to go through this as well."

I will tell you what we have learned about Betty's and Catherine's families, but first I want to tell you why their stories matter to all the women in this room and to all the women whom the men in this room care about. Of course, the families of Betty and Catherine are extraordinary. Few of us come from families with such a heavy burden of breast cancer. However, Betty and Catherine's families may reveal the key to breast cancer for the rest of us.

A girl born in America today is at 10% risk of developing breast cancer sometime in her life. This is the same as the risk of lung cancer for a heavy smoker, but unlike the smoker, our hypothetical newborn girl will do nothing to increase her risk of cancer other than live as a modern woman in our society. As such, she will, we hope, be well-nourished. This will probably mean that she will begin to menstruate about age 12. She will, we hope, be well-educated and professionally successful. This may well mean that she will decide to postpone having children until her 30's. These simple, perfectly reasonable ways of life increase her breast cancer risk about three-fold over that of a woman of a century ago who began menstruating at perhaps 16 and began bearing children in her early 20's. We think the reason is that the breasts of our modern young women are exposed for perhaps twenty years to hormones needed to make milk. This means that her breast cells have a rich environment in which to grow, including, of course, any breast cells that have been hit by a cancer-causing mutation in a critical gene.

So what can be done? Nowadays, we quite properly encourage women, all of us, to have mammograms annually once we reach our 40's in order to detect breast tumors at the earliest possible stage. But what is the early detection as we understand it now? Good mammograms can detect breast tumors at about the size of a pea, or the tip of my little finger. That little tumor would be made up of about a million cells—all the same and all malignant. That little tumor has undergone about 30 cell divisions since the first cancer-causing mutation occurred to start it off. Thirty divisions so far—what will happen with ten more cell divisions: How big will this tumor be? The size of a walnut? Of my fist? After ten more divisions, this tumor will weigh two pounds. Think of two pounds of hamburger and you see. Our young woman would be long-since dead. What this means is that the tiny tumor has already been through more than 75% of its life as a tumor, more than enough time for malignant cells to break off and invade other tissues. By the time it is pea-sized, this malignant tumor has lived in our young woman's breast for eight years. It was, of course, too small to see or feel.

So, a very, very important way to prevent malignant breast tumors from killing us is to detect them 5 or 6 or 7 years earlier than we can now, when there are only a few abnormal cells, before they have had a chance to grow like topsy or to invade other parts of

our bodies. But how can we detect cancer cells almost as soon as they appear? By knowing what has changed; that is, by knowing what genes have gone awry in the normal cell. If we know these earliest changes, we could find abnormal cells as soon as they appear and remove them with no major surgery and no long-term consequences.

That brings me back to Betty and Catherine. In their families, breast cancer is inherited. Girls in their families are born with risks of breast cancer much higher than the 10 percent most of us confront. Breast cancer in their families is an inherited, genetic disease, like cystic fibrosis or sickle cell anemia or Huntington's disease or Marfan's syndrome in other families. This means that we can use molecular genetics to find the gene that has been inherited in an altered, abnormal form in Betty and Catherine's families. This is what we are doing now, and we have had some recent successes. We know now where the gene is that causes the early breast cancer inherited in these families. That is, we know the chromosomal region where the critical gene and its normal counterpart are found. Nothing except time and an enormous amount of work prevents us from closing in on this gene until we find out exactly where it is, figure out its sequence of DNA bases and determine what bases in the version of the gene inherited in Betty and Catherine's families are different from the gene in the rest of us.

Why does identifying the critical gene for Catherine and Betty help with very early detection of breast cancer for women generally? To explain this, let me take a moment to point out the difference between things in life that are genetic and things that are inherited. Some conditions are genetic and inherited, like sickle cell anemia, or blue eyes, or breast cancer in Catherine's and Betty's families. Some things in life are inherited, but not genetic, like money: it's inherited, but it's not genetic. And some things are genetic, in that they involve changes in our genes, but these changes are not inherited from our parents. For the vast majority of patients, cancer is in this category: cancer is caused by changes in the DNA of cells in a particular part of the body, but these changes were not inherited in the family. Of all women who develop breast cancer, probably 95 percent have not inherited tendency to the disease. For these 95 percent of patients, breast cancer develops because of genetic changes that happen only in breast cells. These changes are not inherited from our parents; they originate in breast cells exposed to environmental mutagens, or they occur by chance in breast cells and instead of dying off are nourished by the pleasant hormonal milieu of the breast that I described earlier.

The critical point is that these sporadic, coincidental genetic changes are likely to be the same genetic changes that are inherited in Catherine's and Betty's families: the vulnerable genes are the same, only the reason they have gone wrong differs. Therefore, if we can identify the genes responsible for breast cancer in families in which it is both inherited and genetic, we will have identified genes that may cause genetic, but not inherited, breast cancer in the rest of us. We already know this model is true for a rare eye cancer called retinoblastoma, and there is increasing evidence that it is true for colon cancer.

So, by identifying the critical genes for Catherine and Betty, we hope to identify critical genes that will make possible the development of truly early detection of breast

cancer for women generally. My hope for breast cancer research is to see in my professional lifetime the development of diagnosis techniques that are so early that no woman need die of breast cancer, that invasive breast cancer becomes a disease of the past.

For some women, though, the development of very early detection will have come too late. It's even more scientifically romantic to dream about using genetic information to guide treatment for invasive breast cancer, but it's probably a realistic dream. Once we know what genes have gone wrong in a breast tumor, or in malignant breast cells that have invaded other parts of the body, it should be possible to target exactly the abnormal cells and selectively destroy them. The tragedy of current cancer therapy is that all cells have to be attacked by radiation and chemotherapy in order to destroy the cancer cells. Suppose we could pick out and destroy only the abnormal cells. Smart bombs against cancer.

Now, my major job today is to explain how this very applied research on human breast cancer is totally dependent on basic science for its success. So I must tell you a little about what we do in my lab. Mostly, we manipulate genes. Obviously, we are not manipulating Catherine and Betty and their families. What we have done is take a small blood sample from each person in their families, and other families like them, and created immortal cultures from their cells. We can do this because of work done with viruses that originally had nothing to do with human cells. We can grow these cells and make as much DNA as we need from the small amount we originally took from Catherine and Betty and their very patient relatives. Then what we do is put these human genes into bacteria and viruses, study them, and cut them out again with great ease. Believe me, we did not figure out how to do this ourselves. All these tricks were developed by molecular biologists over the past 20 years or so, in the course of projects with bacteria, viruses, and yeast that had no apparent relevance whatever to medicine. As it happens, we now exploit virtually every successful trick of DNA manipulation developed in those simple organisms to study human genes.

One useful tool for manipulating genes is the YAC. YACs are not the large furry animals popularized by Dr. Seuss to illustrate the letter Y. Rather, YACs are yeast artificial chromosomes. YACs allow us to put a piece of human DNA with an interesting human gene inside a yeast, move it around, and describe it. We use YACs to figure out whether breast cancer in our families is caused by any of a series of important human genes found on the same piece of human chromosome that is always inherited with breast cancer in Catherine's and Betty's families. How do we know what these important genes are?

In order to identify these breast cancer genes, we need clues. I already described one important clue: the gene locale at a specific address on one of the human chromosomes. The next clues come by asking the question: what genes with known functions are in the same neighborhood? Any of those genes might be the culprit responsible for breast cancer. Nowadays, by exploiting work from the human genome project, we can immediately identify a whole series of suspect genes on the basis of their addresses. There are 6 candidate genes, or suspects, on this particular bit of human chromosome. None of these genes were originally described in humans. So how do we know they are sus-

pects? One candidate is a gene that causes cancer in mice if it is disrupted. A second candidate is a gene first described in fruit flies that makes a sticky molecule to hold cells together properly; this gene exists in all multi-celled organisms and causes mammary cancer in mice if it's broken. The third candidate gene was first described as an oncovirus; its human equivalent makes more and more copies of itself as breast cancers develop. A fourth candidate gene was first described by biochemists studying vitamin A. The fifth gene was first found in fruit flies; its human equivalent appears to be expressed in human breast tumors that do well, but not in those that metastasize. The sixth gene is involved in making the active form of estrogen in breast tissue; it was first identified by biochemists studying hormones in experimental systems. And on and on \* \* \*

The lesson of these genes is that we are going to learn the causes of breast cancer in women by exploiting our relatedness to all living things. Because our human genes share their evolutionary history with genes of mice, fruit flies, and yeasts, we can and do exploit what can be learned much more quickly in those species to enlighten us about ourselves.

In closing, then, I hope I have conveyed to you our commitment to solving human breast cancer, how our results so far could only be obtained because smarter biologists working with simpler organisms had worked out all the hard bits; and how our eventual success is inevitable, because our genes are related to those of all living things and because genetic information from all species can be brought to bear in a practical way from our project. This is an example of basic science applied to women's health, and it works.

#### INTERFACE—FREE SURGERY AND CARE FOR NEEDY CHILDREN

HON. BILL LOWERY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. LOWERY of California. Mr. Speaker, I stand today in order to recognize and commend the invaluable charitable work done by INTERFACE, at the University of California, San Diego, in my congressional district. This volunteer organization immeasurably benefits those children in desperate need of medical care.

A team of plastic surgeons, anesthesiologists, nurses, dentists, and other medical personnel donate their time and medical expertise to helping children in need of surgery or other medical attention. This allows children with congenital and acquired physical deformities the chance to receive the medical treatment they so desperately need.

When the Perlman Ambulatory Care Center opens soon at the University of California, San Diego, it will allow these physicians the chance to treat the children in their own facility. In addition to this generous service, INTERFACE will continue to sponsor educational exchanges, allowing health professionals from other countries the opportunity to enhance their medical training in the United States.

INTERFACE, U.C.S.D. will be this year's recipient of the Nice Guy of the Year award.

This award is given by Nice Guys, Inc. of San Diego, a volunteer organization which, since 1979, has raised and donated more than \$1 million to needy individuals and charities. The award is given to that person or organization whose generosity and contributions to the San Diego community are most noteworthy.

Mr. Speaker, I hope that you and all our colleagues will join me in commending INTER-FACE, U.C.S.D. for its generous charitable work. The efforts of a few persons are truly enhancing the lives of many.

DR. GEORGE HUDOCK HONORED

### HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. KANJORSKI. Mr. Speaker, today I rise to pay tribute to Dr. George E. Hudock, Jr., Luzerne County coroner, and a celebrity to all those who work with him at Mercy Hospital.

On August 16, 1991, Dr. Hudock's colleagues will honor him for his work as director of the Pathology Department for nearly 20 years.

Dr. Hudock's career began as a result of his interest in mystery and Sherlock Holmes. A member of the Sherlock Holmes Society of Luzerne County, George Hudock began his undergraduate studies at Wilkes College in 1950. He did his graduate work in bacteriology at Bucknell University and received his medical degree in 1958 from Jefferson Medical College in Philadelphia.

After extensive training in pathology, Dr. Hudock returned to Luzerne County to run successfully for county coroner in 1969, where he has won reelection ever since. He has been director of Mercy Hospital's Pathology Department since 1972 and has taken an active role in the hospital and in the medical community.

He was appointed by Gov. Robert Casey as a charter member of the Coroner's Education Board of Pennsylvania, a board which is designed to assure that proper medical investigation is done by certified doctors. He is active in the Luzerne County Medical Society, the American Medical Association, and the National Association of Medical Examiners, to name just a few. He also has testified as an expert witness in many courtrooms throughout the Commonwealth of Pennsylvania.

Dr. Hudock is just as active in many local community groups and has strong ties to the area.

He has been married to the former Helen Mesavitz for 40 years and his daughter, Jude, is following in his footsteps at the Jefferson Medical College where she is a senior pathology resident.

It is easy to see why Mercy Hospital has chosen Dr. George Hudock as their celebrity this year. His good works and commitment to his community are an example to us all.

A SALUTE TO CHARLES W. HALES

### HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. STOKES. Mr. Speaker, I rise today to pay tribute to Charles W. Hales, a resident of my congressional district. Mr. Hales recently stepped down after serving 23 years as convention director for the Ancient Egyptian Arabic Order of the Nobles of the Mystic Shrine. In this capacity, Charlie Hales has been one of the most sought-after hotel guests in America. His decision on the location of the black Shriners' convention where attendance often exceeds 40,000, translates to millions of dollars in convention business for hotels and cities. There is an ironic twist to the story, however.

In a recent commentary which appeared in the Cleveland Plain Dealer newspaper, Charlie Hales noted that some 40 years ago, he could not register at hotels because blacks were not welcome. He recalled that prior to the enactment of Federal housing laws, delegates stayed in private homes of friends and held meetings in high school auditoriums. Hales also remembers the 1956 convention when, for the first time, Shriners stayed in the Sheraton Hotel in Washington, DC.

Mr. Speaker, the civil rights movement opened many doors for African-Americans. Over the years, however, it has been individuals such as Charlie Hales who have ensured that the doors remain open. Mr. Hales has not only brought credibility and recognition to African-American Shriners, but he has successfully demonstrated their economic empowerment to the American business community.

The Plain Dealer article focuses on Charlie Hales and his many achievements, both as a businessman and Shriner. I want to take this opportunity to share this article with my colleagues. I also want to commend Charlie Hales for his dedication and the leadership he has provided our organization. He is an outstanding individual and I wish him much continued success.

[From the Cleveland Plain Dealer, July 17, 1991]

TIMES CHANGE; NOW HE ENJOYS THE SUITE LIFE

(By William F. Miller)

Mild-mannered Charles W. Hales is one of the most sought-after hotel guests in America, but some 40 years ago he could not even register at a hotel because black people were not welcome.

Times and economics have changed, and Hales, 69, is now enjoying the benefits.

For 23 years, Hales, of Warrensville Heights, has recommended which convention city some 30,000 to 40,000 black Shriners would visit for a week.

His decision, never overruled, is worth millions of dollars in convention business for the lucky city, so major convention bureaus and city officials court Hales in hopes of winning the Shriners' annual convention.

Hales is viewed as a VIP wherever he travels, and he is treated accordingly. He often is given the finest complimentary hotel rooms, meals and drinks.

"It sure is a change from the old days, when you were thrown out of a hotel if you

tried to check in," said Hales, who has served as Imperial Convention Director for the Ancient Egyptian Arabic Order of the Nobles of the Mystic Shrine. Membership exceeds 80,000.

Hales recently stepped down as convention director to run for auditor of the organization at the convention next month in Los Angeles. But he has lots of memories.

"I'll never forget it was the 1956 convention that for the first time we could stay in the Sheraton Hotel in Washington," he said.

He also recalled that before federal open housing laws of the 1950s opened hotel doors, black Shriners "had to put our delegates up in private homes of black friends and hold our meetings in high school auditoriums."

Now, the Shriners book some 7,000 hotel rooms.

This year's convention, which will take up 16 hotels, will be based at the Bonaventure Hotel in downtown Los Angeles.

Last year in Detroit, because of a hotel goof, the Shriners were 150 rooms short. "My phone rang all night, but we found places for everyone," Hales said. "An airline helped by vacating rooms for us and moving its crews to far suburban motels."

The Shriners are famous for their precision marching units decked out in colorful costumes that depict the Orient, ancient Egypt and the Arabian Nights.

The strutters delight all who watch their typically four-hour-long convention parade. Clevelanders were treated to this grand spectacle when the Shriners met here in 1967 and 1980.

Hales learned about the Masons during World War II from other soldiers who were members. He joined a lodge in Pittsburgh in 1946 and has been active ever since. In 1978, he became a 33rd degree, the highest degree in the order, and he has held most offices in various lodges, including the top one of potentate of Cleveland's El Hasa Temple. He was past master of Ecclesiastes Lodge 120.

"Being a Mason and a Shriner has opened up new friendships and new worlds to me over the years," said Hales, who is from the small coal-mining town of Kiskimere, some 30 miles northeast of Pittsburgh.

"It was a great place to live because I came from a close family, and I went to the integrated Leechburg schools and got a good education," he said. "I never missed a day of school in 12 years."

He also hasn't missed many football games. Hales first came to Cleveland in 1947 for a weekend to watch the Browns. He liked the city so much he stayed.

Hales, who started as a coal miner and then a bricklayer, went to night school for years to learn to be an accountant. He was senior auditor at the Regional Transit Authority for 10 years until 1987. Before that he was director of finance for the federally funded AIM Jobs program.

While working and raising his family, he earned his bachelor's degree at Cleveland State University and a master's of business administration at Baldwin-Wallace College. He has been married to his wife, Jane, for 42 years. They have a son and grandson.

Hales, like so many of his generation, demonstrated in the face of adversity that hard work, education, will and economic power not only could move mountains, but even open up hotel rooms.

## TRIBUTE TO BEA ST. GERMAIN

**HON. RONALD K. MACHTLEY**

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. MACHTLEY. Mr. Speaker, it is my distinct pleasure to rise today and recognize Bea St. Germain, of Woonsocket, RI. She is in her sixth year as president of St. Germain Manor, in Woonsocket, RI.

For many years Bea St. Germain has been a leader in the community and an advocate for senior citizens. Residents at St. Germain Manor as well as residents of the other community senior centers look to Bea St. Germain for their voice in the community. She is responsible for coordinating many of the seniors' activities. Most notably Bea St. Germain organizes regular bingo games at St. Germain Manor. People come from all over Woonsocket to attend these bingo games. Proceeds from bingo go to provide free meals for the senior citizens.

Bea St. Germain is a respected leader in her community. Her devotion to the residents of the Manor are admired by her colleagues, and she is greatly revered by everyone. Bea St. Germain's intelligent and exciting ideas are always improving the ambiance of the Manor to make it even more delightful for the residents.

Not only is Bea St. Germain socially active in the community, but also is extremely dedicated to the cause of senior citizens. She is a tireless advocate for senior citizens and I commend her for her truly magnificent contributions to the city of Woonsocket, RI. It is with great pleasure that I extend my best wishes to Bea St. Germain for success in all her future endeavors.

## TAXPAYER RIGHTS AMENDMENTS OF 1991

**HON. JOEL HEFLEY**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. HEFLEY. Mr. Speaker, in 1988, Congress passed the Omnibus Taxpayer Bill of Rights as part of that year's Technical and Miscellaneous Revenue Act. That legislation was a watershed, ending 10 years of work to address IRS excesses and provide taxpayers with a means to defend themselves from unwarranted action, including:

Granting taxpayers the right to sue for damages if an IRS agent recklessly or intentionally disregards provisions of the Internal Revenue Code;

Codifying existing IRS regulations regarding taxpayer rights; and

Awarding litigation and administrative costs to taxpayers who prevail against an unjustified IRS action.

The addition of these changes to the tax code was widely praised and represented a giant step toward taxpayer fairness. With a growing Federal deficit, however, provisions included in the Taxpayer Bill of Rights have been sharply tested. In last year's budget

agreement, for example, Congress called on the IRS to collect an additional \$9.4 billion by increasing their audit and collection efforts. These efforts, in turn, have increased the number of complaints regarding IRS actions.

For this reason, today I am introducing the Taxpayer Rights Amendments of 1991. This legislation would contribute to the progress made in the original Taxpayer Bill of Rights by:

Expanding a taxpayer's right to sue the IRS; Enabling additional taxpayers to recover legal expenses from the IRS; and

Equalizing the interest rate the IRS pays to taxpayers with the rate it charges.

Under the current Taxpayer Bill of Rights, a taxpayer may sue the IRS if, during the collection of a tax, an IRS employee recklessly or intentionally disregards a provision of the Internal Revenue Code.

My bill will make two additions. First, it will allow taxpayers to sue for actions taken during the determination, in addition to collection, of tax. Second, it will allow taxpayers to sue if an IRS employee carelessly, in addition to recklessly and intentionally, disregards provisions under the Internal Revenue Code.

These two changes will give taxpayers recourse in areas not addressed by the original Taxpayer Bill of Rights. Consider the testimony of Lawrence Roush, president of Lincoln Moving and Storage, before the Small Business Committee:

In 1975, the IRS completed an employment tax audit on Lincoln. As a result of that audit, Lincoln was advised to issue 1099s to its contract truckmen but if the same individuals were occasionally used on a local hourly basis to also issue those individuals W2 forms. Subsequent to the audit, Lincoln was sold. The new owners have always been aware of the audit and continued to rely on the audit.

In September of 1987, Lincoln was again contacted by the IRS. At the initial meeting on September 30th the auditor told the officers of Lincoln that because of the budget deficit, the auditor was seeking revenue and that Lincoln was a good place to start. The auditor alleged a tax liability of \$50,000. The auditor asserted that if the alleged liability was not paid, a full audit would be completed.

At that time, I informed the auditor of our previous audit and claimed 530 safe harbor protection. The IRS argued that we were not eligible for 530 protection. Over the years the IRS has asserted various reasons for this but has never given us written verification of the reasoning for denying 530 protection.

On July 22, 1988 the IRS informed Lincoln of an alleged tax liability of \$281,066.10 in a document marked "for discussion purposes only".

Mr. Speaker, Lincoln is still fighting the IRS today, and the amount being discussed now is over \$450,000. Apparently, IRS agents are using the knowledge that they can't be sued for actions taken during the determination process to intimidate and harass taxpayers into paying excess taxes. Hence the "for discussion purposes only" mark on the original determination. Until the IRS actually presents an official tax bill, they are immune from recourse.

This legislation will change that by including the tax determination period under Section 7433(a) of the Internal Revenue Code. As Mr.

Roush's example demonstrates, harassment and mistreatment by IRS agents can occur during the determination process as well as the collection process.

This legislation will also allow taxpayers to sue for damages if the IRS carelessly disregards provisions of the Internal Revenue Code. By now, I'm sure everyone is familiar with the tragic story of Mrs. Kay Council, whose husband committed suicide to provide her with the funds necessary to fight the IRS. As Mrs. Council concludes, she eventually won her 10-year battle with the IRS, but at a very high price:

I was cheated of my rights as a citizen. I was cheated of growing old with the man I love. I lost my best friend. Now I have to start a new life and a new career at the age where I should be able to enjoy my children and grandchildren. I have worked for 20 years as a professional, but I have not been in the job market since 1982. Our children have no father, only the emotional devastation left in their life to try and deal with. Our grandchildren have no "pop," that's the name they use for the grandfather they love dearly. Our granddaughter thinks her pop got sick and died. How do you explain the IRS and suicide to a five-year-old? It seems to me that somebody has to be held accountable for the destruction to me and my family.

Yet I am told I cannot sue the IRS for damages, economical or personal. How do you put a price tag on a life? I can't sue them for the illegal tax lien they put on us. I had no rights. The IRS had them all.

Mrs. Council can't sue the IRS because they didn't recklessly or intentionally disregard the law. Instead, they merely acted carelessly, in a slow, impersonal and bureaucratic fashion that eventually destroyed her family. This legislation would provide Mrs. Council, and all the other taxpayers who have suffered similar experiences, a means of obtaining compensation.

As a third provision, my bill addresses what happens after the taxpayer has prevailed in court against the IRS. Under current law, the taxpayer can receive reasonable administrative and litigation costs from the IRS, but only if they can prove the IRS was not substantially justified in its actions.

In other words, a taxpayer has to prove in court that they paid their full share of taxes. Then, unless they want to pony up the court costs after winning their case, they have to prove that the IRS was not substantially justified in taking them to court. The entire burden of proof is placed on the taxpayer, even when they prevail.

My bill will eliminate this burden by removing the standard of "substantially justified." Under this legislation, if the IRS loses its case against a taxpayer, it pays the taxpayers court costs.

Finally, this bill will even out the interest rates the IRS charges and pays taxpayers. Under current practice, the IRS charges taxpayers with overdue taxes a higher interest rate than it pays taxpayers with overpaid taxes. While this may be a convenient way to raise revenue, it does not engender confidence in the minds of taxpayers who notice the difference. My bill will eliminate this shell game and require IRS to pay the same interest rate it charges.

In conclusion, this legislation builds on the foundation of the original Taxpayer Bill of Rights. It represents a continuation of the effort to balance the need to collect taxes with the inherent rights of taxpayers. I believe it is an important step toward restoring confidence in our present tax collection system, and I hope my colleagues will support it.

TO AMEND THE NATIONAL  
SECURITY ACT OF 1947

**HON. MEL LEVINE**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. LEVINE of California. Mr. Speaker, I rise today to introduce a bill to amend the National Security Act of 1947, to urge my colleagues to join myself, and the other original cosponsors, in supporting this timely and important legislation.

Almost 50 years ago, we created the National Security Council to encourage and facilitate cooperation among agencies to advise the President on short- and long-term national security issues. Today, the Secretaries of Defense and State, and the Vice President are the key players in the NSC. As we saw in the gulf war, it's influence and impact are crucial to our President's decisionmaking process.

However, at a time when national security increasingly involves questions of economic security—trade, investment flows, sanctions, market access, defense industrial base readiness, and technology transfer—we have left our major economic players on the sidelines: the Secretaries of Commerce and Treasury, and the U.S. Trade Representative, none of whom are represented on the NSC. It's time to create seats on the NSC for these agencies, whose combined mandates cover a wide range of trade and commercial interests that affect our long-term national security.

I also want to bring to your attention the fact that this legislation has the strong support of the U.S. Chamber of Commerce, which understands the importance of broadening the perspective of the NSC.

In the post-cold-war era, national strength has come to mean far more than military might; this bill would simply ensure that these changes are reflected in our country's top advisory panel to the President. I hope my colleagues will join me in support of this urgently needed legislation.

IMPROVED PENSION PROTECTION  
FOR RETIREES

**HON. WILLIAM J. HUGHES**

OF NEW JERSEY

**HON. SHERWOOD L. BOEHLERT**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. HUGHES. Mr. Speaker, today we are introducing legislation to address the recent failures of the Executive Life and Mutual Benefit Life Insurance Cos. The collapse of these

large annuity providers has jeopardized the retirement benefits of hundreds of thousands of policyholders and magnified gaps in State and Federal protection for pensioners' annuities.

Our Subcommittee on Retirement Income and Employment has held hearings to examine the adequacy of the Employee Retirement Income Security Act [ERISA] to insure these plans. We discovered that annuities purchased with funds from terminated pension plans are at risk.

Specifically, we found that no agency is reviewing the purchase of annuity contracts following terminations of defined benefit pension plans. Currently, the Pension Benefit Guaranty Corporation [PBGC] routinely approves the purchase of annuity contracts as long as an insurance company is licensed to do business in a State.

In addition, we learned that there are major differences in the level of protection afforded to individuals depending upon the State in which they live. Finally, virtually all plan participants are never informed about the ramifications that transferring responsibility for benefit payments can have on their retirement security.

We have developed legislation to enhance the retirement security of workers and retirees who are covered by pension annuities which were purchased from insurance companies. Our proposal contains three key elements:

Require that the PBGC review proposed terminations of pension plans and block the purchase of annuity contracts from financially vulnerable insurance companies;

Ensure that prior to a pension plan's termination, the States in which plan participants reside certify that a guaranty fund with sufficient reserves will cover all insurance annuity commitments; and

Ensure that beneficiaries and the PBGC be notified of the insurance company's ability to cover potential risks in easily understood language.

We heard compelling testimony from retirees of Revlon, Inc., who suffered a substantial loss in their pension benefits when the Executive Life Insurance Co. failed. Revlon employees were unaware that when their pension plan changed hands they lost all Federal retirement benefit protection. We believe that the best interest of participants and beneficiaries would be served by this critical legislation and encourage our colleagues to support our proposal.

BLESSED BY 50 YEARS OF  
MARRIAGE

**HON. MIKE KOPETSKI**

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. KOPETSKI. Mr. Speaker, on August 10, 1941, Harriette Swartz and Louis Zuckerman were married. I know this because they are the parents of my wife, Linda Zuckerman. They are my friends as well.

Many would say that, given the times, it is quite an accomplishment for any couple to remain together for 50 years. Lou and Harriette's marriage is one that grows stronger

each day. Their love and friendship for each other knows no limits.

I believe they have the formula for success, not just in marriage but in life as well. Each has their own interests, activities and talents and each pursues their own. They also have common interests and enjoy sharing them. They integrate their family, including their extended family, into their daily lives. And they have a circle of friends. Life can be simple yet full. Lou and Harriette's is simple. It is a life full of people, and very rewarding to them and to all who know them.

Lou and Harriette continue to share their lives and love with so many. We are all blessed by this 50-year-old partnership: their children—Kenny, Bob and Linda—for certain and a host of others as well. I am fortunate to be one of them.

Mr. Speaker, John Donne wrote of noble love—love such as Lou and Harriette's. I want to share John Donne's fitting words with my colleagues and ask that they be a part of the RECORD:

THE ANNIVERSARY

(By John Donne)

All kings, and all their favourites,  
All glory of honours, beauties, wits,  
The Sun itself, which makes times, as they  
pass,

Is elder by a year, now, than it was  
When thou and I first one another saw:  
All other things to their destruction draw,  
Only our love hath no decay;  
This, no tomorrow hath, nor yesterday,  
Running it never runs from us away,  
But truly keep his first, last, everlasting  
day.

Two graves must hide thine and my corse,  
If one might, death were no divorce.  
Alas, as well as other princes, we,  
(Who prince enough in one another be,)  
Must leave at last in death, these eyes, and  
ears,

Of fed with true oaths, and with sweet salt  
tears;  
But souls where nothing dwells but love  
(All other thoughts being inmates) then  
shall prove

This, or a love increased there above,  
When bodies to their graves, souls from their  
graves remove.

And then we shall be thoroughly blest,  
But we no more, than all the rest;  
Here upon earth, we're kings, and none but  
we

Can be such kings, nor of such subjects be.  
Who is so safe as we? where none can do  
Treason to us, except one of us two.  
True and false fears let us refrain,  
Let us love nobly, and live, and add again  
Years and years unto years, till we attain  
To write threescore: this is the second of our  
reign.

TRIBUTE TO DR. ALAN M.  
HOLLINGSWORTH

**HON. BOB CARR**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. CARR. Mr. Speaker, I rise to pay tribute to my good friend who has recently passed away. Dr. Alan M. Hollingsworth, a distinguished scholar, beloved husband, admired

father, and cherished friend will be dearly missed. My deepest condolences go to Alan's wife Jo and their family. Alan will be fondly remembered by all the people he befriended, educated, enlightened, and supported.

Dr. Hollingsworth's paramount accomplishments of scholarship and vast wisdom will always remain in my thoughts. My friend's successful career as an educator and administrator at Michigan State University contains many monumental accolades. In 1979 Professor Hollingsworth was appointed dean of the arts and letters college at MSU after serving as the English department chairman for 11 years. During his chairmanship, he brought praise and admiration to Michigan State University. Many of his educational programs were nationally recognized and adopted by the higher education community. Professor Hollingsworth's literary contributions will continue to inspire minds and educate future scholars. Works he authored include a coedited book on the Civil War, various internationally acknowledged essays on literary topics, and his legacy of English educational reforms. Alan's keen intellect and curiosity drove him to travel widely in China, learn the language, and personally experience Chinese culture. One of his most regarded essays has been published in Taiwan and another in the People's Republic of China. Scholars throughout China and in this country will continue to read and learn from Alan's works.

Mr. Speaker, thank you for granting me this opportunity to acknowledge Dr. Alan M. Hollingsworth. I am truly privileged and thankful to have been able to establish a friendship with Alan and his contributions to me and to numerous other lives will be cherished.

STATEMENT BY THE AFL-CIO EXECUTIVE COUNCIL ON UNEMPLOYMENT INSURANCE

HON. ROBERT E. WISE, JR.

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. WISE. Mr. Speaker, I rise today to ask that a statement by the AFL-CIO Executive Council on Unemployment Insurance be made a part of the RECORD. I feel that on the day we have passed such important legislation for American families, the words of the Executive Council should be included.

STATEMENT BY THE AFL-CIO EXECUTIVE COUNCIL ON UNEMPLOYMENT INSURANCE

It's time—after a full year of recession with the highest jobless rate in years—for Congress to overcome the Administration's opposition and act before the August recess to extend unemployment insurance benefits.

The recession is not over. The national unemployment rate has climbed to seven percent and each day continues to bring announcements of further layoffs. Even the Administration's own rosy economic recovery scenario does not see the jobless rate falling to a pre-recession level until 1996.

The AFL-CIO has long urged the extension of benefits and other improvements in the unemployment insurance program to get benefits into the hands of those who desperately need them. Meanwhile, long-term unemployment is growing at an alarming

rate, as the number who can't find a job in 26 weeks has nearly doubled in the past year to 1.2 million. In the absence of legislative action, very few of these workers presently receive extended unemployment insurance benefits.

Clearly, the current plight of the unemployed is the type of crisis that was envisioned by those who wrote the emergency waiver provision of the 1990 budget agreement, a provision that was invoked earlier this year to evacuate embassy employees during the Iraq crisis, to increase security for the White House and to aid the Kurds.

UNEMPLOYMENT INSURANCE

Democrats in the Congress, led by Congressmen Rostenkowski and Downey and Senators Bentsen, Riegle and Sarbanes, are advancing legislation to extend the unemployment insurance benefit program, either by invoking the emergency waiver or by raising the taxable wage base for unemployment insurance. These measures would provide immediate relief to hundreds of thousands of suffering American families.

CONGRESSIONAL BIOMEDICAL RESEARCH CAUCUS ON WOMEN'S HEALTH

HON. GEORGE W. GEKAS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. GEKAS. Mr. Speaker, today I would like to share with you some remarks I made on women's health issues at the fifth meeting of the Congressional Biomedical Research Caucus on women's health. Dr. Zena Stein, Professor of Public Health at Columbia University, will then remark on women and HIV infection. The texts are as follows:

I want to welcome everyone to the fifth briefing conducted by the caucus, "Research on Women's Health." We have had some excellent programs in the past, most recently on biotechnology and cloning of the cystic fibrosis gene. I think the caucus has performed an excellent service in informing Members and staff about the potentials of biomedical research. We currently have 60 Members of the House in the caucus and welcome new membership. On September 23, the caucus will present a program on heart disease, so please sign up today to reserve a place for that event and we will end the legislative year in October 1991 with a program on cancer causation. All of these caucus events have been documented with submissions of the scientists' presentations in the CONGRESSIONAL RECORD. I refer you to my staff, who can assist you in locating them.

I want to take the opportunity to recognize my colleagues who have had a long association with this issue. Chairman WILLIAM NATCHER has been the chief advocate for the National Institutes of Health in the Congress and we appreciate his years of service and dedication to improving programs at the NIH, including research on women's health. It is an honor to have him in attendance today. Representative PATRICIA SCHROEDER, is the cochair of the Caucus on Women's Issues and has been the leader in bringing the public's attention to this issue and we are pleased that she has joined

us today. Also, participating today is Representative ED MARKEY, a member of the Biomedical Research Caucus.

There has been a great deal of interest in the Congress about including women as subjects in biomedical research and if studies conducted only on male subjects can be automatically applied to women regarding their findings. Today we have three outstanding scientists who will increase our awareness about the significance of conducting research on women's health and how that activity might be different from other clinical studies. President Bush was very farsighted to appoint the first woman Director of the NIH and well-known cardiologist, Dr. Bernadine Healy, who has exhibited leadership on this topic. Since assuming the directorship of NIH this spring, Dr. Healy has supported at the NIH the Office of Research on Women's Health and announced a new research grants program on women's health that she funded with the Director's discretionary funds. She has been very publicly involved on this issue to ensure that biomedical research at NIH includes women and that NIH is aware of the special health problems of women. Dr. Healy's professional credentials as a physician and researcher in the area of heart disease are well known to us here from her years on the faculty at Johns Hopkins University. I am looking forward to hearing about her efforts to increase research on women's health.

Also making a presentation today is Dr. Zena Stein, who has a medical degree from the University of Witwatersrand and is currently Professor of Public Health and Associate Dean of Research at the Columbia University School of Public Health. She is the codirector of the HIV Center for Clinical and Behavioral Studies at the New York State Psychiatric Institute. In that capacity she has appropriately focused on HIV infection in children and their mothers and the transmission of HIV infection from mother to child. She has been a leader in identifying methods that women can use to prevent the spread of HIV infection in high-risk communities. Dr. Stein will discuss her studies on women and HIV infection, as she did at the Seventh International Conference on AIDS, Florence, 1991, in the following text that I submit for the RECORD:

REMARKS OF DR. ZENA STEIN

Thank you all, and especially Congressman George Gekas and the Congressional Biomedical Research Caucus, for giving me this opportunity to describe some of the issues which my colleagues and I have been facing over the past few years, before this distinguished audience. It is an especial pleasure to recognize Congresswoman Pat Schroeder and NIH Director Bernadine Healy, whose leadership roles in women's health is giving new hope to researchers in currently neglected areas. My own perspective is that of an epidemiologist, working in the School of Public Health and the Department of Psychiatry at Columbia University. My special area has for long concerned human reproduction, and especially from the standpoint of the woman and the offspring. Thus we have conducted studies in the connections between a woman's work, her exposures, her genetic constitution, her age, her diet, to her chances of conceiving, of carrying and of delivering a healthy child. These studies have always required sensitive approaches to the

women being studied, in various settings, and in collaboration with health care providers and with colleagues in the laboratory. One clear example is our work on miscarriage; here, a range of social and environmental experience could be connected to the chromosomal characteristics of the abortus.

In these areas of research (most of which has been funded by NIH or NIMH, as have the young research fellows working with us), we have needed to work closely with researchers in the social sciences (anthropology, sociology, social psychology), as well as those in the clinical fields (obstetrics, pediatrics), the numerical sciences (mathematics, statistics), and the biological basic sciences of genetics. It has been our experience in public health that a concerted approach is the most rewarding and effective in finding solutions to many problems and this is what I urge in my presentation today, which I shall focus on some major aspects of women's health: sexually transmitted diseases, including HIV, and their aftermath, which include infertility for some, AIDS for others. I shall be concerned here only with prevention of these sources of morbidity and mortality.

PAST SORROWS, LET US MODERATELY LAMENT THEM FOR THOSE TO COME, SEEK WIDELY TO PREVENT THEM. WEBSTER, THE DUCHESS OF MALFI

Thus I remind you, but briefly, regarding HIV, for instance, that AIDS in women is now a leading cause of death across the USA, and the first cause of death in particular age groups and some minorities, in some states. I also remind you that, among women diagnosed with AIDS over the past two years, at least 40 percent apparently contracted the HIV infection through heterosexual encounters. Therefore, nowadays in this country, we have to see AIDS in women as the result of a sexually transmitted disease, as has already been recognized for some years in Africa, the Caribbean, and elsewhere.

In what follows, I shall present some of the issues which have concerned our team, as epidemiologists, social scientists, and public health activists, and our perspectives on the critical gaps in knowledge that could, and we think should, be attended to by our colleagues in the basic sciences. The continued existence of these gaps we attribute to the lack of an integrated approach to solving these commonly experienced problems affecting thousands of women. They have lain neglected for many years, but the advent of the HIV epidemic now forces our attention on them. Thus the other STD's, for which there are usually therapeutic remedies, were less likely to stress prevention. Also, family planning was previously a public health activity usually content to leave STD's to treatment clinics. The integrated approach called forth by the HIV epidemic has only recently begun to highlight the needs of women for protection.

The messages we give to women whether they be teenagers or mothers in their forties tends to be: if you want to avoid being infected, remain celibate, select a partner who is not in a risk category (drug user or gay), and/or use a condom. From our research and those of others, we know that none of these pieces of advice is easy to apply, and there are many women for whom none is feasible or possible. This is a well-documented fact, and it has been especially well documented among those women who have seemed to be at highest risk, because of their social situations and those of their partners. Interviews among individuals and in focus groups reveal over and over again, that few couples practice lifetime mutual monogamy; that few

men will forthrightly disclose their past encounters or risks. Moreover, and just as clearly told, among women, who of course do not use condoms, few find themselves able to persuade, often even to suggest to men to use them.

So what's to do in providing protection for women? Wait for the vaccine? This is exactly what was advised in a current NIH publication.

We and others in this country are not prepared to leave it at that. Instead, we have been investigating methods women might use themselves by way of protection. Most promising are the procedures that have formed part of the armamentarium of the family planning profession, described by them as barrier methods. Typically, the woman applies a foaming agent or sponge known as a spermicide. These agents, and they vary in type, usually contain a chemical known as NO<sub>9</sub>, which, as the term "spermicide" implies, destroy the sperm, thus reducing the chance of a pregnancy. It happens that these same agents also, certainly in the laboratory, are able to kill most of the organisms which cause STD's, and including HIV. It would therefore seem reasonable to test the efficacy of these agents as preventive against HIV, for instance, in the field.

Unfortunately, it's not that easy to devise an appropriate testing situation. One problem is an ethical one, since as long as most of us believe that the condom does provide the best available protection, it would seem unacceptable to assign women to an alternative that is still untried. Nevertheless, there are designs that would work and preliminary trials have had modest success. But tests and trials would be more practicable if we had the answer to some key biologic questions.

Here is one that is particularly worrying yet elusive: in preventing, or protecting against heterosexual transmission of an infection, and especially of the HIV virus, must the sperm all be eliminated, or is it sufficient to disinfect, as it were, the other contents of the semen, the seminal fluid and the cells often found in it? This is a very serious question, because sperm are numerous and motile, and much more difficult to stop in their tracks than are the other contents of semen. We have asked many colleagues in biological fields if they think the sperm could "carry" the virus, could the sperm piggyback the virus into the female genital tract; you can appreciate how important this fact is, in devising a protective method for women. In fact, if it were established firmly that the sperm does not carry the virus, this would open the way for a far wider series of methods to be developed and applied to prevention, not only against HIV, but also against other STD's; and since STD's are a major cause of infertility in women, these methods would have wide application; it is also not far-fetched to imagine a method with which a woman could protect herself against STD's, and at the same time achieve a desired pregnancy. But we need integrated application to those problems, and an appreciation of their potential applications to women's health.

A second question for which we need help from the laboratory is: what are the site(s) on the urogenital tract which are most likely to provide a portal of entry for the HIV virus? If, for instance, entry takes place through the cervix—a not unlikely supposition because the cervix contains columnar cells, a tissue generally less well protected against outside invaders than the squamous

epithelium of the vagina—then in that case one would recommend that women use an available device like the cervical cap, and that would be quite a simple solution. But we don't know if the cervix is the only, even the main, portal of entry.

A third and crucially important area on which new research is at last emerging is relevant to the actual cellular processes through which sexual transmission takes place. Emphasis is being placed on the cells of Langerhans, which branch out just below the surface tissues. There is great interest in the possibilities of inducing immunological defenses and vaccines based on this new knowledge. Still in the short term, we could consider how to coat the mucosa in such a way as to confer short-term protection, while we await the vaccine.

Moreover, we need to know whether the lining of the genital mucosa provides greater or lesser levels of defense at different times in the menstrual cycle. Knowledge on this point again would be useful in counseling. Relevant to this issue is the fact that the evidence is conflicting as to whether the use of the oral contraceptive pill adds to the likelihood of transmission of STD's, including HIV. This possibility has been raised by some epidemiologists and contradicted by others. The same doubt must be assumed to exist for the implanted hormones, and we urgently need basic research to explore this.

Yet another theoretical issue has arisen to give concern; is it possible that NOS or other spermicides could be irritant to the mucosa, thus favoring abrasions and infections? Would some methods encourage colonization of the mucosa, hence indirectly reduce natural immune defense?

On these issues, it is surely possible to provide experimental settings, to make observations relevant to some of these questions. Knowing more about the portal of entry and the processes by which the virus invades, then pharmacological studies would be better targeted. We know that the rapidity with which the virucidal agent must spread, and the time over which it must retain its potency, are critical to its efficacy. These facts can be elicited, measured in the laboratory, and adapted to the virus destruction.

However, we know very well from our own studies, and from decades of experience in the field of family planning that, while efficacy of an agent in the laboratory is a must, the most lethal and powerful virucidal agent is useless unless it is acceptable; so whatever is developed in the laboratory must be tested in the field; widely, among different groups of women, in different cultural settings, and with different training and educational techniques. There needs to be, in fact, an iterative and interactive process developed between laboratory and field work.

To achieve effective prevention for women, we need both proven efficiency and acceptability. Acceptability can be studied by colleagues in my field, and much work has already been accomplished. Thus we certainly know that relations between women and men are variable, not only across societies but within societies, and for particular women, depending on the partner. These patterns are also subtle and often not easily modified. Since barrier methods rely entirely on compliance, those that are recommended for trial in women must take what has been learnt into consideration. There is no doubt, for instance, that women prefer to use methods that do not interfere with the sexual encounter, in fact those that can be used at a time and a place removed from the encounter. This can be achieved for family plan-

ning: is it possible in preventing transmission of infections?

