

EXTENSIONS OF REMARKS

BUDGET QUAGMIRE IS HURTING OUR AIR TRAVEL SYSTEM

HON. TONY COELHO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. COELHO. Mr. Speaker, on April 9, the House passed a budget resolution that would essentially mandate a freeze on aviation spending at a time when many of us are being critical about problems in our national transportation system. There is increasing public dissatisfaction about traffic delays and lagging investment in airport and airway improvements. It is apparent that the aviation trust fund is being rendered virtually useless by the budget quagmire. Unfortunately, we have been arguing over these same problems since 1970 when the trust fund was first established.

There is a broad consensus in this body and among the aviation community that vital improvements in the system are needed and there are ample resources to get the job done. I would like to call attention to a recent letter I received from an important coalition of aviation organizations, as well as a recent speech my friend, NORMAN MINETA, chairman of the Subcommittee on Aviation, gave before the Electronic Industries Association.

The users of the national aviation system are paying their share, yet there is a huge, uncommitted trust fund surplus of some \$5 billion. We are breaking the faith with millions of air travelers if we do not utilize money that is sitting idle to support the action necessary to enhance the safety, capacity and efficiency of our air travel system in order to meet the burgeoning demand.

APRIL 17, 1987.

DEAR REPRESENTATIVE: Last week the House adopted a budget resolution effectively mandating a freeze in aviation spending levels for Fiscal Year 1988. This happens at a time when the air transportation system's needs are at their greatest, and while there is a huge uncommitted surplus in the Aviation Trust Fund.

As representatives of the aviation community, including air carriers, airports, general aviation, state aviation officials, and aviation manufacturers, we urge you to lend your support for improving the capacity and efficiency of the airport and airway system. At a time when many in Congress are critical of an overburdened and undermanned airport and airway system, it seems unconscionable for Congress to fail to take the opportunity to improve the system by providing readily available user-fee money for vital projects.

The House-approved Airport Improvement Program (AIP) spending assumption of just over \$1 billion is approximately \$500-800 million too low, and the proposed Facilities and Equipment (F&E) spending level of less than \$800 million is barely half of what is urgently required.

Airline passengers, shippers and general aviation users have paid billions of dollars

into the Aviation Trust Fund with the understanding that Congress will support capacity enhancements and modernization efforts with that money. Currently, the unobligated surplus in the Aviation Trust Fund stands at more than \$5 billion.

The users of the system are paying their fair share and are demanding that system improvements be funded and implemented promptly. Congress holds the purse strings and will ultimately determine whether our air transportation system is forced to sit and wait at the gate or be improved as the nation requires. We urge you to join efforts that will assure the necessary funding to improve aviation system safety, capacity and efficiency.

Respectfully,
Aircraft Owners & Pilots Association, Airline Pilots Association, Airport Operators Council International, Air Traffic Control Association, Air Transport Association, Allied Pilots Association, American Association of Airport Executives, Experimental Aircraft Association, General Aviation Manufacturers Association, National Aeronautic Association, National Air Transportation Association, National Association of State Aviation Officials, National Business Aircraft Association, Regional Airline Association.

REMARKS OF HON. NORMAN Y. MINETA

It is indeed a pleasure to meet with the Air Traffic Control Committee of EIA again. Your meetings today come at a very appropriate time, and will be an important contribution to the debate and discussion on the future of the nation's aviation system.

The Congress, the FAA and the industry are at a crucial juncture with respect to the Trust Fund and the National Airspace System Plan. Over the next several months, decisions will be made with respect to the nation's aviation programs that will put us either on a course that addresses the all-too-obvious problems in our aviation system or on a course of neglect and muddling through. I would like to discuss some of these decisions with you today.

As you all are aware, the Trust Fund authorizations will expire in September. I believe it is extremely important to have an authorization in place at that time for the next five years because with this legislation Congress will be charting a course and making a commitment as to what the future system will be like.

The initial readings from the Budget Committees, however, do not provide much hope or optimism as to what the future will be like. As the Budget Committees work on the FY 88 Budget Resolution, they are developing scenarios for spending freezes and reductions in government programs, including the aviation programs. In the preliminary discussions so far, there is the good news/bad news story. First, the good news: Aviation is being considered an "essential" government activity. The bad news: The best, I emphasize "the best", an "essential" government activity can expect under the Budget Committee's current thinking is a freeze at the "current services" level. If the "best" does not happen, varying percentage reductions can be expected.

The hearings the Aviation Subcommittee held on March 5 on the National Airspace System Plan indicated that many of the NAS Plan projects will be ready for implementation in FY 1988. We are all aware of the delays many of the NAS Plan projects have experienced. The delays are attributable to a number of factors, including technical difficulties, contractors not performing, overly optimistic schedules, and funding difficulties. On average, many of the programs have suffered two and three year delays. As exasperating as this has been, for many programs these technical and contractor problems are coming to a close.

FAA told us that we have reached the procurement points on the timelines in many of the NAS Plan projects. The research and development is pretty much over with, and it is time to gear up the production lines. FAA estimates that \$750 or \$800 million alone are required to just maintain current production lines.

FAA believes, and I must note the Administration supports FAA on this point, that \$1.35 billion is needed next year. \$1.5 billion in FY 1989, and \$1.74 billion in FY 1990 to implement the NAS Plan. Even Secretary Burnley of the Department of Transportation, who is no friend of aggressive funding of these programs, realizes there are no more management tricks and gimmicks left. We have reached the crucial procurement decision point in many of these programs; we either plunge ahead, or we pull over to the side and stop.

What does a "current services" budget mean for the NAS Plan? I remind you, current services are the best we can hope for under the Budget Committee discussions thus far. Current services means, in essence, this year's funding level of approximately \$800 million, for the NAS Plan in FY 1988. As I see it, this level of funding roughly corresponds to what is needed to simply continue existing production lines FAA described in their testimony before the Subcommittee.

If your company is anticipating beginning production on a NAS Plan component next year, you are obviously in trouble. But it goes further than that. Since FAA probably would not make a choice to simply continue the current procurements at the near-complete expense of new procurements, I would suspect that in order to get some of the new procurements moving, some of those currently underway would be slowed considerably, if not halted.

These funding problems would have consequences for the NAS Plan beyond simply putting off until some point in the future when a particular system will be brought on line. As you know, the NAS Plan is approximately 90 distinct projects, but it is also a Plan to integrate all of those systems. There are approximately 400 different system interfaces among the NAS Plan components.

Ensuring that all of these interfaces work and are ready on the appropriate timetable is a monumental task in and of itself. But think what happens to that interfacing schedule when a budget decision is made to cut NAS Plan implementation by 40% or 50%. It means that the procurements that

● 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.

continue would, in many cases, have no place to be hooked up to because other aspects of the system have been left out for budget reasons. Cuts of this magnitude will translate into stockpiles of some equipment waiting for the other equipment to move into production. For the most part the NAS Plan components are not stand alone systems. They are parts of a larger whole. Budget reduction of the magnitude being discussed do not recognize this, and the consequences will be very significant in terms of cutting the benefits being realized.

People such as yourselves can look at these matters with a certain amount of alarm from just your own companies' perspectives. Anticipated revenues will not materialize. Your business plans will be sent packing. Decisions on layoffs and staff reductions will be forthcoming.

I am particularly distressed at what happens when a team of people that have been assembled by a company to develop a particular system must be disbanded for budget considerations. Even if a later decision is made to reinstitute a program after it has been scuttled, a great deal of damage has been done. You know as well as anyone that systems such as these are team efforts within your companies. If the team is broken up and the engineers and technicians go elsewhere, a great deal is lost beyond the technical capabilities of the individuals involved. The learning curve is lost; the efficiencies of communication with other team members in a kind of shorthand is lost. This is what budget cuts mean. The costs go far beyond repaying the immediate dollars saved.

Though the impact on the FAA and the industry of budget policies of the sort I am talking about today are important, we must all look at what it means for the public and the economy as a whole. The inconvenience and aggravation associated with delays in the ATC system will only mount under a current services budget approach.

Airline passenger traffic is growing. New traffic records seem to be routinely set every month. Most estimates for the future, both public and private, see another 50% on top of the approximately 415 million passengers carried in 1986 by the mid-1990's.

This means that if current services becomes the NAS Plan's benchmark, many people who wish to fly simply will not be able to fly. They will be grounded because the system will not be able to accommodate the airplanes they would be flying on. This sort of stagnation will impact far beyond the airline industry. All sectors of our economy would be affected by such a grossly inefficient and inadequate air travel system.

We must also consider the safety impact of adopting a current services approach to the other aviation programs. As we have seen over the past year, the airlines' response to the delays has been to advocate reducing the limits on the number of aircraft handled by controllers. Because of shortages in the controller workforce and overburdened equipment, FAA for the past several years has had a policy of holding aircraft on the ground, as opposed to permitting airborne holding. FAA acknowledges this is inefficient in some respects. However, because of the system's staffing and equipment shortcomings, it is necessary for safety reasons.

FAA has come under tremendous pressure on this from the airlines to accommodate airborne holding and making other changes. In some instances changes in procedures, such as the East Coast Plan, have provided

some relief without generating safety problems.

FAA should be constantly reviewing and evaluating their procedures to improve safety, capacity, and efficiency, but we must recognize that as the system is increasingly unable to accommodate demand, there will be increasing pressures to accommodate that demand irrespective of staffing, equipment or procedural changes. You can be sure that everyone will say that "safety" is their top priority, but the pressures will be to put more airplanes into an antiquated system. From time to time the pressures to accommodate that demand will prevail and the safety margin may be narrowed.

There is a more basic sense in which the failure to modernize the system will have a safety impact. Many key elements of the ATC system are increasingly costly to maintain, while at the same time budget pressures on the personnel side are forcing reductions in the FAA facilities maintenance workforce. Outages of equipment appear to be on the increase and preventive maintenance is on the decline. As an example, early this year the Denver enroute center's computer was down for two weeks. This meant that the controllers had to use antiquated procedures and techniques to separate aircraft.

When equipment goes down FAA can try to preserve safety by slowing the system down, but there is no question in my mind that when vital equipment cannot be used, the situation is less than optimal from a safety standpoint. Safety dictates that we modernize. Efficiency and capacity are not the only issue.

In short, the ATC system needs to be modernized, and the time to do it is at hand. But unless some fundamental changes are made to the way we treat the aviation programs in the budget and appropriations process, this may not happen.

I and others on the Committee on Public Works and Transportation would like to see the user financed transportation Trust Funds taken "off-budget." I am sure you have heard that term. Without going into the labyrinthian budget process and the Alice-in-Wonderland-World of Gramm-Rudman-Hollings, "off-budget" means that the Aviation Trust funds programs would not be put into competition for limited funds with other transportation programs. The Trust Fund programs would be judged on their own merits and not traded off to accommodate unrelated needs supported more appropriately by the general taxpayer or other Trust Funds users.

