

800, the Ed-Flex legislation, falls short and I rise to oppose the Conference Report.

I am a member of the House Education and Workforce Committee, and this Committee has just begun to take up the numerous important issues that are involved in the Elementary and Secondary Education Act. It is folly, Mr. Speaker, for this final version of the Ed-Flex bill to come up before the ESEA has even been considered. How can we justify creating a system in which all states can have the option to waive federal education requirements when those federal education programs have not even been reauthorized? It is inappropriate and unjustified for the Congress to be granting across-the-board waiver authority to states before the House Education and Workforce Committee has reconsidered the ESEA.

In fact, the Conference Report on H.R. 800 is actually weaker than the version that was passed by the House of Representatives. At least our House version of the bill contained a sunset provision that mandated that Ed-Flex be taken up during the ESEA reauthorization process. The Conference Report eliminates this provision.

Furthermore, Mr. Speaker, accountability must not be sacrificed for the sake of flexibility. If the Congress grants greater flexibility to the states, the states must be held responsible to use these new powers in a way that improves educational quality and student performance. The Conference Report is weak on accountability provisions. We tried to strengthen these accountability provisions in Committee, but were not successful. Now the Congress has placed itself in a position that will grant huge loopholes to states and localities when it comes to measuring and enforcing accountability. This is another reason why I urge my colleagues to oppose the Ed-Flex Conference Report.

Finally, Mr. Speaker, I am concerned that the long-term effect of Ed-Flex will be to shift valuable federal resources away from schools in high-poverty neighborhoods towards school in more wealthy districts. It is a hallmark of national education policy that federal funds be used to benefit schools and school districts that are most in need of outside resources. Federal programs need to be targeted to the disadvantaged. It is very possible that this bill will open the way for states to redirect ESEA Title I funds away from the disadvantaged. This trend dilutes the essential purposes of Title I. For these reasons, Mr. Speaker, I urge my colleagues to vote "no" on the Ed-Flex Conference Report.

---

#### AUTHORIZING AWARDING OF GOLD MEDAL TO ROSA PARKS

---

SPEECH OF

**HON. ROBERT C. SCOTT**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 20, 1999*

Mr. SCOTT. Mr. Speaker, I rise today in support of H.R. 573, a bill to bestow a Congressional gold medal to Rosa Parks for her contributions to civil rights in the United States of America.

Rosa Parks and her contribution to the current American way of life, by today's standard involved a very simple act. However, that simple act, Mr. Speaker, proved to have some very extraordinary consequences.

In 1955, Jim Crow segregation was the law of the land. African Americans by law were not allowed to share public accommodations with Whites. We couldn't eat in the same restaurants, couldn't live in the same neighborhoods and we were relegated to sit in the back seats of a public bus. If the white only section of the bus became full, we had to give up our seats when told to do so.

Nevertheless, in 1955, on December 1st in Montgomery, Alabama, Mrs. Parks with one very simple act of civil defiance changed that practice and the course of American History. On that day Mrs. Parks refused to give her seat to a White patron when told to do so by a Montgomery Bus driver. In spite of that bus driver's insistence, and knowing the certain consequences of her actions, she chose not to give up her seat. The police took her off the bus, arrested and jailed her. Mrs. Parks was later released on a one hundred-dollar bond.

Mr. Speaker, I suspect the city fathers of Montgomery initially never thought twice about that one simple act on that day in December. In response to Mrs. Parks' arrest, the black citizens of Montgomery began a bus boycott that lasted for 381 days. Led by a young local minister named Dr. Martin Luther King, Jr., the Montgomery bus boycott helped to unravel the fabric of the South's social, economic and political culture of "Jim Crow" segregation.

This occasion has personal relevance to me also, Mr. Speaker. More than 40 years ago, during her brief tenure at Hampton University, I met Mrs. Parks. She worked there with my grandmother and I can well remember being struck by how unassuming and graceful she was, particularly in light of her role as a courageous civil rights pioneer.

Throughout the history of our nation, simple acts such as refusing to give up a seat on a bus as Rosa Parks did, often touch off a national movement that changes the course of history. This, Mr. Speaker, was one of those occasions and for this simple act, this House has taken the first step towards commemorating this demonstration of courage by Mrs. Parks and celebrating its tremendous impact.

I look forward, as many of my colleagues do, to the swift enactment of this resolution so that Mrs. Parks can receive the recognition she deserves from Congress.

---

#### ENVIRONMENTAL REGULATORY ISSUES

---

**HON. RON PAUL**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 22, 1999*

Mr. PAUL. Mr. Speaker, I rise to commend the insight added to the policy debate on critical environmental regulatory issues by John McClaughry in an article he authored in yesterday's Washington Times. Mr. McClaughry succinctly highlights the danger which occurs when, as happened in the United States in the late 1800's and early 1900's, property rights are ignored in the name of "progress."

Mr. McClaughry, president of Vermont's Ethan Allen Institute, correctly explains that technological innovation is stunted when the legal system allows polluters to externalize their costs without allowing legal recourse by those whose property is polluted.