In conclusion, we see urgent and difficult problems facing public health and prevention in protecting the health of women, which call upon the combined forces of applied and theoretical research in the social sciences and the biological sciences. The illustration we have chosen here is purposely dramatic, but there are many others. Elsewhere too, we are concerned, as here, with genetics, immunology, virology, biochemistry, and a concerted approach which will take due cognizance of the woman's point of view. This is how we hope to forward understanding and prevention in the field of women's health.

THE NOMINATION OF CLARENCE THOMAS: UPON WHAT MERITS DO WE JUDGE PROSPECTIVE JUSTICES?

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. ANDERSON. Mr. Speaker, the President has presented the American people a most interesting, and controversial, nominee to the Supreme Court. Already, the endorsements and the rejections of this self-proclaimed conservative, African-American, nominee have filled the newspapers, press releases, and talk shows. Whether this discussion is solely limited to inside the Beltway is another matter. Yet to be determined are the qualifications of this man to fill the very large shoes of retiring Justice Thurgood Marshall. But one point is salient, the controversy before us is largely caused by the fact that though Judge Thomas may be the same skin color as Justice Marshall, it is highly unlikely that he harbors the same legal and social perspectives.

Clarence Thomas was immediately condemned by many of the leaders of the African-American community, often in very harsh and unequivocal terms. A prominent black professor at Harvard Law School proclaimed that Judge Thomas, "looks black, thinks white." He has been labeled, "a counterfeit hero," "a chicken-and-biscuit eating Uncle Tom," and "Hypocrisy Man" by others. One commentator stated that his elevation to the Supreme Court "would constitute a perversion and a fraud," while another noted that, "if he has 'made it' he has done so at the expense of betraying those from whom he has come." Of course, equal voices have rushed to his defense, while some have chosen to remain silent. No matter the accolades or the denunciations, the story debate raises the necessary question: How do we pass judgment on and evaluate a prospective justice?

The Constitution is almost totally silent on this question. In fact, there isn't even a requirement that a prospective justice be a lawyer, though the overwhelming majority have been members of the legal profession. The Senate rejection of Judge Robert Bork added a new chapter to the history of the confirmation process, for Mr. Bork was denied a Supreme Court seat not on the historical qualification of legal ability, but on the nature of his widely published and controversial scholarly

views. The surprise nomination of little-known Justice Souter seemed a deliberate reaction to the Bork nomination, as indicated by his undetermined social and legal views which earned him the title of "Stealth nominee."

With the nomination of Clarence Thomas, we are confronted by the demand of some groups that he fit a certain ideological profile, especially with regard to affirmative action and abortion. The almost pendulum-like change in the ideological makeup of the Court, from liberal to conservative, and the resulting threat posed to many of the Warren Court decisions, has set the background for a better fight against each and every individual nominated by a Republican President. But to what extent should we demand of nominees that they tell us their individual societal and political views? To what extent should we demand that a nominee tell us how he or she might vote on particular issues? On the surface, it would seem only right that a prospective justice be forced to reveal his or her mind on certain issues, for we are a democratic society and wish to preserve the democratically elected Senate's control over any nominee appointed by the President. We also naturally wish to have some control over the nominee himself, especially in the era of activist courts, both liberal and conservative, when the fate of issues like abortion, school prayer, and affirmative action is most often determined in courts, not legislatures. In the back of our minds, we know that once a decision has been rendered on a nominee and he or she takes their seat on the highest court of the land, it is their job for life, without any further control imposed either by the Congress or the President. There is no outside authority to restrain the Supreme Court.

It is this lack of control that makes voters nervous over each and every nominee. We hope for some semblance of ideological balance on the Court. Intuitively we recognize that the opinions of the Supreme Court are not rendered based on a formulaic reading of the law, adherence to precedent, and a close reading of the Constitution. No justice is above human frailty, or the propensity to see the world through individual lenses; lenses that have been shaped by individual experience. Even beyond individual philosophies, biases, and beliefs, a Supreme Court justice is much more than some exalted referee in the game of life. For the law is neither clear cut or even static. Rules for every contingency simply do not exist. Vast, uncharted areas in society demand of the law that gray areas be made clear and lines be drawn. Each day, each year presents new legal ambiguities and questions that the Founding Fathers could not possibly have foreseen. So, while we press for consistency in the law, we must accept the need for new construction and law's evolutionary nature. Into this realization is thrown the present situation where we have an increasingly strident, conservative court bent on undoing much of the work of the liberal Warren Court. Some applaud this development, some do not. Today we see this tension manifested in Judge Clarence Thomas. The fate of affirmative action programs and the even more emotional subject of abortion seem to hang in the balance.

As a Democrat, I have supported both affirmative action and abortion rights. I do not want to see these undermined by a conservative court which is every bit as judicially active as the Court which handed down *Roe versus Wade*. But is it right to demand of this nominee that he fit a liberal ideological niche; that he fulfill the liberal visions of Thurgood Marshall? Should the Senate base its acceptance or rejection of this man on his commitment to these rights? Ideally, we would only sit in judgment of a nominee's judicial qualifications, based entirely on his legal distinctions. If he was found lacking he would not be confirmed. If qualified, he would be seated. But our desire for control, and the realization that each justice must have a socio-economic perspective and basic understanding of the society that he or she will make law unto, means that we reject this easy formulation. Some demand that he meet specific criteria of their own making, that he be committed to their agenda. And when their agenda is our agenda, and that agenda is widely popular, we are inclined to support their demands. But our concern must not be for our own individual agenda; it must be for preserving the integrity of the process.

As citizens, we intuitively recognize that the law must serve society and not vice-versa. The law must eventually serve the will of the people or it will not stand. The Supreme Court has no enforcement mechanism. We accede to the Court decisions only in the long-run interest of preservation of the common good. If the Court's decisions are seen only as the making of its own will, in the long-run the majority of the people of this Nation will rise up against its tyranny. This being so, we expect the Supreme Court to roughly reflect society's views and to consider legal questions and the Constitution in light of today's problems and realities. Yet this expectation does not mean we can rightly demand the Court's support of any particular program or activity.

Never can we allow legal shortcuts to achieve societal ends. The Court should not make decisions which are properly left in the realm of Congress. While the Warren court made tremendous strides in recognizing and protecting the rights of minorities and the powerless, the activist label placed by many on the Warren court may have some legal justification. For example, many noted constitutional scholars, who are also pro-choice, argue that *Roe versus Wade* is legally flawed and bypassed the necessary legislative process needed to preserve abortion rights. We cannot expect Justices to use their power to take us down a predetermined path toward their own, or our own, societal vision. The law, and the Constitution it rests on, should not be manipulated to either a liberal or conservative ideological end. Respect for the law requires impartiality of those who interpret the law. Accordingly, it is improper and detrimental to the process to quiz nominees on specific issues as a means of decision of his or her acceptability. To retain an uncommitted position, to judge each case presented before the Court on its legal merits alone, a nominee must not be affirmed or rejected because he or she might feel one way or the other on a particular issue. We threaten to undermine the process if we make each Senator vote, not on legal

brilliance or background qualifications, but on the basis of a popularity contest stemming from the demands of certain interest groups. The nominating process of a prospective justice to the Supreme Court must not come to resemble a political campaign.

In the confirmation process, the Senate will walk a fine line between our need and desire for control and the need to keep an open mind on Judge Thomas. This is especially difficult in an era when a succession of conservative justices has now turned the Court on a path which would seem to lead to the complete reversal of many of the civil and personal rights constructed by the Warren Court. Our temptation is to fight each nominee appointed by a Republican, in the hope that can force the President to present a moderate nominee to the Senate. The Senate should not be so restrained in its questioning that we are left watching a high-level guessing game. Our hope is to seat a brilliant, open, and fair Justice who will decide on the facts of a case, not on some ideological underpinning. The Senate has every right to examine this nominee's judicial philosophy and record. What does Clarence Thomas mean when he praises "natural rights?" The Senate must make a thorough, exhaustive examination of Judge Thomas' tenure as head of the Equal Economic Opportunity Commission. Mr. Thomas should be able to speak on past cases, and his views on respect for precedent. Above all, the Senate should look into the nature of Clarence Thomas' societal lens. This man has a remarkable background. He benefited precisely from those affirmative action programs he now criticizes. His advocacy of individual self-help is very admirable, but is it narrow minded? Does his Catholic background immediately predispose him against abortion rights? Amidst all the condemnations and praise of this new nominee, we have lost sight of the fact that confirmation hearings have not yet begun. As such, I have no personal feelings on the qualifications of Clarence Thomas. My overriding hope is that we can maintain a fair process, that is free of politicking and open to placing a qualified individual on the highest court in our land.

#### HEALTH CARE IN RURAL NEW YORK

HON. SHERWOOD L. BOEHLERT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. BOEHLERT. Mr. Speaker, most Americans envision the State of New York as a congested, urban jungle. Quite to the contrary, more than 3 million New Yorkers live in rural areas—about 17 percent of the State's population; 28 of 57 counties outside of New York City are designated as rural areas. Unfortunately, rural New Yorkers lack access to adequate, affordable health care services like millions of Americans nationwide.

Rural New York, like the rest of the country, suffers from a severe shortage of health care professionals. Rural New York lacks access to adequate gynecologic and obstetric services. According to New York State's Health Sys-

tems Agency, there are fewer than 45 OB-GYN's in my entire congressional district—an area about the size of the State of Connecticut.

Further, too many children in rural areas lack access to primary care physicians and pediatric services. Virtually every county outside of metropolitan New York City needs primary care providers. There are fewer than 50 primary care providers in my district.

In addition, while we have made great strides in improving Medicare reimbursement policies for rural hospitals, hospitals in rural New York are still struggling to survive. Without financially secure hospitals, rural communities have an even tougher time recruiting health care providers.

While we have taken steps to improve long-term care services for the frail and elderly, clearly, we can do more. Rural areas have a particularly difficult time providing affordable, community- and home-based services. As we begin to consider the reauthorization of the Older Americans Act, we should emphasize the importance of title III supportive services.

The House Rural Health Care Coalition has once again assembled a legislative agenda that would improve our health care delivery network in rural America. Among the proposals that I strongly support are: Rural Access to Obstetrical Care Act; Rural Physicians' Incentives Act; Rural Clinical Laboratory Personnel Shortage Act; and the Rural Medical Emergencies Air Transport Act.

Our coalition package would provide vital incentives to encourage health care professionals to practice in rural areas.

One of the most important steps that this Congress has taken to improve access to health care in rural America was to establish an Office of Rural Health Policy in the Department of Health and Human Services. This effort has encouraged the States to follow suit and establish their own offices of rural health care. These offices play a key role in coordinating rural health activities and can provide us guidance to address the unique service delivery problems in rural America.

Unlike the vast majority of Americans living in rural areas, residents of rural New York lack a coordinating State office of rural health care. While the State house has approved of a measure to accomplish this long-overdue goal, there are no guarantees. Rural New Yorkers would clearly benefit from a State office of rural health care.

Residents of rural America face unique challenges every day. Ensuring access to quality, affordable health care is the top priority of our coalition, and I am committed to working to resolve many of the problems with the health care delivery system in rural America.

#### HOUSE CONCURRENT RESOLUTION 171, TO COMMEND ASSISTANCE TO ETHIOPIAN JEWS

HON. LAWRENCE J. SMITH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. SMITH of Florida. Mr. Speaker, Operation Solomon required only 36 hours, but it

was the miraculous final act in a drama that began 3,000 years ago.

During the reign of King Solomon, Jews accompanied the Queen of Sheba on her return to her kingdom near the Red Sea. In succeeding centuries, other Jews followed those first settlers to the mountains of Abyssinia. Some of them, it is now believed, were descendants of the tribe of Dan. In Ethiopia, they established a Jewish community that was true to the Mosaic religion of the Bible.

These Jews did not know about the rabbis, or the Talmud, or the events of the Hellenistic Age, or the destruction of the Temple. They had no familiarity with the post-Exilic Judaism that gradually became the norm for most Jews.

Before the advent of Islam, the Jews of Ethiopia maintained contact with the great Jewish kingdoms of Arabia. Yet as the centuries passed, the Beta Yisrael, as they had come to call themselves, grew more isolated from other Jewish communities, from Europe, and from the world at large. A thousand years ago, the Jews of Ethiopia, by then numbering in the hundreds of thousands, had concluded that they were the only surviving Jewish community in the world.

Yet the Beta Yisrael never abandoned their religion. And they never abandoned their dream of returning to the land of their ancestors: Israel.

When war and forcible conversion reduced their numbers a century ago, the Beta Yisrael, now concentrated in Gondar province, remained true to their ancient ways. They saw themselves as the last survivors of Judaism, as the torch bearers of a moral tradition whose defense was worth any price. The Beta Yisrael who persisted, who refused to vanish into the mainstream of the Ethiopian empire, were heroes. They were the ultimate authors of the miracle that came to pass as Operation Solomon.

Much has been said and written about Operation Solomon and rescue operations that preceded it, particularly, the troubled but valiant Operation Moses. These were courageous efforts, for evacuating Jews from war-torn Ethiopia demanded pluck and vision and patience.

There are many who deserve special praise: President Bush, who as Vice President made the evacuation of Ethiopian Jews a personal commitment, and who as President refused to let the issue be pigeonholed and forgotten.

Former Senator Rudy Boschwitz, who traveled to Ethiopia and who proved instrumental in persuading a failing government to permit a small act of decency.

Ambassador Uri Lubrani, who demonstrated the verve and inventiveness that were so necessary to making Operation Solomon a success.

The American Association for Ethiopian Jews, which did so much of the field work in Ethiopia, and whose leaders conceived of the program to bring the refugees from Gondar to the capital of Addis Ababa, thus facilitating a speedy exodus.

And my colleagues in the Congress, who adopted this community, who refused to let the issue drop, who raised the issue time and again with the Ethiopian authorities, and who

showed an unstinting devotion to a poor and battered people.

Ultimately, hundreds of Americans—including many from Florida—and Israelis, and Ethiopians contributed to one of the most amazing humanitarian acts in history: the airlift of an entire people from Ethiopia to Israel in scarcely a day and a half. On one flight alone more than 1,000 people were taken aboard a single 747. A score of planes flew round the clock to bring out this tired and ancient community, even as Ethiopia's ruling junta was collapsing, even as rebels stood at the gates of the capital.

Although the lost Jews of Ethiopia were once forgotten by the world, Israel did not forget them. Operation Solomon proved once again that Israel was established for a profoundly moral purpose: to be the Jewish national home. Operation Solomon proved once again that Israel is a sanctuary open to every Jew, no matter what his nationality, no matter what his race. Operation Solomon proved once again how fraudulent, how dishonest, is the calumny that Zionism is racism.

I am proud to hail Operation Solomon, and to commend the assistance rendered to Ethiopian Jews. I am proud that the Congress played a leading role in advocating freedom of emigration for Beta Yisrael, and that it has appropriated funds to speed the absorption of Ethiopian Jews as they begin their new lives in Israel.

This historic airlift will remain a thing of wonder for years to come. By its audacity, by its inherent decency, it will remain an inspiration, a standard for action, a veritable light unto the nations.

#### RAISIN WARS

### HON. MEL LEVINE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. LEVINE of California. Mr. Speaker, I rise today to express my concern about a U.S. Department of Agriculture regulation which has received a great deal of attention recently.

This regulation has the laudable goal of limiting the amount of sugar in cereals which qualify for the WIC—Women Infants and Children—Program. Unfortunately, it is having the ironic effect of keeping nutritious cereals which contain fruit, such as raisins, from being eligible for the program. This is ironic because another Federal agency, the USDA, is actively encouraging the consumption of fruit as an essential part of a nutritious diet. In fact, the USDA goes so far as to distribute literature through local WIC offices encouraging WIC participants to eat fruit; eat raisins as snacks, and to use fruit on cereal.

Mr. Speaker, preventing nutritious cereals such as raisin bran from being eligible for distribution in the WIC Program is inconsistent with the USDA's dietary recommendations and nutrition policies. While I strongly support tough regulations which ensure that the foods eligible for WIC are nutritious and healthful, it appears to me that these regulations should be carefully reviewed.

I hope that the Secretary of Agriculture will consider revising the current WIC regulations

to conform to the USDA's dietary recommendations.

On Tuesday, July 30, the Washington Post editorialized on this subject. I include this editorial in the RECORD to the attention of my colleagues:

#### RAISIN WARS

The Federal government thinks that children should eat less sugar and more fruit, which is fine—except when it's contradictory. The fruit that the government likes can be a major source of the sugar that it doesn't. The contradiction arises with particular force inside a box of Kellogg's Raisin Bran. Can you believe that it may now arise within the U.S. Senate as well?

It seems that, were it not for the sugar from the raisins, this product of the Kellogg Co. would be eligible to be bought by needy families under the sugar standard of the government's WIC program, a stern 6 grams per serving and no more. Counting the raisins and the rest of the sugar in the box, however, it's not eligible. That's true even though the same Agriculture Department that maintains the WIC regulations can be found in other contexts urging Americans not merely to eat more fruit, but to put it on their cereal.

Kellogg cares, and not just for love of consistency in the Code of Federal Regulations. The WIC feeding program for needy pregnant women, infants and children is itself a pretty big bowl of breakfast. It helps to feed nearly 5 million people including a third of the nation's newborns at a cost of about \$2.4 billion a year. Of that, an estimated \$150 million goes for cereal, and about two-thirds of the cereal money, Kellogg says, is spent on Cheerios, which meet the WIC sugar and other nutrition standards and are made by Kellogg competitor General Mills. WIC really stands for women, infants and Cheerios, the Kellogg people like to joke, not sweetly.

Kellogg, based in Michigan, is urging that state's Sen. Carl Levin to offer an amendment to the agriculture appropriations bill somehow relaxing the sugar rule so that the raisins won't count. Other senators including minority leader Bob Dole have warned they will resist a step they call a threat to the program's "integrity." They cite a letter from the American Academy of Pediatrics and other protective groups urging that the question of what can and cannot be bought with the money not be politicized and noting that the department is already in the midst of a regular reexamination of the rules.

If the government is going to cross the threshold of setting nutritional standards at all—as perhaps it had to, at least in the particular kind of program WIC is—we suppose it was bound to come to this. You make the rules, and the next thing you know poor kids can't have Raisin Bran, which other kids are eating without ill effect, because to allow Raisin Bran is to open the floodgates to government subsidized Snickers bars for poor and nutritionally deprived families. It is government at its most famously elephantine. Of this much only we are certain: The Senate floor is the wrong place to write the rules. But the Agriculture Department, if it is to have a free hand, should at a minimum keep the free hand light. Surely it's possible to have rules that square with the WIC program's raisin d'etre and still let in a scoop of raisins.

## UNITED STATES STANDS UP FOR RIGHTS OF SOUTH KOREAN WORKERS

### HON. DONALD J. PEASE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. PEASE. Mr. Speaker, I want to applaud the recent decision by the Board of Directors of the Overseas Private Investment Corporation [OPIC] to cease its operations in South Korea because of systematic worker rights violations. The United Autoworkers and Asia Watch also deserve much praise for bringing well-documented petitions before OPIC officials that detail regression in worker rights practices in South Korea.

I worked closely with my colleagues, Congressman HOWARD BERMAN and Senator PAUL SARBANES, to secure the enactment, in 1985, of the provision that prohibits OPIC from operating in foreign countries that are not taking steps to adopt and implement internationally recognized worker rights.

OPIC officials have followed the spirit as well as the letter of the law in making this determination of South Korea despite considerable pressure from some State Department officials and the United States Ambassador to South Korea, Donald Gregg, who sought to thwart OPIC's finding and to undermine enforcement of the law. I ask that the full text of OPIC's factual determination along with accompanying correspondence be reprinted with this statement.

The onus now rests squarely upon the Government of South Korea, as it should, to take demonstrable action to uphold and protect in law and practice the fundamental rights of all South Korean workers.

The material follows:

OVERSEAS PRIVATE INVESTMENT

CORPORATION,

Washington, DC, July 19, 1991.

HON. SAM GEJDENSON,  
Chairman, Subcommittee on International Economic Policy and Trade,  
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Under Section 231A of the Foreign Assistance Act of 1961, as amended, the Overseas Private Investment Corporation (OPIC) is prohibited from operating its programs in any country that is not "taking steps to adopt and to implement internationally recognized worker rights" as defined in section 503(a) of the Trade and Tariff Act of 1984 ("Trade Act"), as amended.

OPIC follows Presidential determinations made under section 503(b) of the Trade Act with respect to country eligibility for the Generalized System of Preferences (GSP) on worker rights grounds. For example, OPIC has accepted the determinations recently announced as a result of the GAP Annual Review and therefore will suspend new project development in the Sudan. In addition, OPIC programs remain suspended in China and will be resumed only in accordance with the terms of P.L. 101-246, and at that time OPIC will continue to monitor and make worker rights determinations regarding that country as required by OPIC's statute.

For other non-GSP countries, OPIC independently makes worker rights determinations, in consultation with the Departments of State and Labor, in response to formal petitions brought to OPIC at its annual public hearing.

Accordingly, the attached report reviews worker rights conditions in the Republic of Korea. Korea's worker rights practices were the subject of petitions for suspension of OPIC operations at OPIC's most recent public hearing on November 27, 1990. The report is based on oral and written testimony submitted at the public hearing, U.S. Government analysis of the allegations contained in the petitions, the State Department's "Country Reports on Human Rights Practices for 1990," independent research by OPIC staff, and consultations with the Departments of State and Labor.

OPIC last examined worker right conditions in Korea in 1989 when OPIC similarly was petitioned by labor and human rights organizations. At that time, important improvements to the country's labor laws were being proposed. On that basis, OPIC determined that Korea was taking steps to adopt and implement internationally recognized worker rights. Now, however, OPIC found that the labor laws proposed in 1989 had been passed but subsequently vetoed. Thus, while Korea has made progress in certain areas such as reducing the legal workweek and in fostering a dramatic increase in the number of unions and union members, there has not been progress with respect to the fundamental legal protections afforded workers, especially in the areas of collective bargaining and freedom of association. Therefore, OPIC is not able to conclude that the Republic of Korea is taking steps to adopt and implement internationally recognized worker rights. Under these circumstances, OPIC will refrain from doing new business in Korea until a contrary determination can be made.

OPIC recognizes the complexity of political and social conditions in Korea and looks forward to restoring its programs there when conditions permit. South Korea is an important part of OPIC's program to promote U.S. investment in the Asia/Pacific region, and we will support and respect positive change and improvement in worker rights conditions in Korea so that U.S. investors and OPIC once again can jointly contribute to economic growth and opportunity for workers and all the people of that country. This interruption of OPIC operations is consistent with both Section 231A of OPIC's statute and our intention to work with the Republic of Korea Government to create the conditions necessary to resume doing new business in that country. Of course, OPIC will honor and enforce all of its existing contracts and obligations in South Korea.

The Administration believes that worker rights issues constitute an appropriate condition for the type of trade and investment assistance to developing countries that OPIC provides. We will continue to inform the Congress of our worker rights determinations for countries whose eligibility for OPIC programs is challenged on worker rights determinations for countries whose eligibility for OPIC programs is challenged on worker rights grounds.

Sincerely,

FRED M. ZEDER,  
President and Chief Executive Officer.

1991 OPIC WORKER RIGHTS REPORT—REPUBLIC OF KOREA

#### INTRODUCTION

The Overseas Private Investment Corporation (OPIC) is prohibited by section 231A of the Foreign Assistance Act, as amended, from operating its programs of political risk insurance and project finance in any country that is not "taking steps to adopt and to implement laws that extend internationally

recognized worker rights." In complying with this statute OPIC employs the definition of internationally recognized worker rights contained in section 502(a)(4) of the Trade Act of 1974, as amended.

The U.S. Congress, in House Report 99-285, Senate Report 99-156, and Conference Report 99-428 accompanying the OPIC Amendments Act of 1985, identified criteria it intended OPIC to use in making a determination as to whether a country is "taking steps" to adopt and to implement internationally recognized worker rights. These criteria, which OPIC has adopted as part of its worker rights evaluation procedure, include the following:

A. The country is a member of the International Labor Organization (ILO) and is a signator of the ILO Constitution.

B. Its laws conform to one or more of the fundamental rights listed in Section 502(a)(4) of the Trade Act of 1974. These rights are:

- (1) The right of association;
- (2) The right to organize and bargain collectively;
- (3) Prohibition of forced or compulsory labor;
- (4) Minimum age for employment of children; and
- (5) Acceptable conditions of work with respect to wages, hours of work and occupational health and safety.

C. It continues to make progress in implementing internationally recognized worker rights.

This review of worker rights in the Republic of Korea is submitted in accordance with OPIC's responsibilities with respect to the determinations required under section 231A of the Foreign Assistance Act.

#### INTERNATIONALLY RECOGNIZED WORKER RIGHTS IN THE REPUBLIC OF KOREA

OPIC has reviewed the available information<sup>1</sup> on the subject of worker rights in the Republic of Korea (ROK) and, in this connection, has consulted with the Departments of State and Labor. OPIC has determined that, notwithstanding steps taken by the ROK to adopt and implement internationally recognized worker rights, the recent and current status of worker rights affairs in that country requires that OPIC not accept new business until OPIC is able to make a positive worker rights determination for the ROK. OPIC intends to work closely with the Government of the ROK to promote continued improvement in worker rights practices so that OPIC can resume doing new business there.

OPIC last examined the status of internationally recognized worker rights in the ROK in April 1989. At that time, OPIC found that the ROK's record was mixed, as it is now. While the ROK had taken some significant steps in certain areas, such as prohibitions on compulsory labor, minimum age for employment and minimum wages, basic freedoms of association, organization and collective bargaining were still tightly restricted with respect to trade union independence, pluralism and forms of collective bargaining.

At that time, important legislation was pending in the National Assembly, which would have expanded significantly freedom of association, organization and collective

<sup>1</sup> Sources consulted in this review of worker rights conditions in the ROK include testimony presented by labor and human rights organizations at OPIC's public hearing of November 27, 1990; the State Department's "Country Reports on Human Rights Practices for 1990"; unclassified reporting from the U.S. Embassy in the Republic of Korea; "Retreat from Reform": An Asia Watch Report (1990), and the U.S. Labor Department 1990 Report on Worker Rights in Export Processing Zones.

bargaining. OPIC interpreted this legislative momentum as indicative that the country was continuing to make progress in adopting and implementing worker rights. However, following bipartisan passage of most of the pending legislation by the National Assembly in 1989, all of the progressive amendments were vetoed. Consequently, in spite of continuing increases in union membership and wages, there has been no significant progress since 1988 with respect to freedom of association, organization or collective bargaining.

Moreover, the government of the ROK issued a number of restrictive regulations in 1989 that reduced the scope previously accorded to freedom of association, organization and collective bargaining, placing new limitations on the right to strike, and restricted collective bargaining on Export Processing Zones. The government enforced existing and new restrictions by arresting and imprisoning leaders of independent labor unions and organizers of sympathy strikes on questionable legal grounds.

Section 231A of the Foreign Assistance Act instructs OPIC to evaluate a country's worker rights performance by determining whether it "continues to make progress" in adopting and implementing laws that extend internationally recognized worker rights. Notwithstanding previous and important steps taken by the ROK, developments in the ROK since early 1989 makes it difficult for OPIC to make a positive determination with respect to the ROK's adoption and implementation of internationally recognized worker rights at this time.

The ROK is actively applying to join the International Labor Organization. ILO membership implies certain obligations with respect to worker rights and subjects member countries to the scrutiny of the ILO with respect to their laws and practices. Therefore, it is reasonable to expect that the ROK will resume its previous course of progress in the adoption and implementation of internationally recognized worker rights.

#### A.W.A.R.E. OF OUR NATION'S DRUG PROBLEM

HON. ROMANO L. MAZZOLI

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. MAZZOLI. Mr. Speaker, on July 19, I had the pleasure of meeting with the members of the Louisville and Jefferson County A.W.A.R.E., (Area Wide Alcohol/Drugs Rehabilitation Education Enforcement) Coalition in my district. Our meeting was prompted by a request from Governor Martinez, head of the Office of National Drug Control Policy, for suggestions and recommendations that could be incorporated into the 1992 National Drug Control Strategy he is charged by law to prepare.

The response at the meeting, I am proud to say, was overwhelming. The enthusiasm and the energy of A.W.A.R.E. members are a reflection of their serious commitment to achieve the coalition's mission—to plan, coordinate, and promote effective alcohol and other drug prevention, intervention, treatment, and volunteer programming.

We must all work together to fight drug use and abuse throughout this country or we will never prevail. Mr. Speaker, by implementing

suggestions such as those developed by the A.W.A.R.E. Coalition, I believe, the Nation can and will make headway in combating the drug epidemic plaguing our country.

Mr. Speaker, I wish to submit for the RECORD, a summary of the recommendations of the Louisville and Jefferson County A.W.A.R.E. Coalition which I have shared with Governor Martinez.

A.W.A.R.E.,  
Louisville, KY, July 19, 1991.

Hon. ROMANO MAZZOLI,  
Rayburn Building, Washington, DC.

DEAR CONGRESSMAN MAZZOLI: On behalf of the entire A.W.A.R.E. Coalition, please allow me to take this opportunity to express my appreciation for your addressing our coalition regarding information relative to the House Select Committee on Narcotics Abuse and Control, and for your request for the Coalition to provide input toward the framework for the fourth National Drug Control Strategy.

In responding to issues related to community substance abuse problems, we have found that often the strategy is fragmented and non-comprehensive in its scope. We believe that a substantive and comprehensive "Drug Control Strategy" should not only delineate the problem but should provide a framework for actions that increase the likelihood for change and which creates a climate that give citizens the best chance for success on this issue within their own community.

We also believe that any wholistic strategy must also be sensitive to the cultural, ethnic, and geographical uniqueness of the targeted community. Finally, a comprehensive drug control strategy must be multi-faceted in its approach. That means it must target not only the agent or the targeted chemical(s) we wish to eradicate or to be used in healthier ways, but an exhaustive strategy must also find a way to work with the "environment," or the systems at work within the targeted community, i.e. Family, Church, Industry, Peer Groups, etc., and with those individuals who are affected or who are likely to be adversely affected by the chemicals. Any strategy that does not involve these three entities is not likely to be very effective.

Before I delineate the Coalition's suggestions for inclusion into the next Drug Control Strategy, allow me to take a few moments to highlight a little about our city and what we have done to tackle community imbedded substance abuse problems.

Louisville is a unique city in that it has two governing bodies. The City and the County. Both city and county agencies have responsibility for specific departments in their territories. Louisville is Kentucky's largest city with a population of 685,004. Located on the southern bank of the Ohio River at the Falls of the Ohio, Louisville lies in a large valley. The Louisville and Jefferson County community spills into the valley to east, west, and south, covering approximately 386 square miles. In the past, governmental agencies within the community have found working together in a collaborative effort, an important, yet difficult challenge.

In 1986, Jefferson County Government organized an agency we called TRIAD (Targeting Resources in Attacking Drugs). TRIAD's initial mission was to review local efforts in combating substance abuse in our community. In 1990, Jefferson County Judge/Executive David L. Armstrong and City of Louisville Mayor Jerry E. Abramson recognized that the community as a whole was not

receiving a uniform prevention message, and that there was no central point of access to education, rehabilitation, volunteerism, and law enforcement efforts. In May of that year, both the County Judge and the Mayor made a joint commitment to reorganize as a community-driven effort that incorporated the combined sponsorship of both governments. The new coalition was given the name A.W.A.R.E. (Area-Wide Alcohol/Drugs Rehabilitation, Education, and Enforcement) Coalition.

Our revised mission is to establish the A.W.A.R.E. Coalition as an effective organization relating to planning, coordinating, and promoting effective alcohol and other drugs prevention, intervention, treatment, and volunteer programming. An integral part to the coalition's approach includes a strong law enforcement component which through its efforts will seek for a reduction of both drug supply and demand in the Louisville and Jefferson County area. The coalition represents key community leaders, diverse organizations, members of government and other interested individuals/groups who are concerned about developing a centralized, coordinated infrastructure for alcohol and other drug programming within our community. The coalition facilitates this mandate through its Executive Director, Executive Board, and corresponding five subcommittees (Education, Rehabilitation, Enforcement, Volunteers, and Grants/funding Subcommittees).

#### DRUG STRATEGY SUGGESTIONS

Alcohol and other drug use among both adults and adolescents is widespread and ranks as one of the nation's most serious public health problems. Prevention and treatment specialists recognize that alcohol and other drug abuse problems are often rooted in unacceptable social behaviors and that steady progress will only occur when there is a coordinated strategy employed that addresses both the supply (trafficking) of illegal drugs and demand (use, abuse, and addiction). Creating awareness through appropriate and consistent prevention and education messages, developing alternative treatment programs for individuals using illegal drugs, and creating and enforcing harsher penalties for those who choose the illegal drug industry as a career, must be a part of that comprehensive strategy.

When Louisville-Jefferson County developed its "Drug Strategy," its purpose was to ensure that community-wide efforts to address the local drug problem include a balance of activities in the reduction of drug supply and demand. Through provision of a true continuum of services in treatment, prevention and education, and enforcement, Louisville and Jefferson County is working towards the realization of a drug-free community.

As the foundation for such a participatory approach, our drug strategy sought to enable Louisville and Jefferson County to continue to:

1. Focus resources and energies on prioritized problems.
2. Monitor trends and incorporate emerging problem areas into a flexible planning process.
3. Maximize utilization of resources by reducing duplication and developing a community-wide approach to illegal drug activity.
4. Facilitate and encourage joint ventures and partnerships in the local war against drugs.
5. Continue to improve the quality of data collection and analysis on local drug activity.

6. Utilize a research agenda in program evaluation to determine "what works." Even if the data reveals that programmatic outcomes are less than expected, that information is also valuable in providing direction and/or mid-term corrections for planning and programmatic initiatives.

7. Consolidate and standardize local efforts in drug abuse prevention and education.

8. Hold drug users accountable through increased drug enforcement and programs utilizing drug testing.

9. Improve the criminal justice system's response to drug-related cases through development of a coordinated system approach to drug control recognizing the inter-related nature of the criminal justice system and the impact of new programs on justice agencies.

10. Develop innovative approaches to expanding treatment resources for drug dependent individuals.

11. Reduce the level of illegal drug use in Louisville and Jefferson County.

To ensure successful implementation of our strategy, four elements were identified as being critical:

1. Sufficient and accurate data is needed to define the scope of the local drug problem for both program planning and evaluation purposes.

2. A city and county planning body is needed to serve an oversight role and provide a forum for interaction between treatment, education, and enforcement personnel. The new A.W.A.R.E. Coalition has assumed this role in our community and began laying a foundation for community-wide action.

3. A community-wide commitment to a comprehensive anti-drug initiative including both the public, private, and corporate sectors is critical. Through the activities of the A.W.A.R.E. Coalition, efforts are being made to involve every sector of the community in the fight against illegal drug use.

4. Finally, fiscal stability of prevention/education, treatment, and enforcement programs beyond local, state, and federal funding is imperative to longevity of programmatic initiatives. Some mechanism must be developed to involve community residents, organizations and the corporate structure in our strategy. When community residents, organizations and the corporate structure commit their monetary resources, no matter how small, they share in the ownership of the strategy. This ensures stability of our substance abuse prevention, treatment, and interdiction efforts.

#### GAPS IN EXISTING PROGRAMS AND SERVICES

Below you will find the areas that have been identified in the Louisville/Jefferson County community as being "Gaps In Existing Substance Abuse Programs and Services." Since Louisville and Jefferson County are fairly comparative to most mid-sized cities throughout our nation we believe our areas of concern will be reasonably consistent with national norms in this arena. In comparing the range of programs and services currently in place in Louisville and Jefferson County to the ideal continuum of services needed to effectively address the multifaceted problems resulting from illegal drug use and in consultation with service providers in the prevention, intervention/treatment field, and law enforcement, it became evident that if we are going to address this issue in a comprehensive fashion, the following gaps must be addressed. While resource limitations make it virtually impossible to fully address, we hope that as the Office of National Drug Control Policy develops its new strategy, that they will keep a

programmatic and fiscal eye towards these identified gaps.

While not listed in priority status, the A.W.A.R.E. Coalition has reviewed existing programs and services in our community and have identified the need for:

#### REHABILITATION/TREATMENT CONCERNS

Additional Medicaid monies to support adolescent treatment. Medicaid's policy for adolescent substance abuse reimbursement varies from State to State. In Kentucky, Medicaid was reimbursing for inpatient alcohol and drug treatment for adolescents as long as there was an accompanying psychiatric diagnosis. The recent change in regulation enforcement means that many adolescents will not have access to the alcohol and drug treatment they need.

A continuum of services for juveniles with substance abuse problems that includes residential placement options. Since specialty alcohol and drug treatment facilities are generally less expensive than multi-purpose psychiatric facilities. Many communities across our nation will be forced to look to more expensive treatment alternatives for adolescents with substance abuse problems.

Additional inpatient and outpatient drug treatment slots for the indigent is badly needed. There needs to be projects which target homeless males with alcohol abuse problems and provided a range of support services, including case management and a sobering up station to promote transition to productive life styles.

Broader categories of third-party reimbursement for drug and alcohol treatment. Insurance companies are becoming more restrictive regarding payment of treatment. Since many of these patients are not able to pay for the care they need, the need for low cost options and indigent care continues to grow.

There needs to be more data collected on the impact of short lengths of stay due to limited insurance funding.

Additional halfway house facilities. Adult male and female halfway houses have waiting lists of 2-8 weeks. Many more adult male and more adult female halfway houses are needed.

A range of treatment services, both inpatient or outpatient for parolees or those inmates who are incarcerated.

#### LAW ENFORCEMENT CONCERNS

A study of national correctional needs in relation to the drug problem to identify treatment needs of incarcerated who are substance abusers.

An independent correctional assessment facility to evaluate probationers and parolees to determine the extent of their chemical problem. This evaluation would include the level of use abuse or dependency and recommend the requisite service.

Development of a broader range of sentencing options and programs which specifically target drug offenders. These sentencing options and programs must have the freedom and innovation to experiment with non-traditional treatment methods.

Information on the overall impact of drug-related crime on the criminal justice system. Many clients who appear before the criminal justice system on non-drug-related charges have engaged in criminal activities that are directly related to their chemical use issues.

A national pilot project of treatment for multiple DUI offenders while they are in jail.

Legislation to support law enforcement activity in attacking both the use of illegal drugs and the abuse of pharmaceuticals.

Drug enforcement efforts that extend beyond specialized units to the patrol level.

#### EDUCATION: PREVENTION/INTERVENTION CONCERNS

A coordinated and uniform prevention message. While many more prevention-related activities are being implemented there remains no national unified, appropriate, geographical, and culturally-specific message.

Expanded utilization of drug treating technology (drug testing, ignition interlocks, etc.) in holding drug users accountable, and breaking through the initial stages of "denial."

Expanded and standardized drug prevention curriculums in the schools.

Broadening of the breadth and scope of prevention programs targeting families.

Community-wide drug-free workplace policies. While many communities have a number of employee assistance programs in place, little work has been done to address the issue of alcohol and other drug abuse in the work-place, particularly in small businesses of 100 employees or less, where access to EAP-related services are not readily available.

Statistics reflect that a small percentage of referrals to prevention, intervention, or treatment services are generated by "Family Physicians." We believe that this is not due to a lack of concern on the part of family physicians, but rather the low level of physician referrals may be the lack of "physician specific" education and direction. A national effort needs to be employed to educate this often overlooked, but vital link in the education, intervention, and treatment process.

#### VOLUNTEER RELATED CONCERNS

We see the need for a national volunteer network that would allow community oriented substance prevention groups to have access to a wide range of information, materials, media messages that can be locally tagged, and volunteer-specific trainings. In this way the likelihood is increased that community groups would experience a greater sense of empowerment to deal with community substance abuse problems.

Volunteer training in the prevention of drug use and alcohol abuse. Many communities have a number of neighborhood organizations which offer an invaluable volunteer network. To date, however, there has been no systematic national comprehensive program to train these volunteers to disseminate a uniform national community drug prevention message.

National Community Ministries and Ministers Initiatives: A national effort to utilize an often overlooked resource should be initiated. These individuals represent a powerful voice in every community. To date, no national effort has been effectively employed to train this vital group in appropriate chemical prevention messages or how to use their influence to promote an intervention or treatment referral.

#### GRANTS/FUNDING RELATED CONCERNS

Promote continued legislative efforts to allow for federal anti-drug direct pass through monies.

Recommend that safeguards are instituted to ensure that federal anti-drug match remain at the current 75/25 split.

Recommend that there be more allocation of treatment money for criminal justice populations.

#### IMPROVING U.N. RESPONSE TO DISASTERS AND HUMANITARIAN EMERGENCIES

### HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. BEREUTER. Mr. Speaker, today I and other Members will introduce a resolution to press the United Nations for a speedier response to disasters and humanitarian emergencies. It asks the Secretary-General to develop a system that can begin operating on the ground within 24 hours of an emergency.

The need is great and growing—18 million refugees and even more displaced persons. But recent experience has shown that the United Nations is not well organized to respond quickly and coherently to complex emergencies such as the relief of the Kurds.

U.N. relief experts should be quickly assembled into a disaster team on site. Emergency response capability should be built into budgets and planning and agreements with member governments for standby assistance. Lending military airlift and logistics support might even be part of such standby arrangements.

The U.S. Government and other governments are encouraging the United Nations to reform its unwieldy organization chart. The highest priority should be a workable U.N. system for dealing with disasters and humanitarian relief.

I invite my colleagues to join as cosponsors of this resolution. Timely U.N. relief efforts do mean the difference between life and death.

H.R. 3207

### HON. ESTEBAN EDWARD TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. TORRES. Mr. Speaker, Today, along with 17 of my colleagues, from California, I am introducing legislation H.R. 3207 to create a San Gabriel Basin Groundwater Clean Up Demonstration project as part of the Clean Water Act.

I believe that the problems in the San Gabriel Valley Groundwater Aquifer present a unique opportunity for the community to solve a seemingly insoluble problem, by working together with the Federal Government in a public-private partnership.

The San Gabriel Aquifer, the most heavily contaminated potable groundwater basin in the United States, is listed four separate times on the National Priority List [NPL] of Superfund. The contamination primarily comes from Volatile Organic Compounds [VOC's]. No one is sure, but the chemical pollutants were probably generated by hundreds of facilities scattered throughout the valley over more than 30 years.

The San Gabriel Acquifer represents a unique resource for southern California, both because it provides essential drinking water for 1 million people, and also because it offers the possibility as serving as a reservoir for

water storage for the Metropolitan Water District in the future. For both of these reasons, it is essential that this resource not be lost.

Once contaminated, groundwater is very difficult to cleanup. Complicating the cleanup is the fact that 45 different water purveyors are legally entitled to take water from the basin. Except for annual quantity limits, pumping in the basin is currently unregulated by any government entity. According to EPA, the result of unregulated pumping has been the unpredictable plume movement of the contaminants in the groundwater. This plume movement is referred to as the "plume".

Because the groundwater flows under hundreds of different facilities, apportioning responsibility has been very complicated and could eventually be very litigious.

EPA has estimated that cleanup in the San Gabriel Valley will take 30 to 50 years at a cost of over \$800 million. To date, over \$30 million has been spent on the San Gabriel Valley on studies and investigations. No responsible parties have been identified and only one treatment facility, costing over \$1.5 million has been built to provide water treatment for 200 people, representing approximately \$75,000 per person.

The magnitude of the groundwater contamination in the San Gabriel Valley, the legal complications and the difficulty of cleaning up the basin will require new State and Federal legislative action. The current Superfund system, as it is interpreted by EPA, appears inadequate in both structure and resources to deal with the long-term cleanup needs of the San Gabriel Valley. The situation in the Valley will require new regulatory and financing structure to assure cleanup adequate to protect the health and safety needs of the water users.

The community in the San Gabriel Valley is convinced that EPA does not have the capability to resolve the aquifer contamination problem in a way which will protect drinking water supplies or ever identify responsible parties. The community is convinced that, working together, it can accomplish more, in a shorter time, and for less money, than EPA would ever be able to accomplish.

Most of the contamination in the San Gabriel Valley occurred many years ago; some of it legal, some of it illegal. It may be futile, excessively expensive and unfair to attempt to tie specific contamination to a specific facility. Members of the industrial community, however, say they are willing to pay for the cleanup in the San Gabriel Aquifer, but they are hesitant to fund extensive additional investigations.