The Aviation Trust Fund does not need to be subject to the constraints of the general budget. Under the Trust Fund legislation, aviation users contribute more than enough revenues to support full funding of Trust Fund programs. It is unfair to the users to refuse to spend all revenues to produce a surplus in the Trust Fund to offset deficits in the rest of the budget. By the end of the current year, \$5-6 billion in uncommitted funds will have accumulated in the Trust Fund. Under current funding levels, the user taxes are generating \$1.2 billion per year in excess of the program's level of funding.

It is difficult to predict how this will break as the process goes forward. I will be looking for an opening or an opportunity to achieve an "off-budget" approach to the Aviation Trust Fund. Without it, we are going to be in an increasingly difficult bind.

I want to assure you that I am not going to leave any stone unturned in this effort. If

the Committee needs a waiver by the Budget Committee to bring adequate funding of these programs to the floor, I will be fighting for it. If we need a special rule from the Rules Committee, you'll find me at the Rules Committee. I will be testifying before the Appropriations Committee. Let me ask all of you to also enlist in the effort. We need your help as well as your industry's knowledge and expertise in the debate.

Again, thank you for the opportunity to join you today. I look forward to working with you. We really will need all of you to play a very aggressive role in the months ahead.

DESIGNATING LEYTE LANDING DAY ON OCTOBER 20, 1987

HON. LEON E. PANETTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. PANETTA. Mr. Chairman, I rise today to introduce a joint resolution to designate October 20, 1987 as "Leyte Landing Day." This will mark the 43d anniversary of the allied forces' return to Leyte in the Philippines to fulfill a national promise and liberate the Philippine people from Japan. Gen. Douglas MacArthur led 420 transports carrying 165,000 men of the U.S. 6th Army and 157 warships manned by 50,000 sailors who fought at Red Beach and represented the largest operation yet conducted in the Pacific war. Through the combined efforts of the Philippine scouts and the allies the Japanese forces were defeated and the direction of World War II changed.

The events which occurred at Leyte between 1944-45 have not received much deserved recognition. The Leyte landing was as important in the events of World War II as were the events at Normandy on D-day, but I am sure you will agree the recognition of these two events has not been comparable. The Philippine scouts fought bravely alongside with the United States Army to defend the vital military and strategic American bases in the Pacific.

In the past the Leyte landing has been commemorated by ceremonies in various parts of the country including California. However, I believe it is time for national recognition of this important event in U.S. history. The dedication and sacrifice endured by these men during World War II should not be forgotten. I urge my colleagues to support this legislation to designate a day for national observance of the return to Leyte.

H.J. RES. 256

Whereas October 20 marks the anniversary of the landing of allied forces on Leyte Island in the Philippines;

Whereas the allies' courageous return to the Philippines fulfilled a solemn national promise to liberate the Philippine people from the Japanese empire;

Whereas the 420 transports, carrying 165,000 men of the United States Sixth Army, and the 157 warships, manned by 50,000 sailors, which fought at Red Beach represented the largest operation yet conducted in the Pacific War; and

Whereas the combined efforts of Philippine Scouts and allied forces resulted in the eventual defeat of the Japanese forces and

changed the direction of the war in the Pacific: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That October 20, 1987, is designated as "Leyte Landing Day", and the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe such day with appropriate ceremonies and activities.

A CONGRESSIONAL SALUTE TO LE ROY BORCHARDT

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. ANDERSON. Mr. Speaker, it is an honor for me to pay tribute to Le Roy Borchardt, a man who has devoted a lifetime of service to his country and community.

Le Roy honorably served for 33 years in the U.S. Navy. He has spent the last 6 years at Lakewood High School as the assistant NJROTC naval instructor, a position he continues to hold. Also, Le Roy heads the outstanding silent drill team at the high school; a team which executes its maneuvers without verbal commands. He has indeed brought great honor to his campus.

Le Roy has been an active supporter of the Boy Scouts of America. He has provided surplus training manuals to the Sea Explorers and is now arranging for surplus uniforms to be delivered to the girl members. This past Thanksgiving, Le Roy spent the holiday apart from his family so as to be a judge in the 1986 Sea Explorers Rendezvous.

Mr. Speaker, Le Roy Borchardt has been a positive force in our community. He has been a strong supporter of the drug suppression task force of Lakewood High School. He has been, and continues to be, a source of encouragement for his fellow teachers, students, and citizens.

My wife, Lee, and I join in commending and congratulating Le Roy Borchardt at this NJROTC inspection and awards ceremony. We wish him, his wife Susie, and his two sons, Barry and Gary, continued success and happiness in the years ahead.

THE RURAL LETTER CARRIERS TAX SIMPLIFICATION ACT OF 1987

HON. RONNIE G. FLIPPO

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. FLIPPO. Mr. Speaker, I am pleased to introduce today on behalf of myself and 82 other Members of the House including 30 members of the Ways and Means Committee, the Rural Letter Carriers Tax Simplification Act of 1987.

The purpose of this bill is to provide for the fair and equitable tax treatment of the equipment and maintenance allowance payments [EMA] received by the rural letter carriers.

Every weekday and each Saturday the 70,000 rural letter carriers drive 2.4 million miles over 41,571 U.S. Postal Service mail routes to deliver the mail to 15 million families living in rural America. These mail carriers do more than just deliver the mail. They operate as a post office on wheels, providing all the services of a local post office including stamps, parcels, express mail, registered mail, certified mail, and money orders.

In addition to providing the full range of postal services to their customers, the rural letter carriers differ from their urban counterparts in the Postal Service in other important aspects of their jobs. The salary paid to the rural letter carrier is based on different factors than that paid to the urban carrier. The salary of the rural letter carrier is based on a combination of the volume of mail delivered, the number of boxes on a route and the length of the route. The pay system is clearly production oriented.

No two rural mail routes are identical. They vary according to length, the volume of mail and the number of stops. The average rural route is 62 miles in length and has 440 mailbox stops. The routes range in length from the 2.25-mile route in Waplingers Falls, NY, to the longest route of 167.15 miles in Georgewest, TX.

The salaries paid to rural letter carriers range from \$5,000 to \$30,000 depending on the route and the length of service. The beginning salary for a 40-hour week is around \$16,000. The average rural carrier reaches the top salary grade after 10.5 years of service. The carrier serving the national average route would receive \$24,889 for a 40-hour week.

The chief distinction between the urban and rural carrier is that the rural carriers use their own vehicles to deliver the mail. The rural carriers have always used their own vehicles to deliver the mail. This policy has been in effect for more than 80 years. Congress approved this system for the simple reason that it was more efficient and cheaper than maintaining a fleet of Government-owned vehicles throughout rural America. Under this policy the Postal Service is relieved of the responsibility of making a huge capital expenditure for motor vehicles and the small local post offices are relieved of the responsibility of maintaining and repairing a fleet of vehicles.

Each rural letter carrier is responsible for purchasing, equipping and maintaining a vehicle for use in delivering the mail. It is the sole responsibility of the rural carrier to modify or specially equip the mail delivery vehicle to withstand the rigors of country roads, frequent stops and starts, heavy loads and, in many sections of the country, severe weather conditions. The frequency of stops, rural road conditions, and weather greatly affect the cost of operating and maintaining the delivery vehicle. Almost every carrier has a backup vehicle for use when the primary vehicle is out of service.

The U.S. Postal Service provides the rural letter carriers an allowance for equipping and maintaining their own vehicles for use in delivering the mail. This is the so-called EMA payment. This payment is based on the length of the route. I want to emphasize that the rural routes are precisely measured and certified by each local postmaster. Unlike the individual businessman in the private sector, the rural

letter carrier does not calculate his or her mileage and submit a request for reimbursement. And, no financial consideration is provided the rural carrier for a maintaining backup vehicle except for actual route usage.

The first EMA payment of 4 cents per mile was authorized by Congress in 1925. In subsequent years, up to 1970, the EMA was changed by act of Congress almost on an annual basis.

Public Law 91-375, enacted in 1970, converted the Post Office Department into an independent establishment of the executive branch of Government. Since that time, the EMA payment has been determined through the collective bargaining process.

The EMA payment is currently 29.5 cents per mile. The EMA is tied to a number of factors reflecting the cost of maintaining a vehicle used daily. The price of gasoline, of course, the predominant factor in this formula. The EMA payment moves up or down by one-half cent with every 4-cent change in the price of a gallon of gasoline. The payment is subject to review every 90 days.

Last year, that total EMA payments to all rural letter carriers amounted to \$241 million. This averages around \$5,800 per route. This figure does not represent payment per carrier because each route is different and all carriers have a relief or substitute who works the sixth delivery day each week and vacation and sick days.

The rural letter carriers provide a unique and valuable public service. No one could argue that they are overpaid. After all, their salary schedules is linked to production. Likewise, it would be difficult, if not impossible, after examining all the facts, to argue that the EMA payments represent a windfall or for that matter, income to the carrier.

The rural carriers are required to account for their business expenses just like all other taxpayers. Just like any other taxpayer, the rural carrier may follow one of two options in accounting for business expenses for income tax purposes. The rural letter carrier may deduct ordinary and necessary expenses paid or incurred in carrying on a trade or business. In addition the carrier is entitled to claim depreciation expenses for property used in his or her trade or business. This means that the carrier may use the modified accelerated cost recovery system in calculating depreciation expenses provided that the vehicle is used more than 50 percent for business purposes. In certain situations the carrier cannot meet the 50-percent test and must use an alternative depreciation schedule which is essentially a straight line depreciation calculation.

In lieu of a deductions for depreciation or actual expenses of operating an automobile, the carrier may elect to compute the deduction for the business use of an automobile by using the standard mileage rate established by the Internal Revenue Service. The standard mileage rate is 21 cents for the first 15,000 business miles and 11 cents per mile for every business mile in excess of 15,000 miles. The average rural letter carrier drives 18,500 miles per year delivering the mail.

If the carrier claims a deduction based on the standard mileage allowance or for operating expenses and an allowance for deprecia-

tion, the carrier must include EMA payments in taxable income.

The tax treatment of the vehicle expenses of the rural letter carriers is unfair. The carriers are unable to fully deduct the legitimate expenses of equipping and maintaining an automobile for use in delivering the mail throughout rural America. The EMA payments received by the rural letter carriers is fully taxed as income. The Tax Code simply does not recognize that the rural mail delivery systems helps reduce the overall cost of operating the U.S. Postal Service. And, the Tax Code fails to recognize the extraordinary costs of maintaining a vehicle used every day and subject to heavy loads, frequent stops and starts, harsh road conditions and severe weather.