I commend the research of Mr. McClaughry and thank him for his important contribution to

the policy debate regarding environmental regulation and recommend a careful reading of his article by everyone genuinely interested in both the proper moral and economic resolution of these issues.

#### CELEBRATING THE RESOURCEFUL EARTH

Tomorrow, many Americans will celebrate the 30th anniversary of Earth Day. The event was created in 1970 to call attention to humankind's despoliation of our planet. It's a good time to see what 30 years of Earth Day enthusiasm has given us.

The environmental awareness stimulated by the first Earth Day has had many beneficial results. Thanks to citizen awareness and ensuing state and national legislation, today the air is much cleaner, the water far purer, and risk from toxic and hazardous wastes sharply reduced. Polluters have been made to pay for disposal costs previously imposed on the public. Private groups like the Nature Conservancy have purchased and conserved millions of acres of land and natural resources.

But—and it always seems there is a but—like every promising new movement, the people who became leaders of the environmental movement stimulated by Earth Day soon found they could increase their political power (and staff salaries) by constantly demanding more command and control regulation. That heavyhanded government response has increasingly surpassed the boundaries of science and reason and severely strained the good will of millions of Americans who had eagerly responded to the initial call to clean up and protect our planet.

Here are just some of the "achievements" of an environmental movement that has flourished by promoting fantastic enviro-scares, sending out millions of pieces of semihysterical direct mail fundraising letters, peddling junk science, and making ever-more-collusive legal deals.

A failed Endangered Species Act which, by substituting "ecosystem" control for species protection incentives, has caused thousands of landowners to drive off or exterminate the very species that were supposed to be protected.

A wetlands protection program that has gone from controlling real wetlands to regulating buffer zones around tiny "vernal pools" of spring snow melt, and even lands that have no water on them at all, but feature "hydric soils."

An air quality program that denies permits to dry cleaning plants unless they can prove that their emissions will not cause 300,001 instead of the normal 300,000 cancer deaths among 1 million people who will live for 70 consecutive years next door to the plant.

A "superfund" bill which has sucked billions of dollars out of taxpayers to pay lawyers to pursue "potentially responsible parties" instead of actually cleaning up toxic waste sites.

An ozone depletion scare whose purported effect—increasing incidence of dangerous ultraviolet B at ground level—turned out to be unsupported by evidence.

A global warming hysteria, based on speculative computer models instead of actual temperature data, to justify a treaty to impose federal and international taxes, rationing and prohibitions on all U.S. carbon-based energy sources.

Ludicrous requirements imposed on the nuclear energy industry, such as requiring massive concrete vaults for the storage of old coveralls and air filters whose radioactivity level a few feet from the container is less than the background radiation produced by ordinary Vermont granite.

Enforcing many of these unsupported policies is a federal and state bureaucracy

eager to deny defendants any semblance of fair play, secure sweetheart consent agreements, and measure their success by fines and jail time imposed—for example, on the Pennsylvania landowner who removed car bodies and old tires from a seasonal stream bed on his land without a federal permit (fined \$300,000).

As Roger Marzulla, a former assistant U.S. attorney general for land and resources, recently put it, “Like the enchanted broomsticks in the story of ‘The Sorcerer’s Apprentice,’ the environmental enforcement program has gotten completely out of control.”

Fortunately, a common-sense, fair play, rights-respecting alternative environmental movement has begun to appear. On Earth Day 1999, its member groups—as many as a hundred state and national organizations—are celebrating “Resourceful Earth Day.” Their alternative is based on a remark made by Henry David Thoreau, who said, “I know of no more encouraging fact than the unquestionable ability of man to elevate his life by conscious endeavor.”

The astonishing growth of science and technology in the past 30 years has proven over and over again that human ingenuity can and will rise to overcome every environmental challenge. Today’s energy sources are far cleaner and more efficient than those of 1970, and even more pollution-free new energy devices are emerging from laboratories. New cars today, fueled with improved gasoline, produce 2 percent of the pollution of 1970 cars. Cost-effective resource recovery of everything from aluminum to methane, has made giant strides. Microsensors, global positioning satellites, and tiny computers allow farmers to dispense just the right concentration of fertilizer on every square yard of a field.

The friends of the “Resourceful Earth” believe in progress, not just to make and consume more stuff, but to protect our Earth as well. The tide is with them, and as their creative optimism prevails the better off Mother Earth—and its people—will be.

84TH COMMEMORATION OF  
ARMENIAN GENOCIDE

SPEECH OF

**HON. BOBBY L. RUSH**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 1999*

Mr. RUSH. Mr. Speaker, today I rise to remember a sad day in the world’s history. Many of you may not remember this, but this year marks the eighty fourth anniversary of the Armenian genocide. During World War I, at least one million Armenians were killed in the Ottoman Empire between 1915 to 1923.

The brutal treatment that the Armenian people have suffered must never be repeated or forgotten. As a nation, we must never again allow a madman to exterminate an entire race of people to further his political ambitions. Every person and every race has a right to be free and safe in his own home. Those who commit these atrocities are criminals and must be tried for crimes against humanity.