The San Gabriel Basin demonstration project, using the basinwide technical plan already developed by EPA, would be used to conduct the cleanup activities in the basin. The industrial community would be invited to contribute to the cleanup, using a formula, based on their industrial code, their proximity to known contaminated wells and their gross revenue. The industrial facilities will be asked to sign a contract with EPA to pay their share of the groundwater remediation costs. If 95 percent of the eligible facilities agree to participate then the project will commence. If a facility contracts with EIA and fulfills its obligations under the contract, then Superfund liability will be suspended. The Federal and State govern-

ments will be obligated to each pay 10 percent of the costs. Cleanup decisions will be coordinated through an independent lead agency established by the State of California.

The time has come for some creative solutions to the groundwater crisis in the San Gabriel Valley. My proposal would create a cooperative climate that would get the job done, quickly, efficiently and without an inordinate amount of time-consuming and economically devastating litigation. This is a win-win proposal for all of California, and I urge my colleagues to support this effort.

#### PROTECTION ACT OF 1991

HON. THOMAS J. BLILEY, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. BLILEY. Mr. Speaker, I am pleased to join with my distinguished colleagues, Mr. BRUCE, Mr. ROBERTS and other Members in introducing, the Food Quality Protection Act of 1991, legislation that is designed to modernize our food safety laws. The wholesomeness of our Nation's food supply is crucial. At the outset, I think it is important to say that the United States currently has the safest and the most abundant food supply in the world. Indeed, experts assure us that our food supply has never been safer. However, the time has come to update our food safety laws to reflect the state of modern science and our ability to detect risk.

This legislation attempts to strike a delicate balance. It recognizes the importance of preserving our ability to produce a safe and abundant food supply. It does not compromise on safety, but insists that the evaluation of risk be based upon real world circumstances. It will ensure prompt regulatory action to protect the public health, while at the same time ensuring that emotion does not win out over good science.

Outlined below are the main features of the Food Quality Protection Act of 1991.

1. The Food Quality Protection Act would streamline the lengthy and cumbersome pesticide cancellation process under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). These changes would significantly reduce the time-frame for removing pesticides from the market after EPA determines them to be hazardous.

2. The legislation requires the Administrator of the EPA and the Secretary of Agriculture to research, develop and disseminate information on integrated pest management techniques and other pest control methods. These efforts would enable producers to reduce or eliminate applications of pesticides which pose greater than negligible dietary risk to humans. This provision requires that the program focus first on crops critical to a balanced, healthy diet.

3. A negligible risk standard is established to replace the unworkable Delaney Clause. This implements the National Academy of Sciences recommendation for a uniform negligible risk standard for pesticide residues in food which gives EPA the ability to improve its regulation as science evolves.

4. Importantly, the bill allows for the consideration of human health benefits if EPA determines that a pesticide residue holds a

greater than negligible risk. In determining whether to allow a pesticide's use, the EPA would be directed to take into account health, nutritional benefits, and consumer cost. No consideration would be given to impacts on pesticides producers or distributors. This provision is particularly important to low-income Americans, millions of whom spend 40 percent or more of their income on food.

5. The percent of raw agricultural commodities or processed food actually treated with a pesticide would be required to be considered in determining dietary exposure calculations. In addition, actual residue levels must also be used, where available, in making exposure calculations.

6. In establishing a tolerance, the Food Quality Protection Act would require EPA to consider CODEX recommended international residue limits and to explain any departure from the CODEX limits. Where adequate safety data is available, setting U.S. limits consistent with CODEX would foster harmonization of international pesticide standards. The bill does not, however, require EPA to adopt the CODEX standards. They would only be required to explain why they have chosen a different standard.

7. States and political subdivisions would be precluded from issuing different tolerance limits, warning requirements, or other restrictions for pesticides registered or re-registered after April 25, 1985. Consumer protection would be assured by limiting required uniformity to tolerances supported by full scientific testing and recent EPA approval. States would be permitted to petition EPA for approval of a different tolerance on the basis of compelling local conditions.

Finally, I would note my hope that this bill will provide the vehicle to address and resolve the minor crop issue for the benefit of all those affected, from the farmer to the consumer. Growers of fruits and vegetables and other specialty crops face a severe problem concerning the pending loss of registered chemicals needed to produce the variety, quality, and quantity of fresh fruits and vegetables demanded by the American consumer. Due to the requirements of the FIFRA legislation enacted in 1988, approximately 24,000 chemical product registrations have already been dropped. Many of these products were used on minor crops, as well as infrequent or low-volume uses on major crops. Other legislation currently pending in Congress could also seriously affect the availability of minor use pesticides. Minor crops account for approximately \$35 billion in sales at the farm gate—one-fifth of the total value of sales by all U.S. farmers.

The bill as introduced today does not contain a title on minor use. However, this issue is being reviewed and discussed by Members of Congress, officials of EPA, USDA, and FDA, leaders of the food industry and other interested parties. I look forward to their recommendations to resolve this problem and will work to ensure their incorporation in this legislation.

I urge my colleagues to join me in cosponsoring the Food Quality Protection Act of 1991.

## A DUMB IDEA FOR A SICK SYSTEM

**HON. FORTNEY PETE STARK**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. STARK. Mr. Speaker, the recommendation being put forward by Secretary Sullivan's health panel, to add 10 million poor to the Medicaid roles will not work and shouldn't.

The working poor who would be the largest group of recipients don't want to be on welfare. They are struggling hard to rise out of a dependent situation and into self-sufficiency. Adding them to the welfare roles would be a slap in the face and the further undermining of the hard fought for ground they have gained. Yes, they want health care, and yes, they may need some form of subsidization, but they don't want to be required to prepare a dossier that demonstrates they are helpless when they are not.

Asset testing for the Medicaid programs is one of the largest barriers to access to health care for the present Medicaid eligible beneficiary. In my State, California, it requires a 25-page application and about 3 months to accomplish.

Twenty-five years ago, we enacted legislation to improve access to quality health care for the poor of our Nation. Under Medicare, an insurance program, access for those over 65 years of age and those permanently disabled has been obtained and their health care has improved. Under Medicaid, a welfare program, access is still often denied and the health of its recipients, mostly women and children, have shown no comparable improvement. Why assume that adding more people to the Medicaid roll will solve the health care problems of the uninsured?

Simply increasing physician payment, which the panel suggests, will not significantly improve access. There is considerable empirical evidence of that. California doubled its obstetrical fee and still experienced a decrease in the number of obstetricians willing to care for Medicaid beneficiaries. Our major metropolitan areas have seen an exodus of most private physicians from the inner city, often leaving only high volume providers frequently operating what are called "Medicaid Mills" plus community and public clinics to care for the poor. Doctors practicing in Medicaid Mills will profit most from increasing physician fees under Medicaid and the public will be poorly served.

Because of geographic barriers, cultural and language barriers, and transportation costs physicians in private practice are going to be no more willing or able to effectively serve this additional 10 million Medicaid recipients than there are eligible now. Developing a quality-controlled system of community and public health clinics and allowing these people access to managed care settings such as Kaiser under Medicare-like contracts are a better answer to the needs of the uninsured.

My Mediplan bill, H.R. 650, not only describes a way to provide insurance rather than welfare to 10 million people but also tells how to pay for it, something sadly lacking in the grandiose scheme suggested by the administration's health panel. Each adult worker's liability of \$200 per year or about \$4 per week

is something I believe these people would prefer if given the choice between a welfare handout and an insurance payment affordable to them, which would maintain their independence and dignity.

Physicians claim the process for Medicaid reimbursement is too time consuming, cumbersome, frustrating and unpredictable. An additional 10 million people added to a sick system will not make it well. Administrative costs of Medicaid compared with Medicare are two to three times higher. That means valuable health care dollars spent inefficiently.

Medicare is beginning reimbursement to physicians January 1992 on a resource-based relative value scale. This eliminates much of the inequity among specialties and encourages primary care, so desperately needed by the uninsured. Medicaid has no such system resulting in a depletion of cost-effective primary care access points and a transfer of patients into costly emergency room and hospital clinic sites.

We should and we will pass legislation to help the poor people get health insurance but Medicaid is not an insurance program and let's keep that fact very clear.

## ASEAN DISMISSES HUMAN RIGHTS

**HON. JOHN EDWARD PORTER**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. PORTER. Mr. Speaker, 25 years ago Brunei, Indonesia, Philippines, Singapore, and Thailand came together and formed the Association of Southeast Asian Nations [ASEAN].

Last week foreign ministers of these nations convened in Malaysia for their annual meeting. I wholeheartedly support regional cooperation such as this, both for developing economic relations and for focusing on social issues of mutual concern.

But I was outraged when I heard the association declare that individual countries should be allowed to set their own policies on human rights without having to submit to Western standards.

Mr. Speaker, this statement is unacceptable. The standards for human rights that we set in the United States are the same ones outlined in the Universal Declaration of Human Rights.

Human Rights are not a matter of internal affairs. Governments must be held accountable to their citizens and to the international community.

We did not sit by as the Chinese military ran over prodemocracy demonstrators. We did not sit by when Iraq invaded Kuwait. Likewise, we will not ignore the plight of any individual in this world whose human rights are not being wholly respected.

## TRIBUTE TO SPORTS ENTHUSIASTS ENGAGED IN COMMUNITY SERVICE

**HON. JOHN D. DINGELL**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. DINGELL. Mr. Speaker, I am pleased to rise today to honor those sporting enthusiasts who have devoted themselves to serving their communities. Sportsmen Against Hunger is one such charitable group which has initiated a nationwide effort to help feed hungry Americans. In the fall of 1989, several hunting organizations joined together in the battle against hunger and donated their surplus game to the Salvation Army. The movement spread rapidly from coast to coast, and within its first 6 months, Sportsmen Against Hunger supplied more than 50 tons of game meat to Salvation Army outlets across the Nation.

I would like to draw special attention to the ambitious efforts of Michigan Sportsmen Against Hunger. The Michigan United Conservation Clubs, a statewide conservation group, has teamed up with the Safari Club International to create a very effective food donation program in Michigan. There are over 1 million people participating in the hunting sport each year in Michigan, and many of them have the opportunity to donate wild game as well as canned food to the Salvation Army. Last year, the Salvation Army served more than 1.3 million meals in its Michigan centers, and it welcomes the assistance of Michigan Sportsmen Against Hunger. A large majority of the Salvation Army's budget is spent on meat. The surplus game donated by the Michigan hunters will allow the Salvation Army to use a greater portion of its budget for resocialization programs such as job training and job placement, as well as to extend services to more people throughout the State.

By providing the needy with an abundant, renewable, and nutritious food source the hunters are able to share their success with those who are not as fortunate. The Sportsmen Against Hunger food donation program takes hunting a step beyond recreation, and it provides a valuable model for others to emulate. Member organizations of Michigan Sportsmen Against Hunger predict that many more organizations will follow their lead and make regular meat contributions to the Salvation Army.

It is a tragedy that in a country as advanced as ours thousands of people are starving. In this time of rapid social and economic change throughout the world it would be easy to overlook such a domestic problem. Fortunately, there are organizations such as Sportsmen Against Hunger that are actively engaged in assisting the less fortunate.

In addition to feeding the hungry, sporting enthusiasts have taken the initiative in other areas of community service. The Safari Club International sponsors a Sensory Safari for students with visual impairments. The Safari enables those with impaired vision to experience the size and texture of wild animals which would otherwise be difficult for them to comprehend.

These people deserve praise for their charitable efforts, especially at a time when hunting

enthusiasts have come under fire for defending their rights to engage in sport hunting activities and to bear and use firearms.

Mr. Speaker, at this time I would like to ask my colleagues to join me in saluting these sporting enthusiasts for their contributions to their communities and their dedication to helping their fellow Americans.

#### TRIBUTE TO J. MAC BARBER

### HON. GEORGE (BUDDY) DARDEN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. DARDEN. Mr. Speaker, longtime Georgia public servant J. Mac Barber understands firsthand the importance of fundraising to one's political career, but he would rather give than receive any day.

For more than 40 years, Mr. Barber has given unselfishly of his talents for the betterment of the State of Georgia. He also has made substantial financial contributions to various institutions and charities throughout the State so that many others may benefit as well.

This year, Mr. Barber made a \$500,000 contribution to the University of Georgia College of Family and Consumer Sciences in memory of his beloved partner in life, the late Janette McGarity Barber. As a dedicated leader, educator, scholar, civil servant and most outstanding personality, Mrs. Barber served the citizens of Georgia in a variety of positions and responsibilities. Her incredible abilities and energies made lasting contributions to the quality of life and cultural appreciation of thousands of Georgians.

Mrs. Barber received her education at the University of Georgia, earning bachelor of science, master of education, and master of arts degrees. In addition to being a member of several honor societies, she also was active in the college's home economics department, which has since been renamed the College of Family and Consumer Sciences.

Recently, and also in memory of his wife, Mr. Barber donated \$15,000 to the Kappa Alpha Theta sorority at the University of Georgia for refurbishment of the chapter room at the sorority's historic campus home. Mrs. Barber was a founding member of the Georgia chapter and served as the first president. My wife, Lillian, and daughter, Christy, also are members of the sorority's Georgia chapter. Mrs. Darden remembers Mrs. Barber as a devoted and giving alumna who always maintained a strong interest in the chapter. The chapter room will be named in her honor at ceremonies later this year. Due to the generosity of Mr. Barber, my daughter and her classmates and their daughters will be able to look to Janette McGarity Barber as a role model for years to come.

Mr. Barber has been a prominent figure in Georgia for more than 40 years. In addition to having been a member and chairman of the Public Service Commission, Mr. Barber has served as member of the State legislature; mayor of the city of Commerce; president of the Georgia School Boards Association; member of the Georgia Science and Technology Commission; chairman of the Banks, Jackson,

Commerce Hospital Authority; president of the Chamber of Commerce; and chairman of the Standing Committee on Education in the Georgia House of Representatives to name but a few.

Mr. Barber's list of awards is as impressive as it is long. He has received honors from the Georgia Association of Educators; Emory University's Kappa Phi Kappa Literary Society; the Georgia Pre-School Association; the State YMCA Youth Assembly; the Phi Delta Kappa Literary Society; the Georgia Youth Council; the Georgia School Boards Association; the College of Home Economics, University of Georgia; the Georgia Science and Technology Commission and the Jackson County Education Association. The citizens of Jackson County honored Mr. Barber with a public dinner and awarded him an automobile. He also received a citizenship award by the Veterans of Foreign Wars, and was cited three times by the Georgia General Assembly for his consumer protection activities as a member of the Public Service Commission.

Mr. Barber resigned from his position as public service commissioner several years ago after the death of his wife. He ran for his seat again last year and was re-elected by an overwhelming margin. His campaign advertisement listed many of his achievements and prominently displayed what Mr. Barber considers to be his greatest honor—when Janette accepted his proposal of marriage. Undoubtedly, Georgians recognize and appreciate the exceptional character of Mr. Barber, personally and professionally.

Mr. Barber's selflessness is a rare quality, one for which each of us should strive to achieve. On behalf of all Georgians, I would like to thank Mr. Barber for making the State of Georgia a better place to live. His efforts, like his unique character, will not be forgotten.

#### MEDICARE REIMBURSEMENT FOR CHIROPRACTORS

### HON. JIM MOODY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. MOODY. Mr. Speaker, today I rise to introduce legislation to allow Medicare to reimburse chiropractors for x rays and physical exams when performed to determine if manual manipulation of the spine is an appropriate treatment for a spinal problem. This is companion legislation to S. 614 introduced by Senator DASCHLE.

Under current law, chiropractors are reimbursed by Medicare for performing manual manipulation of the spine to correct a subluxation of the spine. A diagnostic x ray is required by law before such manual manipulation can be performed; however, Medicare will not reimburse a chiropractor for the x ray. In addition, before performing manual manipulation of the spine, physical exams are routinely performed by chiropractors as part of their standards of care. Medicare will not reimburse for the physical exam either.

The Rand Corp. is currently conducting a study of the effectiveness of manual manipulation of the spine. A recent New York Times article highlights the study and states:

But perhaps the most convincing sign that the therapy is moving center stage is that researchers at the Rand Corp., who have studied the medical utility of coronary bypass surgery and hysterectomies, have recently turned their attention to spinal manipulation. And to their surprise, early studies indicate that the technique holds up well.

Their study showed their patients with certain types of low back pain—

had significant relief after manipulation and were able to return to work sooner than similar patients treated with conventional methods.

The results of current law is that Medicare beneficiaries who could best be treated by manual manipulation of the spine are seeing physicians and creating higher costs to Medicare through more costly treatment. In other cases, beneficiaries are seeing chiropractors and paying for the x rays and exams out of their own pockets—a cost many seniors cannot afford. Yet another scenario is that a beneficiary must see an approved provider for the x ray and physical exam and then transfer these documents to the chiropractor for treatment. This phenomena is often referred to as passing through a "gateway" controlled by other providers. Typically, x ray services performed by a radiologist are more expensive than those same x rays conducted by a chiropractor.

My legislation is very simple and is narrowly written. It will allow chiropractors to be reimbursed for manual manipulation of the spine and physical examinations and x rays furnished to an individual to determine if such treatment is appropriate. Medicare already requires an x ray, States have already licensed chiropractors to perform x rays as well as physical exams; this legislation will allow chiropractors to be reimbursed for these mandatory services.

Its time we move Medicare reimbursement laws up to the 1990's and provide reimbursement for activities already licensed by all the States. Chiropractors are already performing these services. It is in the patients best interest that Medicare provide reimbursement for them. I urge my colleagues to support this legislation.

#### THERAPY FOR A DYING PLANET

### HON. BILL LOWERY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. LOWERY of California. Mr. Speaker, I wish to recognize a program which promotes environmental awareness, and sets an example for other environmental programs across the country. Therapy for a Dying Planet is a program which trains interested students to preserve the Earth's diminishing natural resources. Although it is a joint effort between the Zoological Society of San Diego and the San Diego State University, the program can be duplicated in any city which has a university and a zoo.

Therapy for a Dying Planet provides each student with a wide range of experience in the field of conservation. The program begins with classroom study, and moves on to the point

where the students develop their own action plan for a specific conservation problem. The students then intern at the San Diego Zoo, and eventually travel to a foreign country to participate in a conservation field study.

Each phase exposes the students to behavior-modifying techniques which they can then use to initiate other programs like Therapy for a Dying Planet in other locations. This program does more than merely supply information, it provides a unique, hands-on experience that show how individuals can make a positive impact on the environment.

In addition, the students are required to make at least two presentations to American elementary school students. This insures that the next generation will be aware of the importance of environmental issues and lets the children know what they can do to promote conservation.

Mr. Speaker, we are all aware of the dire consequences of not acting to help our environment. Therapy for a Dying Planet provides an excellent example for other cities across the Nation to follow and I hope that you and all our colleagues will join me in commending the accomplishments of this innovative program.

IN HONOR OF THE 15TH ANNIVERSARY OF MILLER BREWING CO. IN FULTON, NY

### HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. HORTON. Mr. Speaker, I rise to recognize the outstanding contributions that the Miller Brewing Co., one of the largest corporations in the 29th Congressional District of New York, which I represent, has made since it began operating in upstate New York 15 years ago. I have, in fact, worked closely with Miller officials since the company came to New York State. This working relationship expanded greatly after I began representing Fulton and Auburn in 1982.

Construction of the \$250 million Fulton Brewery began in June of 1974. It was the first brewery built by Miller after Philip Morris acquired the company. Since then, Miller's operation in upstate New York has grown to include the Fulton Container Plant and the Central New York Bottle Co. as well as the Fulton Brewery. Combined, these three Miller facilities now employ more than 1,450 people.

These employees, many of them members of the International Association of Machinists, have been a major factor in increasing Miller's shipments by over 800 percent since 1972, which has resulted in Miller catapulting from seventh place in the industry to second.

Yet, Miller means much more than beer. In my years of working with Miller, I have found it to be a responsible, community-minded corporation. As one of the premier corporations in the industry, Miller has taken an aggressive lead in developing responsible drinking programs. Miller's "Think When You Drink" campaign is emphasized during all Miller-sponsored events and programs. The commitment does not stop here; Miller also offers grass-

roots education programs, which emphasize the need for responsible consumption—these include TIPS and AIM, respectively Training in Intervention Procedures by Servers of Alcohol and Alcohol Information from Miller. And Miller has also produced a guide to responsible event-planning for distributors and community groups. Miller's unsurpassed commitment to promoting safe and responsible product use is a benchmark for corporate America.

In its 15-year history in upstate New York, Miller has had a tremendous impact on Fulton and New York State. The economic impact of Fulton Brewery alone on New York State is estimated to be \$3.75 billion. This does not include the millions of dollars that Miller has spent on special community events. These include the Miller Court at the New York State Fair, the Miller Hot Air Balloon Festival, Fulton Riverfest, Auburn Sports Weekend, and the Community Christmas Breakfast Program.

However, the real effect of Miller Brewing in New York State cannot be measured in dollars alone. Miller clearly has an enormous commitment to the community, as manifested by the fact that its employees volunteer thousand of hours to community service each year. Furthermore, Miller regularly supports more than 30 local cultural, educational, and philanthropic organizations such as Syracuse's "Our Time Has Come" Scholarship Program, the Burnet Park Zoo, Oswego Opera, and the Merry-Go-Round Playhouse in Auburn, to name a few.

On this, the 15th anniversary of Miller Brewing Co. in Fulton, NY, I want to congratulate Miller and its over 1,400 upstate New York employees for a job well done and for all of their contributions and achievements. They are to be commended for consistently producing a product of the highest quality, aggressively encouraging responsible product use, and demonstrating an unsurpassed commitment to the local community. I look forward to continuing to work with Miller officials as they work to maintain their status as an industry leader.

### LITERACY

### HON. E. CLAY SHAW, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. SHAW. Mr. Speaker, on September 17, 1787, our Founding Fathers ratified a document that would serve as a framework for our Government for centuries to come. Unfortunately, today many cannot read that every document which serves to protect their individual rights, the Constitution of these United States of America.

I rise before you today to commend the efforts of individuals and organizations that combat illiteracy, and to encourage adults who are illiterate to seek help. Our Nation's First Lady, Mrs. Barbara Bush, has done an excellent job in making people aware of what she has deemed, "the ball and chain of modern existence." While her call for volunteers has been heard, the interest of illiterate adults needs to be sparked.

In my congressional district of Fort Lauderdale, FL, the social disease of adult illiteracy

is being attacked from both the private and public sectors. Eleven years ago Margaret Perry founded Learn to Read Volunteers of Broward County, a nonprofit organization that fights illiteracy. They currently have 350 volunteers who tutor close to 500 students ranging from 18 years of age to 80. The dedication of this nonprofit organization serves as an inspiration to all of us who fight for literacy. Their efforts can be matched by the Adult Literacy Center which uses Florida lottery dollars to instruct over 28,000 illiterate adults.

The Broward County Library System has offered a literacy program for over 11 years. Its READ campaign primarily focuses on economically disadvantaged areas. The achievements of its literacy program were recognized when IBM distinguished it with 1 of 12 grants of PALS, a computerized literacy program. It has recently expended its program to include a successful work force literacy program with Waste Management, Inc. Its far-reaching program should serve as a model to literacy developments throughout the country.

Last summer a woman from my district was volunteering at a Head Start Program in Parsonfield, ME. While she was encouraging young mothers to read to their children, she found that many of the mothers themselves could not read. This small example is indicative of a problem that reinforces itself generation after generation. Congress has organized programs and allocated funds. We now need to encourage the population to become involved. If those in need of help do not come forward, we cannot reach the goal of the National Literacy Act, Public Law 102-73, to eliminate illiteracy by the year 2000.

I commend the organizations in Broward County that have fought hard against illiteracy and encourage those who are functionally illiterate to seek help.

### COLLEGE OPPORTUNITY ACT OF 1991

### HON. WILLIAM J. JEFFERSON

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. JEFFERSON. Mr. Speaker, I rise today on behalf of myself and several of my colleagues on the Education and Labor Committee; Mr. OWENS of New York; Mr. HAYES of Illinois; Mr. WASHINGTON of Texas; Mr. PAYNE of New Jersey; Mr. CLAY of Missouri; Mr. KILDEE of Michigan; and Mrs. MINK of Hawaii, to introduce the College Opportunity Act of 1991. This legislation offers vital assistance to institutions of higher learning that have not only served as a shelter from the debilitating storm of legalized oppression and injustice, but have offered hope and opportunity—to those who thought there would be none—of a more productive future through education and self-help. The institutions of which I speak are this Nation's historically black colleges and universities.

With meager resources, but great dedication to and enthusiasm for teaching, and an unusual capacity to inspire learning, these institutions have gone about their business of educating often the most disadvantaged in our

Nation, while hampered by perceptions of inferiority and deficiency. Indeed, the historical record provides incontrovertible proof that without these institutions, the Nation would be far less enriched without the talents of African-Americans.

Congress, through its most recent enactments of the Higher Education Act, has already recognized that our Nation, in order to be its most competitive and productive in the future, must provide more opportunity for a college education to more African-American students. And, the Congress has already recognized the fundamental wisdom of strengthening the capacities of HBCU's to help meet this important national goal and to realize this important national interest.

The College Opportunity Act of 1991 addresses the obstacles presently facing our African American students and helps better meet the needs of the Nation's historically black colleges and universities. This legislation amends sections of the Higher Education Act of 1965 that are critical to the survival and growth of historically black institutions. Specifically, the College Opportunity Act of 1991 makes vital changes and additions to title III—institutional aid, title IV—student assistance, title V—education, recruitment, and retention, title VI—international education program, retention and development, and title IX—graduate programs.

Under this legislation, title III part B, strengthening historically black colleges and universities, is amended to enable historically black colleges and universities to use institutional grant aid under title III to establish or enhance a program of teacher education and teacher certification preparation designed to qualify students to teach in elementary or secondary education in public schools. The minimum Pell grant allotment for part B schools is increased from \$350,000 to \$500,000, and the pool of historically black graduate institutions eligible to receive grants under title III, section 326 is expanded to include the Thurgood Marshall School of Law or the College of Pharmacy and Health Sciences at Texas Southern University, North Carolina Central University School of Law, Southern University School of Law, Florida A&M College of Pharmacy and Pharmaceutical Sciences and Xavier University of Louisiana School of Pharmacy. The College Opportunity Act also amends title III's endowment challenge grant provision so that institutions may reapply for grants after 5 years rather than after 10 years and the legislation raises the maximum challenge grant from \$50,000 to \$500,000 when appropriations targets are met.

The College Opportunity Act of 1991 makes important changes to title IV student assistance. But perhaps the most significant change is an entitlement based allocation for the Pell grant. In addition to making the Pell grant an entitlement, the maximum grant award is raised to \$4,000 for the 1992-93 academic year and is increased by \$500 for the out years through 1997. Further, this legislation authorizes historically black colleges and universities to establish with the approval of the Secretary of Education an income contingent repayment option for student loans. This legislation also directs the Secretary of Education to provide simplified needs analysis for poor students entering college as well as for con-

tinuing students. The College Opportunity Act of 1991 also addresses the issue of fairness in the calculation of default rates by requiring the Secretary to include the total volume of dollars on default represented by the cohort default rate, and that such calculations be supported by the most accurate data available.

Title V, educator recruitment, retention and development, is amended to increase funds and program efforts and incentives in the form of teacher scholarships and fellowships to encourage academically talented youth to pursue the teaching field at the elementary, secondary, and college levels. This legislation authorizes the establishment of new teacher programs for the improvement of the education of minorities.

The College Opportunity Act amends title VI, international education, by authorizing the establishment of an Institute for Professional and Public Policy to significantly increase the numbers of African-Americans and other minorities in the foreign service of the United States. The legislation also extends the academic junior year abroad to eligible students from historically black colleges and universities.

Finally, the College Opportunity Act of 1991 amends title IX graduate education to enable nonprofit institutions in consortia with historically black colleges and universities to receive grants for the purpose of identifying talented undergraduate students and faculty who wish to enter or continue in the higher education professorate, and to provide such students and faculty with stipends and fellowships to assist them in obtaining a doctoral degree and to return to an institution of higher education to teach.

The time has now come to reauthorize the Higher Education Act. The question my esteemed colleagues and I have raised today is one to which we believe the College Opportunity Act of 1991 provides a substantial answer. That Mr. Speaker, is how Congress and our Nation in this Reauthorized Higher Education Act can better address the obstacles facing African-American college students and better meet the needs of historically black colleges and universities.

#### YORKTOWN'S ANNIVERSARY

### HON. HERBERT H. BATEMAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. BATEMAN. Mr. Speaker, I rise today to commemorate the 300th anniversary of Yorktown, VA. As for attention has focused recently on the fate of a multiyear, multibillion-dollar highway bill, Yorktown's tercentenary reminds us that before the highway system developed in this century, and before railroads developed in the last century, America relied on its river system to connect its various parts, to connect it with the outside world, and to move its people and commerce.

Like many of our oldest cities, Yorktown began its long history as one of the ports on that river system. In fact, the town was authorized under the Virginia General Assembly's

"Act of Ports and Towns" in 1691, and served as an important tobacco port in the 18th century.

On August 18, 1691, surveyor Col. Lawrence Smith completed his survey for the proposed town. I am sure that the surveyors making their final sightings in Virginia's steamy August wilderness 300 years ago had no idea that the town they were laying would provide the stage on which the final scene of the American Revolution would be played out 90 years later. It is, of course, that event that sets Yorktown aside as one of the most important historic sites in our country.

Today, Yorktown is a small community situated on a beautiful site on the York River. Clearly the 17th century surveyors did their job well. At this point I will insert for the RECORD a history of the town prepared by Edward Ayres, the historian for the Yorktown Victory Center. I wish the town well on its 300th anniversary.

#### THE TOWN OF YORK

(By Edward Ayres)

Yorktown is best known as the site of the decisive and last battle of the American Revolution, but for many years, it was also a thriving colonial seaport. The Kiskadee Indians were living along the York River, which they called the Pamunkey, when the English first arrived. Although Captain John Smith explored the York River basin as early as 1607, English colonists did not begin to take up land on the south bank for nearly 20 years. By 1634 settlement had progressed so rapidly that a new "shire" called Charles River County (later renamed York) was set up to meet the needs of the area's residents. One of these early settlers was Nicholas Martiau, whose plantation included the 50 acres that would later be selected as the site of Yorktown. During the 1660's, most commercial activity in the county took place at a settlement near the mouth of Wormley Creek. After the 1680's however, economic development began to shift toward the present site of the town where there existed a wharf, ferry, store, and a well.

Yorktown was established as a result of an "Act for Ports and Towns" passed by the Virginia General Assembly in 1691. The act named 15 sites in the colony that were to be developed as ports and directed that 50 acres of land be purchased from Benjamin Read for a town in York County. Although Lawrence Smith, the county surveyor, quickly carried out the Assembly's instructions by laying out 85 half-acre lots and several streets, the new town grew slowly at first because of opposition from officials in Great Britain.

Development picked up in 1697 when a courthouse for the county and a new church for York Parish were built in the town. By 1710 most of the lots had been bought by craftsmen, merchants and tavern keepers and the town contained nearly 70 buildings, including homes, outbuildings, warehouses, stores and taverns. From the beginning Yorktown's success was closely tied to the tobacco trade, and its prosperity depended on shipping. Despite its uncertain beginning, the town soon became a thriving port with a permanent population of about 150 people which at times expanded to nearly 500 when the tobacco fleet was in the river.

During the period from 1710 to 1760 the town was one of the most important centers of trade and shipping in Virginia. Large quantities of tobacco and other commodities were exported and cargoes of slaves and European goods were imported from across the

Atlantic. Most of Yorktown's trade was with England and by the 1740's as many as 50 ships might be in the vicinity at any given time. The presence of these ships, attracted by the tobacco trade, was the lifeblood of the town.

By 1750, Yorktown consisted of over 250 buildings and 1,800 inhabitants. Located on or near Main Street, the town's chief artery, were important public structures such as the courthouse, church and custom house as well as impressive brick town houses built by the wealthy mercantile families—the Nelsons, Lightfoots, and Amblers.

Yorktown quickly outgrew the limits of the original 50-acre tract on the bluff overlooking the river. The first new area to be occupied was the waterfront, and by 1715, a different type of development was taking place "under the hill" along the shoreline. This narrow strip of land below the town was where the wharves, stores, warehouses, and taverns needed by the growing port were located. During the 18th century this was a busy, crowded, and probably rowdy section of town, but it was here that much of the vital work of Yorktown was done and where the profits were made that built the mansions on the bluffs above. This "Common Shore" was incorporated into the town in 1738.

By the 1730's Yorktown was also expanding in the opposite direction to the southwest. Beginning in 1737, Gwyn Read, who owned land adjoining the town, began to subdivide and sell small lots. By 1757, this "suburb" had become so extensively built up that it was formally annexed by the town.

After 1750, the center of tobacco production shifted west to the recently settled Piedmont Region, the changing patterns of trade began to affect the town's commerce. Shipping followed the tobacco trade and other ports and areas began to grow at a faster rate, while Yorktown's growth gradually slowed and then stopped. By the 1750's, the York River's share of commerce had dropped to third place among the colony's six naval districts, and by 1776, Yorktown had come full circle from Virginia's leading center of trade to one of its lesser ports.

When Lord Cornwallis decided to occupy and fortify the town in the summer of 1781, he started a series of events that eventually resulted in the Yorktown campaign later that year. At the end of the siege on October 19, 1781, the allied American and French army had won a great victory over the British, but more than half of the town had been destroyed during the fighting.

Although Yorktown survived the Revolution and siege, it never fully recovered. The devastated town gradually became a sleepy hamlet famous for the "best fish and oysters, the best taverns in Virginia and the hospitality and friendliness of its inhabitants."

**MIDDLE EAST PRIVATE  
INVESTMENT CORPORATION**

**HON. WAYNE OWENS**

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. OWENS of Utah. Mr. Speaker, I rise to reintroduce in modified form a bill to establish a Middle East Private Investment Corporation. The need to address one of the principal causes of instability in the Middle East—poverty and economic hopelessness—was highlighted by Secretary Baker last fall in testimony before the Foreign Affairs Committee.

This proposed institution is the product of countless hours of discussion with many of the leading business figures in the Middle East, and will promote regional integration and reconciliation hand in hand with the political peace process. Now, as Secretary Baker intensifies his efforts to convene a regional peace conference leading to direct negotiations, this idea is all the more timely.

Mr. Speaker, after more than four decades of conflict in the Middle East, the fiercest battles are no longer waged in the desert or the streets, but in the political arena between moderates and radicals; those willing to explore a cooperative future, and those trapped within an ideology of hate and intransigence. This is the fundamental struggle which underlies the political conflict. It knows no national identity, no religion, no single piece of land.

As a longtime observer of the Arab-Israeli conflict, I've come to realize that these battle lines will linger long after the peace treaties are signed. The true challenge in the peace process, then, lies in nurturing the moderate elements on all sides, creating a network of binding interdependencies and a mutual interest in peace. This means looking beyond a political settlement toward a future where Arabs and Israelis work hand in hand to develop the region to its fullest potential.

Even today, while governments in the region are mired in the political conflict, Arabs and Israelis in the commercial sector recognize the limitless possibilities for economic cooperation. Many envision combining the Arab world's abundant human and natural resources with Israel's formidable technology in agriculture, textiles, and chemical industries. Together with the Gulf's capital resources, the result will be a thriving, integrated economic community, perhaps even a common market. Those countries which were dependent on foreign assistance will join together and become a potent force in the international marketplace. Those which were divided by ideology will be united by the conviction that everyone in the Middle East has a shared interest in stability and economic development.

None of this, of course, will happen overnight. Like a political settlement, it will require a gradual process of confidence building and the helping hand of the United States. Together with its efforts to forward political reconciliation, the United States Government should establish a financial institution which will foster joint-ventures between Arabs and Israelis and expedite regional economic integration.

Mr. Speaker, I rise to introduce a bill to establish a Middle East Private Investment Corporation. Based in part on the successful Overseas Private Investment Corporation in the United States, the envisioned bank will locate opportunities throughout the region, bring interested business parties together, and facilitate joint ventures by providing essential financing and investment banking services. Backed by the full faith and credit of the U.S. Government, the bank will offer loan guarantees to local financial institutions and make cooperative joint-venture projects the most attractive investments in the Middle East.

A treaty alone is not enough to ensure peace for future generations. Neither Arab nor

Israeli can pound sword into ploughshare until there is firm foundation of personal ties and shared interests across political boundaries. The United States along with governments in the region must, therefore, be willing to make a leap of faith over the political hurdles which today seem insurmountable and prepare for the future.

**THE RETIREMENT OF MAJ. GEN.  
WILLIAM F. WARD**

**HON. DAVE McCURDY**

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. McCURDY. Mr. Speaker, today marks the retirement of Maj. Gen. William F. Ward, the chief of the U.S. Army Reserve and the first commander of the U.S. Army Reserve Command. General Ward, who graduated from the U.S. Military Academy in 1950 is retiring after more than 41 years of commissioned service to this Nation. General Ward is the very embodiment of the citizen soldier. After successful service in Korea with the 1st Cavalry Division, General Ward returned to civilian life and earned a master of business administration degree at the Harvard Business School and later a bachelor of law degree from La Salle University. In civilian life General Ward served in executive positions with Grannet Dunlap, Inc., Dun & Bradstreet, and Dun-Donnelly Publishing, as well as serving as a director for Eastern Savings Bank, Apple Bank for Savings, and other private and public corporations and civic associations. When General Ward left the Active Army, he joined the Army Reserve, serving in numerous command and staff positions. Immediately prior to his selection as chief, Army Reserve, in 1986, General Ward served as the assistant deputy command general—Reserve Affairs—individual mobilization augmentee, U.S. Army Forces Command, Fort McPherson, GA, and before that as the commanding general, 77th Army Reserve Command, Fort Totten, NY. On October 1, 1990, while remaining chief, Army Reserve, General Ward was appointed the first commander of the U.S. Army Reserve Command.

Under General Ward's guidance and direction the Army Reserve has achieved unprecedented levels of management efficiency and mobilization readiness, culminating in its superb service in Operation Just Cause and most recently Operations Desert Shield and Desert Storm. It is no exaggeration to say that the victory that our forces have recently won in the Persian Gulf was due in large measure to the support that was provided by the citizen soldiers of the Army Reserve, both unit members and individual soldiers of the Ready Reserve. The readiness of these units and soldiers was the result of General Ward's inspirational leadership and guidance as well as his ability to work successfully with the Congress, articulating Army Reserve requirements and supporting total Army programs.

General Ward has served his Nation with great distinction for more than four decades as a citizen soldier. His vision, dedication, and remarkable professional achievement have left a

mark upon his Army and his Nation that will be remembered for years to come. His proud history of service is an example for all who would follow him to emulate. This Chamber wishes to recognize his signal contributions and to wish him well in all that he may choose to do in the years to come.

A TRIBUTE TO MSGR. KENNETH  
HORAN

HON. JOSEPH M. McDADE

OF PENNSYLVANIA  
IN THE HOUSE OF REPRESENTATIVES  
Friday, August 2, 1991

Mr. McDADE. Mr. Speaker, I rise today to honor the reverend Msgr. Kenneth T. Horan of Scranton, PA, who recently left his position as director of the Scranton Office of Catholic Social Services to become the pastor of St. John Neumann Parish in Lords Valley, PA. Our community will miss him very much.

In his time as director of Catholic Social Services, Monsignor Horan has distinguished himself by his exceptional work for our community. Last year, the National Association of Social Workers named him as Social Worker of the Year in Pennsylvania in recognition of his work for the homeless in our area.

On June 18 of this year, Monsignor Horan celebrated the 40th anniversary of his priestly vows. In a career filled with many honors, none was more important to Monsignor than his elevation to the Prelate of Honor to His Holiness.

As chaplain at the Clarks Summit State Hospital from 1959 to 1986, Monsignor Horan provided spiritual guidance and support for the patients and their families. His gracious counsel during his tenure was so highly valued that on his retirement from the State hospital, the chapel was named in his honor.

Monsignor Horan served our entire community tirelessly. He was the president of the Scranton-Lackawanna Human Development Agency Board of Directors, the treasurer of Goodwill Industries, and vice-president of the Mental Health Citizens Advisory Board. He has also been actively involved in adoption services, child care coordination, maternal health services, and drug and alcohol treatment programs.

Our prayers and best wishes go with Monsignor Horan as he assumes his new pastoral duties in Pike County, PA.

CLEVELAND'S UNEMPLOYMENT  
CRISIS

HON. LOUIS STOKES

OF OHIO  
IN THE HOUSE OF REPRESENTATIVES  
Friday, August 2, 1991

Mr. STOKES. Mr. Speaker, for several weeks, I have been presenting a series of articles published by the Cleveland Plain Dealer. The series looks at the conditions of unemployment in Cleveland. I am presenting the final chapter in this sad story to you and my colleagues today.

This final set of articles examines how Cleveland is trying to help those who are with-

out work, however that help is sometimes difficult to come by. Cleveland is a growing city, but its economy still is playing catchup.

Mr. Speaker, I hope my colleagues have been following these articles as I have presented them, and will continue to do so with this fourth and final installment. Hopefully, the fine work done by the Cleveland Plain Dealer and its reporters will instigate discussion about unemployment not only in Cleveland, but nationwide.

[From the Cleveland Plain Dealer, May 26, 1991]

CENTER HELPS JOBLESS HELP THEMSELVES  
OUT

(By Michael Sangiacomo)

Richard Hanscom has a "job" with very little security, but he doesn't mind.

In fact, he hopes his job will end soon. When that happens, as it did once last year, he and his co-workers celebrate with doughnuts and coffee.

Hanscom is the president of the Career Initiatives Center, a group that helps people without jobs find employment. The non-profit group, situated on the second floor of the Food Bank building at 1557 E. 27th St., was founded by unemployed people and is run by them.

The staff fluctuates as they find jobs for themselves and others, but it's a transition everyone likes.

"I was president earlier last year and stepped down because I took a temporary job in New Jersey," said Hanscom. "When the job ran out, I returned here and was made president again. I think there have been three or four people in the last few years."

Career Initiatives helps people land white-collar jobs in management, technical sales and other administrative positions.

"We work out of the center. No one gets paid for what they do here," said Hanscom. "While they help others, they also help themselves. The unemployed person is responsible for getting his own job. We help and provide facilities for him to work in."

"We have the office facilities, the word processors, telephones and information about professions and available positions," he said. "We have a self-marketing training program where we help people determine what they want to do and help them figure out a plan to reach their goal."

The center started in 1984 as a support group for unemployed members of Fairmount Presbyterian Church in Cleveland Heights.

"The group started in response to the growing number of unemployed people in the church," he said. "It began as a peer support group. Then it grew into something more. We got some grants from corporations . . . and opened the center here to help people get jobs or get new jobs."

One of the founders, Cary Straffon, remains a member of the board of trustees even though she is happily employed as a transition specialist with the Russell-Rogat Co., working with employees at Ameritrust Co.

"I was a homemaker, then I went back to school and got a master's degree in counseling," she said. "I started working with the people in the church and quickly realized we had to do more."

Straffon said the center had helped hundreds of people help themselves find jobs.

"We live by the Four P's: persistence, patience, people and prayer," Hanscom said. "That's what makes it work."

[From the Cleveland Plain Dealer]

JOB HELP IS HERE, BUT EXACTLY WHERE IS  
OFTEN UNKNOWN

(By Michael Sangiacomo)

Sometimes, getting a job is not a matter of whom you know, but knowing where to go.

In Cleveland, a city that has the distinction of having the highest black unemployment rate among the nation's major cities, unemployed residents said part of the problem was not knowing where to go for help.

Despite the best efforts of the Ohio Bureau of Employment Services, the city and Cuyahoga County, getting the word out to those most in need can be difficult.

"Losing a job is a tough time anyway, but it's difficult to get to the right sources because many agencies are not very well publicized," said Julius West, manager of the OBES employment division in Cleveland. "So the general public misses a lot. We direct people to other agencies when needed."

There are dozens of organizations in the Cleveland area that offer free or low-cost assistance to people looking for work. The services include evaluating people's work skills, preparing them to look for work, resume preparation, teaching them interviewing skills, and providing job training and actual job placement.

Some groups appeal to job seekers with specific needs or who fall into specific categories. Others are geared to the more general needs of the unemployed.

Are you a woman looking for a man's job? Call Hard Hatted Women. Are you an American Indian looking for training and job placement? Call the Cleveland American Indian Center. There are similar specialized services for the elderly, the blind, the disabled and other minorities.

One of the best clearinghouses for employment information is available at the 29 branches of the Cuyahoga County Library, through its InfoPLACE system.

Each library branch will assist people in hooking up with InfoPLACE counselors.

"If a person walks into any library in the county system and asks for help, even help in writing a resume, they will be directed to us," said Jeanne Patterson, manager. "We make appointments to meet with them and give them some personal counseling."