This has not always been the case. For almost 30 years the rural letter carriers were provided a special rule for use in computing their deductions for automobiles used in delivering the mail. In 1956, the Director of the Audit Division of the Internal Revenue Service authorized a special rule and form for the rural letter carriers to use in filing their taxes. The special rule allowed the rural letter carriers to multiply their business mileage by a factor ranging from 1.5 to 2 in computing allowable deductions. The mileage factor represented the ratio of the cost of driving 1 mile on a rural mail route as compared with the cost of driving 1 mile for average personal use. The factor was determined by consideration of the substandard road conditions, the number of stops per mile, and general climatic conditions. The general average factor was 1.5.

The rural letter carriers also relied on a number of specific revenue rulings over the years that recognized their special needs. Revenue Ruling 58-453 held that an employee who was paid for ordinary and necessary expenses incurred for travel, using a fixed mileage allowance authorized to be paid by the Federal Government in a locality in which the travel is performed, will then be deemed to have been required to account to his employer for such expenses.

Revenue Ruling 60-282 amplified the 1958 ruling and mentioned favorable rulings issued in 1941 and 1955. This ruling stated:

In view of section 1.162-17(b) of the regulations and Revenue Rulings 58-453, it is held rural letter carriers are considered as having accounted to their employers for their business expenses for the purposes of section 1.162-17(b) of the regulations. No accounting will be required on their Federal income tax returns for such allowances or the expenses covered thereby if the total amount of the allowances does not exceed such expenses.

In late 1984, the Internal Revenue Service informed the rural letter carriers that they would no longer permit to use the special mileage factor and the special form approved for their use in 1956. The IRS claimed that the special formula and form were no longer necessary due to the publication of a general allocation method that assigns equal weight to business and personal miles and the adoption of the standard mileage allowance. In short, the IRS changed the rules of the game without advanced notice and, to rub salt in the wound, immediately began to apply the new rules retroactively to tax years 1981, 1982,

and 1983. The wholesale audit of the returns of the rural letter carriers for the years 1981 through 1984 was halted by the Committee on Ways and Means in the spring of 1985.

Now it is time to provide for the fair and equitable tax treatment of the EMA payments received by the rural letter carriers. The bill we are introducing today would achieve this goal. The bill would permit a rural letter carrier to use either the standard mileage allowance or claim a deduction based on actual expenses plus accelerated depreciation. If the rural letter carrier decides to use the standard mileage allowance and most do, he or she may claim a deduction equal to 150 percent of the otherwise allowable deduction. This 150-percent rate would apply to all miles the vehicle is used to deliver the mail, whether or not the total exceeds 15,000 miles per year or 60,000 miles over 4 years. Thus, if the general standard mileage rate is 21 cents per mile, 150 percent of that rate would be 31.5 cents per mile.

If the rural letter carrier does not choose to use the standard mileage rate, he or she may base the business expense deduction on actual expenses using the modified accelerated cost recovery system. The bill would set aside the limitations imposed in section 280F(b) of the Code. Section 280F(b) limits the use of accelerated depreciation to vehicles used 50 percent or more in the taxpayers trade or business.

The limitations of section 280F(b) regarding the use of accelerated depreciation are particularly unfair to a few rural letter carriers, located primarily in the Western Plain States, who live a considerable distance from their post office. The daily drive to pick up the mail and return home is not deductible as business miles. If a carrier in Montana lives 30 miles from the post office and has an average route of 62 miles, that carrier could not use the modified accelerated cost recovery system in calculating depreciation expenses. This bill addresses this problem equitably.

I urge my colleagues to support fair tax treatment for the 70,000 rural letter carriers. These distinguished Americans are not asking for preferential treatment under the Tax Code. The enactment of this bill would not necessarily lead to an increase in the after tax income of the average rural letter carrier. The passage of this bill would ensure, however, that the rural letter carriers are no longer subsidizing the U.S. Postal Service.

The rural letter carriers provide a unique service under unique conditions. They deserve our support. I urge my colleagues to support this bill.

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 "Rural Letter Carriers Tax Simplification Act".

SEC. 2. BUSINESS USE OF AUTOMOBILES BY RURAL MAIL CARRIERS.

(a) GENERAL RULE.—In the case of any employee of the United States Postal Service who performs services involving the collection and delivery of mail on a rural route—

(1) such employee shall be permitted to compute the amount allowable as a deduction under chapter 1 of such Code for the use of an automobile in performing such

services by using a standard mileage rate for all miles of such use equal to 150 percent of the basic standard rate, or

(2) if the employee does not use such standard mileage rate, section 280F(b) of such Code (relating to limitation where business use of listed property not greater than 50 percent) shall not apply to any automobile used in performing such services.

(b) SUBSECTION (a)(1) NOT TO APPLY IF EMPLOYEE CLAIMS DEPRECIATION DEDUCTIONS FOR AUTOMOBILE.—Subsection (a)(1) shall not apply with respect to any automobile if, for any taxable year beginning after December 31, 1986, the taxpayer claimed depreciation deductions for such automobile.

(c) BASIC STANDARD RATE.—For purposes of this section, the term "basic standard rate" means the standard mileage rate which is prescribed by the Secretary of the Treasury or his delegate for computing the amount of the deduction for the business use of an automobile and which—

(1) is in effect at the time of the use referred to in subsection (a),

(2) applies to an automobile which is not fully depreciated, and

(3) applies to the first 15,000 miles (or such other number as the Secretary may hereafter prescribe) of business use during the taxable year.

(d) EFFECTIVE DATE.—The provisions of this section shall apply to taxable years beginning after December 31, 1986.

NATIONAL DIABETES MONTH

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. HOYER. Mr. Speaker, I am pleased to introduce along with my colleague, Congressman ALAN B. MOLLOHAN of West Virginia, a joint resolution to designate November 1987 as "National Diabetes Month." This is the fifth consecutive year in which I have had the privilege of sponsoring this legislation and working with the American Diabetes Association in an effort to increase public attention to and understanding of the human and economic costs of diabetes.

I would like to point out to my colleagues that more than 11 million Americans have diabetes. Unfortunately, almost half of these people do not even know that they have this disease. Each year, 500,000 Americans are diagnosed as having diabetes.

Diabetes is a disease in which the body does not produce or properly use insulin, a hormone that is needed to convert sugar, starches, and other food into the energy needed for daily life. Diabetes often leads to serious complications that involve nearly every tissue of the body. When high levels of sugar build up in the blood, the tragic results include heart disease, kidney disease, blindness, nerve damage, and leg and foot amputations from gangrene.

At present, there is no cure for diabetes. As a member of the Subcommittee on Labor, Health and Human Services, Education of the Committee on Appropriations, I am aware of some significant research that has offered exciting progress in treating people with this dis-

ease. Recent advances enabling many to lead longer, healthier lives include self blood-glucose monitoring, pancreas and islet cell transplants, oral medications, laser therapy to prevent diabetes-caused blindness, and new insights into the dietary requirements of people with diabetes. With continuing scientific and medical breakthroughs, there is a possibility that biomedical research may lead to an eventual cure for this life-threatening disease. Indeed, there are grounds for optimism that one day we might have a vaccine to prevent diabetes in children.

The dangerous toll of diabetes should be troubling to us all. Each year, about 300,000 people die as a result of diabetes and its complications. Also each year, 5,000 people lose their sight because of diabetes. The primary cause of new blindness in people between the ages of 20-74 is diabetic eye disease. Ten percent of people with diabetes develop some form of kidney disease. This includes end-stage kidney disease where a person requires dialysis or a kidney transplant to live. Nearly 25 percent of all new dialysis patients are people with diabetes.

About 45 percent of all nontraumatic leg and foot amputations in the United States are due to diabetes. People with diabetes are two to four times more likely to have heart disease and two to six times more likely to have a stroke than people who do not have diabetes.

Diabetes is particularly prevalent among black Americans, Hispanic Americans, native Americans, and women. In fact, 20 percent of all people with diabetes are either black or Hispanic. The rate of noninsulin dependent diabetes is 33-percent higher in blacks and 300-percent higher in Hispanics. Over 20 percent of adults in some native America Indian tribes have diabetes.

Annually, the direct and indirect costs for health care, disability payments, and premature mortality for diabetes total more than \$14 billion. Diabetes accounts for 3.6 percent of the total health care costs in the United States.

Mr. Speaker, by designating November 1987 as "National Diabetes Month," this Congress can play an important role in encouraging understanding and awareness of the tragic consequences of diabetes. I sincerely urge the speedy adoption of this joint resolution.

H.J. Res. 254

Whereas diabetes with its complications kills more people than any other disease except cancer and cardiovascular disease;

Whereas diabetes afflicts 11,000,000 Americans of whom 5,000,000 are not aware of their illness;

Whereas diabetes costs the Nation more than \$14,000,000,000 annually in health care costs, disability payments, and premature mortality costs;

Whereas up to 85 percent of all cases of noninsulin dependent diabetes may be prevented through greater public understanding, awareness, and education;

Whereas diabetes is particularly prevalent among black Americans, Hispanic Americans, native Americans, and women; and

Whereas diabetes is a leading cause of blindness, kidney disease, heart disease, stroke, birth defects, and lower life expectancy, incidences of which may be reduced through greater patient and public education about diabetes; Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the month of November 1987 is designated as "National Diabetes Month". The President is authorized and requested to issue a proclamation calling upon the people of the United States to observe such month with appropriate ceremonies and activities.

SOCIAL SECURITY PROCEDURAL IMPROVEMENTS ACT OF 1987

HON. BILL ARCHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. ARCHER. Mr. Speaker, yesterday I introduced H.R. 2117, the Social Security Procedural Improvements Act of 1987, a bill I initially introduced in the 99th Congress. The past year, intervening events have strengthened my conviction that the three main provisions of this bill are necessary. Those three provisions would: First, liberalize the criteria under which the Secretary of Health and Human Services could federalize State agencies, which make disability determinations for social security; second, eliminate the Appeals Council and the review performed by it; and third, create a Social Security Court, a proposal first advanced by my colleague JAKE PICKLE.

At the time I introduced the original bill, in March of 1986, the Justice Department also expressed interest in a specialized court, modeled on the Tax Court. The concept of such a court drew criticism in this body and in the press. Therefore I would like to devote the major portion of my remarks to that provision.

Let me emphasize that my interest in creating a Social Security Court is based on my desire to achieve consistent, uniform and more expert handling of court cases than the current Federal court system can provide. I believe some background would be useful in understanding the current problems.