Today as we remember the Armenian genocide, it is with sadness that we again witness a genocide of another race, the Albanian Kosovars. Unlike the Armenian genocide, I am proud to say that the United States and its NATO allies have learned from the past and are taking strong actions to halt the inhuman actions of Slobodan Milosevic and his minions

who so eagerly engage in these atrocious crimes against humanity.

Through the blood of their ancestors, the Armenian people have struggled for their independence. In 1991, Armenia became a sovereign state. I know that the Armenian people and the Armenian-Americans are proud of their state and will forever remember the hardships that they, as a people, have endured to gain their freedom and independence.

On this very somber day, I feel very strongly that we can perform no greater act of remembrance than to express our strong conviction to never again allow genocide to go unchecked in this world and to state unequivocally that the U.S. and its NATO allies will stop at nothing to end the slaughter in Kosovo. We owe at least this much to the memory of the Armenian victims of the Turkish genocide of the First World War.

MEDICARE COVERAGE OF  
DIABETIC RETINAL EXAMS

**HON. FORTNEY PETE STARK**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 22, 1999*

Mr. STARK. Mr. Speaker, on Monday, April 19, the Washington Post ran a story about the failure of Medicare beneficiaries to get adequate preventive care. The article was based on a recent study by Dr. John Wennberg of the Dartmouth Medical School. Dr. Wennberg found that the level of retinal eye exams for Medicare beneficiaries with diabetes—so very important for helping prevent blindness in diabetics—was abysmally low. Only 43–45 percent of Medicare beneficiaries with diabetes received this critical service.

One reason this important test is not provided more frequently is that, unfortunately, Medicare does not cover this service or pay doctors to do it.

We should.

Today, I am introducing legislation to rectify this omission and add this service to the list of preventive care benefits covered by Medicare—the “Medicare Diabetic Eye Exam Act of 1999.”

Diabetes affects over 16 million Americans, and over 150,000 die from diabetes and its complications each year. Individuals of African, Asian, and American Indian descent are particularly vulnerable to this disease. Most of the morbidity and mortality of diabetes is due to the complications associated with the disease, including blindness, kidney failure, nerve damage, and cardiovascular disease.

Diabetic retinopathy is the leading cause of blindness in the United States. Studies show that many of the complications of diabetes can be slowed or even prevented by better management of the disease, including regular eye examinations. Studies show that a periodic dilated eye exam is cost-effective in reducing the burden of diabetic retinopathy and blindness.

The Diabetes Quality Improvement Project (DQIP) is an effort to recommend a set of diabetes-specific performance and outcome measures that health plans and providers can use in treating patients with diabetes. DQIP began under the sponsorship of the American Diabetes Association, Foundation for Accountability, Health Care Financing Administration,

National Committee for Quality Assurance, and joined by the American Academy of Family Physicians, American College of Physicians, and Veterans Administration. HCFA is asking Medicare+Choice plans to use the DQIP measures this year in improving their care of diabetic Medicare beneficiaries enrolled in the plans.

One of the measures contained in DQIP is retinal eye exams. DQIP recognizes that the dilated eye exam may not be necessary for everyone every year, and has developed a risk stratification scheme to guide plans and providers in determining frequency of providing the test.

It is inexcusable that Medicare does not provide coverage and payment for this test that is so critical in preventing blindness. If we expect Medicare+Choice plans to provide this test, we should also provide payment for it. And we should provide payment for it in traditional fee-for-service Medicare, as well.

Following is a copy of my bill. I urge that we add this provision to whatever Medicare bill is enacted by this Congress.

THE EARTHQUAKE HAZARDS REDUCTION AUTHORIZATION ACT OF 1999

SPEECH OF

**HON. GARY G. MILLER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 1999*

Mr. GARY MILLER of California. Mr. Chairman, yesterday afternoon, I was unavoidably detained and was unable to make it to the House floor to vote in favor of H.R. 1184, The Earthquake Hazards Reduction Authorization Act of 1999 (rollcall vote No. 95). That is why I rise today to publicly submit my support for this important piece of legislation.

H.R. 1184 will do volumes to help prevent property damage and save lives that result from future earthquakes in the United States—with the ultimate goal of actually predicting seismic activity. The more we understand this natural phenomena, the more we can structure safety mechanisms to keep our communities safe during earthquakes.

I am very pleased that H.R. 1184 passed by such a large margin yesterday. Once again, I regret that I could not be here to lend my additional support. I look forward to witnessing the many scientific advances and future successes which will result from this legislation.

OREGON SCHOOL KIDS StRUT  
THEIR STUFF

**HON. DAVID WU**

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 22, 1999*

Mr. WU. Mr. Speaker, Students Recycling Used Technology (StRUT) started in June 1995 with the goal of giving Oregon students the technical and business management skills they need for the next century. Over the next two years, four schools in my district: Forest Grove, Hillsboro, Tigard and Sherwood High School, refurbished 1,200 computers and donated them to local schools. This gave the students a working knowledge of computers and