Besides a wealth of printed reference material on employers, job availability and computerized job information, InfoPLACE counselors will test people to determine their job skills and career preferences.

The next step is assisting people in preparing a strong resume, planning an effective job search strategy and preparing for job interviews. This includes researching the prospective company. InfoPLACE also offers information on continuing education and job training.

One of the most valuable pieces of information is a 48-page booklet called "The Survival Guide," which lists 61 agencies that offer help for the unemployed.

The popular guide is distributed at all Cuyahoga County Library branches and at the 61 agencies it lists.

The counselors teach classes at library branches in South Euclid, Beachwood, Chagrin Falls, Maple Heights, Bay Village, North Royalton, Fairview Park Regional Library, Brooklyn, Brook Park, Strongsville and the Parma Regional Library.

In 1990, the group held 2,400 individual counseling sessions, taught 1,600 people in workshops and answered about 40,000 questions. "This year, we'll go even higher," Patterson said.

One of the groups in the Info-PLACE book is Hard Hatted Women, 4209 Lorain Ave., an

agency formed 10 years ago to help women who want to work in a man's world.

"We cater to women interested in blue-collar, non-traditional jobs like construction workers, welders, boiler operators and mechanics," said Kathy Augustine, director of the agency. "We started as a support group 10 years ago by a female steelworker and a truck driver who wanted to talk to other women in such jobs.

"From that, it grew into a place to where women called to find jobs," she said. "Now we have a job-placement service for women. Any construction company working on a federal contract is required to hire 6.9% women. None of them comply; they always say they can't find women. We can provide all the women they need."

She said the agency taught women how to build up their upper body strength and use leverage in order to compete with men on jobs that require hard physical labor. She said they got about 50 calls a week.

Despite the name, gentiles are also welcome at Jewish Vocational Service, 21403 Chagrin Blvd., Beachwood.

"About half of the people we serve are non-Jewish," said Ellen Harris, spokeswoman. "We are a United Way agency and we serve a whole range of people, but most of our thrust is career changers and unemployed white-collar workers."

Among the free services the agency offers are training and placement programs for people interested in becoming dietary aides in institutions and people interested in child care and workshops on job-seeking and interviewing.

Visually impaired people may get help in job hunting from the Bureau of Services for the Visually Impaired, 310 Lakeside West, second floor.

Rehabilitation supervisor Robert Breckenridge said the agency worked with people to determine their abilities and aptitudes, then helped them reach their goals.

"We assist them in attaining or retaining employment," he said. "One major service we provide is counseling. Visually impaired people can be trained for many, many jobs running the gamut of computer programmers, sales positions, travel agencies and other."

He said the agency worked with about 800 people from the area.

[From the Cleveland Plain Dealer, May 19, 1991]

#### A TIME BOMB OF URBAN INEQUALITY

Cleveland may style itself a "comeback city," but new federal data show that its economy has a long way to go before it can claim to be part of any urban renaissance.

The city has earned a lamentable national distinction, according to new data from the federal Bureau of Labor Statistics: Among 17 of America's largest cities, Cleveland suffers the second-worst unemployment rate among its working-age adults. Worse, there is a dangerous racial skew within the city's labor market: Cleveland endures big-city America's worst unemployment rate among black workers. In 1990, 20.7% of working-age blacks and 9% of working-age whites were unemployed. Among all employable workers, Cleveland's 13.8% rate of joblessness was topped only by the 16.1% rate in perennially depressed Detroit.

Moreover, the situation may be more severe than the most recent federal survey suggests. The Labor Department data fail to measure the underemployed (who involuntarily hold only part-time jobs) and the chronically jobless "discouraged workers"

who have stopped looking for work. A labor analyst with the National Urban League estimates there may be "depression-level unemployment" in Cleveland's black community, with as much as 70% black teen-age and 35% black adult joblessness.

Clevelanders know the factors that intensify the city's woes: the abysmal school system, the deindustrialization of the economy, the growth that never spread from downtown to the neighborhoods, the plagues of crime, guns and drugs.

But Cleveland's plight is part of a national trend, seemingly inexorable and impervious to social-policy tinkering. America endures a patchwork prosperity, its society increasingly divided along rigid lines of race, education, job skills and geography. The social stratification suggests that America is headed for trouble.

Will it require more inner-city explosions before America awakens to the urban crisis? As the celebrated Kerner Commission reporting after the 1967 and 1968 waves of urban rioting, "Our nation is moving toward two societies, one black, one white—separate and unequal."

The changing economy steers society's destiny. A relatively narrow class of highly skilled wage-earners (most of them white, most of them in the suburbs) has enjoyed brisk increases in its inflation-adjusted wealth since 1980. A hard-pressed middle class has struggled to stay afloat. Working-class families have suffered declining standards of living, as good-paying jobs in manufacturing industries were replaced by lower-paying jobs in the service sector. Beneath the labor market is a hardening underclass, concentrated in the inner cities, that seems perpetually excluded from opportunity. Social resentment, linked to class and race, is a ticking time bomb within urban America.

The recent federal statistics, like reams of data before them, puncture the pretense that urban America flourished during a supposed economic boom in the 1980s. Presidents and governors may cheerlead all they want, but the nation's mayor—who went on an emergency mission to Washington this week to plead for more federal aid—must cope with the grim results of the socioeconomic shake-out.

"There is no magic wand to wave that will fix everything, and it's going to get worse before it gets better," said Mayor White when he learned of the gloomy new data about America's cities. He's right: None of the alternatives tried so far—big-spending liberalism, tax-cutting conservatism, benign neglect—has eased urban woes. Cleveland, like other stressed cities, requires creative federal help, lest the social time bomb keep ticking toward its eventual explosion.

#### THE DECENNIAL CENSUS IMPROVEMENT ACT OF 1991

HON. THOMAS C. SAWYER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. SAWYER. Mr. Speaker, today I am introducing the Decennial Census Improvement Act of 1991. This legislation authorizes the National Academy of Sciences to conduct a thorough review of methods for improving the decennial census in the year 2000.

The 1990 census missed at least 10 million people. Less than 1 month ago, however, the

Secretary of Commerce decided not to use available statistical methods to include those people in the census. The result is that the 1990 census is the first that is less accurate than the one preceding it. Clearly, traditional counting methods are not reaching millions of Americans.

There is an opportunity, over the next few years, to study and adopt techniques to count the population more accurately in 2000. A broad-based, objective, independent review is critical to our Nation's ability to prepare for an improved census in a limited amount of time. I am confident that no organization is more well equipped to consider those matters than the National Academy of Sciences.

The time frame for this work is not long. Fundamental decisions about the design of the next census must be made by the middle of this decade. A great deal of research and review must be completed before that time. I am encouraged that the House saw fit to set aside funds for this study in the fiscal year 1992 Commerce appropriations bill.

I believe the concept of an independent forum for census planning enjoys widespread bipartisan support. I am pleased to have several of my colleagues from the Post Office and Civil Service Subcommittee on Census and Population as original cosponsors of the legislation. I also want to thank my distinguished full committee chairman, Congressman BILL CLAY, for his assistance in developing this legislation and his strong support of fundamental reform of the census process. I look forward to support from my other colleagues, as well.

#### INTRODUCTION OF THE NONTRADITIONAL STUDENT OPPORTUNITY ACT AND THE COMMISSION ON GRADUATE EDUCATION

HON. STEVE GUNDERSON

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. GUNDERSON. Mr. Speaker, the year 1965 marked the birth of the Higher Education Act. The Higher Education Act was created to financially assist students seeking postsecondary education on a full-time basis. For this past academic year, 1990-91, \$8 billion in student aid has been disbursed to nearly 6 million students at over 8,000 postsecondary institutions.

Since the inception of the Higher Education Act, the postsecondary world has dramatically changed. There has been a spectacular increase in the number of students attending vocational schools, the number of part-time students, and the number of independent students.

This past week, the House Education and Labor Subcommittee on Postsecondary Education heard testimony from the Coalition for Adult and Part-time Students. In their testimony, a reference was made to the 1965 Higher Education Committee report that said: "The committee has not set age limitations with respect to recipients, nor is a preference accorded to any specific academic discipline or year of study. It is the student's financial need which is the foremost consideration in

the selection of recipients." This section of the 1965 report clearly demonstrates the foresight of the committee in seeing that the 4 year, 18-22-year-old, traditional college student would not be the only students to pursue higher education.

The House Education and Labor Subcommittee on Postsecondary Education recently conducted a hearing in Wisconsin. One of the witnesses at that hearing, Mahrie Hightower, a psychology major at Viterbo College in La Crosse, exemplified the importance of not limiting the Higher Education Act to the traditional 4-year, 18-22-year-old college student. Ms. Hightower is 30 years old, a single parent, and is on track to graduate with honors in May 1992. She supports herself and her daughter on less than \$6,000 per year.

Mahrie Hightower has had to overcome many obstacles in pursuit of higher education. These include the lack of sufficient funding to cover child care costs and inconvenient scheduled times for required courses.

Today, I am introducing the Nontraditional Student Opportunity Act. This bill was designed so that more Mahrie Hightowers may obtain a postsecondary education while avoiding many of the hassles.

Some of the key provisions of my proposal include: (a) a nontraditional student is defined as one of the following; an individual attending a postsecondary institution less than full-time, age 24 or older, a single parent, or an independent student, (b) human resource department hours of operation at postsecondary institutions should be extended to accommodate nontraditional students, (c) the Department of Education is required to obtain and maintain a better data base on nontraditional students, (d) permit less than half-time students to obtain Pell grants, (e) eliminate home, farm, and small business equity from financial aid calculations, and (f) increase the child care allocation in the Pell grant formula to \$2,000.

In addition to the Nontraditional Student Opportunity Act, I am also introducing a proposal that will establish a Commission on Graduate Education. Two primary functions of the commission will be to: (a) assess the adequacies and deficiencies of graduate student financial aid information resources and services, and (b) investigate the availability of fellowships, loans, and other financial assistance to qualified baccalaureate degreeholders with an emphasis on minorities, women, individuals with disabilities, nontraditional students, and the disadvantaged/low-income.

During a recent hearing on graduate education in the House Education and Labor Committee, several witnesses testified that this Nation is facing a shortage of highly trained scientists and engineers, a deterioration of an infrastructure that supports graduate research and training, and a loss of a highly trained professional work force in the humanities and social sciences arenas.

In order to maintain modest growth in research and development activities in all disciplines, it is essential that we produce an appropriate supply of Ph.D.'s to conduct those endeavors. The best way to accomplish this goal is to assess our current graduate education structure, find the gaps, and define the solutions.

The two bills that I am introducing today, the Nontraditional Student Opportunity Act and the

Commission on Graduate Education, must be enacted if we are to meet the employment needs of the Nation. I look forward to working with my colleagues on the House Education and Labor Committee to see that these initiatives are included in the reauthorization of the Higher Education Act.

#### LEGISLATION TO WITHHOLD EPA CONTRACTS FROM BAD ACTORS

**HON. BILL PAXON**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. PAXON. Mr. Speaker, Americans have suffered for far too long from toxic and hazardous waste that has been dumped along their highways, poured in their rivers, and buried in their neighborhoods.

People in western New York and the Finger Lakes region know this suffering all too well. We have had more than our share of environmental disasters in our small corner of the country, disasters that have led to death and disease in our own communities and families.

What is most appalling about these disasters is that the unscrupulous people who create them by polluting our soil, water, and air are the very people who very often are contracted by our Government to clean them up!

Mr. Speaker, I have introduced today a piece of legislation that I feel will empower the EPA with the authority it needs to identify and remove violators of environmental laws from the waste disposal business.

I am extremely pleased that my colleague from the State of Oklahoma, Mr. SYNAR, the distinguished chairman of the Subcommittee on Environment, Energy and Natural Resources, has joined me in sponsoring this important, bipartisan legislation.

Mr. SYNAR has conducted extensive investigations into the problem of bad actors—firms or individuals that have been convicted of environmental violations and then turn around, and under a new name, receive Government contracts to do additional EPA work. The subcommittee chaired by Mr. SYNAR reported that, despite the fact that investigators often knew of past violations, they were incapable of preventing these firms from getting new EPA contracts.

I became aware of this heinous problem when a company in western New York with close financial and managerial ties to other companies and individuals guilty of numerous environmental violations and other criminal activities, received a contract to do a cleanup project in my congressional district—one of the costliest Superfund cleanup projects ever in New York State.

Mr. Speaker, my legislation would require that all firms and individuals seeking contracts or other benefits from the EPA disclose extensive information about the owners, executives, managers, key employees and others involved in the company. This information will be used by the EPA to screen these firms and individuals in the waste disposal business.

Any found to have violated serious environmental laws would be banned from receiving EPA contracts or other benefits for a period of up to 10 years.

This legislation will give the Environmental Protection Agency the authority it needs to keep dangerous bad actors out of the toxic and hazardous waste disposal business.

Mr. Speaker, I wish to once again thank my colleague, Mr. SYNAR, and urge our other colleagues from both sides of the aisle to join us in this critical effort to help protect our families, communities and environment from bad actors.

#### TRIBUTE TO ARNOLD PRICE

**HON. HENRY A. WAXMAN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. WAXMAN. Mr. Speaker, on October 20, 1991, the Gateways Hospital Men's Club is holding their 26th anniversary Heat-A-Mind Ball at which time they will honor this year's "Man of the Year", Mr. Arnold Price.

A devoted humanitarian, philanthropist, and community activist, Mr. Price has been active in over 60 charitable and community organizations. Those organizations benefiting from his generosity include the American Kidney Foundation, Jewish Braille Institute, Amie-Karen Cancer Fund, Los Angeles Child Abuse, and the March of Dimes.

As chairman of the subcommittee on Health and the Environment, Mr. Price's contributions to the health and welfare of the community is especially appreciated. He has stated that "It is with a glad heart that I am in a position to assist those seeking and striving for good health. It is one's life duty and privilege." It is heartening to know that such benevolence exists in today's society.

Mr. Price has been a long time supporter of Gateways Hospital. Their dedication to mental health and rehabilitation, has been an integral part of helping the mentally ill achieve an acceptable way of life. Individuals, families, and the homeless, who must face the tragedy of mental illness, may turn to Gateways Hospital Mental Health Center.

Mr. Price's achievements span a much larger scope as well, including his career as a highly successful insurance executive and an innovative financial-investment entrepreneur. His present firm, Price, Raffel & Associates, has grown to one of the largest pension and profit-sharing administrators in the United States.

I ask my colleagues to join with me in congratulating Arnold Price and his family on this momentous occasion and wish them continued success and fulfillment in their future endeavors.

#### THE POSTAL SERVICE HAS RESPONSIBILITIES THAT IT MUST LIVE UP TO

**HON. NICK JOE RAHALL II**

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. RAHALL. Mr. Speaker, I would like to commend the Bluefield Daily Telegraph, a

newspaper in my district, for an editorial that ran recently about the U.S. Postal Service. The issue involved is the way in which the USPS goes about its decisionmaking process.

My friends, it is time for the Postal Service to bring the rank and file employees into the loop. In the Bluefield area of my district there have been rumors about facilities closing, machines taking the place of human workers, as well as studies and reports that are always in the works. Adding insult to injury, the automation of the Postal Service is to proceed with contracted employees. This makes it impossible for those individuals who have spent their lives in the Postal Service, to plan for the future: Promises that employee reductions will be made by attrition do not hold water when current workers are told that if their jobs are eliminated, and they still wish to work, they may be relocated to another area of the country.

Mr. Speaker, I am not opposed to the USPS moving into the future with further automation. I am opposed to the way by which they are doing so. Their attitude has been, paraphrasing Admiral Nelson, "damn the public, full speed ahead." Stamp prices have gone up and service has gone down. Post offices are being closed without regard to the community, while the Postal Board of Governors pays Price-Waterhouse, a private company, \$23.4 million to find out how good a job they are doing. Committed civil servants are told that they are in the way of progress and that they will be replaced by machines. The Postal Service refused to negotiate in good faith with its unions while awarding its managers millions of dollars in bonuses.

It is time for the Postal Service to come out of the dark ages in labor and community relations. The employees in Bluefield and all over the country deserve to know about, and participate in, important decisions that affect their lives. Like no other Federal entity the Postal Service touches the lives of every American regularly. Postal employees are our friends and neighbors, post offices are community centers where people meet and socialize regularly. Postal officials have ignored these facts altogether in their management decisions. Just last week, the Postal Service padlocked the door of the Alpoca, WV, Post Office, which is in my district, closing it without any warning to its customers.

As the Daily Telegraph aptly points out, the Postal Service has been very eloquent in its justifications of higher postal rates and the outrageous bonuses for postal managers. It should be equally as thorough when contemplating changes in staffing or services. Postal employees and customers alike deserve due process before the implementation of destructive and demoralizing administrative decisions.

#### EXTEND THE TARGETED JOBS TAX CREDIT ELIGIBILITY

### HON. PAT WILLIAMS

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. WILLIAMS. Mr. Speaker, I am pleased to introduce legislation today, which extends

the targeted jobs tax credit eligibility to additional categories of employees and makes the credit permanent.

This bill would add the following categories of individuals as eligible target groups: First, a qualified older American; second, a qualified dislocated worker; third, an unemployment compensation exhaustee; fourth, a qualified JTPA trained individual; fifth, a displaced homemaker; or sixth, an eligible work-incentive or job-opportunities program employee.

My bill takes a crucial step toward eliminating the hidden poor of our society by expanding the eligible population that can participate in this program. We are using the TJTC Program to promote employment for individuals who have participated in other Federal efforts designed to improve their employability; and have established the necessary link to include employers in the training process by encouraging them to hire these individuals.

The Targeted Jobs Tax Credit Program was established in 1978 and is designed to lessen the problem of unemployment among individuals who have had a problem reentering the job market. This bill is an important step toward training those individuals who want to work. It will keep them off the welfare rolls and in productive jobs by encouraging employers to hire them.

#### NATIONAL ENERGY-EFFICIENT LIGHTING EDUCATION ACT

### HON. DAVID E. PRICE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. PRICE. Mr. Speaker, today I join my distinguished colleague from North Carolina's second district, Congressman TIM VALENTINE, in introducing the National Energy-Efficient Lighting Education Act.

Over the past several months, Members in both bodies have been discussing the need for a national energy policy to reduce this Nation's dependence on foreign oil, and there has been much debate over the best means for achieving energy independence.

Our bill represents a small but important part of this energy plan by encouraging the use of energy-efficient lighting. Although energy-efficient lighting technology is available now, much of it is not being used. Amazingly, even many of our lighting professionals are not aware of this technology and its many applications.

The National Energy-Efficient Lighting Education Act would provide lighting professionals the information they need to fully utilize energy-efficient lighting. The bill would offer Federal matching grants to universities and non-profit organizations to establish regional lighting centers. These centers would offer workshops to architects, electricians, commercial developers, and building managers to educate them on the availability and use of energy-efficient lighting technologies. The centers would also work with engineering schools and technical and community colleges to establish curriculums which focus on energy-efficient lighting.

Mr. Speaker, my colleague and I believe education about energy-efficient lighting is a

significant need and could be a vital component of a national energy strategy. I invite Members to cosponsor this legislation which will truly bring good things to light.

#### SALUTING THE PEOPLE INVOLVED IN THE ROCCO MEDIATE 14TH QUARTERMASTER BENEFIT

### HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. MURTHA. Mr. Speaker, the people of Greensburg, PA, are fortunate to have a talented native son playing on the professional golfers tour this year. Rocco Mediate is one of the rising stars of the PGA tour, and he has proved it this year by winning the Doral Open and ranking fourth on the PGA's earning list.

Rocco is not only a talented golfer, but an exceptional individual. Greensburg suffered a tragedy early this year, when the barracks in which members of the 14th Quartermaster Unit, based in Greensburg, were staying in Dharhan, Saudi Arabia, was hit by an Iraqi Scud missile. Rocco dedicated his win at Doral to the members of the unit, and came back to Greensburg on June 21 to hold a benefit for the families of the victims of the Scud attack.

Perhaps the most impressive thing about this fundraiser, beyond the \$50,000 that was raised for the families of the victims of the Scud attack, was the effort of all the people at the Greensburg Country Club, which hosted this event. More than 100 people helped with this effort, and everyone should be saluted for dedicating their time for this worthy cause.

It's been said that nothing brings out the true spirit of a community like a tragedy affecting a part of that community. The loss of so many of our area's young men and women in the attack on the barracks in Dharhan affected us deeply. But the efforts of everyone involved in the Rocco Mediate 14th Quartermaster benefit shows that our community will never forget the sacrifice made by the brave men and women of the unit.

#### IN SALUTE OF OUR FILIPINO HEROES

### HON. BILL LOWERY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. LOWERY of California. Mr. Speaker, I rise today to recognize the achievements of the many Filipino-Americans who have served in the U.S. armed services.

The recent events in the Persian Gulf have once again turned this Nation's attention to the tremendous sacrifices that American servicemen and women have made for their country. Four thousand of these courageous individuals are Filipino-Americans. The citizens of San Diego would like to recognize the sacrifices and achievements of the Filipino-Americans who serve in the U.S. armed services.

Hundreds of Filipino-Americans from the San Diego area served in the Persian Gulf

and were instrumental in our decisive victory. These soldiers, airmen, and sailors displayed fortitude and determination in helping to preserve peace around the globe. This selfless display of courage and valor certainly deserves recognition.

In addition, I stand with my colleagues, DUNCAN HUNTER and RANDY CUNNINGHAM, in supporting legislation which will enable these heroes to apply for U.S. citizenship. These soldiers would have given their lives for this country. The least we can do is invite them to become permanent members of our society.

Mr. Speaker, I hope you and all our colleagues will join me in paying tribute to the Filipino-Americans who have served to protect the freedoms we hold so dear. Their contribution to America is greatly appreciated and should be rewarded.

#### DIAMOND ANNIVERSARY OF THE NATIONAL PARK SERVICE

### HON. BRUCE F. VENTO

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. VENTO. Mr. Speaker, on August 25, 1991, the National Park Service celebrates its diamond anniversary. For the past 75 years it has been the steward of the diverse and precious resources of our national parks as well as being instrumental in historic preservation and recreation throughout this country.

As part of the 75th anniversary celebration, the National Geographic's current issue includes an article on the national parks and their personnel by Paul Pritchard, president of the National Parks and Conservation Association, "The Best Idea America Ever Had." I want to commend Paul for his insightful article and to thank the National Geographic as well for helping to recognize the human resources as well as the natural and cultural resources associated with the National Park Service. We have an incomparable legacy in these resources, one whose preservation we must ensure.

Mr. Speaker, I ask that a part of this outstanding article be printed in the RECORD.

#### "THE BEST IDEA AMERICA EVER HAD"

(By Paul C. Pritchard)

"To conserve the scenery and the natural and historic objects and the wild life therein and to provide for the enjoyment of the same . . . unimpaired for the enjoyment of future generations." With a stroke of his pen, President Woodrow Wilson thus signed the National Park Service Act 75 years ago this month.

Thirty-six national parks were brought under a single federal agency by this law. Former British ambassador to the U.S. James Bryce called them "the best idea America ever had." In the words of J. Horace McFarland, one of the visionaries who helped establish our National Park Service in 1916. "It is the one thing we have that has not been imported." Other nations had preserved gardens and open spaces—but mainly for the privileged classes. Not so for the U.S. parks, which would be preserved for all.

The National Park System has grown to 357 sites covering 80 million acres, including national parks and monuments, wild and scenic

rivers, seashores, historic sites, scenic trails, and battlefields. In addition to natural wonders, such as Yellowstone and Grand Canyon, the Park Service preserves pieces of our history and culture—British cannon surrendered at Yorktown, the derrick that killed Abraham Lincoln, Carl Sandburg's typewriter, even a type of short-legged Hereford cattle bred by President Lyndon B. Johnson.

The service is acutely aware that its lands are among the last natural refuges for America's plant and animal diversity. More and more, it is being called upon to provide scarce habitat for thousands of species and to use the parks as laboratories for research in a world of dwindling wild places. The service's 12,000 employees include those investigating why rare saguaro cactuses are dying in the Southwest, seeking how to protect a shrinking population of sea turtles in the U.S. Virgin Islands, exploring how to get clean water to Florida's Everglades in the right volume, and managing a bison herd in Yellowstone that wanders outside the park.

These concerns reflect a growing sensitivity and sophistication in our understanding of the natural world. In Yellowstone, for example, where bleachers were once erected at the garbage dumps so tourists could watch grizzly bears feeding, the dumps have been closed, the bleachers have been razed, and thousands of dollars have been spent to install bear-proof garbage cans. The bears have returned to their normal diet, and they are healthier.

As our understanding of nature has changed, so has the role of national parks. Most Americans probably still think of picture postcard vistas. But, in fact, most parks today focus on history or culture, and they often are within easy reach of cities and suburbs. And many of today's parks reflect our nation's evolving values and demographic mix.

In San Antonio, Texas, the Park Service is working with the Roman Catholic Church to preserve old missions, representing the heritage of Spanish colonial days. In California, Asian-Americans have asked for a national park at Manzanar recognizing the internment during World War II of American citizens of Japanese descent. In Massachusetts, restored 19th-century textile mills at the Lowell National Historical Park sit in a city of 103,000, the site of America's first planned industrial town.

Our park system has been called the "largest university in the world." The prime purpose of the system, says Yale University historian robin Winks, "is to educate people, with the 357 park units as branch campuses." But this great university faces a number of challenges stemming from overcrowding, understaffing, and budget constraints. In the 1970s our parklands were doubled with the creation of many urban parks and the addition of more than 40 million acres of Alaska lands. But there has been no comparable increase in staff—this during a time when more people than ever, more than 250 million a year, are visiting parks. The number of visitors is expected to grow, with estimates that the parks' popularity will push the annual visitation figure to half a billion by the year 2010.

Today there are parks, such as Great Smoky Mountains and Shenandoah, where millions of feet walk over the same ground during the course of a year. Visitors seeking solitude are often disappointed to find that some parks are beset by the same crowding and noise that afflict cities.

Even the chief of the Park Service is not immune. "On my first visit to Yosemite two

years ago," recalls National Park Service Director James M. Ridenour, "it was so noisy outside I had trouble sleeping. It's quieter in my home not far from the nation's capital than it was in the park that night. We hope that we don't get to the point where we'll have to close parks down, but at Yosemite and some other parks we may have to put a chain across the road and say, 'Sorry, nobody gets in until somebody comes out.'"

While the flood of visitors rises, the federal budget for parks has failed to keep pace, leading to the deterioration of many parks, which suffer under a backlog of maintenance, renovation, and repair that could cost more than two billion dollars. To neglect these projects threatens not only the preservation of our heritage but also public safety.

Not long ago a building at the Martin Luther King, Jr., National Historic Site in Atlanta collapsed. In Philadelphia the roof of Independence Hall leaked for a number of years. At Grand Canyon an abandoned uranium dig emits low-level radiation only a few steps from a visitor's path.

Under this stress, park rangers could become an endangered species, victims of too little pay and too much work. Surveys within the park Service indicate that while many dedicated individuals continue to perform outstanding feats of public service, the general level of morale is at an all-time low. It's understandable. Many rangers who joined the service to be close to nature must increasingly deal with the problems of drug enforcement, vandalism, and pollution. Rangers' average starting salary is only \$15,000. Lacking adequate housing, some have been forced to sleep in their cars; others subsist on food stamps. "The rangers of the National Park Service can't live on sunsets," says Representative Bruce Vento of Minnesota, chairman of the House Subcommittee on National Parks and Public Lands. "We're eroding the professional nature of the job."

A ready source of income for the parks could come from concessionaires—private businesses licensed to sell food and hotel space in parks. They operate as monopolies and make more than 500 million dollars a year but return only a small portion of that profit to the federal government. The money disappears into a general fund for use in other programs. But even if Congress mandated that a larger portion of concessionaires' annual earnings be returned directly to the Park Service, this alone would barely reduce the financial strain.

Another approach for stretching federal park dollars has already begun, with state and local governments to create jointly operated parks, such as the Lyndon B. Johnson National Historical Park in Texas and the Lowell National Historical Park.

The federal government relies on partnerships with private land conservancies. In the old days the government might have acquired wild lands and unique habitats. These days private conservation groups buy lands and manage them as preserves or hold them in trust until they can be transferred to the Park Service. Concerned citizens have also established the National Park Trust, which is raising money to buy the two million acres of private lands within our national parks. The idea is to hold these lands safe from development. Businesses also contribute to the trust, gaining goodwill in the process.

Such partnerships will carry the Park Service into its next 75 years, according to James Ridenour. "Without the active involvement of state and local governments

and the private sector, we could not begin to preserve—let alone manage—the land needed to meet the outdoor recreation and open-space needs of our population. The natural resources of the parks are under increased stress \* \* \* the present and future health of the system depends, to a great extent, on the level of public support we can achieve."

This anniversary has rekindled concern for the well-being of the National Park Service. Americans care deeply about their natural and cultural heritage, and they admire the dedicated individuals who keep our parks open. Without such people, some of whom you will meet in these pages, there could be no national parks.

#### THE CULTURAL FESTIVAL OF INDIA; A MONTH-LONG CELEBRATION

##### HON. CURT WELDON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. WELDON. Mr. Speaker, I rise today to recognize the Cultural Festival of India, presently underway at Middlesex County College in Edison, N.J. This month-long festival spanning over 40 acres features a re-creation of a typical Bengali village, countless craftsmen practicing their native trades, daily parades, and real life, traditional Indian weddings.

The festival's two-part goal is education and entertainment. The latter is achieved through nonstop dancing, puppet shows, and other forms of live performance. Numerous outside speakers and specially prepared indoor exhibits highlight the religion, lifestyle, and philosophies of the subcontinent, this gigantic country that still remains a mystery to most Americans. The festival offers an indepth and entertaining look into the historic culture and bright future of this country, reveling in the mixed American-Indian culture of the United States.

In a similar event in England, more than 750,000 guests enjoyed the sights, sounds, and smells of India, and organizers plan on over 1 million guests at the American festival. I wish to recognize the efforts of the hundreds of volunteers who have helped to bring this festival together, from the dozens of organizers to the countless artists who have helped to make this festival a success. I wish the festival the best of luck, and I urge everyone to visit this showcase of exotic talent, art, and history.

#### CURRENT DEVELOPMENTS IN CROATIA

##### HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. TRAFICANT. Mr. Speaker, I rise today to call your attention to the situation in Croatia. The Yugoslav Federal Army, which claims to be a peacekeeping buffer between opposing sides in the ethnic warfare between the Serbian minority and the Croatian majority in the independent Republic, has joined forces with the Serbian minority in murdering Croatian militia forces in cold blood and blasting away at

and seizing Croatian towns throughout the Republic. News reports indicate that hundreds of Croatians have been murdered and executed since last Thursday.

Croatia declared independence last June and the Yugoslav Government responded to that action by declaring that it would not use force to keep Croatia in the federation. Yet the Yugoslav Federal Army in assisting and, in some cases, working side-by-side with Serbian guerrillas in the Republic to seize territory from the Republic. I can feel only disgust for the Federal army which portrays itself as a buffer between opposing sides when, in reality, it is using its position to crush the people of a largely defenseless republic.

This situation calls for the intervention of a buffering force that is truly neutral and that will not favor one side over the other. The European Community [EC] should be permitted to intercede in this matter as it did in the controversy between Slovenia and the Yugoslav Government that brought peace to northwest Yugoslavia. Yet, the Serbian guerrillas have threatened to wage war against foreign interventionists. I suppose that I would too if I had the present moderating force helping me annihilate my opponents.

Mr. Speaker, in closing I would like to say that this is a very contentious issue. It's an issue that is hard to take sides on because it involves fighting between ethnic groups. However, my position on this issue has nothing to do with favoring one ethnic group over another. It has more to do with supporting democracy and freedom. Croatia has declared itself independent and has expressed its desire to pursue free-market reforms, while the Yugoslav Central Government, controlled by Communists, is a staunch opponent of free-market reforms and will not permit the small Republic any leeway in pursuing its policies.

I ask my colleagues to take a moment out of their day to remember all the Croatians that have died since independence was declared in June because they chose to pursue a course of democracy and freedom.

#### CALL TO CONSCIENCE VIGIL

##### HON. LES AuCOIN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. AuCOIN. Mr. Speaker, I rise today with the honor of participating in the Congressional Call to Conscience Vigil for Soviet Jews. I commend my colleagues, Representatives SIKORSKI and LARRY SMITH, for their leadership in keeping this issue at the forefront of the public eye.

A great number of Soviet Jews are currently seeking to emigrate with the hope of finding better economic and living conditions than are presently available to them in the Soviet Union. Since 1989, when the U.S.S.R. relaxed its emigration restrictions, over 1.5 million Soviet Jews have been granted permission to leave the Soviet Union.

The chance to live in a region free of state-imposed restrictions on the practice of their faith provides another incentive for these people to emigrate from the U.S.S.R. A 1988

State Department report asserted that there was a shortage of synagogues and Jewish cemeteries, only one Yeshiva school in the country, no Rabbinical seminaries, no Hebrew printing presses, and a ban on importing religious articles. The only Judaic Studies Center in the Soviet Union has also received numerous threats of eviction pending huge increases in rent payment.

Mr. Speaker, we are thankful for the progress that has been made so far for Jewish citizens seeking to emigrate from the Soviet Union. The U.S.S.R.'s growing cooperation with the West, which appears to be largely responsible for the liberalization of Soviet emigration policies, does not go unrecognized or unappreciated. However, we must do more to help the plight of Soviet Jews.

Take, for instance, the case of Mr. Lev Lazarevich Kunin. Born in 1920, Mr. Kunin became a professor after graduating from the university in 1946. He began working at the Vernadsky Institute of the Academy of Sciences of the U.S.S.R. in 1965 as the chief of the laboratory for identifying gases in metals. He has written 5 monographs and traveled abroad over 20 times, representing the institute.

Professor Kunin retired in 1989 after he experienced repeated heart attacks and a worsening condition of diabetes. His wife also suffers from a serious illness; she has a cancerous tumor. Both fear that they may not be physically capable of leaving the U.S.S.R. if the Academy of Arts and Sciences continues to forbid their emigration until 1995.

The academy alleges that Professor Kunin knows Soviet state secrets, despite the fact that he never dealt with secret problems. Neither Kunin nor his wife have any relatives in the U.S.S.R.; they do have a son in Israel.

The case of Professor Lev Kunin and his wife is, unfortunately, not uncommon. Please join with me today in urging the Soviet Government to grant permission for Professor Lev Kunin and his wife to emigrate. As members of the United States Congress, let us capitalize on the increasing spirit of cooperation enjoyed by our two nations by calling for increased freedoms for our Jewish neighbors in the U.S.S.R.

#### HONORING CHIEF RICHARD R. PETERSON UPON HIS RETIREMENT

##### HON. ROBERT J. LAGOMARSINO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. LAGOMARSINO. Mr. Speaker, I rise today to pay tribute to one of our Nation's finest fire chiefs, Rich Peterson.

As fire chief of the county of Santa Barbara since 1980, Rich has supervised one of the most critical fire areas in the country during one of its driest spells in history. He knows his job well, having been constantly promoted through the ranks nearly 20 years with this department.

Rich's leadership is evident in many crucial areas, from his affiliations with many associations and organizations to his management style in the department. He is a very well-liked

man both in his department and the community and this is why he has been so effective in his duties. Perhaps his most important skills were impressed upon the entire community of Santa Barbara during the Painted Cave fire in 1990. Rich's department bravely and successfully fought a fire which burned hundreds of acres and would have taken more had it not been for this man's management efforts and courage during the crisis.

In closing, Rich Peterson will surely be missed by the county of Santa Barbara and his department. I am proud to have worked with such a capable man over the years and I wish him well upon retirement.

**GUN-FREE PUBLIC HOUSING  
ZONES ACT OF 1991**

**HON. RICHARD J. DURBIN**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Friday, August 2, 1991*

Mr. DURBIN. Mr. Speaker, today I am introducing legislation to help our public housing agencies reverse the proliferation of weapons that have wreaked havoc in our public housing projects.

The Gun-Free Public Housing Zones Act of 1991 would prohibit the possession of an illegal firearm or discharge of any firearm in a public housing zone, punishable by a fine of not more than \$5,000 or 5 years imprisonment or both. As a Federal offense, subject to minimum sentencing guidelines, this bill will send an important message to would-be illegal firearm possessors on public housing property: If you get caught, you will do time.

We have witnessed the madness of a gun being shot two blocks from where Mayor David Dinkins of New York City was delivering a speech. Ironically, the mayor was calling for the reduction of the number of guns in his city's housing projects. Mayor Dinkins' actions and the courageous steps being taken by Vince Lane of the Chicago Housing Authority should be applauded and supported. This legislation is but another tool to assist them in their truly monumental task.

But many Americans are under the mistaken impression that firearm violence in public housing is a disease spreading solely in the Nation's largest cities. Nothing could be further from the truth.

The residents of Evergreen Terrace in my hometown of Springfield, IL, have been subjected to a reign of firearm terror. Tragically, mothers now fear for their very lives and those of their small children. Drive-by shootings, gang warfare, illegal drug-related retaliation—all of these symptoms of urban strife are now unfortunately part of small town America too.

Our response to this ever-growing nightmare must be comprehensive and decisive. I believe the Gun-Free Public Housing Zones Act of 1991 is a step in the right direction.

**LEGISLATION FOR THE RELIEF OF  
THE PARINI FAMILY**

**HON. MIKE KOPETSKI**

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

*Friday, August 2, 1991*

Mr. KOPETSKI. Mr. Speaker, today I am pleased to introduce legislation granting U.S. citizenship to three worthy residents of the State of Oregon.

Felix Juan Parini, Sergio Manuel Parini, and Carmen Victoria Parini were born in Guatemala City, Guatemala, but mistakenly believed they were United States citizens by virtue of their father's citizenship. Their assumptions were backed up by the actions of the State Department, which in 1972 granted Felix Parini a passport based on a positive determination of his citizenship. However, Mr. Speaker, when Felix Parini applied for a passport renewal in 1987, after two previous successful renewals, he was told for the first time that he was not a citizen of the United States.

Mr. Speaker, it is one thing to have citizenship denied; it is quite another to have citizenship revoked after 15 years of lawful enjoyment of that privilege. Felix, Sergio, and Carmen Parini are contributing members of their communities; they are pursuing careers and educational opportunities. They had believed all their lives that they were U.S. citizens, and no evidence had ever suggested otherwise. Mr. Speaker, Felix Parini had been accepted into the military and was serving his country in the Oregon National Guard when his citizenship was called into question in 1987. For several months recently, he was on standby to be sent to the Persian Gulf, yet his citizenship was still in doubt. Our Nation has told Felix Parini that he was good enough to go to war on our behalf, but not good enough to be a citizen. Mr. Speaker, both the State Department and Immigration and Naturalization Service have concluded that the family was misled by regrettable agency error, and that now only Congress has the ability to grant relief. I believe it is our duty to do so.

As a member of the House Judiciary Committee's Subcommittee on International Law, Immigration, and Refugees, I am often called upon to review private legislation such as this. I believe that it is a rare case where positive action is clearly necessary. Mr. Speaker, this is one of those cases.

**PRAISE FOR MRS. FRANCES  
SHUSHKO**

**HON. FRANK PALLONE, JR.**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Friday, August 2, 1991*

Mr. PALLONE. Mr. Speaker, I rise today to pay tribute to a remarkable woman and her seven remarkable sons, whose contribution to their country is unsurpassed.

Mrs. Frances Shushko of Long Branch, NJ, has raised seven sons who have served in the U.S. Marine Corps. Three of her young men took part in Operation Desert Storm—Maj. Joseph Shushko, a helicopter pilot; Lt. Kevin J.

Shushko, motorized transport; and Sgt. Michael P. Shushko, an Arabic linguist. In addition, Sgt. Richard A. Shushko is still in the service, while Sgt. Brian T. Shushko, Cpl. Daniel S. Shushko, and Cpl. Robert C. Shushko are now out of the service.

Mr. Speaker, raising seven sons to be successful members of the community is an impressive accomplishment in its own right. Raising them to excel in the rigorous demands of discipline and bravery of the Marine Corps, in defense of their country, is an accomplishment deserving of the highest honors and tributes. It gives me great pride to praise Mrs. Shushko and her seven sons—as a fellow resident of the city of Long Branch, as their Representative in Congress, and as an American.

**RECOGNIZE OCTOBER 1991 AS  
ENDING HUNGER MONTH**

**HON. LAWRENCE J. SMITH**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Friday, August 2, 1991*

Mr. SMITH of Florida. Mr. Speaker, thank you for allowing me to speak about my bill. Today I will be introducing, Ending Hunger Month. For the past 2 years, Congress has passed similar resolutions.

We must remember that hunger is not a choice. In March 1991, the results of an independent survey on hunger in the United States indicated that 5.5 million people under the age of 12 are hungry every day. Globally, hunger affects more than a billion people daily. Every 24 hours, 35,000 people die from acute and chronic malnutrition.

Hunger, however, is more than simply a physical condition. Its repercussions extend beyond superficial discomfort, reaching to debilitate children's ability to learn and concentrate, adult's job performance, and the family stability of those affected.

Numbers then are not the only issue; clearly, the statistics represent a tragedy. Through educational and public awareness programming, we can create an increased understanding of hunger and its implications in the national and global setting. This resolution seeks to promote such programming to heighten public awareness in an effort to heighten public awareness of hunger worldwide.

I ask my colleagues to support this resolution and help promote awareness of the problem of chronic hunger.

**PORK BARREL SPENDING**

**HON. TOM CAMPBELL**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, August 2, 1991*

Mr. CAMPBELL of California. Mr. Speaker, despite the fact that the Federal deficit will hit \$370 billion this year, we in Congress continue to spend billions of dollars on projects whose necessity are, to say the least, dubious. Our mounting national debt threatens the health of our economy, yet we in Congress continue to

wrack up the bills on frivolous projects. While these projects benefit concentrated special interests, and, of course, a few members of Congress, the vast majority of Americans pay for them through higher taxes and a weaker economy.

If we truly want to make progress reducing the deficit, shouldn't our first step be to eliminate wasteful spending? Today, I am introducing legislation to eliminate just a few of the most egregious examples of wasteful spending. For example, should Congress really have spent \$4,500,000 to restore the Keith Albee Theatre in Huntington, WV? Or \$11,000,000 for the rehabilitation of locomotive artifacts at Steamtown? Or \$1,700,000 for Biscayne Boulevard renovation in Miami? Or \$20,000,000 for the International Fund for Ireland? I think not, and my bill would rescind the spending for these items.

Mr. Speaker, the people who lost their jobs in the last recession would undoubtedly say that such projects are not worth trading for the health of our economy. It doesn't take a mathematics degree to tell you that these figures add up to considerable sums, and that eliminating wasteful spending would take a meaningful chunk out of the deficit. Since reducing the deficit is the single best thing that we can do to put our economic house in order, I am hopeful that Congress will make genuine deficit reduction a priority. Moreover, I urge my colleagues to end the practice of pork barrel spending.

#### TRIBUTE TO MR. RALPH BOLEN

##### HON. BOB McEWEN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. McEWEN. Mr. Speaker, I rise today to pay special tribute to Mr. Ralph Bolen, the recently retired executive vice president of the Ohio Bankers Association. Ralph has provided 25 years of dedicated service under the OBA during a time period when the banking community was under constant change. He provided leadership and guidance for the Ohio banking industry during an era that saw a dramatic increase in statewide branching and interstate banking.

Ralph received his bachelor's degree in accounting from Franklin University. He holds a degree from the Stonier Graduate School of Banking, along with two certificates from the American Institute of Banking. Ralph began his career with the Ohio Banking Association 5 years ago, and began serving as executive vice president in 1973.

Bolen's current business and professional affiliations include: Former chairman, State association division, ABA; past chairman of the board of the Graduate School of Banking in Madison, WI; trustee of Ohio Banker's Insurance Fund; and director of the Ohio Bankers Association.

During his distinguished career Ralph has been instrumental in promoting successful change in the banking industry. He has increased the number of OBA seminars and workshops, bringing the number from 3 or 4 a year to some 60 a year. These meetings have

provided valuable opportunities to exchange information, share ideas, and ensure we continue to have a sound relationship among banks throughout Ohio.

Throughout the years Ralph has been available to provide advice and counsel on a moment's notice to the entire Ohio delegation, and I can testify that he has made my job easier. He truly has his finger on the pulse of Ohio's banking community.

Mr. Speaker, thank you for the opportunity to honor Ralph Bolen and to thank him for his diligent service through the years. I wish Ralph the best in his future endeavors.