Some of you will recall that acquiescence was a thorny issue during the development of the Disability Benefits Reform Act of 1984. In brief, acquiescence requires that the Secretary of HHS accept an appeals court decision within that circuit as a precedent—unless, of course the Secretary is successful in appealing the decision. The focus of the debate in 1984 was the Disability Program. Those who advocated acquiescence were concerned about the need for subsequent plaintiffs to relitigate the same issue within a circuit, because the Secretary had not accepted the initial decision as a precedent. This was a justifiable concern, certainly in view of the numbers of pending disability cases. Nevertheless, at that time I warned of the implications for the retirement and survivor programs. My concern was that national standards would be undermined by conflicting decisions within the 12 circuit courts. I'm sorry to say my fears were warranted.

In January 1986, the Secretary began publishing "Acquiescence Rulings." Since that time 26 rulings have been issued; 21, let me emphasize that 21 have addressed retirement and survivor issues. These issues have includ-

ed eligibility factors for deemed widows; illegitimate children, step-children, posthumous children, and adopted children; presumptive death; and evidence of earnings. I would like to provide some details about these cases which substantiate my concerns.

My first example—actually five decisions—illustrates my concern with uniformity. No fewer than five circuit courts took exception to the Secretary's criteria for making a finding of presumptive death in the case of an individual who has been absent many years without explanation. The courts determined that the Secretary's regulations placed too great a burden of evidence on the claimant. The finding of presumptive death is difficult and sensitive, and in view of the uniformity of these five court decisions, it appears the Secretary should be considering new national regulations. But, wouldn't it be better for all concerned if a Social Security Court had made a decision which was binding on SSA in the first case? Is the purpose of a national program well served by having one standard apply to seven circuits, and a second—with variations—apply to five?

The next example illustrates my concern about the need for more expert handling of court cases. In my view the second circuit was unusually creative in crafting rationale for the payment of benefits to an adopted child in *Damon versus the Secretary of HHS*.

The Social Security Act imposes a strict dependency test on children who are adopted after a worker's entitlement to Social Security benefits. The second circuit circumvented a one-half support requirement in the *Damon* case by determining that the foster care payments made by the State of Vermont were not for the support of the child, but rather became the property of the foster parents, who by using that same income then could claim to be supporting the child. The Secretary acquiesced on May 20, 1986, and now children in Vermont, Connecticut and New York will be treated differently from those in the 11 other circuits. My colleagues, these foster care payments were welfare payments made under title IV of the Social Security Act, which means the payments were made in part with Federal funds statutorily designated for needy children. I cannot believe a Social Security Court—any more than a Tax Court—would so deliberately manipulate a statutory requirement.

Let me provide another example in which I believe a more expert court might have reached a different conclusion. Section 205(c)(4)(c) of the Social Security Act specifies the limited circumstances under which self-employment income may be credited to a worker's account after the statute of limitations expires. The statute explicitly requires that the absence of earnings in the Secretary's records is conclusive evidence that no earnings are creditable unless it is shown that "he filed a tax return of his self-employment income * * *." In the sixth circuit, in the case of *Grigg versus Finch*, the court determined that a form 1099 filed with IRS by a third party was sufficient. Clearly a 1099 does establish income, but it does not establish that income was from self-employment, nor does it result in the payment of SECA taxes. I believe a

Social Security Court would have appreciated the more literal requirement that the taxpayer file with IRS. The immediate outcome of Grigg is that Social Security offices in Michigan, Ohio, Tennessee, and Kentucky must remember to check IRS's files of 1099's, not simply the files of a taxpayer's individual return. This is not an effective way to administer a national program.

At the end of fiscal 1986, the Social Security Administration still had almost 50,000 pending court cases. I fear the further fragmentation of basic evidentiary requirements in the Social Security system. It is for these reasons I urge my colleagues to consider the merits of a Social Security Court. In this context the bill further provides that all appeals from this court would be channeled to the U.S. Court of Appeals for the Federal Circuit, again eliminating the potential for multiple and contradictory court decisions and a variety of highly technical program issues. I think it is important to note that the intent of this provision is not so much to stifle legal interpretation of statutory and regulatory requirements as to quantify those interpretations, so that the issues and costs can be resolved more speedily by the administration and Congress. The bill contains an adequate transitional period and mechanism to process pipeline cases, so those applicants caught in the transition should not be affected adversely.

Now, let me turn to the bill's other two major provisions. First, it permits the Secretary of HHS to federalize State agencies at any time "to assure the effective, equitable and uniform administration of the program." This differs from current law which obligates the Secretary to show that the State agency has substantially failed to make decisions in accord with laws and regulations.

The purpose of this provision is not only to avoid future differences in policy interpretation, but to assure that the Secretary has the authority to federalize the disability determination process whenever federalization would better serve the program.

The States were initially given this responsibility because of their closer links to the medical community—from which reports would be needed—and because of the State link with vocational rehabilitation. Both rationales have been overtaken by program history and are no longer as relevant as the ensuring of effective, equitable, and uniform national administration of the Disability Program.

Let me assure you that this bill provides for fair and equitable treatment of the State employees who may be federalized. The disability determination process requires their continued expertise, and this bill provides an orderly and fair transition to Federal employment, with protection to ensure pay, leave, and pension benefits reasonably equivalent to Federal employees of comparable status. There have been substantive changes in this section of the bill—when compared with the earlier 1986 version—because of the need to accommodate the new Federal employee's retirement system [FERS]. In order that no employee's retirement rights be jeopardized, certain categories of employees would be given options among not only CSRA and FERS participation, but of remaining in the State retirement system. As an aside, let me explain that SSA

already absorbs the State agencies' costs, including retirement contributions for these employees, so federalizing certain State agencies can be done in a cost-effective manner.

Second, it eliminates the Appeals Council, and the review performed by it, which is the third and final administrative appeal. This provision is intended to streamline the entire appeals process, by eliminating a paper review of the decisions of administrative law judges. I believe applicants will benefit by quicker access to the new Social Security Court.

Finally, one of the lesser provisions permits interim payments in those cases, allowed by Administrative Law Judges, which have been selected for review by the Secretary and are still pending after 90 days from the ALJ decision. This provision also was included in H.R. 5050, which the House passed last year. I hope that in one bill or another this small but important equity can be enacted.

SSA actuaries estimate that this interim payment provision would cost roughly \$1 million per year. Actually, I anticipate that the cost would be less because the payments would impose a case tracking and accountability system, which now appears to be lacking. The Office of the Actuary estimated no net costs for the remaining provisions. Personally, I believe national uniformity would produce slight program savings, as well as administrative savings, when compared to the current practice of administering divergent standards among differing circuit courts.

I commend these measures to all of my colleagues, and urge those on the Ways and Means Committee to consider H.R. 2117 as expeditiously as possible.

ARBITRATION AND THE FEDERAL COURTS

HON. ROBERT W. KASTENMEIER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. KASTENMEIER. Mr. Speaker, yesterday I introduced two bills that relate to arbitration and the Federal courts.

My subcommittee—the Subcommittee on Courts, Civil Liberties and the Administration of Justice—has worked hard during the past decade to encourage alternatives to litigation. In 1980 we passed the Dispute Resolution Act which was based, in part, on a congressional finding that "the inadequacies of dispute resolution mechanisms in the United States have resulted in dissatisfaction and many types of inadequately resolved grievances and disputes." My legislation is designed, in part, to reduce dissatisfaction, by improving this Nation's justice system.

I am pleased that the ranking minority member, Mr. MOORHEAD, has joined me as a cosponsor of both arbitration bills. As in many other areas, we will work together to refine and then push forward meritorious proposals.

THE COURT-ANNEXED ARBITRATION ACT OF 1987

First, I introduced H.R. 2127, the Court-Annexed Arbitration Act of 1986. This legislation obviously recognizes the importance of alternative methods of dispute resolution, even those that are court-annexed. At the same

time, because the authorization encompassed by this bill ends after 5 years, it is an example of congressional support for both structured experimentation in the Federal courts and the gathering of empirical information about our justice system.

As my colleagues know, the Federal district courts have experienced a dramatic increase in the number of filed civil cases. For example, between 1960 and 1986 there has been a 280-percent increase in the number of cases filed in the district courts. Unsurprisingly, even though the number of district judges has been increased by Congress during that same period, there still has been a large augmentation in the number of filings per judge at the district court level from less than 400 per judge to near 500.

The caseload crisis could, of course, be ameliorated by the elimination of diversity of citizenship jurisdiction. Such a reform is the single most effective change that could be effectuated for the Federal judiciary. It respects federalism; it equips the Federal courts to confront the budget axe of Gramm-Rudman-Hollings; and it assists not only the trial courts but also the courts of appeals and the Supreme Court.

Although the House has twice passed diversity legislation in the past, such a move appears to be difficult to achieve in the Senate in the light of the entrenched opposition of trial lawyers and their bar associations. As a result, responsible advocates of court reform are obligated to turn to nonjudicial forums of the resolution of disputes. Arbitration is one such alternative.

As Chief Justice Burger said in a speech to the American Bar Association, arbitration is not " * * * the answer or cure-all for the mushrooming caseloads of the court, but is one example of a better way to do it." Long ago, Aristotle observed that " * * * arbitration was devised to the end that equity might have full sway." These words still ring true today.

To date, several Federal courts have experimented with arbitration. While the results of that experimentation have been mixed, in my view, there is adequate justification for continuing the experiment. The bill does, however, require that any further arbitration programs be rooted in express congressional authorization. Therefore, only those districts listed in the bill can engage in arbitration programs. In addition, 10 further districts can be added to the list provided that their arbitration plans are approved by the Judicial Conference to the United States and they are subjected to study by the Federal Judicial Center.

Due to the fact that the proposed legislation authorizes an experiment for a 5-year period, at the end of 4 years the Federal Judicial Center will file a report with Congress on implementation of the legislation and recommendations for legislative change.

The purpose of the authorization and the report is to provide Congress with information that will:

First, describe the arbitration programs as conceived and as implemented in the experimental districts;

Second, determine the level of satisfaction with the court-annexed arbitration programs in each of the experimental districts by court

personnel, attorneys and litigants whose cases have been referred to arbitration;

Third, summarize those program features that can be identified as being related to program acceptance both within and across districts;

Fourth, describe the levels of satisfaction relative to the cost per hearing of each program; and

Fifth, allow a determination to be made whether to terminate or continue the experiment or alternatively, to codify an arbitration provision in title 28 of the United States Code authorizing arbitration in all Federal district courts.

A recent note published by the Institute for Civil Justice, within the Rand Corp., aptly observed:

Despite the attention that the dispute resolution movement has drawn, there has been little systematic study of its outcomes. It is difficult to determine how much implementation there is to back up the rhetoric, what types of procedures have been established, and what has resulted from different approaches. Thus, it is difficult for policy-makers to decide whether they should adopt any of the available approaches and to determine how to design a specific procedure to maximize its potential for producing benefits to the courts, lawyers and litigants.

Hensler, what we know and don't know about court-administered arbitration, March 1986. Many others have expressed support for the proposition that our justice system suffers when we fail to evaluate the effectiveness in meeting clearly enunciated objectives of court reforms.

The bill I introduce today had its genesis in H.R. 4341, which my subcommittee held hearings on during the 99th Congress. I believe that today's version is a great improvement over last year's bill. In large part, refinements and improvements suggested by the Judicial Conference, individual Federal judges, including Judge Robert Peckham and Judge Raymond Broderick, the American Bar Association, and the U.S. Department of Justice have been incorporated in the new text.

In conclusion I hope my colleagues will be supportive of this legislative initiative. I turn now to the second bill (H.R. 2128).

THE COURTS OF APPEALS ARBITRATION IMPROVEMENT ACT OF 1987

One of the most troublesome areas of arbitration practice in the Federal courts has been that of interlocutory appeals. When parties disagree as to whether they have made an agreement to arbitrate, or as to whether a particular dispute falls under such an agreement, a district court may be called on to make various preliminary decisions in the matter. The court may be asked: First, to stay its own proceedings; Second, send the dispute to arbitration if a party to the alleged arbitration agreement has commenced a suit; and Third, to enjoin an arbitration proceeding. There are now no clear standards as to which rulings on these orders can be immediately appealed. Decisions of the courts of appeals regarding their jurisdiction have resulted in a patchwork set of rules, varying from circuit to circuit and not based on uniformly recognized policies.

The confusion in current practice is due in part to the original legislative drafting of the

U.S. Arbitration Act, now codified and enacted into positive law as chapter 1 of title 9 of the United States Code, entitled "Arbitration." Title 9 contained no provisions governing appeals, and the courts found it difficult to characterize for purposes of appeal section 3—relating to applications for stays—and section 4, relating to applications for orders compelling arbitration. The failure to provide any statutory policy as to the granting of injunctions against arbitration was also an unfortunate omission. It left to separate development rules which are inextricably linked to the responsibilities placed on the courts by title 9. By the time the Uniform Arbitration Act was being drafted, the desirability of including a comprehensive section on appeals had become apparent. Congress can solve this drafting problem.

More than three decades ago, the Supreme Court indicated that action by the Congress was needed to bring about rational, orderly solutions in this area. In *Baltimore Contractors v. Bodinger*, 348 U.S. 176, 181 (1955), Mr. Justice Reed—for a unanimous court—concluded that "when the pressure rises to a point that influences Congress, legislative remedies are enacted." Today the need for clarifying action by the Congress has reached a pressure point. The time is ripe for statutory rules to bring order and certainty to this area of practice. The policy decisions to be made are sufficiently clear from a well developed case law on the subject. The primary purpose of the proposed legislation is to clarify and simplify the law relating to interlocutory appeals from arbitration orders and to provide workable standards for adoption by Congress. The amendments bring title 9 substantially into line with provisions of the Uniform Arbitration Act.

To understand why legislative clarification is warranted, one needs to recognize that currently a clear split between the circuits is now in existence. The ninth circuit has held that orders granting or denying stays of arbitration are injunctions and therefore appealable under 28 U.S.C. section 1292(a)(1). The second, third and eighth circuits disagree. The D.C. and seventh circuits have adopted a hybrid approach, finding that while orders granting a stay of arbitration are appealable, those denying a stay are not.

We could wait for the overburdened Supreme Court to resolve the disagreement among the circuits by granting certiorari in an appropriate case. Similarly, we could wait until Congress creates an intercircuit tribunal to receive circuit conflict cases referred to it from the Supreme Court. Realistically, both of these alternatives would take too long. It is time for clarification by the Congress.

In form, H.R. 2128 adds a section 15 to chapter 1 of title 9. In that section, interlocutory appeals are provided for when a trial court rejects a contention that a dispute is arbitrable under an agreement of the parties and instead requires the parties to litigate. In contrast, interlocutory appeals are specifically prohibited in new section 15 when the trial court finds that the parties have agreed to arbitrate and that the dispute comes within the arbitration agreement. In addition, the various categories of appeals, which are regularly characterized as final, are consolidated and restated in sub-

stantially the same form in which they appear in the Uniform Act.

I am gratified that the Judicial Conference of the United States—at its recent meeting in March 1987—endorsed the legislation. Much credit for putting forward this proposal should go to the American Bar Association.

In closing, I urge my colleagues to support both H.R. 2127—the Court-Annexed Arbitration Act of 1987—and H.R. 2128—the Courts of Appeals Arbitration Improvement Act of 1987.

MOBILE TEACHERS RETIREMENT ACT OF 1987

HON. LEON E. PANETTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. PANETTA. Mr. Speaker, today I am reintroducing a measure to correct a long-standing inequity affecting the retirement benefits of teachers throughout the Nation. I do so with the hope that this body will finally act to eliminate an injustice which denies hard-earned retirement benefits to teachers who move across State lines. I urge all of my colleagues to support the Mobile Teachers Retirement Act of 1987.

The justification for my legislation is clear and simple. Current law effectively penalizes teachers who move across State lines. At a time when there is severe unemployment in the teaching profession and there is a pressing need for experienced teachers in rural and other areas in many States, it is essential that Congress pass legislation which will lift this penalty so that teachers will be able to seek employment in various locations without losing retirement benefits.

In California alone, there are over 100,000 elementary, secondary and community college teachers who have taught in other States. Many of these teachers have spent an average of 6 years working in other States; unfortunately, those years have been lost in figuring the retirement benefits accumulated over the years.

The bill I am reintroducing today would establish a Federal-State program to assist in the funding of these benefits for teachers. It would enable teachers who have taught in two or more States to retire at the end of their careers with benefits substantially the same as they would have received by teaching in a single State for their entire careers. In addition, the bill would extend Federal aid in the financing of recognized out-of-State service credit for those States wishing to participate.

While many State retirement systems have made good-faith attempts to rectify this situation, limitations on State funds and the interstate nature of the problem point to the Federal responsibility in this area. Because of the tremendous role played by our Nation's teachers in the education of our children, it is critical for the Federal Government to lend support to teachers in this matter relating to retirement benefits. Thomas Jefferson recognized the importance of sound education in the democratic process and feared the consequences of ignorance on the ability of Ameri-

cans to participate in the grand democratic experiment. His concerns then are still valid today. Federal support for teacher's retirement benefits should be commensurate with the awesome responsibilities teachers bear in our society.

For the convenience of my colleagues, the text of the legislation follows:

H.R. 2152

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Mobile Teachers' Retirement Assistance Act".

FINDINGS AND STATEMENT OF PURPOSE

SEC. 2. The Congress finds that the transfer of qualified teaching personnel between schools operated by public educational agencies in one State and schools operated by public educational agencies in another State is seriously impeded because of the possibility of forfeiture of retirement benefits in the system from which a teacher transfers and that the resulting immobility of teachers impeded the mobility of the Nation's work force by hindering the growth and development of new communities. It is therefore the purpose of this Act to protect commerce by facilitating the interchange of teaching personnel from a public educational agency in one State to a public educational agency in another State by providing Federal financial assistance in the transfer of credits from one State to another State.

REQUIREMENTS FOR PARTICIPATION

SEC. 3. (a) In order to participate in the program provided for in this Act, a State retirement system must—

(1) provide for payment of retirement benefits on account of out-of-State service by a covered teacher as required in section 4(c);

(2) allow covered teachers at least ten years of out-of-State credit for public teaching service not covered by the system which is not vested under another State retirement system, upon payment by the covered teacher by the date of retirement of a portion of the cost involved and payment from public funds of the remainder;

(3) require no more than one year of in-State service for each year of out-of-State service credit granted;

(4) provide that the teacher's payment for out-of-State service credit shall not exceed 25 per centum of the total cost of the out-of-State service credit;

(5) provide for vesting after not more than five years of creditable service in the State retirement system; and

(6) provide for making such reports, in such form and containing such information, as the Secretary may reasonably require to carry out his functions under this Act, and for keeping such records and for affording such access thereto as the Secretary may find necessary to assure the correctness and verification of such report.

(b) If the Secretary determines a State retirement system meets the requirements of subsection (a), he shall approve it for participation in the benefits of this Act.

OUT-OF-STATE CREDIT PROVISIONS

SEC. 4. (a) The Secretary shall, as soon as practical after the end of each calendar year, make a Federal contribution to each State retirement system which he has approved under section 3(b) on account of each covered teacher who is a member of the system who retired during the fiscal year (or other twelve-month period designated by the system) which ended in such

calendar year with credited out-of-State service as a teacher. The Federal contribution on account of each year of each such teacher's credited out-of-State service as a teacher shall be an amount equal to 50 per centum of the total cost as determined by the retirement system at such teacher's age on date of retirement, except that if the teacher has not reached age sixty, the cost shall be determined as if the teacher were age sixty.

(b) The Federal contribution under this section to a State retirement system shall be limited to the reserve required to provide not more than ten years of out-of-State service credit, except that the Secretary may determine maximum reserve factors at each age, beginning at age sixty, for purposes of the Federal contribution.

(c) The Federal contribution under this section to a State retirement system shall be used for the same purposes, and subject to the same terms and conditions, as are funds of the system derived from other sources. Retirement benefits under such system attributable to service credited under this section shall not be paid on a basis less favorable to the retired teacher than the payments made under such system which are attributable to service other than that so credited.

COST OF ADMINISTRATION

SEC. 5. The Secretary shall each fiscal year make a grant to each State retirement system which is approved to participate in this Act. Each such grant shall be an amount equal to 2 per centum of the Federal contribution made under section 4.

APPROPRIATIONS AUTHORIZED

SEC. 6. For the purpose of making such Federal payments, there is hereby authorized to be appropriated for the fiscal year ending September 30, 1985, and for each succeeding fiscal year the amount necessary to effectuate the provisions of this Act.

DEFINITIONS

SEC. 7. For purposes of this Act:

(1) The term "State retirement system" means a State retirement system established under State law or local public retirement system recognized or established by State law, in which teachers participate.

(2) The term "teacher" means an individual who is employed in a professional educational capacity by a board of education.

(3) The term "covered teacher" means a teacher who is a member of a State retirement system.

(4) The term "board of education" means any board, committee, commission, or agency authorized by State law to direct a public educational system, school, or institution of higher education.