#### YUGOSLAVIA

##### HON. AL SWIFT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. SWIFT. Mr. Speaker, as Serbians and Croats continue to fight—and peace talks remain stalled—I am becoming increasingly concerned about the future of Yugoslavia. It appears that the people of Slovenia are well on their way to a peaceful conclusion to their hostilities, but Croatia continues to teeter on the edge of all-out war.

I commend the attempts by the European Community to broker a peaceful solution, and hope that they will soon succeed. In the coming weeks we should do all we can to assist those efforts. However, the administration must act decisively now to get the United Nations to intervene and end the bloodshed immediately.

It is important that none of the outside forces trying to bring peace to Yugoslavia attempt to dictate the form of that peace. To do so would only invite further conflict in the future. The people of Yugoslavia must devise their own solution, solutions that are culturally acceptable to them and will therefore stand the test of time. We can all see, however, that the people of Yugoslavia need an end to the fighting so that the politics can be worked out peacefully. We should be doing all we can to facilitate that peace.

#### A BILL TO INDEX THE TAX ON SOCIAL SECURITY BENEFITS

##### HON. MATTHEW J. RINALDO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. RINALDO. Mr. Speaker, today I am pleased to join with Mr. LENT, Mr. SHAYS, Mr. SAXTON, Mr. SMITH of New Jersey, Mr. DEFazio, and Mr. FROST to reintroduce my legislation to adjust the base amounts for the taxation of Social Security benefits for inflation.

Since 1984, the Federal Government has taxed Social Security benefits. Up to half of the Social Security benefit for an individual whose annual income is greater than \$25,000 or a couple whose income exceeds \$32,000 is taxable. But unlike almost every other aspect of our tax policy, these threshold income lev-

els are not indexed for inflation. So while benefits have risen every year, the point at which benefits become subject to taxes has never changed.

Effectively, this means that with each cost-of-living adjustment [COLA] for Social Security beneficiaries, Congress passes another tax increase. So without a single vote on the matter, hundreds of thousands of older Americans find themselves indexed into a higher tax bracket every time their benefits go up.

As long as these thresholds are not adjusted for inflation, more and more people will be indexed into this tax bracket and find themselves relinquishing a portion of their Social Security benefits as taxable income. In fact, in the 7 years since the Federal Government began taxing Social Security benefits, the percentage of beneficiaries paying taxes on their benefits has grown to 21 percent. Nearly 1½ million senior citizens were added to the tax rolls between 1989 and 1990. And, with the last year's 5.4-percent COLA, many more older Americans will be taxed on their benefits this year.

The time has come to end this bracket creep, and I would like to invite my colleagues to work with me by cosponsoring this measure and pushing for its enactment into law.

#### TRIBUTE IN HONOR OF MR. DOUG BEATTIE

##### HON. JULIAN C. DIXON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. DIXON. Mr. Speaker, I rise today to pay special tribute to an outstanding and dedicated educator, Mr. Doug Beattie, and to join his family, host of friends, and Westchester High School in a ceremony naming the Westchester High School football stadium in his honor.

Mr. Doug Beattie lived in my congressional district. Unfortunately, he died of cancer on November 11, 1990. Yet, his leadership in the Westchester community will not be forgotten by the students or the administration in the Los Angeles Unified School District. His legacy as a committed administrator will live on.

Doug Beattie's long tenure as an educator began in 1957 as an industrial education teacher at Westchester High School. Along with his commitment to education, he was actively involved in extracurricular activities. In 1974, Mr. Beattie was promoted to dean of students and a few years later he became assistant principal at Eagle Rock High School. In 1983, Mr. Beattie returned to Westchester High School and served for 7 distinguished years as assistant principal.

Mr. Speaker, I ask my colleagues to join me in recognizing the outstanding achievements of Doug Beattie, as his friends, family, students, and administration at Westchester High School honor him by naming the Westchester High School football stadium, the Douglas W. Beattie Memorial Stadium. September 20, 1991, the first football game of the season, will be a special occasion to honor this dedicated educator who contributed so much to Westchester High School and the community.

NATIONAL HISPANIC COMMISSION  
FOR BONE TRANSPLANT

**HON. ILEANA ROS-LEHTINEN**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Ms. ROS-LEHTINEN. Mr. Speaker, I am pleased to bring to the attention of the Congress the dedication and achievements of the National Hispanic Commission for Bone Transplant, which is located in my congressional district. This group works to increase the chances of Hispanics with life threatening blood diseases to receive bone marrow transplants.

According to the Hispanic Commission, only 2 to 5 percent of donors registered in the National Marrow Donor Program, which keeps a record of available tissue-typed marrow donors nationwide, are minorities. This percentage of donors is extremely low and this is where the Hispanic Commission for Bone Transplant steps in to make an impact.

The Hispanic Commission, which was created under the auspices of the Blood Banks of Dade and Broward Counties in 1986, was organized to convert more Hispanics into marrow donors. The Commission is equipped with a computerized system that matches Hispanic donors with possible marrow recipients. It seeks to give information about marrow transplantation and save lives by aiding the search for Hispanic donors.

Mr. Speaker, I commend the Hispanic Commission for their efforts to provide those suffering from blood diseases an opportunity to overcome their misfortunes. The Hispanic Commission seeks to increase the possibility of locating eligible donors for Hispanics with blood diseases, thus it is instrumental in saving the lives of people with such diseases as leukemia and aplastic anemia. I would like to thank those involved with the Hispanic Commission for Bone Marrow Transplant for their good work on behalf of their fellow Hispanics. Those who are members of the board of directors include Jose A. Vicente, president; Silvio Solorzano, vice president; Beatriz Ramirez, treasurer; Elba Pisano, secretary and executive director; Eugenia Sierra, honorary president for special events and Dr. Julio Garcia, medical director.

Those who are directors include Leonardo Roth, Uva Clavijo, Felicia Monteserin, Jorge Vazquez, Alicia Baro, Mercy Diaz Miranda, Aleida Leal, Oscar Suris, Blanca Galvez, Patricia Araujo-Wetstein, Magaly Abrahante, Lourdes Nieto, Antonieta Bernardino, Rev. Jose Borbon, Roxana Fernandez, and Carlos Caballero. In conclusion, I extend my sincere gratitude and admiration to all of those who are themselves donors, without you those in need of bone marrow transplants have little chance.

EXTENSIONS OF REMARKS

TRUE WETLANDS NEED  
PROTECTION

**HON. BILL EMERSON**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. EMERSON. Mr. Speaker, a plot of dry land that is dry for 358 of the 365 days in a year can be declared a wetland under the Federal Government's current policy toward wetlands. It seems that any educated American citizen would regard such a definition of a wetland as absurd, but not the Environmental Protection Agency or the Army Corps of Engineers. They are frantically saving lands from the terrible plight of farming, development, or any other type of improvement.

And just what is the cost of this great service they are doing for the good of America? Productive lands are being kept out of use and individual landowner's property rights are being ignored.

It cannot be denied that the Nation's wetlands should be protected and pollution should be controlled. However, when regulators go so far as to preserve as a wetland, land that is dry for 358 days of the year, regulation has definitely gotten out of hand.

H.R. 1330 has been introduced to curtail the improper enforcement of wetland regulation. Among other things, this bill defines wetlands in a manner that protects true wetlands. The nonsense of current wetland policy has gone on for much too long. True wetland regulation is a serious matter that must be dealt with immediately.

THE INTERMODAL CARRIERS  
COMPETITIVENESS ACT OF 1991

**HON. BOB CLEMENT**

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. CLEMENT. Mr. Speaker, with my distinguished colleague from the Committee on Public Works and Transportation, Representative FREDERICK UPTON, I rise today to introduce the Intermodal Carriers Competitiveness Act of 1991.

This legislation has been developed in response to the problem faced by multimodal express carriers of packages in outdated State economic regulations—regulations which cost the consumer an added \$6 to \$8 billion a year.

We have developed this proposal—with great assistance from the administration, from the air-ground carriers, from my colleagues on both sides of the aisle, and especially from the Committee on Public Works and the Subcommittee on Surface Transportation. And we have received strong support for our concept.

Mr. Speaker, State economic regulations of small package, express delivery service is far too expensive to the country, and far too wasteful to our economy to be allowed to continue. State economic regulation of the prices and services of these national carriers simply must stop.

Under current Federal law, any express package carrier may truck a package to its

destination, and its rates, routes, and services are exempt from any State regulation, if the package is going from one State to another State.

However, if the express package carrier wants to truck a package from one location within a State to another location within that State, then the State may dictate the rates that may be charged, the route that must be taken, and the services which may be rendered.

To avoid regulation at the State level, the express package carrier service must fly the package, or drive the package out of that State, and then drive it back into the State.

Many express package carriers have refused to drive the package within the State and subject the rates, routes, and services of delivery to the State public utility commissions. They believe, as I do, that the marketplace should determine prices and conditions of service, not the 42 State regulatory authorities.

Because of State economic regulations, which prevent express carriers from operating local hubs for surface transport in high density city-pair markets, the total cost to our economy in inefficiencies is estimated to be \$6 to \$8 billion.

For example, Tennessee requires air express to move by air, even when it is not economically feasible to do so. Thus, an express carrier has to move Memphis-Nashville traffic via air, even though there is not enough volume to justify the cost.

According to a 1990 Department of Transportation study, the most serious problem for the package express industry is State regulation of entry into the intrastate trucking business, which prevents some express carriers from carrying packages by truck between cities in the same State. This forces carriers to fly packages out of State to a national sorting hub, and back again, at a cost estimated to be four times greater than carrying the package by truck.

The Intermodal Carriers Competitiveness Act of 1991 would only deregulate the rates, routes, and services of air-ground carriers.

Economic regulation of intrastate surface transportation has a substantially negative impact on the express industry, and thus on its customers which range from large multinational corporations to small domestic mail order firms. Currently, a single, consistent surface transportation network is being developed within Europe which will virtually eliminate disparate regulation by the various European countries. Comparable changes must be made within the United States if American businesses are to remain competitive in the world market.

TRIBUTE TO MABEL GIST

**HON. IKE SKELTON**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. SKELTON. Mr. Speaker, I take this opportunity to say a special word of tribute concerning Mabel Gist of Roscoe, MO, who was elected recently to the board of directors of the National Association of Private Industry Councils.

Mrs. Gist is quite a remarkable person. In addition to being service area 4's Private Industry Council Chair, she is the owner and operator of a farming operation and the owner and operator of Gist Plumbing and Electric Co., in Roscoe.

Mrs. Gist, who has been a member of the Western Missouri Private Industry Council since it was founded in 1983, is serving as PIC Chair for the second year. She also serves as secretary-treasurer of the State association, Missouri Private Industry Council Chairs. In addition, she has also been active in many other organizations, including: Serving as an officer of the Missouri State Postmasters; National Committee of Postmasters; St. Clair County Welfare Commission; Roscoe Community Historical Society; West Central Missouri Community Action Agency; Missouri Private Industry Chairs; and, the National Association of Retired Federal Employees.

In the public sector, she has had experience as a teacher in the Missouri public school system and as a U.S. postmaster.

Mrs. Gist serves as a model to all citizens with her strong sense of duty exemplified by her willingness to give her time to so many different organizations. I take this opportunity to wish her well in her role on the NAPIC board.

THE POLLUTION PREVENTION,  
COMMUNITY RECYCLING, AND  
INCINERATOR CONTROL ACT

HON. PETER H. KOSTMAYER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. KOSTMAYER. Mr. Speaker, today, joined by Mr. Richardson and a number of other Members, I am introducing critical legislation to deal with the Nation's growing solid waste disposal problem by promoting the growth of recycling in communities across the country.

American communities are struggling to dispose of more than 180 million tons of garbage annually—and to do so in an environmentally safe manner. However, despite the enormous progress of many communities in developing efficient, effective recycling programs, recycling remains a waste management stepchild—an interesting experiment, in the view of many local officials, which might be worth trying someday.

Mr. Speaker, we can no longer afford to postpone a national decision to make recycling America's principal waste management method.

We can no longer afford to rely on landfills, all of which, according to the EPA, will eventually threaten to contaminate surface or ground water, as our primary means of waste disposal.

Above all, we cannot afford to invest billions and billions of dollars in a comparatively new waste technology which presents environmental dangers far more serious even than those generally present with landfills.

Municipal solid waste incinerators have a comparatively short history in this country. There are 168 in operation today nationwide, burning approximately 13 percent of the Na-

tion's solid waste stream. At costs as high as \$600 million per incineration plant, they represent a massive new capital investment not only for the communities which may consider building them but for the Nation; perhaps as much as \$7 billion will be spent to build incineration plants in the Northeast alone in the next decade.

But the evidence is accumulating rapidly that incineration presents very serious threats to the environment and to public health—threats of a magnitude that merit at least a temporary halt in the Nation's investment in further incinerator capacity.

Burning municipal solid waste converts many of the toxic heavy metals and organic chemicals found in the municipal waste stream into highly volatile compounds. Released into the environment—through air emissions or into surface or ground water through incinerator ash which must ultimately be landfilled—these compounds more easily make their way into the food chain or are more easily absorbed directly by humans than the original metals and chemicals found in raw waste.

Solid waste incinerators commonly emit 27 heavy metals into the atmosphere, including mercury, lead, and cadmium, along with toxic organic compounds including dioxins and PCB's. In fact, incinerators are now the fastest-growing source of mercury—which causes neurological damage, blindness, and has been linked to birth defects—in the Nation's environment.

Equally important, incineration leaves behind tons of toxic ash containing these chemicals and heavy metals in high concentrations. The incineration of 100 tons of garbage generates about 30 tons of ash, all of which must be transported to and disposed of in landfills. In reality, incineration does not relieve the Nation's dependence on landfills; instead, it is merely a means of stretching our landfill capacity at enormous cost—the cost of huge capital investment and serious environmental and public health hazards.

The legislation I am introducing today attempts, in a moderate, step-by-step approach, to address the most serious public health issues raised by existing incinerators and to set a policy which, while allowing future additions to the Nation's incinerator capacity, sets us firmly on a course toward recycling as our principal waste management method. The solid waste provisions of the legislation include:

1. For existing incinerators, a requirement that several sources of toxic emissions and the toxicity of ash—including batteries, hazardous household wastes, chlorinated plastics, consumer electronics, and yard wastes—be separated from the waste stream prior to incineration. Among other benefits, this measure will significantly reduce mercury emissions from existing incinerators, which are a major source of mercury contamination in the Great Lakes and elsewhere in the country.

2. Designation of incinerator ash as hazardous, requiring regulation under subtitle C of the Resource Conservation and Recovery Act. Tests of fly ash and combined ash—fly ash plus bottom ash—from incinerators consistently show levels of toxic chemicals and heavy metals designated as hazardous under RCRA. It is time to end the exemption of incinerator

ash from regulation as a hazardous substance, which allows it to be disposed of in municipal landfills, seriously increasing environmental risks. Ash must be disposed of in landfills designed to handle hazardous materials, with additional liner, leachate collection system and cover requirements under RCRA. The bill also prohibits the use of ash for any purpose, including road paving.

3. An 8-year moratorium on new construction or expansion of incinerator capacity. This provision is designed to allow the development of recycling markets to proceed before communities invest heavily in new incinerator capacity. Incinerators and recycling compete directly for the same materials: The most recyclable materials—paper and plastics—are also the most burnable.

Commonly, when communities issue hundreds of millions of dollars worth of bonds to finance construction of an incinerator, they sign contracts guaranteeing the incinerator plant a fixed tonnage of burnable solid waste per month. If they fail to deliver that fixed amount of burnable garbage, communities are required to pay large financial penalties to the incinerator. Under these circumstances, few communities with incinerators are likely to begin or expand recycling programs during the 20-to-30 year life of an incinerator plant they have financed.

We cannot afford to indulge in a "rush to burn." The environmental costs, the public health costs, and the financial costs, are simply too great. This legislation provides for a badly needed pause in incinerator capacity growth while national recycling markets develop.

4. Public health and environmental protections for construction or expansion of new incinerators after 1999. The legislation permits the construction of new incinerators after the expiration of the moratorium, but imposes very necessary public health and environmental protection requirements on the issuance of necessary permits.

Among the requirements are: Achievement of reasonable levels of recycling of various commodities by waste haulers planning to deliver waste to a new facility; certification that the facility will not adversely affect the environment or public health; a demonstration that a new facility will not adversely affect the local economy; a public participation process including technical assistance grants to community groups to independently assess construction proposals; an environmental impact statement complying with the requirements of the National Environmental Policy Act; and disclosure by the operating company of its history of compliance with environmental, health, and antitrust laws.

The legislation also addresses the growing problem of hazardous waste incinerators, which also present serious health and environmental hazards. The conditions listed above, imposed on solid waste incinerators after the year 1999, must, under this bill, be met by those seeking to construct new hazardous waste incinerators immediately upon enactment.

Mr. Speaker, it is essential that Congress, in reauthorizing the Resource Conservation and Recovery Act this year and next, chart a clear course toward reducing our generation of

wastes and recycling a large proportion of our remaining wastes and away from the environmental hazards of landfilling and incineration. I look forward to working with Mr. SWIFT and members of his subcommittee as they develop their RCRA proposals.

I include a section-by-section analysis and the text of the legislation at this point in the RECORD:

H.R. 3253, THE POLLUTION PREVENTION, COMMUNITY RECYCLING AND INCINERATOR CONTROL ACT OF 1991

#### SECTION-BY-SECTION ANALYSIS

Section 1. Short title.

Section 2. (a) Imposes a moratorium on construction or expansion of municipal solid waste incinerators until December 31, 1999.

(b) Establishes the following requirements for permitting of new or expanded solid waste incinerators effective January 1, 2000:

Waste Composition Analysis. All waste transporters planning to use the facility must conduct a waste composition analysis of the waste stream generated within their contract areas. Standard categories and measurements to be established by rule by the EPA Administrator (subsection c below).

Recycling Requirements. The permit applicant must demonstrate that each waste transporter planning to use the facility has achieved the following rates of recycling from its solid waste stream:

- (A) Glass, 65%
- (B) Newspapers, 65%
- (C) Other paper, 65%
- (D) Metals, 80%
- (E) Plastics, 50%
- (F) Yard waste, 90%
- (G) Food waste, 10%.

The permit applicant must also demonstrate that:

Construction or expansion of the facility will not interfere with maintenance of the recycling rates above (or higher rates) achieved by waste transporters sending waste to the facility;

It is not feasible to manage the remaining solid waste through source reduction, reuse or recycling.

Public Health. The permit applicant must demonstrate that the facility will not significantly adversely affect human health as a consequence of

- (A) exposure to air emissions or inhaled ash,
- (B) ingestion through the food chain,
- (C) contamination of ground or surface water,
- (D) soil contamination by incinerator ash, or
- (E) dermal contact with ash or its constituents.

Costs and Economic Impact. The permit applicant must demonstrate that the facility will not harm the local economy, including local property values and that it represents the least-cost alternative to other waste management methods;

Clean Air Act. No facility may be sited in a Clean Air Act non-attainment area.

Public Participation Process. A full public participation process, including public hearings, is required. Applicant is required to provide local community groups concerned with the project renewable technical assistance grants of up to \$50,000 (similar to Superfund TAG grants). Grants are to commence upon filing of first application and continue with six-month renewals until final approvals have been obtained. Proposed construction or expansion must be approved by the unit of local government in whose boundaries it would be sited;

Compliance with Environmental and Other Statutes. The applicant, operating firm and the operating firm's corporate affiliates (parents and subsidiaries of all units) must show that:

Each entity is in compliance with federal and state environmental and public health statutes and regulations;

Each entity has paid all outstanding fines or penalties for violations; and

Each entity has made available at public libraries in the jurisdiction where the facility would be located a disclosure statement which includes (i) a list of convictions for fraud or other criminal offense within the past 10 years related to obtaining a permit or contract, (ii) convictions for anti-trust violations in the past 10 years (price-fixing, etc.), (iii) citations for permit violations under environmental laws during the past 5 years, and (iv) citations for failure to conduct proper clean-up, reclamation or closure of a site.

Environmental Impact Statement. An environmental impact statement meeting the requirements of NEPA must be conducted.

(c) The EPA Administrator is required to promulgate regulations establishing standards for the waste composition analyses required above. Establishes minimum standard categories of waste (listed above), requires standard measurements and procedures for certification and verification of the analyses. The Administrator is also empowered to require higher diversion rates by rule for any category listed above if he concludes such higher rate is feasible.

Section 3. Solid waste incinerator ash safety requirements.

(a) Designates municipal solid waste (MSW) incinerator ash as a hazardous waste to be regulated under RCRA Subtitle C. MSW incinerator ash is to be managed in either a monofill meeting the requirements for hazardous waste landfills or an above-ground storage facility used only for MSW incinerator ash;

(b) Existing MSW incinerators given three years from date of enactment to meet the hazardous waste landfill requirements;

(c) Use of incinerator ash for any purpose (such as road paving) is prohibited.

Section 4. Prohibition on incineration of certain materials.

Effective 18 months after date of enactment, the following materials may not be incinerated in MSW incinerators:

- (A) Household hazardous wastes;
- (B) Batteries;
- (C) Chlorinated plastics;
- (D) Consumer electronics;
- (E) Yard waste.

Section 5. Requirements relating to hazardous waste incinerators.

Establishes the following requirements for construction or expansion of hazardous waste incinerators effective upon date of enactment:

Waste Composition Analysis. All generators are required to identify and quantify all waste expected to be incinerated at the facility, including hazardous or toxic substances.

Public Health. Applies same standards as for MSW incinerators.

Economic Impact. Applies same standards as for MSW incinerators.

Safety. Permit applicant must demonstrate that there is no safer disposal or treatment technology available for the wastes.

Public Participation Process. Same requirements as for MSW incinerators.

Compliance with Environmental and Other Statutes. Same requirements as for MSW incinerators.

Environmental Impact Statement consistent with NEPA required.

Toxics Use Reduction. Requires generators of waste expected to be incinerated at the facility to make publicly available, on an annual basis, the following information:

(A) A materials accounting for each toxic or hazardous substance used in a production unit and for the facility as a whole;

(B) Two- and five-year goals, by substance, for reducing the use of toxic substances in each production unit and in the facility as a whole and a schedule implementing these goals;

(C) Certification of the above information by a government agency or independent expert.

In addition, the state in which the facility is to be located and each state from which it will accept waste must have established and be implementing a toxics use reduction program meeting the following requirements:

(A) Program must be designed to achieve at least a 50 percent reduction in the amount of toxic substances entering the hazardous waste stream within five years after program is established;

(B) Program must require hazardous waste generators to develop a toxics use reduction plan; and

(C) Program must require generators of hazardous waste to report publicly on materials accounting for each production unit and the facility as a whole.

H.R. 3253

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Pollution Prevention, Community Recycling, and Incinerator Control Act".

#### SEC. 2. MORATORIUM ON MUNICIPAL SOLID WASTE INCINERATORS.

(a) AMENDMENT TO SUBTITLE D.—Subtitle D of the Solid Waste Disposal Act (42 U.S.C. 6941 et seq.) is amended by adding at the end the following new section:

##### "SEC. 4011. MUNICIPAL SOLID WASTE INCINERATORS.

"(a) MORATORIUM.—No municipal solid waste incinerator may be issued a permit for construction or expansion until the year 2000.

"(b) REQUIREMENTS.—After December 31, 1999, no Federal agency, State or Local government, or other waste management jurisdiction may issue a permit (including a permit under section 129(e) of the Clean Air Act) or other prior approval for the construction or expansion of a municipal solid waste incinerator, unless the applicant for the permit or other approval demonstrates, and the State finds, that the following requirements are met:

"(1) The applicant shall conduct a waste composition analysis of the solid waste generated in a year within the area to be served by the facility and shall demonstrate that it will continue to conduct such a waste composition analysis annually. Each entity from which the facility plans to accept waste also shall conduct a waste composition analysis of the solid waste generated in a year by the persons from whom the entity collects waste and shall demonstrate that it will continue to conduct such a waste composition analysis annually. Any such waste compliance with the regulations promulgated under subsection (c).

"(2) Each entity from which the facility plans to accept waste shall demonstrate that it has diverted during at least one year, and

will continue to divert for each subsequent year, to waste management methods other than incineration and landfilling the following percentages of the total amount of each of the following materials generated annually by the persons from whom the entity collects waste:

- "(A) Glass, 65 percent.
- "(B) Newspapers, 65 percent.
- "(C) Other paper, 65 percent.
- "(D) Metals, 80 percent.
- "(E) Plastics, 50 percent.
- "(F) Yard waste, 90 percent.
- "(G) Food waste, 10 percent.

"(3) The applicant shall demonstrate that—

"(A) The facility will not interfere with maintaining the diversion rates set forth in paragraph (2) for each entity from which the facility plans to accept waste; and

"(B) in any case in which a diversion rate by an entity from which the facility plans to accept waste is higher than the rate set forth in paragraph (2), the facility will not interfere with maintaining the higher diversion rate.

"(4) The applicant shall demonstrate that it is not feasible to manage the remaining solid waste through source reduction, reuse, or recycling.

"(5) The applicant shall demonstrate that the facility will not adversely affect the environment or human health as a consequence of—

"(A) exposure to air emissions or incinerator ash through inhalation;

"(B) ingestion of food contaminated by air emissions or incinerator ash as a consequence of incorporation of such ash or emissions into the food chain;

"(C) ingestion of potable water or aquatic organisms contaminated by surface water discharges, surface runoff, leaching, or percolation of air emissions or incinerator ash into ground water or surface water;

"(D) ingestion or inhalation of soil particles contaminated with air emissions or incinerator ash; or

"(E) dermal contact with air emissions or incinerator ash.

"(6) The applicant shall demonstrate that the facility is not situated in a nonattainment area (as that term is used in part D of title I of the Clean Air Act (42 U.S.C. 7501 et seq.)).

"(7) The applicant shall demonstrate that the facility will not harm the local economy, including a demonstration that it will not negatively affect property values.

"(8) The applicant shall demonstrate that the full cost of the facility over its entire life, including capital costs, debt service, liability insurance, remediation, and long-term operation and maintenance expenses, will be less costly than reducing, recycling, or composting waste.

"(9) The Federal agency, State or local government, or other waste management jurisdiction shall conduct a full public participation process, including public hearings, to address the proposed facility. As part of the process, the applicant shall provide to local community groups concerned about the project a technical assistance grant of at least \$50,000. The applicant shall renew the grant every six months after the initial grant is made until the date on which final action is completed by each Federal agency, State or local government, or other waste management jurisdiction on each permit for construction or expansion of the facility.

"(10) The proposed construction or expansion must be approved by the unit of local government in whose boundaries the facility would be sited.

"(11) The applicant shall demonstrate the following with respect to the applicant, any firm engaged to operate the facility, the parent firm of the applicant and any firm engaged to operate the facility, and any firms controlled by the parent firm or the operating firm or the applicant:

"(A) Each such entity is in compliance with Federal and State environmental and public health statutes and regulations.

"(B) Each such entity has paid all outstanding fines or penalties for violations of such statutes or regulations.

"(C) Each such entity has made available to the public at the site, and at local public libraries in the jurisdiction where the facility would be sited, a disclosure statement. The disclosure statement shall include the following information with respect to the entity:

"(i) A list of each conviction of fraud or any criminal offense during the previous 10 years in connection with obtaining or attempting to obtain a contract.

"(ii) A list of each conviction of a violation of a State or Federal anti-trust law during the previous 10 years, including convictions relating to unlawful price-fixing, allocation of customers among competitors, and bid-rigging.

"(iii) A list of each citation for a permit violation under a Federal, State, or local environmental statute during the previous 5 years.

"(iv) A list of each citation for failure to conduct proper cleanup, reclamation, or closure of a site or forfeiture of a bond for such a failure during the previous 5 years.

"(12) The applicant shall complete, after public notice and comment, an environmental impact statement. Such statement shall be conducted in the same manner and in conformance with the same standards required for environmental impact statements under the National Environmental Policy Act (42 U.S.C. 4321 et seq.) and must be approved by the State.

"(c) WASTE COMPOSITION ANALYSIS REGULATIONS.—(1) Not later than January 1, 1995, the Administrator shall promulgate regulations containing standards for the conduct of waste composition analyses under subsection (b)(1). In the regulations, the Administrator shall define the term 'waste composition analysis' to mean—

"(A) an identification of all materials that fall within standard categories and subcategories of materials set forth by the Administrator, including, at a minimum, glass, newspapers, other paper, metals, plastics, yard waste, and food waste; and

"(B) a measurement of the quantities of those materials, using a method established by the Administrator.

"(2) The regulations also shall include procedures for—

"(A) certification of the accuracy of a waste composition analysis by the entity carrying out the analysis; and

"(B) verification by the Administrator of the accuracy of a waste composition analysis.

"(d) AUTHORITY TO IMPOSE HIGHER DIVERSION RATES.—The Administrator shall assess periodically, but not less often than at least once every 3 years, whether the achievement of higher diversion rates under subsection (b)(2) is feasible. If the Administrator concludes that a higher rate is feasible for one or more materials listed in subsection (b)(2), the Administrator may by rule require such higher rate for the material under such subsection.

"(e) DEFINITIONS.—For purposes of this section, the following definitions apply:

"(1) The term 'municipal solid waste incinerator' means a distinct operating unit of any facility which combusts any solid waste material from commercial or industrial establishments or the general public (including single and multiple residences, hotels, and motels). Such term does not include (i) incinerators or other units required to have a permit under section 3005; (ii) materials recovery facilities (including primary or secondary smelters) which combust waste for the primary purpose of recovering metals; (iii) qualifying small power production facilities, as defined in section 3(17)(C) of the Federal Power Act (16 U.S.C. 769(17)(C)), which burn homogeneous waste (other than refuse-derived fuel) for the production of electric energy; (iv) air curtain incinerators provided that such incinerators only burn wood wastes, yard wastes, and clean lumber and that such air curtain incinerators comply with opacity limitations to be established by the Administrator by rule; or (v) incinerators or other units that burn only infectious medical waste.

"(2) The term 'waste management jurisdiction' means a governmental entity which issues permits for construction or expansion of municipal solid waste incinerators within its boundaries.

"(f) REGULATIONS.—The Administrator shall promulgate regulations to carry out this section."

"(b) TECHNICAL AMENDMENT.—The table of contents for subtitle D of such Act (contained in section 1001 of such Act) is amended by adding at the end the following new item:

"Sec. 4011. Municipal solid waste incinerators."

### SEC. 3. MUNICIPAL SOLID WASTE INCINERATOR ASH MANAGEMENT.

Section 3001 of the Solid Waste Disposal Act (42 U.S.C. 6921) is amended by adding at the end the following new subsection:

"(j) ASH FROM MUNICIPAL SOLID WASTE INCINERATORS.—(1) Notwithstanding section 306 of the Clean Air Act Amendments of 1990 (P.L. 101-549; 104 Stat. 2584), ash from municipal solid waste incinerators shall be considered to be a hazardous waste and shall be subject to this subtitle.

"(2) Ash from municipal solid waste incinerators shall be managed in a monofill that contains only ash from such incinerators and that includes, at a minimum, the following design components:

"(A) A double liner system designed, operated, and constructed of materials to prevent the migration of any constituent into the liners during the period such facility remains in operation (including any postclosure monitoring period). The double liner system shall consist of one flexible membrane liner and one composite liner, with a leachate collection system above and between such liners. For purposes of this subsection, the term 'flexible membrane liner' means a liner that consists of high density polyethylene or equivalent material that is at least 60 mils thick and a layer of recompacted clay or other national materials at least 3 feet thick with hydraulic conductivity of no more than  $1 \times 10^{-7}$  centimeter per second.

"(B) Upon closure, a final composite cover system designed, operated, and constructed of materials to prevent the infiltration of precipitation into such cover during any closure of post-closure monitoring period. For purposes of this section, the term 'composite cover' means a cover which consists of high density polyethylene or equivalent material that is at least 40 mils thick and a layer of

recompacted clay or other national materials at least 3 feet thick with hydraulic conductivity of no more than  $1 \times 10^{-7}$  centimeter per second.

"(3) Municipal solid waste incinerators in existence on the date of the enactment of the Pollution Prevention, Community Recycling, and Incinerator Control Act shall meet the requirements of paragraph (2) not later than 3 years after such date of enactment.

"(4) As of the date of the enactment of the Pollution Prevention, Community Recycling, and Incinerator Control Act, the utilization of municipal solid waste incinerator ash for any purpose is prohibited.

"(5) For purposes of this subsection, the following definitions apply:

"(A) The term 'ash from municipal solid waste incinerators' means the residues resulting from the combustion of municipal solid waste in a municipal solid waste incinerator.

"(B) The term 'municipal solid waste incinerator' means a distinct operating unit of any facility which combusts any solid waste material from commercial or industrial establishments or the general public (including single and multiple residences, hotels, and motels). Such term does not include (i) incinerators or other units required to have a permit under section 3005; (ii) materials recovery facilities (including primary or secondary smelters) which combust waste for the primary purpose of recovering metals; (iii) qualifying small power production facilities, as defined in section 3(17)(C) of the Federal Power Act (16 U.S.C. 769(17)(C), which burn homogeneous waste (other than refuse-derived fuel) for the production of electric energy; (iv) air curtain incinerators provided that such incinerators only burn wood wastes, yard wastes and clean lumber and that such air curtain incinerators comply with opacity limitations to be established by the Administrator by rule; or (v) incinerators or other units that burn only infectious medical waste."

#### SEC. 4. PROHIBITION ON INCINERATION OF CERTAIN MATERIALS.

(a) PROHIBITION.—Section 3001 of the Solid Waste Disposal Act (42 U.S.C. 6921) is further amended by adding at the end the following new subsection:

"(k) PROHIBITION ON INCINERATION OF CERTAIN MATERIALS.—The following materials and products may not be incinerated in a municipal solid waste incinerator:

- "(1) Household hazardous waste.
- "(2) Batteries.
- "(3) Chlorinated plastics.
- "(4) Consumer electronics.
- "(5) Yard waste."

(b) EFFECTIVE DATE.—Subsection (k) of section 3001 of the Solid Waste Disposal Act (as added by subsection (a)) shall take effect 18 months after the date of the enactment of this Act.

#### SEC. 5. REQUIREMENTS RELATING TO HAZARDOUS WASTE INCINERATORS.

(a) AMENDMENT TO SUBTITLE C.—Subtitle C of the Solid Waste Disposal Act (42 U.S.C. 6921 et seq.) is amended by adding at the end the following new section:

##### "SEC. 3021. HAZARDOUS WASTE INCINERATORS.

"(a) GENERAL REQUIREMENTS.—Effective on the date of the enactment of the Pollution Prevention, Community Recycling, and Incinerator Control Act, no Federal agency, State or local government, or any other waste management jurisdiction may issue a permit or other prior approval for the construction or expansion of a hazardous waste incinerator unless the following requirements are met:

"(1) The applicant for the permit or other prior approval, and all generators of waste expected to be incinerated at the facility, shall conduct waste composition analyses that identify and quantify all the waste expected to be incinerated at the facility, including all toxic or hazardous substances in the waste.

"(2) The applicant shall demonstrate that the toxics use reduction requirements of subsection (b) have been met.

"(3) The applicant shall demonstrate that the facility will not interfere with, divert resources from, or otherwise serve as a disincentive to, aggressive implementation of the toxics use reduction requirements of subsection (b).

"(4) The applicant shall demonstrate that the facility will not adversely affect the environment or human health as a consequence of—

"(A) exposure to air emissions or incinerator ash through inhalation;

"(B) ingestion of food contaminated by air emissions or incinerator ash as a consequence of incorporation of such ash or emissions into the food chain;

"(C) ingestion of potable water or aquatic organisms contaminated by surface water discharges, surface runoff, leaching, or percolation of air emissions or incinerator ash into ground water or surface water;

"(D) ingestion or inhalation of soil particles contaminated with air emissions or incinerator ash; or

"(E) dermal contact with air emissions or incinerator ash.

"(5) The applicant shall demonstrate that the facility will not harm the local economy, including a demonstration that it will not negatively affect property values.

"(6) The applicant shall demonstrate that there is no safer disposal or treatment technology available for any of the wastes.

"(7) The Federal agency, State or local government, or other waste management jurisdiction shall conduct a full public participation process, including public hearings, to address the proposed facility. As part of the process, the applicant shall provide to local community groups concerned about the project a technical assistance grant of at least \$50,000. The applicant shall renew the grant every six months after the initial grant is made until the date final action is completed by each Federal agency, State or local government, or other waste management jurisdiction on each permit for construction or expansion of the facility.

"(8) The proposed construction or expansion must be approved by the unit of local government in whose boundaries the facility would be sited.

"(9) The applicant shall demonstrate the following with respect to the applicant, any firm engaged to operate the facility, the parent firm of the applicant and any firm engaged to operate the facility, and any firms controlled by the parent firm or the operating firm or the applicant:

"(A) Each such entity is in compliance with Federal and State environmental and public health statutes and regulations.

"(B) Each such entity has paid all outstanding fines or penalties for violations of such statutes or regulations.

"(C) Each such entity has made available to the public at the site, and at local public libraries in the jurisdiction where the facility would be sited, a disclosure statement. The disclosure statement shall include the following information with respect to the entity:

"(1) A list of each conviction of fraud or any criminal offense during the previous 10

years in connection with obtaining or attempting to obtain a contract.

"(ii) A list of each conviction of a violation of a State or Federal anti-trust law during the previous 10 years, including convictions relating to unlawful price-fixing, allocation of customers among competitors, and bid-rigging.

"(iii) A list of each citation for a permit violation under a Federal, State, or local environmental statute during the previous 5 years.

"(iv) A list of each citation for failure to conduct proper cleanup, reclamation, or closure of a site or forfeiture of a bond for such a failure during the previous 5 years.

"(10) The applicant shall complete, after public notice and comment, an environmental impact statement. Such statement shall be conducted in the same manner and in conformance with the same standards required for environmental impact statements under the National Environmental Policy Act (42 U.S.C. 4321 et seq.) and must be approved by the State.

"(b) TOXICS USE REDUCTION REQUIREMENTS.—(1) For purposes of subsection (a)(2), an applicant for a permit, and each generator of waste expected to be incinerated at the facility, shall demonstrate that each such generator has completed and made available to the public, and intends to complete and make available each subsequent year, a report on the use of toxic or hazardous substances at the generator's facility and the reduction of the use of such substances during the preceding year at the generator's facility. The report shall include, at a minimum, the following:

"(A) A materials accounting for each toxic or hazardous substance used in each production unit of the generator's facility and for the facility as a whole.

"(B) An evaluation of options for reducing the use of toxic and hazardous substances in each production unit of the generator's facility.

"(C) Two- and five-year goals, by toxic and hazardous substance, for reducing the use of each substance in each production unit of the generator's facility and in the facility as a whole.

"(D) A schedule for implementing the goals referred to in subparagraph (C).

"(E) A statement signed by an independent expert certifying that, to the expert's best knowledge and belief, the report prepared by the generator is true, complete, accurate, and prepared under a proper data accounting and planning system.

"(2) For purposes of subsection (a)(2), an applicant for a permit shall demonstrate that the State in which the facility is located, and each State in which generators of waste expected to be incinerated at the facility are located, has established and is implementing a toxics use reduction program that includes, at a minimum, the following requirements:

"(A) The program must be designed to achieve, within 5 years after the date the program is established, at least a 50 percent reduction, from the base year, in the amount of toxic or hazardous substances entering the hazardous waste stream prior to treatment, recycling, handling, disposal, or release.

"(B) The program must require generators of hazardous waste to develop a plan for reducing their toxic or hazardous substance use.

"(C) The program must require each generator of hazardous waste to publicly report on materials accounting for each production unit of the generator's facility and the facility as a whole.

"(c) **APPLICABILITY.**—This section applies to any facility that burns hazardous waste, including cement kilns and other industrial furnaces and boilers.

"(d) **DEFINITIONS.**—For purposes of this section, the following definitions apply:

"(1) The term 'base year' means any calendar year, not earlier than 1989, for which a State has complete and adequate information on the generation of toxic or hazardous substances entering the hazardous waste stream, prior to treatment, recycling, handling, disposal, or release.

"(2) The term 'toxic or hazardous substance' means—

"(A) a substance on the list described in section 313(c) of the Emergency Planning and Community Right-To-Know Act of 1986 (42 U.S.C. 11023(c));

"(B) any chemical for which a Federal or State law requires reporting similar to section 313 of such Act but which is not otherwise covered under subparagraph (A);

"(C) any hazardous constituent of hazardous wastes identified under regulations promulgated under this subtitle and listed in sections 261.33(e), 261.33(f), and Appendix VIII of part 261 of title 40 of the Code of Federal Regulations; and

"(D) any priority pollutant listed under regulations relating to steam electric power point source pollutants under the Federal Water Pollution Control Act (33 U.S.C. 1311 et seq.) (as listed in Appendix A of section 423 of title 40 of the Code of Federal Regulations).

"(3)(A) The term 'toxics use reduction' means any change in a production process or activity, raw material, or product, that reduces or eliminates the use of any toxic or hazardous substance, or the amount of any toxic or hazardous substance entering any waste stream or otherwise released to the environment (including fugitive emissions and hazardous secondary materials), prior to recycling, treatment, disposal, handling, or release, without creating or increasing risks to the public health, workers, consumers, or the environment. The term includes production equipment or technology modifications, reformulation or redesign of products, substitution of raw materials, changes in production processes or procedures, and improvements in housekeeping, maintenance, training, or inventory control.

"(B) The term does not include (i) any waste management or pollution control activity, or any other practice which alters the physical, chemical, or biological characteristics, or the volume, of a toxic or hazardous substance through a process or activity which itself is not integral to and necessary for the production of a product or the providing of a service; (ii) recycling without the use of in-process, in-line, or close-loop recycling methods according to standard engineering practices and that is not integral to and necessary for the production of the product within the original production unit; or (iii) the use of a byproduct as hazardous secondary material, as a product, or as a constituent of a product."

"(b) **TECHNICAL AMENDMENT.**—The table of contents for subtitle C of such Act (contained in section 1001 of such Act) is amended by adding at the end the following new item:

"Sec. 3021. Hazardous waste incinerators."

## INCREASING WELFARE

### HON. JILL L. LONG

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Ms. LONG. Mr. Speaker, several days ago we learned about some disturbing figures reported by the American Public Welfare Association. These figures illustrate the need to address the tremendous increase in the number of Americans receiving welfare payments.

There recent statistics indicate that a record number of Americans were welfare recipients in April of this year. In that month, 4.4 million families received money under the Aid to Families with Dependent Children Program. This is the highest number of dependent families ever, the previous record being 3.9 million families in 1981. Also in April, 23.1 million Americans received food stamps. This figure also exceeds the previous record of 21.6 million people on food stamps in 1989.

The number of AFDC recipients has also grown at a constant rate during the past 2 years. That number has increased 18 percent since 1989 when 3.74 million people received AFDC assistance. There are numerous reasons for these sharp increases, including increased unemployment, Medicaid expansion, and the current recession that this country is experiencing.

If our Nation is to combat these sorts of troubling figures—and I remind my colleagues these figures represent actual people—we need to consider what we can do to get our economy moving again and increase employment.

## ADIOS WISCONSIN

### HON. GERALD D. KLECZKA

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. KLECZKA. Mr. Speaker, I want to call to the attention of my colleagues a recent series of articles on United States-Mexico trade which appeared in the Milwaukee Journal. The authors, Mr. John Fauber and Mr. Jack Norman, examine the relationship between Wisconsin industries and Mexican maquiladora plants. I think it illustrates the problems we face when United States jobs are exported to Mexico. The articles follow:

#### THOUSANDS OF JOBS EXPORTED TO MEXICO

(By John Fauber and Jack Norman)

Two of Milwaukee's biggest, oldest companies, Johnson Controls Inc. and A.O. Smith Corp., now employ more production workers in Mexico than here in their home state.

The two companies—each with more than 2,000 employees in Mexico—have joined hundreds of other American corporations in capitalizing on Mexico's low-wage work force by operating "maquiladoras"—foreign-owned factories whose goods move nearly tariff-free over the border.

This wave of investment in Mexico includes more and more Wisconsin companies. In the last few months alone, Stokely USA, based in Oconomowoc, opened a plant in Monterrey, Mexico, to cut and package broc-

coll, and Kohler Co., based in Kohler, opened a plant that makes ceramic plumbing fixtures near the same city.

All told, research by The Journal shows, at least 20 firms with Wisconsin headquarters now have factories in Mexico, employing more than 10,000 people.

And the attractiveness of Mexico to US corporations is expected to increase through the 1990s, as economic ties strengthen through a North American free trade agreement that is being negotiated among the United States, Mexico and Canada.