(5) The term "State" includes the District of Columbia and Puerto Rico, and any other territory of the United States which has a public retirement system which includes teachers.

(6) The term "Secretary" means the Secretary of Education.

(7) The term "out-of-State" means public teaching service performed in another State or in elementary or secondary schools operated by the United States Department of the Interior and the United States Department of Defense and recognized by the system in which the teacher is a member for the purpose of service credit under the terms and conditions of the law governing the operation of such system.

(8) The term "vesting" means a right of a teacher who separates from covered employment after having at least the minimum

years of credited service required under the State retirement system, and has left his contributions in the retirement fund of such system, to a retirement benefit upon reaching an age specified in the law governing the terms and conditions of the system, which benefit is based at least in part on public contributions.

EFFECTIVE DATE

SEC. 8. This Act shall become effective October 1, 1987, and shall apply to teachers who retire on or after such date.

A TRIBUTE TO COUNCILMAN MARK STEPHEN WIRTH

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. ANDERSON. Mr. Speaker, it is an honor for me to pay tribute to Mark Stephen Wirth who was elected to the city council of Torrance, CA, on March 1, 1982.

Councilman Wirth, born in Pamona, CA, is a graduate of San Luis Obispo High School, El Camino College, and Cal State University Dominguez Hills with a bachelor of arts degree in political science specializing in California State government. Councilman Wirth's wife Nancy, a lifelong resident of Torrance, is a teacher with the Torrance School District and is active in political, educational, and community affairs.

Councilman Wirth has been employed by General Telephone of California as a communications technician since 1970 except for two leaves of absence for political activities. He works as a special equipment installer in the South Bay Division, is a member of the Communication Workers of America Local 9500, and a former ship steward and legislative committee member.

Mark has long been active in political affairs. He has been a member of the Democratic State Central Committee since 1978; Democratic nominee for State assembly, 1980; president of the South Bay Democratic Club, 1980; campaign manager for Steve Nordeck for State senate, 1976; youth chairman, Tom Rupert for State Assembly, 1973. He is also a member of the Riviera United Methodist Church, Torrance Rose Float Association, Torrance Friends of the Library, Torrance Historical Society, the Sierra Club, and a former executive board member, Friends of Madrona Marsh.

Councilman Wirth was honored as the Outstanding Young Man of the Year in 1983 by the Torrance Jaycees, and Democrat of the Year in 1981 by the South Bay Democratic Party.

Currently, Mark is involved with transportation issues. He serves as chairman of the city council transportation committee with jurisdiction over the city's general aviation airport, transit system, and traffic issues. He is active in the Southern California Association of Government [SCAG]; former vice chairman of SCAG legislative committee. In 1985, he was selected to lobby on behalf of SCAG for transit and transportation funds in Washington, DC. My wife, Lee, joins me in wishing Mark, his wife Nancy and their two children, Marga-

ret and Matthew, continued success and all the best in the years ahead.

THE HIDDEN CRISIS IN AMERICAN HEALTH CARE

HON. PETER H. KOSTMAYER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. KOSTMAYER. Mr. Speaker, one of the major issues facing the 100th Congress is that of providing adequate health care for senior citizens.

President Reagan in his State of the Union Message committed his administration to working toward a catastrophic health insurance program for our country. Several committees of Congress are now working on legislation in this area.

Mr. Speaker, Mr. Francis Powell, Jr., a constituent, and chairman of the board of the American Travellers Life Insurance Co. of Warrington, PA, is an expert in the area of long-term health care coverage. He has provided me with an interesting and thought-provoking article on the health care problems confronting our senior citizens. I would like to share this article with my colleagues, and ask that it be reproduced at this point in the CONGRESSIONAL RECORD.

THE HIDDEN CRISIS IN AMERICAN HEALTH CARE

Over one and a half million older Americans live in nursing homes and many are totally unaware of the overbearing costs that could turn the twilight of their lives into a financial nightmare. The problem is severely compounded by both the increasing number of these seniors who need long-term nursing home care, and by the false belief that once there, Medicare or their own private insurance would cover these costs.

Graphic designer Warren Nelson, 80, and his 74-year old wife Helen, a retired librarian were enjoying comfortable retirement in Sacramento. Then in January 1985, Warren suffered a severe heart attack and had to enter a nursing home where he still remains. His confinement costs \$70 a day—\$22,550 a year—and none of it is covered by Medicare or medical insurance. Had it not been for a nursing-care insurance policy the Nelsons bought several years before the heart attack that covers \$50 a day, the couple would have lost their condominium and total life savings after three years of nursing-home care. Once their assets were depleted, the Nelsons would have become eligible for Medicaid, the federal welfare program that pays medical bills for the poor.

LIFETIME SAVINGS CAN BE WIPED OUT

Medicaid pays about half of the annual \$35 billion U.S. nursing home bill. By the early 1990's, the costs will grow to \$80 billion and states will refuse to assume that burden predicts Paul R. Willging, executive vice president of the American Health Care Association, a nursing home trade association. Already 18 states have set moratoriums on nursing home construction as a way to control their costs, this despite the shortage of beds.

Until recently, most elderly people like the Nelsons had no means to prevent a serious illness and resulting nursing-home costs from wiping out a lifetime of savings. Nursing-home costs average about \$65 a day or

\$23,725 a year. About two-thirds of all nursing-home patients who start paying their own bills are broke within a year. The average stay in a nursing home for persons over 65 is 456 days, well over a year. About 20 percent of the over-85 population are in nursing homes with an average stay of 2½ years.

While Medicare and Medicaid benefits are far below adequate levels for the elderly, other carriers have been equally ineffective in preventing more than a million Americans a year from falling into poverty levels because of inadequate extended health care coverage.

As bleak as the picture is for many aged Americans, the issue of extended health care for the elderly is becoming not only an important new development in the medical insurance arena, but a true deterrent to the prospect of losing one's life savings because of a catastrophic illness or even worse, not having the funds to pay for complete medical care when serious illness strikes.

NEW INSURANCE EXTENDS HEALTH CARE

The Nelsons are among some 200,000 Americans who have taken out private, long-term care health insurance. This type of insurance, known also as extended care health insurance, is one of the fastest growing types of coverage and represents a potentially explosive new marketing product for the insurance industry. Industry analysts estimate the market to be \$3 billion to \$5 billion within five years.

Some reasons for its rapid growth are the country's rapidly expanding over-65 population and the fact that people are realizing that without such policies they may have to liquidate their life savings to pay nursing home expenses.

Annual premiums run from \$300 to well over \$1,000. Benefits also vary—usually from \$30 to \$100 a day for anywhere from two to six years in a nursing home.

Although there are more than 2,500 companies selling health insurance products, fewer than 70 offer these specialized policies. This is more than twice the number selling them two years ago. Among the larger insurers to enter this new market are Aetna, American Express, Metropolitan Life and Prudential. It is the smaller companies however, who have been promoting the benefits of extended health care for many years while the industry giants watched.

70% OF THE ELDERLY ARE MISINFORMED

American Traveller's Life Insurance Company for example, has been extolling the benefits of such a package since 1979. "What most people fail to understand is that Medicare covers only a tiny fraction, less than 2%, of long-term health care," says John A. Powell, President of the Warrington Pennsylvania based company which now provides several different extended care policies. A recent market survey by the AARP sponsored by Prudential found that approximately 70% of all their members thought that long term nursing home care confinements were covered by the Federal Government or the Medicare program.

"Unfortunately people don't think about long-term health care needs when they're shopping for insurance," said John C. Rother, legislative director for the American Association of Retired Persons. "And even many people who realize that Medicare doesn't cover long-term care, simply deny that they will ever be in a nursing home. They're convinced it will never happen to them."

But happen it will, and in increasing numbers. Some 28.8 million Americans are over

65 today; 35 million will be in that group by the turn of the century. The super-senior citizens, those over 85, number 2.2 million today and will number 5 million by the year 2000. Three out of five people over 85 require long-term care, usually in a nursing home. Even in the over-65 group, one of every four needs it.

Planning financially for a serious illness is becoming necessary to avoid sudden poverty after paying medical bills that were thought to be covered. Many middle-class senior citizens, according to an article published recently in the Wall Street Journal, are juggling assets to shield spouses from their mates' catastrophic medical expenses. Although such maneuvering has been legal, it poses new sets of problems which are currently under legislative scrutiny. Medicaid outlays increase, but Federal and state officials are doing little to prevent such maneuvering. Allowing medical bills to create poverty as opposed to poverty before the illness is an issue that Medicaid officials will have to grapple with in the coming years if such maneuvering continues to be deemed legal.

PROTECTION AGAINST DEPENDENCY

Harold Barney, a vice president at Prudential, said: "People are buying these policies for two reasons: one is to protect their assets from being eaten up by nursing home expenses and the other is to help them remain financially independent. They've worked their whole lives to be independent and without this insurance they often become dependent on their children or families."

Major changes in the entire social fabric of the country also aggravate the problem. Care within the family is no longer a real alternative for many because working women cannot be care-givers, and the greater mobility of family members now may find them living across the entire country from their parents.

An increasing number of the elderly's children are faced with the anguish of deciding to either send their own children to college, or to pay the nursing home bills for their parents.

Long-term health care insurance promises at least the start of a solution, although filled with problems of its own. The challenge is to design a product that is both profitable for the insurer and affordable for the elderly. The market is far too young to determine how many younger policyholders are needed to offset elderly beneficiaries. Actuarial assumptions are difficult to make at best because no generation in history has lived as long as this one.

Charting unknown markets such as extended health care demands that companies move cautiously. Although the pace is apparently improving, most insurance companies have exerted great restraint even though the market promises to be huge in several years.

CONSUMER CAUTION NEEDED

Extended health care is not only difficult to foresee for the insurance companies; the consumer needs to be careful as well. In examining an extended health care plan, the most critical factor is whether it will cover "skilled care" or "custodial care." The differences are significant.

A stay in a skilled-care home generally follows a patient's discharge from a hospital. Often it is a temporary arrangement, lasting only a few weeks or months of convalescence when trained nurses are needed. The cost of the first 20 to 100 days of this type of care may be covered by Medicare or by

regular health insurance, providing a physician specifies that it is necessary.

The majority of nursing home residents require only custodial care; their meals prepared, supervision over medication, aid in getting dressed; maintenance type of activities. Unlike someone whose condition calls for skilled care, those who need custodial care usually need it on a long-term basis. A person who is paralyzed, whose mind wanders as a result of Alzheimer's disease, or who simply is made feeble by age may have to depend on custodial care for years.

A number of insurers offer plans intended to help a person who is receiving skilled care. Premiums are moderate (\$150-\$300 annually for \$50 a day coverage) and the protection might provide a measure of reassurance for an aged parent who frets that their children could be stuck with high costs if a long-term illness strikes. Better protection is available at a higher premium that includes custodial-care coverage as well.