For US companies, the reason for investing in Mexico is straightforward: corporate profits. They've come to depend on the cheap labor there to help them stay competitive in a toughening global economy.

"It permits Badger Meter to stay in business," said James Forbes, president of Badger Meter Inc., the Milwaukee manufacturer of utility meters, about the company's 125-worker plant in Nogales, Mexico.

But thousands of Wisconsin workers are being swept aside in the corporate exodus, as their old jobs move south of the border and as their companies create more jobs there than in Wisconsin.

Many well-paying positions have left the state forever—manufacturing jobs that helped thousands of families attain a middle-class standard of living and maintain it for a generation or more.

This global production-sharing—as the process of moving lower-skilled work to poor nations is called—has helped depress Wisconsin's standard of living some experts contend. For example, even though manufacturing employment in Wisconsin rebounded in the second half of the 1980s from its plunge in the first half of the decade, wages and income did not recover. Per-capita income in the state dropped from 99.4 percent of the national average in 1980 to 94 percent in 1990, according to the state Department of Revenue.

Marlene Crawley personifies that decline. Crawley, who lives in West Allis, has lost two jobs to Mexico in the past six years, both times when Johnson Controls moved her work from Milwaukee to Ciudad Juarez, Mexico.

She's still unemployed after the most recent layoff last fall from a \$12-an-hour position, and she does not expect to be called back to work this time. During her 10 years with the company, she has seen the work force at her plant dwindle as jobs moved to Mexico.

"They talk about the Mexicans being so poor," Crawley, 46, said during an emotional conversation in the house she shares with her mother. "Our country is going to be the same way. I just can't make ends meet."

#### A DIFFERENT PERSPECTIVE

Fifteen hundred miles away in Juarez, where Crawley's job moved, Jesus Martinez is the kind of worker who gains from her loss.

Martinez, his wife, Mayela, and their two daughters live in a one-room, dirt-floor shack hammered together from wood pallets scrounged from nearby US maquiladoras. Flattened cardboard boxes—refuse from the factories—are nailed over the pallets to form an outside wall.

On the Martinez home, the cardboard boxes display the logo "PPC Milwaukee." The toilet is a hole in the ground that fills up every three months. The water faucet is a pipe sticking out of the ground 100 feet away. Children at play jump into a garbage pit.

Nevertheless, Martinez said life in Juarez was better for his family than life in the

rural area a few hundred miles to the south from which the family moved a year ago.

"Here you can find work, and it pays more," he said.

Wages for factory workers in Juarez, included mandatory bonuses, range up to \$13 for a nine-hour workday for a top-scale clerk of line chief. In metropolitan Milwaukee, the average manufacturing wage in May was \$12.23 an hour.

#### MOVING TOWARD GLOBALIZATION

Crawley and Martinez are human cogs in the new global economy: Manufacturers from the richer nations of North America, Western Europe and East Asia are moving more and more lower-skilled work to the crowded poorer nations. Mexico, which has an unemployment rate estimated at 20%, is hustling for as much as it can get.

US firms now employ half a million Mexican factory workers.

A.O. Smith has six factories in Juarez (none of which has taken existing jobs from Wisconsin); Johnson Controls has two; and Briggs & Stratton, the largest employer in the Milwaukee area, one. Mercury Marine and Outboard Marine Corp., two large Milwaukee-area employers, have factories there. Allen-Bradley had one of the first US plants but sold it last year.

And it's not just the large, widely known firms that are making the Mexican connection. Many smaller, less familiar names in Wisconsin industry, companies like Curtis Industries of Milwaukee; Hamlin Inc. of Lake Mills; Ajay Leisure Products of Delavan; and Wells Manufacturing of Fond du Lac have been lured south of the border.

"Mexico needs to create 1 million jobs annually to keep pace with population growth," said Bob Cook, who recruits business to both sides of the border for the Industrial Development Council in El Paso, Texas. El Paso shares the border with Juarez, and Cook helped Briggs & Stratton find land for its Juarez factory.

"When you have an oversupply of anything, including labor, that's going to decrease the cost," Cook continued. "Companies are coming here because of the cost of labor, which allows them to be competitive on a world scale."

Wisconsin business leaders argue that this flow of work to Mexico and other Third World nations is essential for local companies to remain prosperous and competitive.

"The jobs are going to be lost anyway," said Waukesha businessman Joe Dindorf, president of Hein-Werner Corp., which makes battery chargers and welding equipment in Nogales, Mexico. "They're going to gravitate to a part of the world where costs are low."

Johnson Controls, the state's largest public company, employs more than 2,000 in Mexico and fewer than 600 production workers in Wisconsin. Many of the Mexican jobs are new or involve products not made in Wisconsin.

Bob Garlepy, Johnson's vice president of manufacturing, pointed out that Johnson's biggest competitors, such as Honeywell Inc. in Minneapolis, also are taking advantage of lower labor rates in Mexico. Johnson and Honeywell, for example, have factories in the same industrial park in Juarez.

Not going to Mexico would mean a loss of business for Johnson, he said.

Still, union officials here say several hundred jobs in Johnson's building-controls business have left the state for Mexico in the last decade.

Executives here also argue that expanded contact with Mexico is necessary in order to develop its economy, which in turn would re-

duce immigration in the US and offer more markets for Wisconsin exports.

Free-trade advocates contend that by tearing down trade barriers, Wisconsin firms will be in a better position to sell their goods in the Mexican market. By trading jobs for markets, they say, in the long run the state's economy will be better off.

#### TIES CAN CREATE JOBS HERE

Indeed, there are jobs to be gained in Wisconsin from the expansion of ties with Mexico.

Snap-on Tools in Kenosha benefits from the Wisconsin-Mexico connection even though it does not have a factory there. For nearly 40 years it has supplied Mexico's large industrial centers with Snap-on products, many of which are made in Kenosha.

Jon Tetting, manager of international product development estimated that a dozen Snap-on jobs in Kenosha can be attributed to the Mexican market.

"We see great potential," he said of Mexico. "Any countries that aren't aligned in some kind of trade agreement are going to be left out."

For Snider Mold in Mequon, Mexico is a fast-growing market that helps offset a loss of business in the US stemming from new Canadian competition. Snider's industrial molds are used in Mexican factories to make such things as plastic school chairs and auto radiator cowlings.

A 1988 study by Grupo Bermudez, Mexico's leading developer of industrial parks for US firms, said that 563 Wisconsin companies supplied products to US factories there. The firms have been helped by the fluctuating value of the dollar, whose lower value in recent years has favored US exports over imports.

Wisconsin exported \$137 million worth of products to Mexico last year, but there is tremendous room for growth. Nationally, Mexico is the No. 3 export market, behind Canada and Japan, but only the No. 9 destination for Wisconsin exports.

State exports to Mexico grew only 1.2% last year, compared with a 13.6% jump in US shipments to Mexico. Wisconsin exports as much to Belgium and the Netherlands, small European nations, as it does to its large neighbor to the south.

The state had hoped to increase that percentage by opening a trade office in Mexico City. But the Legislature cut the \$75,000 the Department of Development requested to study setting up an office there, said Robert Trunzo, secretary of the department. In the interim, the state will attempt to increase business for state firms through trade missions and shows in Mexico, he said.

"We are going to continue our efforts in Mexico," Trunzo said. "We view this as a temporary setback."

#### MAQUILADORAS: THE COMPETITIVE ADVANTAGE

Almost all US factories in Mexico are part of Mexico's maquiladora program.

Each factory is called a maquiladora (pronounced mah-kee-lah-dor-ah), or, interchangeably, a maquila.

The idea is simple: A US company uses its maquiladora to assemble products from materials shipped from the United States. The finished products come back to the US. (Other countries also are setting up maquiladoras, most notably Japan, which has made a rush into the area near California.)

The key is this: Mexico doesn't tax the incoming components. The US doesn't tax the product coming back after assembly, except for the value of the cheap labor used in Mexico.

The result: US companies get to use inexpensive foreign labor, without having to pay much in tariffs on the shipment of products in either direction.

Mexico came up with the idea in the late 1960s to try to solve an unemployment problem on its northern borders.

The problem was that the US had ended its bracero program, which let Mexicans cross the border temporarily to work as migrant farm workers. The program was killed because of farm mechanization, opposition from US unions, and antagonism toward bracero workers who stayed in the US illegally.

#### EXPLOSIVE GROWTH

The first maquilas were built in the late 1960s in Ciudad Juarez, across the border from El Paso, Texas. By 1975, there were more than 450 in the country. Today there are 2,000. Total employment is more than 500,000.

The maquila program is second only to oil in bringing foreign revenue into Mexico, ranking ahead of tourism.

Originally, nearly all maquila workers were young women. Factory managers said that women were better at the detail work involved in assembling clothes or electronic components, while critics said management was afraid that men would be harder to exploit.

Today, women remain in the majority but men are more common. One study found the percentage of male maquila workers climbing from 23% in 1980 to 34% in 1987.

Most maquiladoras are near the US border. Mexico now wants more in the interior, though the attractions of the border—cheaper transportation costs to the US and the ability of managers to live on the US side of the border—remain strong.

Where did the term "maquiladora" come from? "Maquila" refers to a portion of a farmer's corn that he must pay the miller who grinds it. A maquiladora factory is like the miller: It processes raw materials into something else, and receives a fee—wages for the workers—for the service—Jack Norman.

#### AS JUAREZ BOOMS, SO DO ITS SHANTYTOWNS

(By Jack Norman)

CIUDAD JUAREZ, MEXICO.—Wisconsin companies helped make Ciudad Juarez perhaps the most booming industrial city in North America.

US Companies have built more than 300 factories in this Mexican border city in the past 20 years. Big ones, averaging 450 employees each.

Wisconsin firms built six of them and bought five others in the last decade.

Juarez has more people working in US factories than any other city in Mexico, which makes it something of a window on the future, a way of predicting the impact of an expanding US presence in the Mexican economy.

The view from that window is alarming: US industry has made the city grow so fast that it's overwhelmed. There are crises in housing, water, transportation, sewage and industrial waste.

As many people live in Juarez as in metropolitan Milwaukee, but the sewage is left raw. Disposal of toxic wastes goes unchecked. Much of the housing—some within shouting distance of the United States—is abysmal. Only one-quarter of the city's streets are paved.

"Our infrastructure just was not ready," said Hedilberto Cobos Rodriguez, director of the city's Economic Development Board, the office that must approve every new US factory.

Much of the government money that was available went to providing services for the industrial parks that house US factories, rather than for the surrounding city.

The sudden industrial growth drew job seekers from Mexico's impoverished interior. The city's population has doubled since 1980, to more than 1.4 million, with the fastest growth occurring during the mid-1980s. City officials predict there will be 4 million residents before 2010.

"They came from the small villages and towns of northern Mexico," said Juarez labor attorney Gustavo de la Rosa. "But when they came to Juarez, nobody offered them anything. They live in cardboard houses in the wilderness."

That's an exaggeration. But not by much. Many factory workers do live in houses that are sturdy, comfortable and safe, though they are small and extremely modest by Milwaukee standards.

The Quinones family, which lives in the dirt-road Independencia No. 1 neighborhood, for example, has a six-room brick and plaster house that includes a tiled bathroom, a telephone, and a double kitchen sink.

The family can afford its standard of living with the income of four daughters who live at home and work at a nearby Johnson Controls factory, earning \$13 a day at jobs that moved here from Milwaukee. In Milwaukee, where the Quinones family has relatives, those jobs were paying nearly \$13 an hour.

And despite the flood of people, there are so many new or growing factories that anyone can find work. Unemployment, local officials said, is less than 1%.

#### A CLASH OF ECONOMIC WORLDS

But de la Rosa's "cardboard houses in the wilderness" are real.

The large, poor working-class neighborhoods aren't obvious to the visitor who travels to only one of the many industrial parks that employ more than 1 of 10 Juarez residents. The roads to these industrial parks are wide and crowded, lined with motels, restaurants and shopping malls little different than those in US cities.

In the modern, spacious industrial areas, factories and trucks bear familiar corporate names—Ford, Zenith, Delco, Johnson Controls, Briggs & Stratton.

But take a side road near the US factories, and you plunge into residential neighborhoods bearing all the signs of Third World poverty.

The rutted dirt streets are home to dogs, abandoned autos, stacks of tires. Through imaginative reuse, cardboard, plywood, sheet metal, tar paper and wood pallets have become shanty homes for the working poor.

In one neighborhood just north of the Juarez airport, Maria de Lourdes Medina lives in a 10-foot-by-10-foot wood-pallet and tar-paper house with a dirt floor that she and her husband built early this year. The materials, discarded from US factories, cost \$100.

She earns \$40 a week in a US-owned car-seat factory; her husband, Benito Melchior, earns \$50 a week as a construction worker. Their four children are waiting with her mother in Torreon, a city 400 miles to the south from which they moved.

Their furniture consists of a double bed, one wood kitchen chair held together with tape and a TV stand made from putting a piece of plywood on a stack of three tires.

Some clothes are hung on a hook, and some vegetables—potatoes, tomatoes, peppers, onions—are on a shelf. There's a plastic water jug, an electric hot plate and a bare light bulb overhead.

Electricity comes from a wire hooked up to a nearby line. That's what most of their

neighbors—in similar houses crowded 10 feet apart—do as well.

The electricity is free. So is the water, which runs from a pipe faucet sticking out of the ground about 75 feet from Medina's house.

And so is the land. It was bare dirt before people moved in and built a neighborhood.

The toilet is a hole outside the house, surrounded by cardboard for privacy.

Melchior said that wages in his native Torreon were half those in Juarez.

"In Torreon, we paid rent and utilities. We were barely able to pay our bills. Now, there are no utilities and rent to pay. I feel good here."

The area is crowded with people who clamor around the visiting reporter and photographer. Many are children.

An elementary school, a few hundred yards away on the other side of a dirt field, is closed. Police arrived in the middle of the day two weeks earlier, residents say, and threw students out.

Since then, they say, police vans have kept a 24-hour vigil to keep people away from the unfinished, one-room school.

The school closing appears to have been the result of a dispute between two political parties, the Institutional Revolutionary Party, Mexico's ruling party, which also controls Juarez city government, and a coalition between the Committee for Popular Defense and the Workers Party, left-wing groups whose symbols and slogans are painted on many of the walls in the city's poorest neighborhoods.

#### SHORTAGE OF GOOD HOUSING

The housing problem is widely acknowledged in Juarez.

Silvino Rodriguez, for example, estimates a shortfall of 50,000 houses.

Rodriguez is far from a critic of US industry. As marketing manager for Grupo Bermudez, Mexico's largest developer of industrial parks for US firms, his job is to bring more US factories to Juarez.

Few houses are being built. Government housing programs were canceled because of an economic crisis, and private developers aren't interested because they can't make enough profit, Rodriguez explained.

"I don't think we'll ever catch up," he concluded.

The city's growth has slowed, though, partly because of the US recession and partly because US companies fear a labor shortage that would push wages up.

And it's true, as factory developers point out, that the kind of growth Juarez experienced would be too much for any city in any country in the world.

But the fiscal constraints on Mexican cities are especially onerous. The 1991 city budget for Juarez is \$52 million. El Paso, Texas, directly across the Rio Grande, has a population 40% that of Juarez but a city budget of \$237 million.

Inflation in Mexico was 114% in 1988 but has slowed to 18% to 26% since.

Other infrastructure problems in Juarez are significant, though not as visible as the housing shortage.

Adequate supplies of water are concerns on both sides of the border, as they are throughout the arid regions of both Mexico and the US.

Juarez has serious problems with waste disposal, including both residential sewage and industrial waste. City streets jammed with aging cars and trucks from the industrial parks belch pollutants into the air.

The international border crossings—all on bridges over the Rio Grande—are crowded.

More than 42 million people crossed into the US at the three northbound bridges last year, making Juarez/El Paso the second busiest international border for the US.

A few years ago, it was so quick and easy to cross the border that El Paso residents could drive to Juarez for lunch. Now it can take an hour or more to drive into the US through the jammed border checkpoints, though traffic entering Mexico is scarcely delayed.

At the Cordova Bridge, the main crossing for trucks from US factories, the waiting line often stretches a mile. Even that's an improvement, Juarez veterans say, over the time when truck drivers would change shifts while waiting in line.

One development that has not occurred is the growth of a sizable industrial sector in Juarez, feeding off the big US presence.

Will the Juarez experience be repeated throughout Mexico, as the US influence spreads?

Juarez city official Cobos didn't hesitate at the question.

"Yes," he answered.

#### TO STATE FIRMS, MEXICO IS GOOD BUSINESS

(By John Fauber)

Ajay Leisure Products is perhaps the country's largest manufacturer of golf bags.

But to retain that distinction, the Delavan (Wis.) company must employ half of its labor force in a country where leisure and golf are as foreign to the local residents as coyotes and cactuses are to the countryside around the company's Walworth County headquarters.

Every week a truck leaves the Ajay plant in Delavan loaded with pieces of nylon and vinyl cut by \$7-an-hour workers and makes the trek across the desert Southwest, delivering them 2,000 miles away to Ajay's small maquiladora in Mexicali, Mexico.

There, 75-cent-an-hour workers stitch the pieces into partially completed golf bags, which are returned to Delavan for final assembly and then sent off to sporting goods departments in stores around the country.

That may sound like a roundabout way to make golf bags, but the sharing of production between the two countries has become a way of life for the 180 workers in Delavan and their 150 counterparts in Mexicali, about 200 miles southeast of San Diego.

Ajay is one of at least 21 Wisconsin-based firms with plants in Mexico that have been identified by Milwaukee Journal research. Those plants, many of which are in border towns like Mexicali, employ more than 10,000 people.

In 1965, a new Mexican program—in conjunction with US tariff regulations—allowed US firms to set up shop in Mexico, ship in raw materials tariff-free and then send them back to the United States, only having to pay a duty on the "value added" in Mexico.

Ajay's plant, which opened in 1966, was the first maquiladora in Mexicali.

"The nice part is that as [the plant in] Mexico produces more and grows, we grow here," said Pete Kowal, Ajay's vice president of manufacturing.

It's not to say that Ajay and other Wisconsin firms haven't encountered troubles after setting up shop in Mexico. Many of the companies have had to learn to deal with problems such as language and cultural differences, a lack of supporting infrastructure, bureaucratic red tape and high employee turnover.

But generally, executives say their Mexican plants have allowed them to stay competitive in the increasingly global market-

place. They say Mexico allows them to stay in step with competitors who are taking advantage of cheaper labor markets in the Far East.

#### THE COMPETITIVE ADVANTAGE

Robert Aubey, a professor of international business at University of Wisconsin-Madison School of Business, said companies that opened maquiladoras generally improved their competitiveness.

He also said that studies—although inconclusive—suggested that while opening a maquiladora might result in initial job loss in the US, ultimately both the overall US work force and production levels increased.

"It's one of those unique programs where everybody is winning," Aubey said.

Peter Drucker, a well-known US management consultant, has said that maquiladoras have been a great benefit to the US. He said that many small and medium-sized US firms would have been driven out of business by foreign, low-wage competitors. But by having access to low-wage, unskilled workers in Mexico, companies have been able to preserve their skilled positions in the US, he said.

Badger Meter is a fitting example. The Milwaukee company, which specializes in design and manufacture of utility meters, operates a 125-employee maquiladora in Nogales, Mexico, which is 60 miles south of Tucson. The plant assembles components for water meters.

James Forbes, president of Badger Meter, said the work was divided between lower-skilled assembly in Nogales and higher-skilled manufacturing in Milwaukee.

"The maquiladora has been good for Badger, and it's been good for our employees, even here in Milwaukee, because it's given us lower costs and permitted us to be profitable and grow," he said. "We take what we do best here, the higher skills, and the lower-skill assembly is done down there."

Curtis Industries, a West Milwaukee firm that makes electrical components, opened a maquiladora in Nogales in 1987. The plant makes radio frequency interference filters, used primarily in computers. Before opening the plant, the company had been subcontracting the work to a Mexican firm.

Initially, the plant encountered problems, primarily because it was trying to manufacture too many low-profit, high-volume products, said James Springer, president of the company.

They have since scaled back the plant's work force from 130 employees to 48 employees, now concentrating on making only higher-tech, higher-profit products.

"We're shipping high-tech products to the Far East. Now, there's a switch," Springer said.

Looking for a more stable work force than could be found in many of the border towns, Milwaukee-based Sybron Corp. built its maquiladora deep in the Yucatan Peninsula city of Merida.

The 203-employee plant puts together orthodontic braces, which easily can be shipped by air freight back to the US, said Don Rackl, vice president of finance.

The plant's turnover rate is less than 5% a year, he said.

"We wanted to stay away from the border towns," Rackl said. "We've got fathers and sons working together."

However, opening a plant in Mexico is no guarantee of smooth sailing.

In 1986, Plastronics closed its downtown Milwaukee plant and moved the work to Tijuana, putting 285 people, who earned about \$10 an hour, out of work.

James Manschot, the company's former vice president of marketing, said he believed the move was a mistake.

Plastronics sold a variety of disposable medical devices that were manufactured by teams of production workers. He said the work went smoothly as long as all of the workers on the team were working at similar rates.

However, when the company moved to Tijuana, directly south of San Diego, it encountered a high turnover rate among workers, which disrupted production, he said.

"Going from \$10 an hour to 50 cents an hour doesn't necessarily save you \$9.50 an hour," he said.

Employee turnover also was major problem for Waukesha-based Hein-Werner when it took over a maquiladora operation from Applied Power Inc. in 1987, said Joe Dindorf, Hein-Werner president.

In an effort to reduce the turnover at the Nogales plant, several low-cost measures designed to improve the work environment and morale were instituted.

The company built basketball and volleyball courts, barbecue and picnic facilities on the grounds, improved its restroom facilities and added showers for employees and their families.

It installed an employee lunchroom with a microwave oven. And when certain production goals were met, the company threw banquets for the employees.

In addition, the firm also hired a bilingual Mexican-American as plant manager.

The turnover rate has dropped dramatically and the quality of work has been excellent, he said.

#### WINDOW OF OPPORTUNITY

The increased business activity between Wisconsin and Mexico has created other opportunities for Wisconsin firms.

Tex-Mex Transportation, for example, is a trucking firm based in Franksville in Racine County that gains business when a Wisconsin factory sends equipment to Mexico or when a factory in Mexico sends finished products back here. Two Tex-Mex trucks from Wisconsin were parked at the loading docks of Briggs & Stratton's Juarez factory when a reporter drove by last month.

In April, the company opened two offices in Mexico and one on the border town of Laredo, Texas, to handle the increased business.

#### WISCONSIN FIRMS IN MEXICO

(At least 21 Wisconsin firms have plants in Mexico, employing more than 10,000 people there, according to interviews with company executives and information from Solunet, Inc., El Paso, TX)

| Company and Wisconsin bases/<br>Mexican locations           | Products                  | Mexican<br>employment |
|---|---------------------------|-----------------------|
| Ajay Leisure products, Delavan/<br>Mexico                   | Golf bags .....           | 150                   |
| Allen-Bradley Co. (sold plant in<br>1990), Milwaukee/Juarez | Resistors .....           | 285                   |
| A.O. Smith Corp. (5 plants), Mil-<br>waukee/Juarez          | Electric motors .....     | 1,500                 |
| A.O. Smith, Milwaukee/Juarez                                | Water heaters .....       | 365                   |
| A.O. Smith, Milwaukee/Ciudad<br>Acuna                       | Electric motors .....     | 450                   |
| Astronautics Corp. of America,<br>Milwaukee/Matamoros       | Electrical components ... | 390                   |
| Badger Meter Co., Milwaukee/<br>Nogales                     | Water meter parts .....   | 125                   |
| Briggs & Stratton Corp.,<br>Wauwatosa/Juarez                | Auto locks .....          | 325                   |
| Curtis Industries Inc., Milwaukee/<br>Nogales               | Electrical filters .....  | 50                    |
| Falk Corp., Milwaukee/Mexico City<br>(joint venture)        | Transmission parts .....  | 240                   |
| Hamlin Inc., Lake Mills/Agua<br>Prieta                      | Electrical components ... | 350                   |
| Hein-Werner Corp., Waukesha/<br>Nogales                     | Battery chargers .....    | 85                    |
| Johnson Controls Inc., Glendale/<br>Reynosa                 | Building controls .....   | 750                   |
| Johnson Controls (2 plants),<br>Glendale/Juarez             | Controls .....            | 650                   |

#### WISCONSIN FIRMS IN MEXICO—Continued

(At least 21 Wisconsin firms have plants in Mexico, employing more than 10,000 people there, according to interviews with company executives and information from Solunet, Inc., El Paso, TX)

| Company and Wisconsin bases/<br>Mexican locations            | Products                   | Mexican<br>employment |
|--|----------------------------|-----------------------|
| Johnson Controls, Glendale/<br>Toluca                        | Automobile seats .....     | 620                   |
| Kohler Co., Kohler/Monterrey                                 | Ceramic fixtures .....     | 1,250                 |
| Kohler, Kohler/Mexico City                                   | Gas engines .....          | 125                   |
| Manitowoc Co., Manitowoc/<br>Reynosa                         | Cranes, boom trucks .....  | 150                   |
| Mercury Marine Corp., Fond du<br>Lac/Juarez                  | Motor harnesses .....      | 565                   |
| Modine Manufacturing Co.,<br>Racine/Nuevo Laredo             | Heat exchangers .....      | 400                   |
| Modine Manufacturing, Racine/<br>Mexico City (joint venture) | Radiators, brake linings . | 800                   |
| Rexnord, Inc., West Milwaukee/<br>Mexico City                | Engineered chains .....    | 200                   |
| S.C. Johnson & Son Inc., Racine/<br>Toluca                   | Home, auto products .....  | 200                   |
| Stokely USA Inc., Oconomowoc/<br>Monterrey                   | Broccoli .....             | 1,500                 |
| Stokely USA, Oconomowoc/<br>Zacatecas (joint venture)        | Broccoli .....             | 250                   |
| Sunbeam/Oster, Brown Deer/Ciudad<br>Acuna                    | Appliances .....           | 700                   |
| Sybron Corp., Milwaukee/Merida                               | Orthodontic supplies ..... | 200                   |
| Wells Manufacturing Co., Fond<br>du Lac/Reynosa              | Auto ignitions .....       | 400                   |
| West Bend Co., West Bend/<br>Reynosa                         | Appliance components ...   | 140                   |

<sup>1</sup> Anticipated.

#### WORKERS FEEL THE DOWNSIDE OF MEXICO

(By John Fauber)

To the state's corporate executives and shareholders, Mexico means competitiveness. It's a country with the low-wage rates that allow companies to stay in business.

But the feelings of many Wisconsin workers are just as strong about Mexico. To them, it's a place that has become synonymous with layoffs as work has moved south of the border.

The topic has become so controversial that companies like Briggs & Stratton Corp., in Wauwatosa, and Mercury Marine, in Fond du Lac, which have shifted work out of Wisconsin and opened maquiladoras, would not discuss it.

To be sure, some Wisconsin workers are on the plus side of the maquiladora jobs ledger because their companies have been strengthened overall by their Mexican operations.

And, while Mexico has created a lot of interest among state firms, some have elected instead to invest more in their US operations, said Tom Clasen, an attorney with Foley & Lardner who has helped firms establish maquiladoras.

"I talk to a lot of companies about going to Mexico," he said. "Most of these just don't go anywhere. A lot of companies here are run by individuals who are pretty committed to this state. They lose sleep over the decision to move jobs."

Nevertheless, plenty of manufacturers have picked up jobs here and set them down in Mexico. For instance:

Johnson Controls Inc., the state's largest public company, has slowly shifted work to Mexico, and until recently has avoided a great deal of publicity about its exporting of jobs.

In 1987, the International Association of Machinists had 339 members working at Johnson plants in Milwaukee, said Doug Curler, Local 66 shop chairman. Today, the number is down to 136, he said.

Those jobs pay an average wage of \$12.87 an hour, he said.

"Johnson has been a good employer, except they are out to move our jobs away," Curler said.

Chrysler Corp. inflicted perhaps the biggest Mexico-inspired blow to the state's economy when it closed its auto assembly operation in Kenosha in 1988, eliminating

5,000 of the state's premier manufacturing jobs, and moved that work to its Jefferson Ave. assembly plant in Detroit.

The move was made possible by Chrysler shifting other auto-production work to Mexico, said Rudy Kuzel, president of Local 72 of the United Auto Workers.

"It wouldn't have happened if they had not shifted work to Mexico," Kuzel said.

However, a Chrysler spokesman noted that the amount of production sent to Mexico wasn't as large as the amount of work that had been shifted from Kenosha to Detroit.

And in 1989, 450 people in Coleman lost their jobs when Chrysler closed its wiring components plant there, a move resulting from the production being moved to Mexico, a Chrysler spokesman confirmed.

Plastronics Inc., Milwaukee, closed its doors here in 1986 and moved its medical products manufacturing operation to Tijuana, Mexico, eliminating 285 \$10-an-hour jobs.

Plastronics tried to help its employees find other jobs, said James Manschot, the company's former vice president of marketing. But he added, "it was a very sad, melancholy time."

Delco Electronics, a subsidiary of General Motors Corp., shifted some work from its Oak Creek plant to Mexico in the early 1980s, said Jim Blaine, shop committee chairman of United Auto Workers Local 438 in Oak Creek.

That work has since been replaced with other work, he said. However, GM now has 30 plants in Mexico, employing 43,000 workers, Blaine said.

Many of those plants are maquiladoras that use low-cost Mexican workers to assemble products that are shipped back to the US for sale.

"I don't think Wisconsin workers are going to fare very well with maquiladoras," he said. "The economy is going to come back with industrial-based jobs. You can't come back by shipping jobs out of here."

At some other firms, like Kohler Co., which just opened a ceramic plumbing fixture plant in Monterrey, Mexico, union officials say they are not worried about the company's investment in Mexico.

"I don't believe it [the Monterrey plant] is going to hurt us here," said Robert Lettre, president of Kohler's union, Local 833 of the United Auto Workers. "We have to be realists. I don't think we can expect the company to put all its eggs in one basket."

The other side of the ledger is the jobs that maquiladoras help create in Wisconsin, both by directly supplying US plants and by lowering companies' costs and making them generally more competitive.

For instance, when West Bend Co. opened its Reynosa, Mexico, maquiladora in 1988, it meant the loss of about 50 jobs in West Bend. The plant makes heating controls for electrical appliances.

However, the move made the company more competitive—and thus more viable over the long term—because it has been buying the components from the Far East at a higher price, said Larry Grescoviak, vice president of human resources.

Advocates argue that the US job base also will be bolstered by a free trade agreement with Mexico, which would create more wealth in that country, allowing for more sales of American-made goods in Mexico.

Amount the potential beneficiaries:

Hein-Werner Corp., Waukesha, now sells about \$1.5 million of products each year in Mexico, said Joseph Dindorf, president. But because of the difficulty Mexican distribu-

tors have in finding US dollars to pay for those products, only a fraction of the orders Hein-Werner receives actually turn into sales, he said. Eventually, with a free trade agreement, those sales could easily double or triple, he said.

"I think there is a lot more business to be had in Mexico," said Dindorf, whose company operates an 85-employee maquiladora in Nogales.

#### MAQUILADORA BRINGS FAMILY DECENT LIVING (By Jack Norman)

CIUDAD JUAREZ, MEXICO.—The Quinones family has inherited some of the jobs that moved out of Johnson Controls factories in Milwaukee.

The neighborhood they live in borders one of this city's largest industrial parks, where the factories bear names of some of the biggest US corporations, including Milwaukee firms A.O. Smith, Johnson Controls and Briggs & Stratton.

The family—Eusebio and Lucina and the four daughters still living at home—have a six-room house that Eusebio built himself during a year of Sundays, his days off from the construction job he landed when the family first moved north to Juarez from the Durango apple fields more than a decade ago.

Lucina has a niece in Milwaukee, who, ironically, lost her job at Briggs & Stratton when the work was moved to a new factory in Juarez.

Four Quinones daughters—Teresa, Rosa, Alma and Maria—work at the Johnson Controls factory a short walk from home. They have climbed the short ladder of advancement from assembler to clerk or line chief, the highest jobs they can aspire to at the factory.

Each earns about \$13—including bonuses—for a 9-hour work day, 5 days a week.

With the daughters working at Johnson Controls and some additional income from the one-room grocery the father operates in the front of the house, the Quinones family has the cash to be counted among the more fortunate of Mexico's working class.

Each of the seven daughters, for example, was able to finish high school before going to work in the US factories. And among the extended family, which includes three daughters living outside the home with families of their own, there are two cars.

The Quinones house includes such features as a tiled bathroom, a telephone, and a stainless steel double sink in the kitchen.

Still, it's modest; no room larger than 12 feet by 12 feet; linoleum floors; a single overhead bare bulb illuminating living room.

Margarita, a daughter who rents a two-room house nearby with her husband and daughter, says the biggest need in the neighborhood is for paved streets. "The city want to pave it, but it would be poor quality and they would charge us high prices," she said.

"We feel very lucky," says her sister Teresa.

"The majority of people we work with are from out of town. They don't have a place to stay. They're in bad situations. In comparative terms, yes, we're well off," Teresa says.

#### UNITED STATES BOOM SPARKS MEXICAN ACTIVISM

(By Jack Norman)

Last October, 16-year-old Jesus Cesar Macias was ground to death by a machine in a Ford Motor Co. windshield factory near Ciudad Juarez, Mexico. The youth, in his first week on the job, was sweeping in an underground tunnel when he was trapped on

the conveyor feeding glass scraps to the grinder.

His death sparked an innovative international legal offensive against Ford, one example of the growing sophistication of the activists on both sides of the border who seek to improve conditions in the Mexican factories and in the border cities that are overwhelmed by the US-led industrial boom.

The movement has been slow to develop in Mexico because that country has little tradition of activism, said Gustavo de la Rosa, a Juarez labor attorney in the forefront of the new efforts.

"In Mexico, organizations have depended on the national government," De la Rosa explained. This includes the union movement and the churches, both of which have been mainstays of the US activist tradition.

"The Mexican government has not been able to negotiate responsible investment by US industry," he continued. Foreign firms "have taken advantage of the government's apathy in enforcing the laws."

Investment by foreign firms is expected to skyrocket in coming years, especially if Mexico, the United States and Canada succeed in negotiating a free trade agreement. Mexico wants the investment because of the jobs it brings, and US firms are attracted to that nation's low-cost labor.

Many of the new fight-back efforts are loosely coordinated through the Coalition for Justice in the Maquiladoras, a US-Mexican group of labor, church, environmental and other activists.

The Ford lawsuit is one example of the new techniques.

What's unusual about the action is that it will be filed in Texas courts, even though the accident happened in Mexico to a Mexican.

That's possible because of Texas law that allows state courts to be used by foreigners if it's established, for example, that relevant corporate decisions were made in Texas. A 1990 Texas Supreme Court decision upheld the interpretation of state law on which backers of the suit are relying, and the law this year survived two attempts at repeal in the Texas legislature.

El Paso attorney Robin Collins, who expects to file the suit later this month on behalf of the Macias family, said that US corporations had "shielded themselves from legal exposure" by creating separate Mexican corporations. This lets Ford claim, for example, that Macias wasn't really its employee.

The lawsuit tries "to strike down the paper barrier and show that Macias in fact worked for Ford," Collins said. "If we're going to have free trade, let's have responsible free trade."

Juarez attorney De la Rosa said the goal wasn't to fight the US presence. "The maquiladoras [US factories] are here and are not going to go away. But we have to regulate them so their investment becomes responsible."

#### STATE MUST BUILD ITS PLACE IN FUTURE TRADE ZONE

(By John Fauber and Jack Norman)

Wisconsin someday may be part of one of three huge trading zones on earth. Ours would extend from the Arctic Circle to Cape Horn.

Within this zone, the theory says, goods and capital would flow freely, unrestricted by duties or other protectionist measures.

Wisconsin cheese and Wisconsin machine tools would be as popular within this trading zone as the unrestricted market dictated. Wisconsin workers would be as prosperous as their skills and wages warranted.

Europe already has started forming its own unified economic bloc, which will go into effect at the end of 1992. Another bloc, led by Japan, may soon be taking shape in the Far East.

In 1989, Canada and the United States took what some thought was the first step toward a Western Hemisphere trading zone by signing their own free trade agreement. And recently, Congress gave the Bush administration "fast track" authority to negotiate an agreement with Mexico, which theoretically speeds up the process by not allowing congressional amendments to a treaty.

But before a hemisphere-wide zone—or even one involving just Mexico, the US and Canada—can be formed, all the pieces must fit, and a variety of interested parties on the continent will want to shape the accord.

State labor groups, which have seen thousands of Wisconsin jobs move to Mexico, already have voiced their opposition to a US-Mexico agreement.

They argue that state workers can't hope to compete against Mexican wages of \$13 a day. If an agreement can be negotiated, labor groups likely will insist on a much higher minimum wage for Mexico. They also will push for a stronger organized labor movement in Mexico.

Still, those types of measures may only offer a small amount of protection.

As companies continue to shift production around the globe, regions like Wisconsin must compensate for the loss of lower-skilled work by excelling at higher-skilled jobs, according to economists and business executives.

Yet to the contrary, recent trends in the Milwaukee area and around the state have revealed a shift toward service jobs, many of them in the lower-skilled areas.

For example, Milwaukee Area Technical College, which offer a number of technical programs geared toward manufacturing, has had difficulty filling some of those programs even though employers frequently search the programs for potential job candidates.

In a recent survey of fast-growing Milwaukee area manufacturing firms by the Urban Research Center at the University of Wisconsin-Milwaukee, many executives said the skill of the work force was the most important issue facing their companies in 1990s.

But despite a number of examples to the contrary, Wisconsin manufacturers as a whole have not made a concerted effort to improve both their training programs and their manufacturing techniques in order to excel in the high-skill, high-wage area, according to a recent study of Wisconsin's metal-working industry by University of Wisconsin-Madison professors Joel Rogers and Wolfgang Streeck.

"The general level of investment in training in Wisconsin metalworking is significantly below optimal levels," they wrote. "Over time, it will hurt that industry, and the Wisconsin economy."

#### SELLING SOUTH OF THE BORDER

To the extent they are correct, it means Wisconsin is not ready for the continued acceleration of economic ties with Mexico that the 1990s will bring.

One way to counter the job loss would be for Wisconsin firms to sell more Wisconsin-made products to Mexico as trade barriers tumble.

The state had hoped to increase Wisconsin exports to Mexico by opening a trade office there. However, the effort was dealt a blow recently when the Legislature removed a proposed \$75,000 budget item that would have funded a study of setting up an office in Mexico.

Robert Trunzo, secretary of the state Department of Development, said Wisconsin made high-quality products with a skilled work force.

"On a level playing field, Wisconsin will compete very favorably," he said.

However, he said that in order to create that level playing field, a free trade agreement should address issues such as environmental standards and the minimum wage in Mexico.

With or without an office, the state will have its work cut out for it. In 1990, Wisconsin exported \$137 million worth of goods to Mexico—a 1.2% increase over 1989, but only about the same amount it sent to much smaller and more distant Belgium last year.

To make the Wisconsin-Mexican connection closer to a two-way street, those exports will have to increase many times over.

Environmental concerns will be at the top of the list for many of the groups seeking to influence the talks between Mexico and the US and not just for health and safety reasons.

If Mexican businesses are allowed to operate under more lax environmental standards, they could have a competitive advantage over companies in Wisconsin and around the US.

A Mexican government report last week warned that a free trade agreement could worsen industrial pollution in Mexico because Mexican-based firms likely would take shortcuts as a means of competing with foreign rivals once trade barriers are removed.

The Wisconsin Environmental Decade also has registered a strong warning about a free trade agreement, saying that if one were passed state residents could expect to see more agricultural products to see more agricultural products loaded with pesticides and other chemicals.

Wisconsin might lose its authority to regulate the sale of foods with certain dangerous chemicals and be forced to submit to a lower set of international standards, said Phil Wiseley, vice president of Wisconsin Environmental Decade.

#### NOT WHEN, BUT HOW

In the US, the question of free trade with Mexico has taken on a sort of pro/con, yes/no format. Either you're in favor of the idea or you're against it.

In Mexico, the idea seems to be accepted. It's more a matter of how it will happen.

A recent poll of Mexican business leaders, published by *El Financiero*, a major Mexican business daily newspaper, gave a further clue to how the idea has been embraced in Mexico.

The following are their consensus responses to when they expected certain events to take place:

Mexican brand names recognized worldwide: 2000.

Mexico has a 40-hour work week: 2003.

Mexican university degrees are recognized by US employers: 2008.

Mexicans prefer their own products to foreign ones: 2010.

The borders between the US, Mexico and Canada disappear: 2010.

Mexico is fully technologically competitive in the world: 2020.

Mexico's foreign debt is fully paid: after 2020.

Even President Carlos Salinas de Gortari's chief political rival, Cuauhtemoc Cardenas, who narrowly lost in the 1988 presidential election, has abandoned his all-out opposition to free trade and now is more concerned with making sure that a treaty includes such things as US immigration reform, guaran-

tees of investment in Mexican infrastructure and compensation for displaced US workers.

Those also are among the goals of many groups that are critical of US and Mexican business but who also realize that it's impossible to try to block the increasing momentum of economic globalization.

What they're interested in is having a place at the table, making sure that the terms of economic integration between the two countries aren't hammered out solely by business leaders and their political representatives.

On both sides of the border, labor leaders, environmentalists, and those in the political minority want a say in defining the conditions of marriage for the US and Mexican economies.

And now is their best chance to make an impact, they think, because the free trade negotiations have sparked public interest in both countries.

#### AIDS IN THE CARIBBEAN

#### HON. BILL RICHARDSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. RICHARDSON. Mr. Speaker, many people know that the virus which causes the deadly acquired immune deficiency syndrome [AIDS], identified over a decade ago, tragically continues to afflict an increasing number of people in this Nation of all ages, races, sexual orientations, and social strata, not merely intravenous drug abusers and men who have sex with men.

Less commonly recognized, however, is the fact that our neighbors in the Caribbean Basin area have one of the highest per capita HIV-infection rates in the world. Though the reality of the devastating situation in that region is rarely covered by the mass media, most Caribbean island nations, such as the Dominican Republic and the Bahamas, currently are experiencing massive outbreaks of AIDS as the HIV virus sweeps across these countries' poverty-stricken populations. Without addressing this unmistakably urgent crisis with the serious attention that it deserves, we in this country essentially will be extending carte blanche to the HIV virus to stake a deadly claim near our Nation's shores.

The following article, which first appeared in the Council on Hemispheric Affairs' [COHA] bi-weekly publication, the Washington Report on the Hemisphere authored by Bonnie K. Perrin, a contributing editor with the organization, addresses the shocking magnitude of this important issue raised by her article:

#### CARIBBEAN AIDS CRISIS BECOMES CRITICAL

(By Bonnie K. Perrin)

The deadly AIDS virus has gripped the Third World with a force that promises to neutralize much of the hard-won fruits of social and economic progress achieved in developing countries over the past few decades. Figures released by the Pan American Health Organization [PAHO] suggest that the Caribbean has one of the most concentrated populations of AIDS cases in the world. While Africa is home to nearly six million HIV-infected people, the case load of the Caribbean basin, with a fraction of its population, astonishingly comes in at about one-sixth of that figure. Malawi, Uganda and

Kenya average 37.1, 32.7, and 19.2 AIDS victims per 100,000 population respectively, and represent the African countries with the highest per capita infection rate; the Bahamas, Bermuda and French Guyana, in a chilling comparison, come in with readings of 68.6, 61.4, and 61.4 AIDS victims. A recent random sampling of 3,688 urban Haitian adults showed that as many as one out of every 20 of them may be HIV infected. With the virus thriving among poor and uneducated populations, regional health authorities are frantically scrambling to devise creative means to communicate to all levels of the social strata that everyone has the capacity to prevent infection from the deadly scourge.

A report submitted to Congress in May by the U.S. Agency for International Development (USAID) explains that extensive transmission of the HIV virus in the Caribbean area probably began in the early 1980s via homosexual and bisexual men. Since entering the region, a brushfire epidemic has spread through all sectors of its diverse societies, incapacitating men, women, as well as an increasing number of children.

In contrast to North American as well as other western hemispheric nations, where transmission of the HIV virus primarily is due to homosexual and bisexual contact, AIDS clearly has become a heterosexual disease in the Caribbean. For example, a report released by PAHO last year indicates that in 1986, 34 percent of cases involved those professing only heterosexual contacts; by 1989, the figure nearly had doubled, reaching 62 percent. In the Bahamas that year, some 81 percent of reported cases were documented as caused by such transmission. Moreover, whereas intravenous drug abuse accounts for 20 percent of cases in the U.S., in the Caribbean it accounts for virtually none. Heterosexual distribution of the disease is not only growing, but leading specialists are also making the grim prophecy of a higher mortality rate among children in upcoming years due to the virus being passed on by infected mothers to developing fetuses.

USAID coordinates an international HIV-related prevention program which monitors the spread of the virus, assesses the impact of the epidemic on national socio-economic development, and channels financial and technical assistance geared toward research efforts and prevention in developing countries worldwide. The prevailing strategy is to encourage bilateral agreements with these nations in order to integrate AIDS control with ongoing health, education and family planning projects. The goals include monitoring the spread, as well as the present and future impact of the disease; supporting intervention-oriented research; designing and implementing intervention strategies; and increasing the understanding and awareness of AIDS among all sectors of society. USAID missions are assisted by such U.S.-based facilities as AIDSCOM, a public health communications and education program; AIDSTECH, a multi-disciplinary technical assistance program staffed with epidemiologists; and the Centers for Disease Control (CDC), which trains resident technical advisors.

In the Caribbean basin, these anti-AIDS warriors join forces with the Trinidad-based Caribbean Epidemiology Center (CAREC), which was established 15 years ago with a mandate to help its 19-member countries to improve public health in the region. Together, the USAID and CAREC programs cover all of the countries in the area, with the single exception of Cuba, as well as Belize Guyana, and Surinam.

Encouraging behavioral change and widespread marketing of condoms are some of the few weapons currently available to AIDS prevention professionals until a vaccine or cure is found. Prevention entails the difficult task of encouraging sexually-active individuals to change the patterns of their conduct. In a country such as the Dominican Republic, where dreary economic conditions force many young women into prostitution and where the practice of having multiple sex partners is widely accepted, convincing all involved to follow "safe sex" rules calls for an extraordinary public marketing program aimed at reaching high risk groups as well as the general public. Utilizing sophisticated market research, USAID has made substantial gains in doing just that, through launching aggressive video and print public awareness campaigns. For example, one widely-distributed advertisement featuring a baseball player up at the plate, reads "No matter what game I play, I make sure to keep my bat protected." Via a comic strip, female "sex workers" receive instructions on how to convince their partners of the utility of condoms, and have even been taught how to put them on their clients.

Non-governmental organizations have joined with USAID and CAREC as important collaborators in the fight against the spread of AIDS, simply by virtue of their having more programmatic flexibility to implement prevention efforts than do government ministries, which often prefer to remain at a distance from such highly sensitive issues as the sexual behavior of the citizenry. Cooperation is also sought from family planning centers so that information on sexually-transmitted diseases (STDs) can be integrated with instructions on AIDS prevention measures. Surveys conducted in the Caribbean show that the level of knowledge about how the AIDS virus spreads and the fact that presently there is no cure, is relatively high. The real challenge now lies in halting the spread of the virus by instilling the sense that preventing HIV infection remains in the realm of personal control.

#### THE UNBORN

### HON. ROBERT K. DORNAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. DORNAN of California. Mr. Speaker, I would like to bring to my colleagues' attention to a moving poem written by Tom Evans, a freshman student at Malvern Preparatory School in Pennsylvania, which should remind my colleagues that the true victim of abortion is the preborn child. This poem was brought to my attention by 15-year-old Thomas Bogle:

THE UNBORN

(By Tom Evans)

We are the unborn, our cries echo in silence,  
We are killed in the womb, the ultimate violence.

Never to know life, to laugh or to cry,  
Not knowing whether we will live or die.  
We are the future, the world of tomorrow,  
Learning of happiness, joy, love, and sorrow.  
We want to live, to escape the womb,  
And not have our mothers as our tomb.

Do as much as you can to prevent our fate,  
And just think this over with your mate.  
Please, let us gaze into the morning light,  
Before our journey into God's loving sight.

#### WELCOMING OUR WORKING MEN AND WOMEN PARTICIPATING IN SOLIDARITY DAY 1991

### HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. DINGELL. Mr. Speaker, it is my privilege to welcome thousands of working men and women who will travel from all over our Nation to Washington, DC, on August 31 to demonstrate their unity and strength during Solidarity Day 1991.

In the honored tradition of their predecessors in the labor movement, they are coming to rally support, during this Labor Day weekend, for issues of vital importance to all Americans. They are coming to advance the movement for national health insurance legislation to resolve our Nation's shameful health care crisis which leaves 60 million Americans lacking adequate health insurance. They are coming to demand protection against employers who seek to erode their right to demand fair working conditions and a decent standard of living by hiring permanent replacement workers. And they are coming to display their solidarity and support for the cause of working men and women throughout the world.

Long ago, I learned, personally, the value, importance, and price of collective organizing and labor rights. My father was a founder of a trade union. He was fired for union activity the day he was diagnosed as having tuberculosis, and sent west to die. After recuperating in Colorado, he returned to his Detroit roots and ran for Congress. For more than 20 years he served as one of the strongest and most consistent advocates of worker rights and equal justice in the U.S. House of Representatives. He never forgot his labor roots—and neither have I.

Collectively, the working men and women of America have made vast strides over the past century by insisting and tirelessly striving for fair working conditions and a decent standard of living for all Americans. The labor movement has succeeded in bringing about legislation to require minimum wages, maximum hours, child labor laws, increased safety in the workplace, unemployment compensation, and pension protection. Through the force of collective bargaining and political organization, labor unions have often functioned as our social conscience, and engineered positive changes. Events such as Solidarity Day provide our brothers and sisters in the labor movement with one voice to remind our Nation that there is much more to be done—in health care reform, in creating equal opportunities, and in creating a safer and healthier workplace environment.

Recognizing that the freedom of association has been the foundation upon which these tremendous accomplishments have been realized, the Solidarity Day '91 participants are coming to Washington to help forge the political consensus and focus the level of debate necessary to solve many of our most pressing social needs.

I salute the spirit, cooperation, and enthusiasm which will bring thousands of dedicated labor representatives to our Nation's Capital

for Solidarity Day '91. I wish them all the very best of luck in their continuing efforts to improve the everyday lives of millions of working men and women.

#### THE WORKPLACE FAIRNESS ACT

HON. JOHN J. LaFALCE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. LAFALCE. Mr. Speaker, I commend to my colleague's attention a balanced article, written by Aaron Bernstein for *Business Week* magazine, that endorses H.R. 5, the Workplace Fairness Act. This piece repudiates the dubious distinction drawn by the Supreme Court in *Mackay Radio*, where employers cannot fire strikers but they can permanently replace them. The points made by this article, which appeared, not insignificantly, in a business magazine, further convince me that H.R. 5 does not pose a viable threat to American businesses; rather, it is a reasonable remedy that restores proper balance to labor relations.

Labor law, as embodied by the National Labor Relations Act of 1935, as amended, seeks to establish a balance between the often competing interests of labor and management. A fundamental element of this balance, written in section 157 of title 29, United States Code, is employees' "right to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in other concerted activities," including strikes. Meanwhile, employers retain the right to hire temporary replacements during a strike, reduce production and work hours, or completely lock out employees. The balance sought is not easily found: unlike divorce law, where antagonistic parties permanently separate, labor law seeks to create an environment where workers and employers can peacefully coexist during and after their disputes.

Hiring permanent replacements for workers who invoke their right to strike does little to promote healthy labor relations. As Bernstein so aptly notes, "If you take away strikers' jobs for good, unions can't surrender. They can't simply give in, accept concessions, and go back to work. With no alternative . . . negotiation becomes an all-out, bet-the-farm war—precisely what the collective bargaining process is supposed to avoid."

In case after case, the overwhelming majority of striking employees who are permanently replaced do not get their jobs back. The permanently replaced worker understands there is no difference between being permanently replaced and being fired.

Opponents of H.R. 5 allege it would put U.S. companies at a disadvantage vis-a-vis other industrial nations. While I applaud this interest in competitiveness, this bill will not harm our ability to compete, it will merely bring our labor law into accord with other industrialized nations.

Legal specialists at the Congressional Research Service law library, who compared United States labor laws with those in other industrialized nations, found that Belgium, France, Germany, Greece, Italy, Japan, the

Netherlands, and Sweden "reject the idea of dismissing striking workers. In these countries, the strike brings about only a temporary suspension of the labor contract. Thus, none of these countries empowers an employer to terminate the striking workers' employment and hire permanent replacement workers." Indeed, in the case of Japan, our biggest international competitor, "the employer practice of discharging striking members and replacing them with newly-hired workers is still unknown."

Furthermore, the report found that while Great Britain and Canada lack a national prohibition on the use of permanent replacement, both place stringent limitations on the ability of employers to hire permanent replacements. In Britain, if an employer wishes to "avoid the risk of complaints of unfair dismissal, he must dismiss all or none of the striking workers. And if the employer decides to rehire within 3 months of dismissal, all of the workers who have been engaged in a strike must be rehired." Furthermore, three substantial Canadian provinces, Quebec, Manitoba, and Ontario, which together comprise 17 million of Canada's 26 million residents or some 66 percent of the entire population, forbid or sharply limit the use of permanent replacements. "The Quebec Labor Code expressly prohibits employers from hiring replacement workers during a lawful strike. The province of Manitoba has adopted a law that prohibits the hiring of a permanent replacement. Ontario's Labour Law gives striking workers a guarantee of reinstatement for a period of 6 months from the commencement of a lawful strike."

Thus, H.R. 5 cannot be attacked for making us less competitive relative to our foremost competitors. Indeed, other industrialized nations prohibit employers from permanently replacing striking workers because of competitive concerns. If an employer permanently replaces striking workers with new workers who are invariably less familiar with his operations, he throws away the investment in human capital he made in the striking employees. Permanent replacements will not achieve equivalent levels of productivity for months or years.

Bernstein closes his *Business Week* article by noting that "most business executives are loath to give unions any ground. But an honest look at permanent replacements leads to one view: take away strikers' jobs, and you take away their right to strike." To remove such a right is to eliminate the distinction between the United States and "the puppets found until lately in the East bloc."

YOU CAN'T BARGAIN WITH A STRIKER WHOSE  
JOB IS NO MORE

(By Aaron Bernstein)

Many companies know exactly what they think about the bill to ban permanent replacement workers in strikes, which the House of Representatives passed in mid-July. They see it as labor's attempt to use politics to regain the muscle it has lost at the bargaining table. True enough, unions are desperate to reverse their long slide. And the fear of losing their jobs has forced many union members to think hard before taking on management.

But the issue can't be so easily dismissed. At stake is a central tenet of the U.S. free-enterprise system. In 1935, the Wagner Act laid out rules on collective bargaining in

order to govern conflict between labor and management. Key elements were the rights of workers to form unions and to strike—rights that mark the fundamental distinction between U.S. unions and the puppets found until lately in the East bloc.

The question labor raises is how taking away strikers' jobs differs from firing them, which everyone agrees is illegal. And in fact, the legal justification for permanent replacements is weak. Indeed, the U.S. Supreme Court has never directly addressed the question—much less answered it.

Current law stems from a 1938 Supreme Court case called *National Labor Relations Board vs. Mackay Radio & Telegraph Co.* The dispute didn't even involve permanent replacements per se. Instead, it was about Mackay's decision to move 11 nonstriking workers from its Los Angeles and Chicago offices to fill in for strikers in San Francisco. When 5 of the 11 wanted to stay after the walkout ended, Mackay fired five strikers.

#### DOUBLE-TALK?

The union charged that management illegally discriminated against the strikers because of their union activity. The court agreed, forcing Mackay to rehire the strikers. But the court added that in cases where management has committed no illegal practices, the company "is not bound to discharge those hired to fill the place of strikers, upon the election of the latter to resume their employment, in order to create places for them."

In short, you can't fire strikers, but you don't have to hire them back. That contradictory position, thrown out as an afterthought in a hypothetical statement, is the sole basis for the Supreme Court's stance on whether replacement workers conflict with the right to strike. The Court since has issued more than a dozen rulings on the subject, each time citing Mackay. "The Supreme Court has never addressed this question," says Charles B. Craver, a professor at George Washington University's law school. "I don't think it has ever done an adequate job of balancing the interests of employees and employers on this subject."

Nor can legal experts explain the difference. The best attempt seems to be the view that permanently replaced strikers haven't lost their rights completely. John S. Irving, a former general counsel of the NLRB who's now a management lawyer, points out that companies must give permanently replaced strikers first shot at new openings after the walkout ends. "And the vast majority of strikers are returned to their jobs by a preferential hiring list," he asserts.

Even if this were true, it doesn't explain why strikers should have to wait months or years to get their jobs back simply because they exercised a right. What's more, few strikers got their jobs back in the more prominent cases involving replacement workers (table).

Some managers argue that they're not penalizing employees for striking when they hire permanent fill-ins; they're just protecting the company's viability. But that boils down to an irrelevant question of intent. The striker has lost his or her job, no matter what reason managers give. "For most practical purposes, it's a distinction without a difference," says Paul C. Weller, a professor at Harvard University Law School. "If a company discriminated against blacks or women and said: 'We didn't fire them, we just permanently replaced them,' it would get laughed out of court."

Opponents say that the proposed law would tilt the balance between labor and manage-

ment toward the unions. But everyone agrees that management can hire replacements. The issue is whether it should offer them a permanent job. If you take away strikers' jobs for good, unions can't surrender. They can't simply give in, accept concessions, and go back to work. With no alternative, unions try to destroy the company, as they did at Eastern Air Lines Inc. Negotiation becomes an all-out, bet-the-farm war—precisely what the collective bargaining process is supposed to avoid.

Most executives are loath to give unions any ground. But an honest look at permanent replacements leads to one view: take away strikers' jobs, and you take away their right to strike.

## WHERE STRIKES LOST JOBS

| Company         | Year of walkout | Strikers <sup>1</sup> | Back at work <sup>2</sup> |
|-----------------|-----------------|-----------------------|---------------------------|
| Phelps Dodge    | 1983            | 1,700                 | 0                         |
| Chicago Tribune | 1985            | 825                   | 90                        |
| Hormel          | 1985            | 900                   | 266                       |
| Intl. Paper     | 1987            | 2,200                 | 511                       |
| Eastern         | 1989            | 16,900                | 1,613                     |
| Greyhound       | 1989            | 5,600                 | 0                         |

<sup>1</sup> Excluding those who crossed picket lines.  
<sup>2</sup> Shut down January 1991.

## LAWRENCE G. LAWLER, G-MAN

## HON. MEL LEVINE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. LEVINE of California. Mr. Speaker, it is with distinct pleasure that I rise today to pay tribute to one of our Nation's leading crime-fighters. Long recognized for his tremendous leadership and devotion to work, Lawrence G. Lawler will soon be retiring from his position as Special Agent in Charge of the Federal Bureau of Investigation's Los Angeles division. His 26 years of service to the United States will be saluted in Marina Del Rey, California's Doubttree Hotel in a farewell celebration on August 29, 1991.

Since his graduation from San Francisco State University in 1964, Lawrence Lawler has repeatedly distinguished himself first with the Oakland Police Department and ultimately with the FBI. As a young agent serving in Texas and Washington State, Lawrence Lawler demonstrated almost immediately the intelligence and leadership skills which would serve the Bureau so effectively in the years to come. After 6 years at FBI headquarters in Washington, DC, as a supervisory special agent, Lawrence Lawler was promoted and assigned to the Bureau's San Francisco division as the Assistant Special Agent in Charge. While in San Francisco, Agent Lawler oversaw the investigation of the Patty Hearst case, the attempted assassination of President Ford and the Jonestown, Guyana, massacre among others.

Yet another promotion returned Agent Lawler to our Nation's Capital in 1979 and 1980 where he directed the National Crime Information Center, one of the FBI's national computer networks which provides vital information to every recognized law information agency in the country. As a result of his good work with the computer network, Lawrence Lawler was tapped as Special Agency in

Charge of the Bureau's Jacksonville, FL division. Five successful years later he moved on to direct the FBI's Minneapolis division and then, in July 1988, Agent Lawrence Lawler was elevated to the position of Special Agent in Charge of the Nation's third largest FBI Field Division, the Los Angeles office.

Responsibility for seven counties of southern California which encompass some 45,000 square miles and have a population in excess of 15 million is no small task. As Special Agent in Charge of this enormous area, Lawrence Lawler has directed some of the Nation's most complex and significant investigations including massive savings and loan industry frauds, bank failures, serious acts of public corruption, record seizures of illicit drugs, the arrests of international fugitives and civil rights violations. Agent Lawler has also led the fight to protect our Nation from potential acts of terrorism.

As one of the Bureau's most respected agents, Lawrence Lawler was elected to serve as one of only five executives on the Director of the FBI's Special Agent in Charge Advisory Committee. This committee is responsible for assisting Director William Sessions to determine the mission objectives of the Bureau and to ensure that each area receives adequate resources.

Perhaps most importantly, Lawrence G. Lawler is credited with vastly improving the productivity and morale of the Los Angeles division by successfully achieving salary reforms for the division's employees and creating direct liaison avenues with local and State justice agencies, the business community, civic, and professional leaders. Now, having commandeered the Bureau's Los Angeles division into a period of unparalleled success, Agent Lawler is retiring from Government service effective August 31, 1991. Mr. Speaker, I strongly urge all of my colleagues in the House of Representatives to join with me in thanking Lawrence G. Lawler for 26 tremendous years of service to the American people. We wish Agent Lawler and his wife Joanne all the best for the future.

## LESSONS FROM THE SAVINGS AND LOAN DEBACLE

## HON. DONALD J. PEASE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. PEASE. Mr. Speaker, during the past few years, I have been extremely concerned about the degree of risk placed on the taxpayers as a result of our current deposit insurance system. I am very disappointed that the House Banking Committee didn't address this situation during its consideration of the bank reform bill it passed in June. I hope that this error will be corrected on the House floor.

The following editorial by Matthew Miller explains why expanding banks powers, without limiting the risk borne by the taxpayers, is a fallacy.

[From the Washington Post, July 28, 1991]

RECIPE FOR A \$3-TRILLION DISASTER

(By Matthew Miller)

If the bank reform bill recently approved by the House Banking Committee gives you

an uneasy sense of déjà vu, there's a reason: The bill does nothing to stop tottering banks from gambling with federally insured deposits. And that means we're rushing toward a replay of the S&L crisis—this time at triple the cost.

Why the worry? Recall that in our last episode of "Fiscal Quagmire," the \$1-trillion S&L industry was destroyed when hundreds of bankrupt thrifts were allowed to hide their insolvency and let losses mount. Unlike normal businesses, which close down when they can't pay their bills, these thrifts—armed with Uncle Sam's deposit insurance—simply raised their interest rates higher than the next bank's to attract the cash they needed to stay afloat. As consumers, we didn't know or care that these banks were shaky, because the government promised to return our deposits if the banks couldn't.

If this sounds like a government-sponsored Ponzi scheme, it was. The result? In the banking equivalent of the "Hall Mary" pass, our money was gambled on long-shot investments like cattle farms and junk bonds, designed to dig the troubled S&Ls out of the hole if they paid off. When they didn't, the rest of us (via the FDIC) picked up the tab.

Now, \$200 billion dollars later—and with commercial banks carrying \$3 trillion in assets edging toward an abyss that could make the S&L bailout look like a pothole—you'd think the primary lesson would have hit home with our leaders: Whatever else bank reform may do, it must stop weak banks from using the insurance guarantee to systematically overbid for deposits that are gambled on high-risk investments.

Amazingly—or predictably, depending on how jaded you are—the House Banking Committee's new bill ignores this fundamental point, even while it makes several other smart changes that are overdue.

For example, banks at long last would be permitted to expand freely across state lines, ending the system of local banking cartels created by the McFadden Act in the wake of the Great Depression. Back then the idea was to protect banks from going under by making sure they faced as little competition as possible. As a result, the U.S. banking system today sports more than 12,000 relatively tiny banks, as opposed to the several dozen behemoths that characterize banking in Germany or Japan.

This "small-is-better" philosophy—which also suited America's old-time populist fear of having too much economic power concentrated in just a few big organizations—boomeranged in the '80s. A particular problem was the dependence of such banks on one or two local industries. Thus, when Texas oil and real estate crashed, Texas banks were wiped out with them.

The House bill's nationwide expansion provisions let banks diversify these loan risks. And because expansion will take place through mergers, it will also let banks slash an estimated \$10 billion in duplicated back-office costs—increasing by half the \$20 billion in profit earned last year by the ailing industry. Similar gains should come from proposals that let banks compete in the insurance and securities businesses, from which they've previously been barred.

But despite such beneficial features, the startling fact remains: By leaving marginal banks free to bid recklessly for our money thanks to their federal guarantee, the S&L fiasco will probably be repeated—and on a grander scale.

What's the remedy? A proposal from Brooklyn Democrat Charles Schumer could

yet save the day. Dubbed "core banking," it assures that banks could not use taxpayer-insured funds to finance notoriously risky loans to, say, Third World monarchs, leveraged-buyout kings or hyperactive real estate developers.

Schumer would divide banks into insured and uninsured affiliates. The insured (or "core") bank could invest only in low-risk assets like government securities or small business loans. In exchange for the federal guarantee, however, the top interest rate the core bank offered depositors would be limited to that being paid on short-term Treasury bills—since by definition the risk associated with these deposits is virtually nil.

With one stroke this provision would make it impossible for buccaneer banks to bid for deposits by offering the kind of sky-high returns that only risky investments should earn. The uninsured bank, meanwhile, could make whatever loans it liked and pay depositors any interest rate it chose. It would enjoy no deposit insurance and would thrive or fall on the open market—just as financial institutions like Fidelity, American Express or General Electric Capital do every day.

Opponents of core banking say the interest rate cap goes against the free market—conveniently forgetting that deposit insurance itself stops the free market from functioning whenever bank losses occur. Seen this way, it's only common sense to limit the safety net to banks agreeing not to be daredevils.

Others argue that tougher bank supervision is the way to stop abuses, but history is not on the side of that argument: After all, the green-eyeshade crowd hardly did the job last time. Bankers, meanwhile, continue to fret that core banking will prompt many of us to flee to higher returns elsewhere. True enough. But they should also admit that they really want American taxpayers to keep taking the risks they were taking before the S&L crisis burnt us all.

There's still time for the Bush administration and the House and Senate to rally behind core banking. Let's hope they do before we're forced to confess to our debt-saddled children that we could be so expensively dumb so often.

#### UNITED STATES-HONDURAN RELATIONS

**HON. BILL RICHARDSON**

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. RICHARDSON. Mr. Speaker, as political and civil strife wane in Central America, allowing at last for some recovery and development to take place, it is crucial that we consider the current plight of Honduras, a country which grievously has suffered not only from the cupidity of its civilian and military leaders, some of whom financially benefited from accommodating the civic strife which has taken place in neighboring El Salvador, Nicaragua, and Guatemala. With the end of the war in Nicaragua and peace talks tentatively underway in El Salvador and Guatemala, Honduras now has the opportunity to rebuild and reform. Because we, in part, are responsible for the perilous condition of the Honduran economy, we cannot now turn our backs on the country.

Some of the country's less admirable institutions have received part of over the \$1 billion in United States aid sent to Honduras over the

last decade. But annual grants will surely be shrinking at a time when they are perhaps more vital than ever to affect constructive change. President Leonardo Rafael Callejas has been dealing with such questions as the restructuring of the Honduran economy, his nation's role in the political equilibrium of Central America, and its ties with Europe and the United States. Amidst popular opposition to continued United States military presence, the Callejas administration is restructuring its vision of the role of the country's armed forces, focusing on demilitarization, the combating of deforestation, addressing the human rights situation in the country, and investigating the increased use of Honduras as a transshipment point for illicit narcotics.

In order to provide some background on the current issues surrounding Honduras' attempt to restructure its economy and reform its unsavory military, I draw your attention to an article which appears in the July 24, 1991, issue of the Washington Report on the Hemisphere, a biweekly publication of the Washington-based Council on Hemispheric Affairs [COHA]. I encourage my colleagues to read this thought-provoking article by COHA Research Associate Joshua Levenberg:

SURROUNDED BY CIVIL CONFLICT, HONDURAS  
ATTEMPTS TO REFORM

(By Joshua Levenberg, COHA research  
associate)

Honduran President, Rafael Callejas, displaying unanticipated firmness, is standing behind his 18-month old austerity program and military reforms despite criticism from all sides. Callejas, who took office in January 1990, was elected on a platform promising an end to the contra occupation of Honduran territory, military reform and the initiation of a severe economic austerity program to reduce the country's \$117 million deficit and high inflation. While Honduras was best known in the 1980s as a confrontation pad for U.S. policy towards the rest of Central America, the recent settlement of the Contra/Sandinista conflict has provided it with the freedom and necessity to begin to think about radical domestic changes. The bitter fruit of its Contra role will be harvested for years as the nation attempts to redefine its sovereignty and recover from the economic distortions caused by having had to invest in expensive infrastructure in order to accommodate massive amounts of U.S. aid, now in decline. Washington gave over \$1 billion to Honduras in the 1980s, much of it in the form of bribes to politicians and the military. Assistance for 1990 totaled \$137.8 million, but appropriations for 1991 slid to \$123.8 million. As a result of the war, as many as 18,000 Honduran campesinos lost their land and crops to contra forces stationed at a series of bases in "Contraland." There are also nearly half a million regional refugees as a result of the conflict throughout Central America, including some families of contra fighters who were left behind when the rebels were forced to disband in April 1990.

As a result of being surrounded by warring neighbors, Honduras has faced formidable obstacles in caring for its own people as well as Salvadoran, Nicaraguan, and Guatemalan refugees. UNICEF's 1990 report, "Children of Honduras," claims that 71% of the country's 4.6 million people live in extreme poverty, 32% of the population is illiterate, and only about 40% of those living in or near larger cities have adequate housing. Mal-

nutrition also poses a significant problem with about 15% of the population suffering from improper caloric intake and approximately 25% of live births ending in death before age one. Many Hondurans attribute the hunger problem to U.S. policy which, during the 1980s, pressured their leaders to cut grain production for local consumption in favor of export crops, a move deemed necessary to increase Honduran foreign exchange holdings.

Although Callejas already had been dealing with a 30-40% unemployment rate, one of the first steps of his austerity program was to immediately cut 10,000 of the government's 60,000 employees. Another part of the plan included the devaluation of the Honduran tempra now down almost 165% since Callejas took office. His administration also raised the price of fuel and utilities by some 150%, freed bank interest rates, sold off many state-run operations, and increased most taxes. While the international banking community is lauding Callejas for having the resolve to carry out such programs, the country's poor are complaining that his measures only exacerbate already extremely difficult living conditions. For example, the price of basic foodstuffs such as corn, beans, and rice, has increased in the capital of Tegucigalpa by an average 71% during the first three months of 1991, when compared with the same period last year. Although the minimum wage was increased in 1990 for the first time in ten years (raising the annual per capita income to \$480), it has not been able to keep pace with rising inflation, pricing basic consumer goods out of the reach of low income families.

It appears, though, that financial assistance may be on the way. The International Monetary Fund (IMF) recently recognized Honduras as eligible to receive new loans and disbursement of old ones, now that it has made good on long-standing arrears with the World Bank and the International Development Association (IDA). New funds slated for Honduras include a \$700 million Inter-American Development Bank (IDB) loan through 1993, as well as World Bank and IDA credits to the agricultural and energy sectors totaling \$100 million.

Attempts to reform the Honduran military have been praised by all but the armed forces themselves. The pace and magnitude of previous U.S. financial aid packages to Honduras, of which about half were allocated to the military, is now gradually contracting since the abatement of the contra conflict, with deep dips unavoidable in the future. Callejas' plan to reduce spending on the military—now nearly one quarter of his budget—and to fundamentally reform that institution, has been deemed by many as a necessary step towards ending its dominant position in the country. Protesters, who for years have complained of U.S. intervention in Honduran affairs, recently chanted during a visit to the country by U.S. Joint Chief of Staff Chairman Colin Powell, "Why should we want military maneuvers; the children cannot eat military maneuvers!" Last summer, Callejas was bold enough to reject an important accord proposed by Washington that would have provided for the establishment of permanent U.S. military installations on Honduran territory. While the Pentagon denies that the country is one of the potential sites for the relocation of its Southern Command (SOCOM) headquarters, slated soon to leave Panama, the president's objection will make it difficult for the Pentagon to try to relocate there despite the twenty or so U.S. bases already sited in the country.

Callejas is basing his efforts at military reform on giving Congress the authority to determine the armed forces' new mission in this conflict-ridden region. Whereas his existing authority over the military is only symbolic, since his orders must pass through the current commander in chief, General Luis Alonso Discua, a pending legislative amendment would designate the President of the Republic as its new commander.

The current degree of autonomy enjoyed by the military vis a vis the rest of society is most apparent regarding continuing human rights violations. Rights advocacy groups believe the separation of police and security forces from the armed services is an essential first step to reining in the military. While President Callejas is "proud to say that there have been no forced disappearances during [his] administration," the State Department's annual human rights report, along with those of private groups, still criticize him for failing to curb rights abuses such as illegal seizures and tortures.

Ramon Custodio, president of Honduras Rights Defense Committee (CODEH), claims that civil rights abuses have not changed since the secret military death squad, called 3-16, began operating in 1981. "Only the models vary," he said. "If before there were missing people, now there are executions and tortures." Callejas also has been charged with being unwilling or unable to prosecute members of the armed forces for their participation in many illicit activities such as the "disappearance" of between 150-200 people between 1981-1985.

**ETHNIC ASSOCIATION REQUESTS WIDER RIGHTS FOR NATIONAL MINORITIES**

**HON. ROBERT K. DORNAN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. DORNAN of California. Mr. Speaker, the National Confederation of American Ethnic Groups, Inc., has been in the forefront for fighting against communism and for liberty and freedom in Europe and Asia since its foundation in 1956. Under the able leadership of Dr. Edward S. Yambrusic and my good friend, Dr. Z. Michael Szaz, they are now in the forefront of trying to solve the thorny national minorities questions in Eastern and Central Europe by requesting more rights for the often-suppressed national minorities.

The NCAEG drafted a detailed, international law-issues memorandum for the Geneva Conference of Experts of the CSCE which deserves our attention as some of its findings were mirrored in the final communique of the conference while others were not yet adopted. The memorandum was distributed by the executive secretary at Geneva to all 35 chief delegates—personally by Dr. Szaz to the United States and Hungarian chief delegates—and was sent by mail to 34 foreign ministers of the CSCE.

I insert an abbreviated version of the document into the CONGRESSIONAL RECORD and congratulate the NCAEG and its leaders, Dr. Yambrusic and Dr. Szaz, for a job well done:

MEMORANDUM

(Memorandum of the National Confederation of American Ethnic Groups, Inc., the Transylvanian World Federation, and the American Hungarian Federation to the Heads of Delegations to the Conference on National Minorities of the Conference on Security and Cooperation in Europe)

The above-referenced U.S. NGO organizations hereby request consideration of their ideas, views, and suggestions by the experts of the 34 delegations in regard to defining and codifying the rights of national minorities in Europe and North America.

PREAMBLE

As the economic integration of Europe proceeds, states will cling to a stronger, firmer, and more visible national sovereignty. Facing such development, minority rights must be viewed in a broader context of fundamental human rights. The rights of the people to self-determination (Helsinki Final Act, Basket I, Chapter VIII) and their right to political independence and national sovereignty must be recognized as the dynamic institutions of the new international order.

The central issue, therefore, is how to find equilibrium and accommodation to the seemingly conflicting majority and minority national interests and societal institutions. Therefore, the overriding issue of minority rights must be placed squarely upon the fundamental need of equality and human dignity. The latter must, therefore, be expressed in the inalienable right to equality. Equality is the core of all human as well as political rights, as well as sovereignty and self-determination.

The recent evolution of these rights from the mere philosophical principles to normative standards of international law is a reflection of the evolutionary "kinetic" process of men's inevitable and irreversible drive toward equality and freedom.

In the context of this new world order, the right to self-determination is a recognized norm of positive international law, a *jus cogens*. Accordingly, the act of using force will be regarded as an act of aggression if it were to frustrate the right to self-determination.

In addition, the obsolete principles of occupation and annexation in international law are no longer relevant in a matrix of the new world order.

SUBMERGED NATIONS

Submerged nations, e.g., Croatia, Slovenia, Slovakia, the Baltic States, the Ukraine, Byelorussia, Armenia, and Georgia are the most conspicuous examples in the context of the present agenda of the conference. They are not ethnic or national minorities and their political aspirations and rights must be resolved within the matrix of the principle of self-determination. Having excluded the "submerged" nations from the consideration of the clarification, definition, and codification of ethnic and national minorities, we are left with the problem of defining who these minorities are and what their rights and roles should be in the common European house.

We must distinguish two kinds of national minorities. One concerns a group which settled on another nation's territory for centuries but has never been associated territorially or politically with the country of their origin. Such groups involve the Germans in Transylvania, the Serbs in Croatia,

and the small minority groups (under 300,000) in most of the European states.

CONTIGUOUS NATIONAL MINORITIES

Another category involves large groups of members of one nation separated from the country of their origin by peace treaties and other international agreements of the twentieth century. They include the 2.5 million Hungarians of Transylvania, the 1.5 million Albanians of Kosovo, the Hungarians and Croats in the Volvodina province of Yugoslavia, and the two million Romanians in the Moldavian S.S.R. These groups are also not ethnic and national minorities *eo ipso*; they are a truncated part of their mother nation and yearn for their reunification. They are the new *terra irredenta* in Europe, despite Chapter VII of Basket One of the Helsinki Final Act assuring the inviolability of the European frontiers. Without resolution of their right to national self-determination and cultural and political autonomy, the many issues involved in the creation of an integrated Europe cannot be solved. It is our contention that "minority" groups of truncated nations of Hungary, Albania, and Romania should be permitted to rejoin their mother nations if they so desire, provided adequate economic and financial compensation is paid to the state to which they now belong. This could be done under the same chapter of the Final Act that provides for a peaceful change of frontiers. We already had the first such change by the reunification of Germany. We all hope that as European integration proceeds, frontiers will lose their separating significance, but it is still of overriding importance that the new European order be based on individual nations and peoples, not of the remnants of multi-national states eternally bickering with their large national minorities.

However, until the problem of submerged and truncated nations and peoples is solved, attention must be focused on the rights of ethnic and national minorities. Their rights must be recognized within the matrix of a series of rights—religious, linguistic, cultural, civic, and political. These will contribute to social and political stability of the sovereign state in which they live and also augment the basic solidarity, friendship, mutual respect, and cooperation among the sovereign states and the countries of origin of the ethnic or national minorities.

For the ethnic and national minorities also owe the responsibilities of citizenship, basic allegiance, to the state in which they reside. Always, however, they have the fundamental human right to maintain free and unfettered contact and communication with their brethren in the country of their origin.

COLLECTIVE RIGHTS OF NATIONAL MINORITIES

Because of its abuse by Hitler Germany in the late 1930s and the aversion felt against it both by the Soviet Union, Czechoslovakia and Poland, the collective rights of national minorities disappeared from international agreements between 1945-66. The Paris Peace Treaty of 1946 only obliges the vanquished German allies to refrain from any discrimination against their citizens, among others "on grounds of \* \* \* national origin." Only in the 1966 U.S. Covenants, the Helsinki Final Act and its Addendum by the Madrid Conference do we have a clear reference to the rights of national minorities without mentioning their collective rights.

We contend that the undisputed findings of sociology the existence of the ethnic group should be considered *sui generis* part of the state structures with corresponding cultural,

religious, linguistic and political rights. The Strasbourg Charter on National Minorities in Europe is considering the group, not just the individual, as a bearer of rights.

\* \* \* \* \*

CONCRETE RIGHTS OF NATIONAL MINORITIES

Already the Helsinki Final Act and the Madrid Conference Addendum refer to the cultural and linguistic rights of ethnic or national minorities in addition to discrimination against the individual citizen on the basis of national origin.

A masterful exposition of the rights of national minorities is contained in the above-mentioned May 31, 1991, Hungarian-Ukrainian Statement.

The Preamble recognizes the collective communist rights of national minorities by stating that "their point of departure is that national minorities live on the territory of both Parties who dispose over adequate rights, both individually and communitywise and collectively within their groups."

As to the concrete rights, they include:

1. Absence of discrimination against individuals and the group as such and equality before the law. In turn, the members of national minorities must respect the laws of the country in which they live. This right is generally granted by law to the national minorities in Europe, but its implementation is spotty to mention only Transylvania and Kosovo as the most glaring examples of systematic violation of the nondiscrimination principle. Codification of this right would be both appropriate and possible.

2. To generate the right of the individual members of the national minority to decide freely about their belonging to any national minority and assure that they may exercise the rights inherent in their decision without any unfavorable consequences on the part of the state. This is an important and often permitted right. Many countries, including Romania and the Serbian Republic of Yugoslavia, only register majority nation first names for newborns and then later claim that these individuals belong to the majority nation.\* \* \*

3. The parties guarantee to take all necessary political and administrative measures to create favorable conditions for the preservation and development of the ethnic, cultural, linguistic, and religious identity of the national minorities.

\* \* \* \* \*

4. This is an innovative provision. It reads as follows: The Parties will provide legal and other protection to their national minorities against all activities, including propaganda activities which endanger their existence or identity and stir and promote or evidence hatred or discrimination on the basis of belonging to a national minority.

We know that this is a touchy issue that includes infringement upon free speech. But the U.S. Supreme Court also recognizes limits on free speech if the community is endangered thereby. We believe that statements by the *Vatra Romanesca* and the *St. Sava Society* in the past or present both evidence national and/or racial hatred and should not be permissible on principle. While we realize that codification in this form might be impossible, some rein must be placed on pseudo-Fascist hatemongering if peace and stability are going to prevail in Europe.

5. The Statement guarantees a *Nationality Statute* ensuring the effective participation of the national minority in reaching and implementing decisions in regard to their identity and problems, both individually and as a group.

\* \* \* \* \*

6. The Statement guarantees that the national minorities may maintain their own organizations and societies. While this is generally recognized, the Statement adds that these organizations may establish relations with organizations and societies located in other countries which share their ethnic or national origin and cultural heritage or religion and that they may request financial and other assistance or even support from the other state. The only limitation mentioned is that these activities must be in accordance with the legal provisions of the country in which they are working.

We realize that this again raises the question of foreign interference in the domestic affairs of a foreign country and even in the Statement, a Mixed Commission has been established to settle any dispute regarding the interpretation of this provision.

However, relations between ethnic organizations with those in the mother country are generally recognized and a more restrictive draft on accepting financial aid, qualifying it as to for what purpose, may render his provision codifiable.

7. The Statement also guarantees that the authorities engaged in dealing with the national minorities in both countries will take into consideration the views of the organizations of the national minorities.

This could be codified without too much opposition, although again this is implemented rarely by some member states.

8. This again is an innovative provision. The Parties will not undertake any administrative, economic or other measures to assimilate the minorities or to change the population composition in the areas inhabited by the nationalities."

One of the great offenders against this rule was Gheorghiu-Dej's and Ceausescu's Romania, which settled more than 1.5 million Romanians from other provinces in Transylvania since 1945, changing the approximately 52/33 percent Romanian/Hungarian ratio to 70/25 by 1990. Similarly, attempts have been made in the past two decades to reduce the ratio of Albanian majority in the Kosovo province.

9. With regard to the right of the use of the mother tongue, it provides that they may use it in personal and societal activities, including their own family and first names without any translation into the majority language.

10. It codifies the right to be educated in the mother tongue at all school levels. It also ensures that they may study in the educational institutions of the other Party. Or do post-graduate work there. It also calls for exchange programs among experts. This should be codified. It should be mentioned that no university of college has yet been restored to the 2.5 million Hungarians in Transylvania.

11. Both parties guarantee preservation and research into the cultural heritage of their respective national minorities on both amateur and professional levels and the preservation of historical and cultural movements. This should be codified.

12. With regard to the religious rights of the national minorities (in many instances, especially in Eastern Europe, religion defines nationality), they not only call for general religious freedom but for writing and publishing religious material and preaching and holding divine services in their mother tongue.

This provision should be codified fairly easily.

13. Again, an innovative definition: "The Parties recognize the right of national minorities to promote and exchange without suf-

fering discrimination any information in their mother tongue and will take concrete measures to support their mass media institutions."

\* \* \* \* \*

CONCLUSIONS

The above-referenced three American NGO organizations, therefore, petition the conference of experts at the CSCE Conference at Geneva

1. to exclude the submerged nations, particularly the constituent republics of the U.S.S.R. which did not accept the Union Treaty, Croatia and Slovenia from its considerations as national minority areas and recognize their inherent right to nationhood;

2. to recognize the right of the major European ethnic groups, Albanians in the Kosovo province of Yugoslavia, Hungarians in the Romanian province of Transylvania, and Romanians in the Moldavian S.S.R. to self-determination;

3. to adopt the Fourteen Points of the May 31, 1991, statement between the governments of the Republic of Hungary and the Republic of the Ukrainian S.S.R. in its entirety or with some modifications as the basis of a Charter for National Minority Rights for the CSCE nations of Europe and North America.

H.R. 14, THE FLIGHT ATTENDANT  
DUTY TIME ACT

HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. ROE. Mr. Speaker, I rise in strong support of H.R. 14, the Flight Attendant Duty Time Act. This legislation will greatly enhance the safety and security of air travel on U.S. carriers by ensuring that all flight attendants receive adequate rest to perform their critically important duties.

Before discussing the important issues involved, I would like to commend the gentleman from California, Mr. MINETA, for his untiring efforts in introducing and supporting H.R. 14, and the chairman and ranking Republican on the Aviation Subcommittee, Mr. OBERSTAR and Mr. CLINGER, for their outstanding work in developing this legislation.

I am convinced that passage of H.R. 14 is an absolute necessity. Although some airlines voluntarily provide their flight attendants with adequate rest, we learned at our hearing that this clearly is not the case with all U.S. carriers. We discovered incidents where flight attendants were subjected to 24 hours of continuous duty. These flight attendants were then allowed a mere 6 hours of respite from their responsibilities.

It is important to remember that 6 hours of time off does not translate into 6 hours of sleep. After a full day and night on duty, a dangerous situation in itself, it is inexcusable to allow safety professionals to return to their jobs with barely enough time to eat, shower, and travel to and from work, much less sleep. It is impossible to believe that they could be alert, responsive, or even polite on their next shift.

Another example of excessive flight attendant duty time came to light as a result of the National Transportation Safety Board inves-

tigation of a Galaxy Airlines flight that crashed in 1985. That investigation revealed that at the time of the accident, two flight attendants had been working continuously for over 18 hours and were scheduled to remain on duty for an additional 7 hours.

Even if these situations are the exception and not the rule, and I sincerely hope they are, it is essential that we address the problem. There is no excuse for scheduling safety and security sensitive employees for exhausting duty, especially when they must be ever ready to deal effectively with life threatening emergencies. As frequent travelers, our lives may some day depend on alert flight attendants. Would you voluntarily put your life, or the lives of your loved ones, in the hands of someone who had been without rest for more than 24 hours?

I feel strongly that H.R. 14 is necessary safety legislation. With the sole exception of flight attendants, all other categories of safety professionals in the commercial aviation industry are subject to duty time limitations. Pilots, flight engineers, flight navigators, air traffic controllers, mechanics, and dispatchers are all statutorily entitled to adequate rest. Why are flight attendants considered to be different?

Flight attendants' safety responsibilities cover a broad range, from routine preflight briefings to emergency evacuations. As an example of what the average flight attendant might face in the course of a month, the Aviation Subcommittee obtained an 1-month report from an airline which tabulated over 29 accidents and incidents that required flight attendant action. These included 16 medical emergencies, most of which required hospitalization at the end of the flight, 5 cases of passenger misconduct, including one passenger wielding a knife, and several equipment problems, some of which required a return to the originating airport.

These situations cannot be adequately handled by someone suffering from sleep deprivation. In those instances where the airlines do not voluntarily see that their flight attendants are well rested, we must step in to protect both the attendants and the traveling public.

A final indication of the importance of this legislation is that the FAA, as recently as July 1990, concluded that there is a need for limitations on flight attendant duty time. FAA prepared a notice of proposed rulemaking that recommended flight attendant duty time limitations and sent the document over to the Department of Transportation for approval. Unfortunately, DOT reversed FAA's safety determination and refused to allow the NPRM to be issued.