EXTENDED HEALTH CARE PLANS TO DOUBLE

As in any insurance policy, restrictions should be clearly spelled out and defined. Because extended health care plans are relatively new for most companies, a wide range of restrictions and coverage plans are evident, making consumer awareness even more important.

RECOMMENDATIONS

Lawrence F. Lane, an insurance expert with the American Health Care Association, tells people to make sure the benefit amounts are adequate and to check when benefits begin and whether the policy covers regular home health care as well as nursing home care.

Mr. Lane, who predicts the number of people with long-term health care plans will double to 400,000 next year, also recommends that people find out whether the policy bars coverage for certain conditions and what happens to the policy and benefits if the policyholder moves to another state.

"This is a complicated area, and it is quite critical that people who purchase these policies understand exactly what they're buying," said Valerie S. Wilbur, an analyst with the American Association of Homes for the Aging.

INTRODUCTION OF THE NATIONAL TECHNICAL INFORMATION ACT OF 1987

HON. DOUG WALGREN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. WALGREN. Mr. Speaker, I am introducing today a bill entitled the "National Technical Information Act of 1987." This legislation is intended to reconstitute the National Technical Information Service [NTIS] of the Department of Commerce as a wholly owned Government corporation.

Since 1950, the Department has had the congressionally mandated task of maintaining "a clearinghouse for scientific, technical and engineering information." The present National Technical Information Service has fulfilled this mandate admirably. It now maintains a collection of over 1.7 million scientific and technical reports obtained from Federal agencies, their contractors and grantees, State and local governments and foreign sources. Each

year, the collection expands by almost 70,000 new titles.

It is fair to ask why, if the Service is successful, such legislation is needed. Congress has required the NTIS to generate its operating income from the sale of information maintained in its collection to the private sector or by providing services to other Federal agencies. This statutory requirement exposes NTIS to the discipline of a constantly changing marketplace. Yet as an agency subject to the full weight of personnel and procurement regulations imposed upon Government bureaus, NTIS is hampered in its ability to respond to changes imposed by its customers. The success that NTIS has demonstrated, despite these impediments, reflects the continuing economic importance of the NTIS collection.

In 1945, Congress passed the Government Corporation Control Act in recognition of the fact that certain Government activities required the agency responsible to operate essentially as a commercial entity in support of the public interest. To be successful, these entities must be independent of restrictions imposed on the public sector so that their cost of operations can be quickly adjusted to reflect market demand. However, accountability to the Congress and the President for the actions of such an agency must be preserved.

The Committee on Science, Space and Technology received testimony from the National Academy of Public Administration regarding proposed changes in NTIS. The Academy was chartered by Congress to provide advice from professional managers and scholars regarding the design and structure of management for public agencies. The Academy's report concluded that:

NTIS should be restructured as a Government corporation subject to the Government Corporation Control Act. [I]t proposes that NTIS be brought under those established systems of financing, accountability and control which have been designed for comparable business type programs.

The panel found that NTIS fits the criteria for establishing a Government corporation articulated by President Truman in 1948, criteria which remain valid today.

First, NTIS is revenue-producing. Since its inception, NTIS has sold its products and services to the public for a fee. Over the last 5 years, NTIS has earned revenues of \$20 to \$23 million per year.

Second, NTIS is self-supporting. With the exception of some \$500,000 appropriated for its patent licensing program, all NTIS activities are funded through sale of its products and services.

Third, NTIS has a large number of business transactions with the public. Over the past 18 months, NTIS has sold its products to some 40,000 individuals, firms, schools, libraries and governments, both foreign and domestic. Approximately 75 percent of NTIS customers are small businesses.

In the past year, NTIS has shipped over 4.5 million documents and microforms, an average of 18,000 each day.

It is also the intent of this legislation to establish proper authority in law for the trust fund through which NTIS conducts its operations. The Academy report notes that:

Funding provisions included in [the] NTIS enabling statute (15 U.S.C. 1526) are

fragmentary and consequently do not adequately define the extent or limits of NTIS' discretion in utilizing its receipts.

Historically, the statute has been interpreted to allow NTIS to employ escrow funds received from its customers to pay for the Service's operating costs and capital expenditures. Both the Comptroller General and the Office of Management and Budget [OMB] dispute this interpretation and have advocated the establishment of a public enterprise revolving fund as the legal foundation for use of NTIS income.

In 1983, legislation was introduced to clarify the ambiguous status of the NTIS trust fund. Under the terms of the legislation, the fund would have been converted to a revolving fund to support normal operations. Concerns about the lack of accountability to Congress for transactions, since no appropriated funds would be involved, led to the failure of this effort. Establishing such a fund under the terms of the Government Corporation Control Act, however, ensures that the Congress and the President will receive the information necessary for proper oversight of the Corporation's activities.

Finally, I have proposed this legislation as a vehicle for debating the future of the NTIS. Since 1981, the Office of Management and Budget has asserted that this activity should be turned over to the private sector. In 1985, the Department of Commerce, at OMB direction, established a task force to evaluate alternatives for such a transfer to private operation. Our committee received a copy of the task force's 1986 report, which concluded:

NTIS must be counted among the most privatized of Federal agencies. It is not clear whether the extent of privatization is because of the opportunities presented by the complexity of NTIS operations or despite the constraints imposed by these complexities. What is clear is that because of its legislative requirement to be self-supporting, NTIS receives no appropriated funds for its basic operation, pays its salary and other costs from user fees, is driven to operate as efficiently as possible, creates market opportunities for a large number of private firms, and satisfies the needs of its customers.

Given a program so complex and so privatized, any decision to make further privatization moves must be supported by evidence of extensive benefit and minimal cost. Such evidence does not exist.

Although this report was submitted to OMB, there is no evidence that these conclusions were considered. In the President's budget for fiscal year 1988, it was announced that the NTIS privatization initiative would proceed. Testimony before the Committee on Science, Space and Technology by the Director of NTIS confirms that this initiative is driven by OMB's ideological perspective. As reported in the April 10, 1987, issue of *Science*,

While upholding Commerce's position on privatization, agency officials say there is no clear economic rationale to support it. In fact, OMB has yet to respond to an NTIS staff request for a justification that can be used in testimony before Congress. OMB was also unable to provide *Science* with an economic case to back claims that a privately run NTIS would be more efficient. Agency officials simply say that moving NTIS is consistent with the Administra-

tion's policy of having the private sector take over federal activities whenever possible.

OMB's perspective on the national interest is shortsighted and cannot serve as a guide in this instance. In fact, we already have an example of how badly OMB's privatization policy fares in actual practice. My colleagues may remember that this country was once an unchallenged leader in the field of remote-sensing technology. Our Landsat system was once the only source of data from this marvelous new window on Earth.

In 1984, the Congress passed legislation permitting the Department of Commerce to seek a private sector operator for the satellites and the existing data archive. The law recognized that some Federal funds would be required in the early years of the system's transition, as the new operator learned how to market data to commercial users. OMB, however, consistently failed to include such funding in the budget. As a result, the American program is in shambles while the French and Japanese capture another market pioneered by America. We should be highly skeptical of OMB's commitment to successfully privatize any Government activity.

Besides its initial function as the Nation's clearinghouse for scientific and technical information, NTIS has become the most extensive archive for such information now available. As Gerard Piel, chairman of the board at Scientific American, noted in a speech before the American Association for the Advancement of Science, "Because no scientifically established truth has been forgotten, science is cumulative."

The value of such an archive was noted by the National Aeronautics and Space Administration in 1986. Only NTIS has the potential, according to the space agency—

for retaining an efficient and effective system to assure essentially permanent report availability to all U.S. citizens regardless of locality. That a complete, quick and relatively inexpensive source for these reports is needed over the long term has been shown repeatedly in the intensively technological areas of aeronautics and space. Worldwide competition in these fields requires the U.S. to maintain an effective information infrastructure that will help avoid undesirable duplication and promote the highest R&D quality and timeliness in the private sector as well as in the public sector.

Regarding the fundamental need for a consolidated permanent source of government and government-contractor reports, it is clear that technical reports, per se, are a vital part of the research and development process. As the number of scientific and technical efforts grow exponentially, old systems of relying largely on journal publication and meeting paper presentation are becoming less and less able to accommodate documentation needs. Only report literature like that compiled at NTIS, allows an unlimited number of pages for a researcher to document experiments and to record findings in the proper degree and without delay.

There is great danger that a private operator of NTIS would seek to maximize profit by reducing costs. Experience indicates that only a few of the reports in the NTIS archive will be consistently profitable. One way to reduce costs would be to eliminate reports making a

minimal contribution to revenues. It is our interest to maintain the largest archive possible, since there is no way to know what data in the collection will ultimately prove valuable in the development of science and technology, we would constantly be in danger of cutting off our nose to spite our face.

The second means by which a private operator can maximize profit is to increase prices. This is a likely outcome, given evidence provided by examples at the Department of Agriculture, the National Library of Medicine, and the Federal Election Commission. Indications are that data once made available by these Government agencies at moderate costs increased significantly in price once private companies became responsible for their data systems.

In the case of the Patent and Trademark Office and the Securities and Exchange Commission, indications are that the private sector would have received a monopoly on access to these agency databases and that a significant price increase would have been imposed on users. A free flow of the scientific and technical information obtained by the Government at public expense, priced at the cost of reproduction, is distinctly in the national interest. There is no evidence that the private sector can provide this kind of service.

And finally, it is most important to retain this activity within the Government because of the nature of NTIS's agreements allowing access to scientific and technical information resources of other nations. The Nation can no longer ignore this source of information, and the national interest requires that full access to these archives be preserved. West Germany and Japan, however, have indicated that their agreements with NTIS will be terminated if the Service loses its status as a Government agency. Establishing NTIS as a wholly-owned Government corporation avoids problems in this area.

This legislation would resolve legal ambiguities in the present NTIS operation, preserve accountability to the Congress and the President and allow the Service to continue serving important national interests with minimum disruption in its activities.

Mr. Speaker, I urge my colleagues to support this legislation.

SOCIAL SECURITY "NOTCH" PROBLEM

HON. EDWARD F. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. FEIGHAN. Mr. Speaker, I am pleased to offer my strong support for H.R. 1917 introduced by the distinguished chairman of the Select Committee on Aging, Mr. ROYBAL. This legislation, cosponsored by 123 of our colleagues, would take long-awaited steps in correcting the so-called Social Security "notch" problem.