Since we cannot expect any help from DOT, Congress must act to remedy this flaw in the system. Those of us who have been fortunate enough to have experienced uneventful flights must not be lulled into a false sense of security. Flight attendants do not merely greet us as we board, serve us drinks and dinner, and bid us a fond farewell when we arrive at our destination. They are professionals who are trained to help ensure that the public enjoys safe and secure air travel. They should not be singled out as the only category of commercial aviation professionals who are asked to work unreasonable hours without adequate rest.

I strongly urge my colleagues to join me in passing H.R. 14.

## EXTENSIONS OF REMARKS

### TRIBUTE TO HARLEY STAGGERS, SR., ON HIS 84TH BIRTHDAY

#### HON. ROMANO L. MAZZOLI

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. MAZZOLI. Mr. Speaker, I rise today to pay tribute to former Congressman Harley Staggers, Sr., the father of our esteemed colleague from West Virginia, and my personal friend, HARLEY STAGGERS, Jr.

The Staggers family has collectively compiled a distinguished career in public life. But for a brief interlude in the early 1980's, the family represented West Virginia's Second District for the past 53 years with honor and distinction.

The tradition started with the election of Harley Staggers, Sr., to the 81st Congress back in 1948. His career spanned the bulk of the post-World War II era, and his reelection for 16 consecutive terms testified to the fact that his constituents recognized his brand of dedicated and productive public service.

For the last 14 years of his congressional career, Harley Sr. chaired the Committee on Interstate and Foreign Commerce. He served in the best traditions of this House with an affable and pleasant demeanor. He was, in short, a genuine statesman. I was most fortunate to have been able to serve with him during the first decade of my tenure in this body.

Mr. Speaker, Harley Sr.'s life achievements are most impressive. He graduated in 1931 from Emory and Henry College, in Emory, VA, and began his career as nobly as he would finish it, as an educator. During the Second World War he was a lieutenant commander in the U.S. Naval Air Corps, serving as a navigator in the Atlantic and Pacific theaters until 1946. Soon after, he was elected to the 81st Congress.

Mr. Speaker, Harley Staggers was, even before the beginning of his career in public life, committed to his community and to his country. It is not surprising then that he would serve in this body with such distinction. It was in the cards all along.

Mr. Speaker, on this, the occasion of Harley Sr.'s 84th birthday, I salute him personally and his service, professionally. It has been my honor and privilege to have had the opportunity to work with him and his son. Happy birthday, Harley.

### OCEAN BEACON TO A NEW WORLD ORDER

#### HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. BENNETT. Mr. Speaker, Dr. Gilven M. Slonim spoke eloquently before the National Maritime Center at Norfolk last May; and I regret that the rules of the CONGRESSIONAL RECORD do not allow me to include his entire speech here. But I do include some of the challenging things he said and I hope his wisdom and his enthusiasm may spread out as widely as the oceans of our globe. He said in part:

Again we see, Americans, capable of rising to any emergency, when they know the facts. Nonetheless, prior to that time the maritime deficiency in their understanding was beyond belief. I had teachers in my Oceanic Education classes with 20 years of teaching experience who asked, "What is the Merchant Marine?" Once they were inhibited with economic facts of life pertaining to global trade carrying, the light turned on; the maritime imperative motivated them.

The cutting edge of 21st century oceanic technology reached the American peoples' consciousness for the first time in a century. This came through the Oceanic Studies commitment by George Bush, the "Education President" at the Washington Summit. Once this comprehensive sea-study, which included the Geo-Economics of the Ocean, and dynamic Global Oceanic Geography, was launched, as the century wound down, for the first time, the treasures of trade carrying for a maritime power motivated the public to act knowledgeably—with commitment toward regaining a competitive posture on the high seas.

Finally, in the 21st Century, the prototype Heavy Missile Attack Ship with 80% "on-target" accuracy in Desert Storm, at long-ranges, became a key capital ship of the Fleet as the fourth leg of Strategic Power Projection. This futuristic ship, early on, gained its spurs, with its wide array of super-smart ultra-modern missiles, coupled with its sea keeping, to become "The Capital Ship of the 21st Century."

The "national-interest-span" of the world super-power, endeavoring to negotiate the Oceanic Frontier of the Future, encompasses all regions of the globe. The viable pillars of national power, just as the cornerstone of combined posture, the New World Order dictates rest upon ever higher plateaus of readiness, movement and prompt "on-the-spot" decisionmaking.

In bringing about the inevitable Oceanic Renaissance—call it a "Blue Revolution," if you will—the factor to be grasped is the existing educational deficiency—the underlying maritime ignorance of, I must say, most American citizens. This knowledge-gap must be alleviated to gain the great goals foreseen; to regain the will to compete with traditional drive on a global sea of unprecedented promise. How obvious the responsibility than for those of us who are sowing the seeds for revolutionary change. Patience and persistence are counselled as our educative drives see George Bush's "New World Order" to fruition; to gain the vibrant drive of its inevitable Global Oceanic Alliance seeking a more stable, a more durable, a more fulfilling world for mankind.

### OPPOSITION TO UNITED STATES-KOREA COPRODUCTION AGREEMENT

#### HON. RICHARD J. DURBIN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. DURBIN. Mr. Speaker, I rise today to express my concerns about the proposed F-16 aircraft coproduction agreement between the United States and South Korea. This proposed agreement raises serious concerns for both the aerospace industry and American workers, may be of disproportionate benefit to South Korea and will result in the transfer of

advanced technology to South Korea's fledgling aerospace industry.

While the administration provided formal notice of this KFP proposal to Congress on July 8, few details were released. The coproduction agreement, with an estimated value of \$3.7 billion, has three components: the outright purchase of 12 F-16 aircraft; the purchase of 36 disassembled kits for reassembly in South Korea; and the commercially licensed production of 72 F-16's in South Korea. While South Korea, undoubtedly, has legitimate military needs, the coproduction agreement appears driven more by South Korea aerospace industrial development goals.

The coproduction agreement transfers advanced technology to South Korea, strengthening their aerospace firms, who may eventually emerge as potential competitors for both American aerospace giants and their subcontractors. I am further troubled by the lack of information made available to Congress to evaluate the KFP proposal. It appears that General Dynamics may have failed to report necessary data and perform necessary analysis. With inadequate data, our ability to fully evaluate the proposal's terms is cast in doubt.

Additionally, the sale raises questions regarding the DOD's supervision of General Dynamics during negotiation of the coproduction terms, supervision which appears in many instances inadequate. The General Accounting Office has experienced difficulty in evaluating the proposal because of DOD's failure to release information or give adequate consideration to the potential consequences for the U.S. industrial base and the competitive position of firms at the prime and sub-tier levels. GAO notes that the Commerce Department may have been excluded from consideration, despite the statutory requirement that they evaluate the consequences of the sale for the U.S. industrial base. The inadequacy of the data hinders our ability to verify General Dynamics' claims regarding the value for American firms. I am encouraged by a measure adopted by the Senate, sponsored by Senator DIXON of Illinois, which would delay the trigger date for the congressional review period from the date of formal administrative notice to the date on which Congress receives full documentation, including any memoranda of understanding, relevant to the sale. Congress needs to be able to ascertain that the agreement represents the best deal achievable.

This agreement may also violate the terms of the 1991 Desert Storm supplemental, which denies the use of credits or guarantees under the Arms Export Control Act for any country which has not fully complied with its Desert Storm commitments. OMB acknowledges that South Korea has failed to honor \$136 million of its pledged commitment. To permit South Korea to benefit from the coproduction agreement, without having settled all previous, outstanding commitments to the Government, is contradictory to overall national policy goals.

Mr. Speaker, Congress has had inadequate data and opportunity to fully evaluate the terms of this coproduction proposal, a proposal which may represent an unwarranted surrender of American technology to the fledgling Korean aerospace industry. I can only hope that the aerospace industry, a prime example of technological prowess, does not

meet the same fate as previous American industrial and technological innovations, like television, transistors and lap top computer displays, innovations previously sold abroad only to return in later years as imported goods, contributing to a weakening of U.S. economic leadership.

#### FACTIONALISM IN NICARAGUA

### HON. BILL RICHARDSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. RICHARDSON. Mr. Speaker, Nicaragua, which was the venue of the controversial intervention of this country throughout the 1980's, now is facing new tensions, perhaps as a delayed political aftershock to last year's election of President Violeta Chamorro and the defeat of the Sandinistas. Presently, a surge in rightist militancy is undermining the uneasy pragmatic compromise which Mrs. Chamorro's government had worked out with the former ruling party. Unable to please both her own right wing as well as the Sandinistas, Mrs. Chamorro is witnessing factional splits within the ruling coalition, and while the Sandinistas attempt to preserve the gains resulting from their revolution, groups of former Contras are once again taking up arms to achieve their own demands.

The following article by Greta Paa, a research associate with the Washington-based Council on Hemispheric Affairs [COHA], addresses some of the problems the Nicaraguan government now confronts and analyzes the various contending forces. Because Washington must not ignore current developments in Managua, I urge my colleagues to give some attention to this critical issue.

The article follows:

#### NICARAGUA'S PATCHWORK POLITICS BEING TORN APART (By Greta Paa)

Heightened socio-economic tension due to the increasing militancy of President Violeta Chamorro's right wing, factional polarization, and a dubious economic outlook continues to strain Nicaragua's political fabric. The country's legislative body recently passed a measure which allows overseas investors to own up to 99 percent of domestic enterprises as well as lowering certain consumer taxes, making it perhaps a good place to do business, but hardly honoring the memory of the Sandinista revolution. With an import tariff of 35 percent, Nicaragua now has the lowest such barrier in the region. In their efforts to jump start the economy through unqualified pro-business policies, government economic planners are considering other actions including creating a free trade zone in which 100 percent of capital duties would be forgiven, and an export promotion law that exempts charges on imports. In a tone as well as placating Washington's ruffled feathers, the National Assembly passed legislation rescinding Law 96, thus abandoning the \$17 billion award resulting from a World Court suit filed by Nicaragua in 1986 against the United States for damages caused by the U.S.-backed Contra war. In support of these actions, the pro-government daily, *La Prensa*, in July printed a letter from 50 conservative U.S. legislators,

praising National Assembly president Alfredo Cesar, one of the most influential leaders of the conservative block.

With Washington's backing, Cesar almost literally brought down the house by proposing a controversial referendum to repeal land ownership Laws 85 and 86 which, in March 1990, just prior to the transition of power from the Sandinistas to the UNO government, had granted immediate ownership to anyone in possession of state land. Upset over the revocation of what was considered part of the revolutionary heritage, former Sandinista President Daniel Ortega Saavedra declared, "I am convinced . . . the government does not benefit from this crisis, which was provoked by the extremist sectors in order to weaken the government and its image." Under the Sandinistas, some 80,000 rural properties and 120,000 homes were distributed to over 200,000 beneficiaries ranging from penurious peasants to Sandinista party loyalists. While many current owners would be displaced by the abrogation of the two laws, the government asserts it is not its goal to cause hardship to Sandinista supporters, but rather to correct some existing abuses regarding property rights.

Although the struggle is now being waged within the Nicaraguan government over the nullification of the land ownership regulations, some criteria have been agreed upon for a possible compromise. For example, Nicaraguans possessing one home prior to Feb. 25, 1990 would retain their property. Also to be returned is property if it is one of several owned by the same person, or if the tenant had not lived in the house prior to Feb. 25, 1990.

The property issue is only one deep ideological question fueling factional tensions. With opposition Sandinista Liberation Front (FSLN) representatives still boycotting the National Assembly over the land tenure issue, rumors circulate within their ranks that the repeal of Laws 85 and 86 could be a precursor to the reversal of their almost sacred agrarian reform process. Defending the popular acquisition of land as legal and just, the FSLN has challenged any tampering with it as well as supporting the influential communal movement led by Father Miguel D'Escoto, former Minister of Foreign Affairs and head of the Front for Popular Struggle (FPL), under which over 25,000 property recipients have registered for land titles. In a joint effort to facilitate the land titling process, even part of the government has joined the communal movement to battle the ultra-right.

While a clamorous debate was taking place in the assembly, more than 400 recontra—former contras who again have picked up arms—emerged in the northern mountains, prompted not only by hunger, a lack of agricultural credit and landlessness, but also because security forces still remained under the control of the Sandinistas. In a resolution delivered over Managua's Radio Catolica on June 26, 1991, the Nicaraguan Resistance criticized the government for its, "huge, unnecessary budget [that] is being allocated to covert military expenditures, while the people continue to suffer from the disastrous condition in which the health and education sectors were left after a decade of Sandinista rule." Resorting to violence in July, the recontras murdered ex-contra commander "Renato", who was second only to now slain contra military commander Enrique Bermudez on their hit list. Presently, recontra raids continue to occur in the northern part of the country.

In collecting and destroying military weapons held by civilians, the government is

attempting to achieve pacification through disarmament. Because reintegrating ex-contras into Nicaraguan life has been hindered by the rise of the recontras, the International Support and Verification Commission, set up under the agreements signed in Tela, Honduras in 1989, to help reconcile the contras, will extend its stay until June 25, 1992, at the request of Mrs. Chamorro. In order to diffuse the tense situation, Nicaragua's Security Commission has recommended that all political parties carry out their activities in a peaceful and democratic manner, that a campaign to re-educate civilians in democracy be initiated, and that the media tone down its intemperate language.

Pleading to pacify growing unrest, the government cites stable prices and a seven percent dive in the June inflation rate as evidence of progress. Also, Presidential Minister Antonio Lacayo insists that the economy is reactivating as the tobacco, liquor and soft drink industries are now booming. While Lacayo claims that more money now is available to finance industry, the same is not true for the all-important agroexport producers, who received 40 percent less financial support this year than last, while crops grown for domestic consumption attracted 35 percent less aid in the same period. Meanwhile, critics accuse the government of manipulating statistics, noting that consumer buying power is down 30 percent since March.

TRIBUTE TO MR. AND MRS.  
HAWKINS

HON. JULIAN C. DIXON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. DIXON. Mr. Speaker, Mr. and Mrs. Harry Hawkins will be celebrating their 50th anniversary on August 11, 1991. It is with great pleasure and admiration that I rise today to congratulate Harry and Frankie Hawkins, constituents in my congressional district, on the occasion of their golden anniversary. I would also like to acknowledge their exceptional contributions and outstanding achievements in our community.

Harry Patterson Hawkins was born on June 7, 1919, in Springfield, IL, and he graduated from the Feitshans High School, class of 1937. Ms. Frankie Rose Hawkins was born in Fort Worth, TX, on February 3, 1920, and she graduated from Langston High School in Hot Springs, AR, class of 1939. Their paths were bound to cross. They were married in St. Louis, MO, on August 12, 1941. A year later, they moved to Los Angeles.

Over the years, the Hawkins have developed many long-lasting friendships and achieved respect and admiration in their neighborhood and community. Mr. Hawkins received the Guidance Church "Daniel L. Morgan" Service Award in recognition of his distinguished work as trustee of the Guidance board of directors, past president of the Guidance men's club and the Federal Credit Union and his membership in numerous community and civic organizations. Mrs. Hawkins' many activities included 10 years as president of the neighborhood block club and 10 years as a polling precinct inspector.

Frankie Hawkins, a respected educator in the Los Angeles City School District, served as a mentor to those teachers new in the education field. Although Harry Hawkins has retired from his position as vice president of operations of Pacific States Airline Services—an African-American-owned airlines services company—he continues his involvement with the firm. He now serves as director of its company.

Mr. and Mrs. Hawkins have worked hard to break the color bar and expand opportunities for African-Americans in the Los Angeles area. Ms. Hawkins was one of the first African-Americans to work at the May Co. department store in a position that had traditionally been reserved for white employees. They also made strides as small business owners. They were the first black owners of a Winchell's donut franchise and consistently fought for integration in the insurance and real estate fields.

Mr. Speaker, I am extremely honored to join the Hawkins' children—Beverly, Harry, and Nanthel, their family and friends in celebrating the 50th anniversary of Harry and Frankie Hawkins.

CONFERENCE REPORT TO  
ACCOMPANY H.R. 991

HON. CARDISS COLLINS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mrs. COLLINS of Illinois. Mr. Speaker, I rise in support of the conference report on H.R. 991 which is a reauthorization of the Defense Production Act until September 30, 1991.

Mr. Speaker, this bill is urgently needed. The Defense Production Act expired last October, and its authorities are needed to ensure that critical supplies and materials are available for defense needs. In addition, this bill extends on a permanent basis, section 721 of the act, the so-called Exon-Florio amendment. Under the Exon-Florio authority which was enacted in 1988 as part of the Trade Act, the President can block foreign takeovers of U.S. firms, if such takeovers might threaten the national security.

Since last October when Exon-Florio expired, the President has received notice of more than 100 cases of foreign takeovers of U.S. firms. One of these cases involved the proposed takeover of a U.S. firm that made grinding equipment used to produce parts for our country's nuclear warheads. Fortunately, the foreign firm in this case, the Japanese firm Fanuc, withdrew its offer to buy Moore Special Tool. But, had Fanuc not voluntarily withdrawn its offer, the President would have been powerless to stop this, or any other acquisition.

Mr. Speaker, we cannot afford to let laws like Exon-Florio expire. That's why I completely support the conference report we are adopting today. It will remove Exon-Florio from the automatic sunset termination provision of the Defense Production Act, and thereby ensure that the President's ability to block foreign takeovers that threaten national security never again is allowed to lapse.

While there are other changes that I would like made to clarify and strengthen Exon-Florio

authority, the action we are taking today is essential. I want to thank the Senate for its acceptance of the House bill, and I look forward to working with my colleagues on the Banking Committee, the Foreign Affairs Committee as well as the Senate in making sure we have effective laws governing national security takeovers.

FREEDOM OF RELIGION

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. GILMAN. Mr. Speaker, I would like to take this opportunity to draw the attention of my colleagues to a thoughtful, well written article by Arnold Forster, which appeared in the July 1991 Penthouse magazine, on the difficulties many of our American soldiers faced while serving in the Persian Gulf attempting to worship in accordance with their religious faiths.

As many of my colleagues already know, several of our military personnel experienced difficulties practicing their religious beliefs while serving in the Persian Gulf. Mr. Forster, who serves as the general counsel to the Anti-Defamation League, and served for many years prior to that position as the associate national director of the Anti-Defamation League, writes a thought provoking article questioning our priorities in yielding to pressure regarding our religious beliefs.

Mr. Speaker, in order to share these thoughts with my colleagues, I request that at this point in the CONGRESSIONAL RECORD the full text of Arnold Forster's article be inserted, and I invite my colleagues to read this insightful essay.

THIS PENTAGON DISGRACE IS NO CAUSE TO  
CELEBRATE

(By Arnold Forster)

Every schoolboy knows that the Bill of Rights' First Amendment guarantees all Americans the freedom to practice religion in accordance with their own faith and tradition. Except that is, if it involves members of our armed forces deployed to Saudi Arabia. In that kingdom, our soldiers were compelled to surrender their constitutional rights to the demands of its religious bigotry. And they had to do so while risking their lives defending the feudal monarchy from its neighboring enemies.

Such are the facts, based not upon the laws, but upon the craven actions of the American government in the short Persian Gulf War that was waged against Saddam Hussein.

The Saudis (and other Arabs in the Middle East) recognize only one faith: Islam. But the Saudi monarchy interprets and enforces its Muslim principles severely that American servicemen have been prevented from honoring their own most basic religious obligations while within its borders. In the now-ended Operation Desert Storm, soldiers of any faith except Muslim had a little-mentioned problem. Not only were they obliged to hide their crucifixes, Stars of David, or other religious symbols in public, but they also had to observe their faith in secrecy and pray in seclusion.

With the silent acquiescence of our president and Secretary of Defense Dick Cheney,

Army authorities made one issue eminently clear to our Navy, ground troops, and Air Force. The military was to submit—without any discussion—to the religious restrictions put on it by the Saudi king's orders to his narrow-minded lackeys.

The same rules applied, then and now, to American civilians entering Saudi borders on quasi-governmental missions. Unsurprisingly, Jewish visitors have always been flatly denied entry into Saudi Arabia by official policy, except under extraordinary circumstances. In November 1973 Secretary of State Henry Kissinger made an imperative trip to Riyadh, the Saudi capital. King Faisal was compelled to close his eyes to his guest's religion. Of course, during the desert way, the present king graciously granted dispensation to Jewish soldiers to come in and get killed defending his kingdom. But when President Bush called off the war, and while the United Nations was working out armistice conditions for Iraq, the Saudis (and Kuwaitis) resumed their traditional barriers. Typically, New Jersey's senator, Frank Lautenberg, on a mission as a member of a Senate delegation after the fighting came to a halt, was denied entry because his passport bore a stamp from Israel's Ben-Gurion Airport.

Shamefully, until the late of 1970s, the Pentagon itself voluntarily screened out Jews from military contracts with the Saudis. But why complain? In those years even our American Army personnel were required to certify their non-Jewish faith. Need it be added that, at the insistence of the Saudis, the Pentagon also refrained from assigning blacks to duty in the gulf?

With the onset of battle against the tyrant Saddam, our Defense Department advised participating Army chaplains to avoid public displays of their religious insignia, although such symbols are part of their official uniform. A Pentagon memo actually instructed these military officers to remove such badges of office when appearing in public. Islam was the only opening permitted religion in Saudi Arabia. The New York Times quoted a candid Christian chaplain this way: "We've been told not to wear crosses when we're away from the troops."

That same month, Rabbi David Lapp, director of the Jewish Chaplains Council, remarked for publication that "it would be history in the making, the first such in an Arab nation, if Jewish chaplains were allowed entry."

It was then that the word spread from superiors to Jewish soldiers that they should delete the letter J from their dog tags, or at least have it changed to "nondenominational." The press discovered and reported this shameful advice, whereupon the Army's Senate Liaison Office, while confirming that such word had been passed to Jewish GIs, insisted that it was done only on a "unit-to-unit" basis, not under Pentagon orders.

Secretary Cheney confirmed the Liaison Office explanation while denying that Army policy dictated dog-tag alterations. He also mentioned the possibility that unit commanders had proposed concealment to Jewish soldiers for their own protection in case they were captured.

This was unrelated, of course, to orders handed to chaplains, Christian and Jewish, to conceal their religious insignia when in public inside the kingdom. In August Secretary Cheney also explained why he took no exception to the instruction. "They are a very traditional society," he said. "They have certain standards and norms . . . and I think we have to respect their culture as they respect ours." (Do they?)

The truth is that Washington preferred to remain blind to Saudi human-rights violations. A State Department travel advisory floating around at the time contained this, verbatim: "Public or private non-Muslim religious activities are not permitted and importation of non-Islamic religious materials, including Christmas cards or trees, is illegal. Persons wearing non-Islamic religious symbols in public may be arrested by the authorities in charge of propagation for virtue and prevention of vice." Asked to describe Defense Department policy on religious services for troops in Saudi Arabia, a key press-liaison officer pleaded the subject was "off-limits."

"We keep a low profile, yes, but we do minister to the religious needs of all faith groups," said Lieutenant Commander Barby Wilson, a Navy chaplain and Protestant minister. "Thirty worship services a week. We don't publicize those services. We are not supposed to put up printed announcements or prayer schedules."

To make matters worse, the Army forbade chaplains to use religious terms to describe worship services. "We don't hold mass or Holy Communion or even prayers," one chaplain reported to The Washington Post in December 1990. "We are not even chaplains. We are 'morale officers' who are permitted to hold 'fellowship meetings.'" In keeping with its expedient attitude, the Army enjoined chaplains from carrying sacramental wines across the border, instructing them to surrender the mild drink to Saudi Customs guards.

One booklet published by the Pentagon cravenly recited 24 "sensitive" subjects that soldiers should avoid, including showing pictures of a crucifix or a Star of David, discussing the U.S.-Israeli alliance, or commenting on women's rights and moral standards. (There goes another freedom!)

The Anti-Defamation League condemned the fear-stricken pamphlet as offensive to democratic principles and religion. "It should be recalled immediately," said the league, as violative of free speech and religious rights. It's "a dangerous attempt to placate the Arab world at the expense of Israel and Jews everywhere."

Apparently, there is neither limit nor logic to Saudi religious prejudice. A reader of the pamphlet, an American, says that a Saudi general once severely reprimanded him for using asterisks in his typed report—because they are six-pointed like the Star of David. A soldier accurately summed up the shocking situation in a typically colorful way. "We're risking our lives saving Saudis," he said, "and they won't even let us have a beer."

Saudi officials do indeed ignore troop violations—as long as they are kept very private. They even permit religious articles to be shipped into the country, so long as there are no markings on the outside of the package revealing its contents. But it is the U.S. Army that wrongfully warns soldiers not to carry a bible outside their compound, and to hide their cross or Star of David under their uniform.

In September 1990 The Jerusalem Post reported that Rabbi Ben Romer, assigned to the Saudi kingdom to conduct High Holiday services, became the first and only Jewish chaplain to be sent to the desert kingdom. No wonder U.S. Defense Department spokesman Major Douglas Hart said, "Worship services will be conducted within covered shelters or private settings, far from view of any Saudis."

Despite it all, Jewish servicemen celebrated the first night of Hanukkah in De-

ember 1990. But they were kept behind closed doors, shielded even from the news media, to avoid offending the Saudis. Ironically, Jews commemorate Hanukkah to remind themselves that despotism dies when people fight to protect their freedom.

The most furtive cases of organized prayer, as reported in The New York Times, told of a Jewish celebration known as "Morale Service 7" that was held in the eastern part of the Saudi kingdom. To get to it, the participants were compelled "to hitchhike to a chaplain's office at an air base, and then be escorted in a shaded car to a secret location with armed guards."

Major Hart revealed in November that the Pentagon had negotiated an approval for the Christmas holiday permitting American troops to receive Christmas cards. The consent, however, explicitly reminded members of the military that Christmas celebrations were to be low-key. In the same story, made public by The Washington Times, it was revealed that President Bush's No. 1 country singer, Lee Greenwood, had canceled his Persian Gulf tour because he could not sing his signature tune, "God Bless the U.S.A."

But why be surprised? According to Pentagon regulations, openly religious songs or sermons were, and still are, barred from armed forces radio and television. The madness goes beyond that. American reporters interviewing GIs who were busily preparing Christmas celebrations learned that the soldiers had been warned by their superiors to avoid holy hymns. They were to substitute secular carols such as "Rudolph, the Red-Nosed Reindeer" and "Jingle Bells." "Oh, Come All Ye Faithful" was a no-no.

Before the holiday Bob Hope had announced that he had agreed to present Christmas and New Year's programs for our troops deployed in the Persian Gulf. He aborted the plan, however, after learning of the restrictions that would be placed on the shows' content. Hope's usual routine, he was told, would irritate Saudi propriety. To bring in his show, the famous comedian had to leave out his female troupers (except for his wife Dolores) and kill jokes about their costumes. One wonders about Saudi common sense and our own leadership's integrity for letting this happen.

If Saudi attitudes are understandable to anyone, it is only because the kingdom also approves of its religious policemen swatting unveiled Saudi women with whipping sticks. Mary McGrory, the Washington columnist, angered by the holiday prohibitions, said it well. "If American soldiers want to celebrate Christmas," she wrote, "they must do it discreetly. We mustn't upset the Saudis, you see, while we are saving them." McGrory mused about the Saudi kingdom's hair-trigger sensitivities, thinking it strangely inconsistent for a land that "hangs, stones, and beheads lawbreakers."

The Iraqi dictator's regulations were no different in this regard from those of our Saudi coalition partner. An American chaplain in Saudi Arabia commented sarcastically that CNN, broadcasting from Baghdad about Sunday services, described chaplains as "morale counselors." "No viewer," he said, "could tell whether the TV correspondent in Iran was explicitly abiding by that nation's restrictions against mentioning non-Islamic religions or was censored by the religious authorities."

More distressing, considering that his position automatically makes him our nation's No. 1 role model, were the actions of President Bush in November 1990. U.S. News and World Report told its readers that Bush, anx-

ious to make a morale-building call on our troops in the Middle East, changed his planned Christmas visit to Thanksgiving in order to avoid affronting Saudi sensibilities. Government insiders said that hosting the President at Christmastime would have caused the Saudis embarrassing attention to the holiday.

Worst of all, to further avoid upsetting Saudi feelings during his substitute Thanksgiving trip, the President flew off to a rendezvous in a secret location in the Persian Gulf for a 15-minute religious service aboard the U.S.S. *Nassau*.

The statement made by the President earlier in the gulf crisis makes his actions all the more surprising. At that time he was seeking national support to go in and chase Saddam Hussein out of Kuwait. The New York Daily News recorded his reasons for the proposed military venture. "We are there," he said, "to protect our Arab friends and the American way of life [italics mine]."

Undoubtedly, there was a sickening amount of Pentagon bending-at-the-knee to Saudi sensitivities, but precious little spine for American fundamental constitutional rights. American armed forces were fighting and dying for Saudi Arabian freedom while its feudal ruler was arrogantly suppressing theirs.

The sad truth is that a search among the national journals of America's three major faiths failed to turn up anything of substance critical of the unwillingness of our chief executive and his Defense Department to defend the religious freedom of our courageous minions. If the reason was reluctance to badger a leadership that was engaged in winning a war, something equally important was overlooked: preserving the integrity of both the Constitution and our way of life.

When it was all done—warnings, restrictions, denials—neither Washington nor Riyadh prevailed. Countless GI tents in the Saudi sands concealed small fabricated Christmas trees, made of plastic and decorated with battery-operated bulbs. According to *The Washington Post*, one imaginative devil dog in the First Battalion, Fifth Marines, fashioned a tree out of netting, toilet paper, and tinsel wrapping.

If our American defense establishment fails to correct this disgraceful situation before further pursuing military efforts in the Middle East, Congress should do it. Unhappily, the offending Pentagon guidelines established for our troops in the Persian Gulf stirred only small protest here at home. Fortunately, insightful segments of our press spoke out vehemently about it.

The American juggernaut was sufficiently powerful to win the war in startlingly few days, with only minimal Arab and other allied assistance. Yet our Defense Department ordered our armed forces to submit to offensive religious restrictions. The department was too intellectually weak and unprincipled to resist Saudi Arabia on a fundamental issue of religious prejudice.

To deny American soldiers their guaranteed religious rights is unnecessary, demeaning, and loathsome. In an earlier decade in this century, the American Army dishonorably segregated its military units by race—regiments were black or white. African-American sailors were restricted to the Navy's lowest echelons. Black pilots were a rarity in the United States Air Force. But the American people rebelled in anger and brought an end to the obscene armed forces racist discrimination.

The incredible Saudi intrusions upon our military's religious freedom, compounded by

the obsequious submission of our Defense and State departments, must be prohibited by new legislation—or the courts, if that's the only way.

One organization in Charlottesville, Virginia, the Rutherford Institute, a self-described "nonprofit civil liberties organization," warns that unless the situation is corrected, it will take the matter to federal court. It is to be hoped that such a step will succeed if Army authorities continue to mute or altogether suppress the right of U.S. soldiers to freely practice their faith in deference to Muslim bigotry.

In short, it now remains for our Defense Department to assure that it will never again submit its proud fighting men and women to the imposed fanaticism of foreign powers, laboring under sixteenth-century prejudices, that need our help to survive.

#### CAPE VERDEAN HISTORY

HON. GERRY E. STUDDS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. STUDDS. Mr. Speaker, I have the great privilege to represent in this body the Greater New Bedford area—home to the largest Cape Verdean-American community in the United States. Most Americans know lamentably little about the Cape Verde Islands and the contributions of the Cape Verdean people to the history and development of the United States. Mr. Marcel Gomes Balla, a Cape Verdean-American from El Paso, TX, has worked tirelessly to ensure that all Americans are aware of the rich history shared by the people of Cape Verde and the United States. I commend Mr. Balla on his efforts and take this opportunity to share with my colleagues just a few highlights of Cape Verdean history—as compiled by Mr. Balla. I am sure my colleagues will agree that we certainly owe Cape Verdeans proper recognition for their role in the development of these United States.

The Cape Verde Islands, known in Portuguese as Cabo Verde, are a chain of islands located off the coast of West Africa. I had the good fortune to visit Cabo Verde for all too brief a time while studying Portuguese and I can personally attest to the beauty of the islands and the graciousness and resourcefulness of the Cape Verdean people. Cape Verdeans have made countless contributions throughout history to the discovery and subsequent development of the Americas, for which they regrettably receive little credit in today's history books.

The Cape Verde Islands were uninhabited at the time of discovery in 1460 when the Portuguese initiated the practice of overseas colonization. New settlements were established on these islands and the settlers in Cabo Verde initially came from Italy, Portugal, and Spain. A few years later, African slaves arrived. Hence, the basis for the evolution and formation of the Cape Verde people. Today, a majority of Cape Verdeans are known as mesticos or crioulos and are a racially mixed group who maintain ties to Europe and Africa as well as Asia and Latin America.

During the 15th century, the Cape Verde Islands were the last known reference points on

European maps and thus, a mandatory port of call for great navigators and explorers. Christopher Columbus, Ferdinand Magellan, Vasco da Gama, and Pedro Alvarez Cabral all sought logistical support in Cabo Verde before venturing onward.

In 1832, the islands were the first stop of Charles Darwin on his voyage to study "The Origin of the Species," and many historians have reason to believe that Cabo Verde may be the remains of the legendary lost continent of Atlantis.

Cape Verdeans frequently challenged the perils of the seas and eventually sailed their own ships to America. One of the most famous of these Cape Verdean vessels is the *Ernestina* which traversed the Atlantic between Cabo Verde and Massachusetts 52 times under the watch of Capt. Henry Mendes. Because thousands of Cape Verdeans traveled aboard the *Ernestina* to America's shores of freedom and prosperity in the early 1990's, it is as important as the *Mayflower* to the Cape Verdean-American community. Today, the *Ernestina* sits proudly in New Bedford Harbor. It was recently designated a national landmark and is a valuable educational tool and tourist site for students and visitors to southeastern Massachusetts.

Beginning in the mid-1900's Cape Verdeans played critical roles in the development of a lasting economic foundation for southeastern Massachusetts. They were integral in the growth and expansion of textile mills and shoe factories, the cranberry industry, and road development projects.

Several writers deserve recognition for their efforts to preserve Cabo Verde's historic past. Antonio Carreira, of Portugal, has written many books on Cape Verdean folklore and many Cape Verdean writers have produced a wealth of literature which has yet to be translated from Portuguese to English.

#### CHILE AND THE ENTERPRISE FOR THE AMERICAS INITIATIVE

HON. BILL RICHARDSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. RICHARDSON. Mr. Speaker, with the Group of Seven Economic Summit just having occurred in London, the primacy of economic relations as a basis of sound foreign policy formation in the post-cold-war period is being thrust into the spotlight. Announced over a year ago, President Bush's Enterprise for the Americas Initiative [EAI] could make a significant step toward a wiser foreign policy based on more equitable economic relations with our Latin American neighbors, if it turns out to be more a matter of substance than rhetoric.

The civilian government of Patricio Aylwin in Chile has combined political pluralism with economic reform to cement democracy in what is one of the South America's fastest growing economies. Recent developments in which Chile has been involved under EAI include a \$150 million loan from the Inter-American Development Bank and the Treasury Department reducing its debt in agricultural loans owed to the United States by 40 percent. De-

mocratizing Latin American societies such as that of Chile deserve further consideration by both the Bush administration and the House under EAI.

I wish to insert in the RECORD an article which first appeared in the July 24 issue of the Washington Report on the Hemisphere, a bi-weekly publication of the Washington-based Council on Hemispheric Affairs [COHA]. I encourage my colleagues to read this timely article authored by COHA research associate, Maureen Widzowski:

**DESPITE INITIATIVES, FREE TRADE TALKS NOT IN THE BAG FOR CHILE**

(By Maureen Widzowski)

Contrary to U.S. press perceptions, Canada, Mexico, and the United States are not exclusive players in the movement towards greater Western Hemispheric economic cooperation. While Latin America's recent history chronicles such hobbled integration attempts as the Central American Common Market and the Andean Group, South America's Southern Cone has been experiencing unprecedented economic developments. Last March 26, with Chile notably absent Argentina, Brazil, Paraguay and Uruguay signed an agreement forming the Mercado Común del Sur (MERCOSUR), aimed at economic integration and tariff elimination by January 1, 1992.

At a June 27 Rose Garden ceremony in which President Bush participated the Inter-American Development Bank (IDB) issued a \$150 million loan to Chile and Treasury Secretary Nicholas F. Brady announced a 40 percent reduction of the country's debt resulting from agricultural loans, a notable statistic considering Congress' plans to decrease debt renegotiation funds in its 1992 foreign aid bill. By this first debt reduction achieved under the aegis of the Enterprise for the Americas Initiative (EAI), the White House's actions suggest that Chile perhaps wisely chose to pass up an involvement in MERCOSUR.

The strength of Chile's economy based on its diversified exports, the political and economic stabilization policies associated with the Patricio Aylwin administration, as well as an improved international image, should place the nation high on the agenda for a future free trade agreement with the U.S. The reduction of the agricultural debt is both the first such accord reached under the EAI and the first restructuring agreement which will later funnel interest payments into a bilateral trust fund for environmental protection.

Debt renegotiation, measures to increase investment and trade agreements are the three avenues through which the EAI hopes to improve economic relations with Latin America. While the list of signatories to framework agreements with the U.S. now numbers 15 with the addition of Nicaragua and Panama, Chile remains the only nation receiving attention in all three sectors of EAI. Citing consistent economic expansion as exemplified in the expected 5 percent growth rate for 1991, accompanied by falling inflation, the Aylwin government indeed stands out from neighboring nations. Furthermore, the 21st Assembly in June of the OAS in Santiago provided the additional opportunity for Foreign Minister Enrique Silva Cimma to reach a trade agreement with Canada's Minister of External Affairs Barbara McDougall, expanding Chile's formal economic ties to include all three northern neighbors.

Although Chile's trade with the United States of \$3 billion hardly compares to that

of Mexico's \$55 billion, Chilean exports to the U.S. have doubled since 1987. A further increase in trade is likely in light of Chilean Finance Minister Alejandro Foxley's announcement that import duties would be slashed from 15 percent to 11 percent effective June 17. In addition to a June meeting of Chilean and Soviet businessmen resulting in an estimated \$200 million in trade deals, Chile formally joined 18 Pacific rim nations on May 20 in the Pacific Economic Cooperation Conference including both Chile's unquestionable attractiveness to the international community as well as what Minister of the Economy Carlos Ominami considers Chile's need to become involved with the worldwide economy."

Notwithstanding these vigorous efforts at economic integration, the Mexican-U.S. free trade negotiations undoubtedly overshadow the Southern Cone economic developments. For example, despite the Four-On-One Agreement Brazil's President Collor achieved in Washington June 20 for the MERCOSUR nations, they are in no better a position to negotiate free trade pacts. Additionally recent events in Chile, like the hunger strike of political prisoners and the workers' strike at the world's largest copper mine, Chuquibambilla detract from the country's new image as a stable Latin American democracy. Indeed, the U.S. Trade Representative's Office claims the Administration is "looking at all the factors" before moving beyond the preliminary framework agreement establishing a U.S. Chilean council on trade and investment.

**LEAD AND YOUR KIDS**

**HON. ESTEBAN EDWARD TORRES**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 2, 1991

Mr. TORRES. Mr. Speaker, recently we have seen a lot of information regarding the negative impacts of lead. The July 15, 1991, cover story of Newsweek, titled "Lead and Your Kids" detailed the dangers of lead in the home. A special report on Prime Time Live on Thursday, July 25 warned us of high lead content of the soil in our backyards. And we have all seen the reports on the lead in congressional drinking water in Roll Call on July 25 and 29.

Lead exposure is the No. 1 environmental threat to our children. Lead contamination threatens everyone throughout the Nation. People can suffer from lead poisoning without eating chips of old lead paint and without living in dilapidated housing.

To illustrate, the article in Newsweek profiles a 2-year-old girl and her infant brother who have been poisoned by lead. Within months of moving into their home, the little girl began complaining of stomachaches and her baby brother cried incessantly. Although numerous medical checkups could find nothing wrong with either child, the ailments and irritable behavior continued. Finally, their mother, after finding an article on lead poisoning, noticed that the symptoms of lead poisoning matched her children's behavior.

Tests confirmed their mother's suspicions and fears—both children had lead poisoning. The astonishing fact about this report is that these middle-class children contracted lead

poisoning not from eating lead paint chips, but from inhaling lead paint dust—stirred up in part from their father's renovations of their older two-story home in a Connecticut suburb.

According to the Newsweek article, it is too early to know the long-term neurological and intellectual effects that lead exposure will have on these children. Despite the initial prognostic uncertainty, Mr. Speaker, it is very likely that the two children will not be as intelligent as they would have been absent the exposure to lead.

The recent special report by ABC's "Prime Time Live" demonstrated that it takes remarkably little lead, and an amazingly short exposure period, to cause lead poisoning in children. The numbers are staggering—100 parts per million is detectable in children's blood, and 500 ppm is considered to be hazardous waste warranting EPA Superfund cleanup. Soil recently tested in an urban residential area just 3 miles from the EPA in Washington, DC, was found to contain over 7,000 ppm lead content. This is higher than levels found at some lead smelting facilities.

Recent reports in Roll Call also point to unsafe lead levels in Capitol Hill drinking water. In House Annex II, lead levels of 95 ppm were found, exceeding the EPA's safe level of 15 ppm by 80 ppm. Nearly 30 percent of all water tested had lead levels considered dangerous by most scientific and health agencies other than the EPA. And every House and Senate office had at least one sample which contained a lead level at or above 15 ppm.

Moreover, damage from regular exposure to lead, even at low levels, is usually irreversible. The seriousness of lead exposure is confirmed by medical experts who universally agree that lead is a more dangerous health hazard to children than originally thought.

Lead poisoning of our children is preventable, however. The Federal Government has adopted several measures to reduce the amount of lead that is released into the environment. Specifically, the Government banned the use of lead-based interior house paint in the late 1970's and phased out the use of lead in gasoline in the 1980's.

I applaud the recent efforts to control lead in drinking water by my friend, Mr. HENRY WAXMAN. And the lead-abatement trust fund proposed by Mr. BEN CARDIN will go a long way toward providing necessary funds for housing cleanup. But, while bans and phaseout of present and future uses of lead are both necessary and commendable, more preventive measures are needed. It is critically important to address the lead that is contained in existing products, whether it is old lead wall-paint in millions of American homes or lead in spent automotive batteries. These products, if not properly handled, can continue to threaten the well-being of our children.

Automotive or SLI [starting, lighting, and ignition] batteries account for 85 percent of the lead used in the United States. Roughly 70 million of these batteries burn out each year. Since each battery contains approximately 20 pounds of lead, 14 billion pounds of lead are available for reuse in an average year. The lead that is contained in these spent batteries is easily and completely recyclable. The recycled lead can be reused in new batteries or can be used interchangeably with mined lead in most products requiring lead.

Without recycling, many of the 70 million spent batteries are disposed of in landfills or municipal waste incinerators, or dumped by the roadside. This improper disposal of spent batteries has the potential to pollute our air, water, and soil. Time and weather can weaken these spent batteries causing their cases to crack and leak lead-contaminated sulfuric acid into the soil. Rain water can wash lead from exposed batteries into the ground water. To prevent the improper disposal of spent batteries and the resultant degradation of the environment, we must facilitate and, more importantly, maximize battery recycling.

Since we cannot eliminate our dependence on the lead-acid battery, recycling is the only solution to the threat of contained lead exposure from batteries. The solution needs our intervention, however. The rate of battery re-

cycling fluctuates directly with world virgin lead prices, a relationship that can inhibit stable, constant, and maximum battery recycling. During periods of high world virgin lead prices, the recycling rate of spent batteries increases. Similarly, when world virgin lead prices decline, the battery recycling rate also falls—regardless of whether the supply of lead capable of being recycled is high. In other words, low virgin lead prices means little demand for battery recycling. We must create a market system that will increase the demand for used batteries irrespective of world virgin lead prices.

I, along with Senator TIM WIRTH and the late Senator John Heinz, developed the Lead Battery Recycling Initiatives Act to employ market forces to promote, rather than discourage battery recycling. H.R. 870 creates a system of

economic incentives to encourage the reuse of the lead contained in spent batteries, thus forestalling the introduction of new lead into the environment.

The Lead Battery Recycling Incentives Act currently has more than 80 cosponsors in the House of Representatives. I trust that more of my colleagues will demonstrate their commitment to ending the tragedy of lead poisoning of our children and join me as cosponsors of H.R. 870. Similarly, I trust that the Subcommittee on Transportation and Hazardous Materials will include provisions of H.R. 870 in its legislation reauthorizing the Resource Conservation and Recovery Act [RCRA]. We must recycle the lead in these batteries if for no other reason than to lessen, if not eliminate, the damage that this lead can do to our children.