The notch resulted from a change made in the Social Security benefit formula as part of the Social Security Amendments of 1977. Because of this mistake, many of my constituents and seniors across this country feel they

have been arbitrarily, and unfairly, selected for reduced Social Security payments. They feel this way because they see the sometimes huge discrepancy in benefit payments from one person to another with very similar work records and work histories. The distinctions made are clearly arbitrary, and the result has been a severe shaking of our senior citizens' confidence in the Social Security System.

Mr. ROYBAL's bill will extend the phase-in period to 10 years. It will return to the 1972 formula and actually reduce these benefits by 3 percent, and further reduce the benefits 3 percent for each year after 1916. The bill affords higher benefits to those in the notch now. It keeps to the original intent of the 1977 Social Security Amendments of avoiding the abrupt reductions in benefits now being experienced by Social Security recipients.

The notch problem is not going to go away. As long as we remain inactive on this issue, the skepticism will grow as our seniors question whether they have a voice here in Washington. They are not asking for a handout. They're asking that we correct an error in the law that has cost them directly.

Part of the American dream has always been that Americans will have a sense of security to enjoy our golden years. Are we telling our seniors that this was only a dream? I hope not. For this would represent a broken promise that many of us in Congress were sent here to uphold. I strongly urge my colleagues to join as a cosponsor of H.R. 1917 and work for its passage.

OCCIDENTAL COLLEGE,
FOUNDER'S DAY, APRIL 20, 1987

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. ROYBAL. Mr. Speaker, on April 20, 1987 Occidental College in Los Angeles, CA, celebrated a century of outstanding contribution to the academic community, and I had the pleasure of speaking before the staff and students at their founder's day celebration.

Located in the downtown Los Angeles area, Occidental is a liberal arts and sciences college dedicated to academic excellence. Classes are small and faculty members are eager to spend extra time in discussion with students, enhancing their educational experiences beyond the classroom.

Occidental is a college committed to a philosophy of total education. In both selecting students and helping them to develop a course of study, the faculty and staff have set a standard of excellence not only in the intellectual ability of their students, but in the realm of social and ethical consciousness as well. Occidental students have always been active politically, and graduates like Senator HARRY REID of Nevada and Congressman JACK KEMP from New York have seen their political dreams realized.

The Occidental student is an enthusiastic and motivated individual. Beyond that statement there is no single definition for a typical Occidental student, and the college justifiably prides itself on its diversity. Students come

from all ethnic and socioeconomic backgrounds, representing more than 40 States and over 30 foreign nations. The Occidental education not only develops a young person academically, but also exposes him to people and ideas that were once unknown and unimaginable.

It is this kind of attention to and regard for the development of a well-rounded individual that makes Occidental College stand out as a top rate learning center.

I congratulate Occidental on reaching its 100th year, and I commend its faculty, staff and students for facing the challenge of higher education with such strong commitment. The founders of Occidental College would be proud to see them following so diligently the ideals that were brought to this campus on April 20, 1987.

BIELARUSIAN INDEPENDENCE DAY

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. ANNUNZIO. Mr. Speaker, March 25 marked the 69th anniversary of the Bielarussian National Republic, and I am privileged to join with all freedom-loving people in commemorating this special day in man's historic struggle for freedom and human dignity, and this important date in the distinguished history of Bielarus.

In commemorating this 69th anniversary of the declaration of independence of Bielarus, the Bielarussian Coordinating Committee of Chicago held their solemn observance at the Regency Inn Banquet Halls, 5319 West Diversey Ave. in Chicago, and in conjunction with this commemorative observance, an exhibit on Bielarussian culture was sponsored by the committee at the Richard J. Daley Center from March 23 through April 10.

Hon. Harold Washington, mayor of the city of Chicago, issued a proclamation to commemorate this 69th anniversary, and a copy of this proclamation follows:

PROCLAMATION

Whereas, March 25, 1987 will mark the 69th Anniversary of the Declaration of Independence of Bielarus; and

Whereas, this day is being observed by Bielarussian communities throughout the free world as a day of celebration of freedom, unity and solidarity for the Bielarussian people throughout the world; and

Whereas, the 10 million Bielarussian people residing in their Russian occupied homeland, deprived of their right to observe this day, will be remembered in prayer during the local observance; and

Whereas, the Bielarussian Coordinating Committee will sponsor an exhibit in the Richard Daley Center from March 23 through April 10, 1987, which will feature cultural, social, political and educational materials about Bielarus and its folk art, crafts and culture;

Now, therefore, I, Harold Washington, Mayor of the City of Chicago, do hereby proclaim March 25, 1987 to be **BIELARUSIAN INDEPENDENCE DAY IN CHICAGO** and urge all citizens to be cognizant of the contributions of Bielarussian people to

the world and the special events arranged for this time.

Dated this 10th day of March, 1987.

HAROLD WASHINGTON,

Mayor.

Sadly, Bielarus has been almost completely cut off from the rest of the world by the heavy presence of the Soviets, who have attempted to systematically assimilate the Bielarussian people, and wipe out their past, their culture, and their language. Nevertheless, the courageous men and women of Bielarus continue to stand up to the Communists and oppose their oppressive efforts.

The Bielarussian Coordinating Committee of Chicago has prepared a statement on their beloved country of Bielarus, and a copy of that statement follows:

BIELARUS

The name: Bielarus is the original, true, and correct name of the country. Bielarus is known to the outside world today as Byelorussia. This name comes from the Russian language—Belorooseeya. It was imposed by Moscow without the approval of the Bielarussian people and the Bielarussian government. The Bielarussians feel that the name of their country to the outside world should come from their own language. If translated, Bielarus means Whiteruthenia. Bielarussians are not Russians but a Slav people.

Location: Bielarus is not in Russia but in the western part of the Soviet Union, bordering with Poland in the west, Ukraine in the south, Russia in the east and north, and the Baltic States in the northwest. Its present territory extends for 560 kilometers from north to south and 650 kilometers from west to east and covers a total area of 207,600 square kilometers. Its ethnographic territory extends to 380,000 square kilometers. It is larger than such European countries as Czechoslovakia, Bulgaria, Hungary, Greece and Portugal, and exceeds the combined area of Denmark, the Netherlands, Belgium, Switzerland and Luxembourg.

Political status: Bielarus is a republic of the Soviet Union and Communist controlled from Moscow. Bielarus is also a founding member of the United Nations. Bielarus regained independence from Russia on March 25, 1918 but was forcibly incorporated into the Union of the Soviet Socialist Republics (the U.S.S.R.) in 1922. The Bielarussian people have since struggled for freedom and independence of their country, hoping that their dream will come true someday.

Major cities: Miensk (Minsk) is the capital of Bielarus, population 1,300,000. Other cities are: Hrodna, Viciebsk, Polacak, Pinsk, Bierascie (Brest), Homiel, Mahilou and Babrujsk.

Population: Present Bielarussian population numbers ten million. There are two million Bielarussians living within the boundaries of other Soviet Republics and another eight million are dispersed throughout the entire world.

Mr. Speaker, on the occasion of the 69th anniversary of Bielarussian independence, I am honored to join with Americans of Bielarussian descent in the 11th Congressional District of Illinois which I am honored to represent, and Bielarussian-Americans all over this Nation, in their prayers, their hope, and their determination that the Bielarussian people will have a free nation once again, and that the American people will continue to remain alert to the ferocious nature of their Communist oppressor.

A DENTAL REPORT THAT GIVES SOMETHING TO SMILE ABOUT

HON. RON PACKARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. PACKARD. Mr. Speaker, as a former dentist, I was especially impressed with an article that was published on March 29, 1987, in the Boston Globe. I would like to enter the text of that article which praises the accomplishments of the dental profession.

A DENTAL REPORT THAT GIVES SOMETHING TO SMILE ABOUT

(By Daniel S. Greenberg)

In a culture ever on the lookout for celebrating grand accomplishments, a mysterious neglect is the triumph of modern dentistry. Many medical problems go away by themselves. But when a tooth hurts, it can only get worse, and only a dentist will do.

Front-page homage and reverence are heaped on organ transplants and other medical high-wire acts. Meanwhile, dentistry goes unnoted, except as the butt of hare-brained television humor. But it is one of the few health technologies that almost invariably succeeds, both in prevention and in treatment. There is little else in the health-care arsenal that can share that claim.

Considering that toothlessness and painful and sickening tooth disease have been a plague on humankind, there ought to be a national day of thanks to commemorate a stunning communique from the National Institute of Dental Research. An obscure federal agency that gets a mere \$120 million of Washington's \$62 billion for research, the dental institute reports that "toothlessness has almost been eliminated in middle-aged adults."

In contrast, 42 percent of those over 65 were missing all their teeth, a shocking statistic that reflects the bygone days of fewer visits to the dentist, less sophisticated treatment techniques, and little or no preventive efforts.

The institute reported that 80 percent of employed adults had been to a dentist within the past two years, and it credited fluoridation and instruction on toothbrushing for a sharp decline in tooth decay among children. In both older and younger adults, 95 percent of cavities had been filled, a finding that reflected "an extraordinarily high level of dental care," according to the institute.

A great success story. Nevertheless, pop culture hews to an antiquated, caricatured rendition of this merciful and successful profession. Anyone who has observed the changes in dental equipment and techniques over the past two decades has witnessed a humane, technological revolution. Pain-free dentistry is a reality, but dentistry as a metaphor for excruciating pain is a sitcom regular and, in contrast to modern patients' personal experience, it persists in pop culture.

The economic paradox of dentistry is that the profession is suffering from its successful promotion of preventive care, especially fluoridation, which is rapidly eliminating childhood cavities and with them a huge amount of income for dentists.

The contrast with medicine is striking. Medical school enrollments have dipped slightly, not because doctors have been successful at eliminating the ailments of their patients, but because there are too many

doctors in many parts of the country. However, dental-school enrollments have declined sharply—mainly because prevention and dentistry have brilliantly succeeded.

Dentistry is one of the great success stories of our time. Viewed against the economic turmoil and limited achievements that generally afflict medical care, dentistry is especially notable for its advocacy of health education and public preventive measures.

In announcing the results of the dental survey, Dr. Harald Loe, director of the National Institute of Dental Health, modestly stated, "The news is encouraging. Americans are keeping their teeth longer."

If an accurate sense of proportion prevailed in public affairs, Loe's announcement would merit recognition as a milestone in human affairs. The government institute that he heads is responsible for much of the research that underlies this health care revolution.

Few Americans have ever heard of it or pay any attention to their freedom from a health scourge that stretches back for centuries and still afflicts most of the world.

NUTRITION MONITORING IS ESSENTIAL TO THE HEALTH OF AMERICA—NATIONAL NUTRITION MONITORING AND RELATED RESEARCH ACT OF 1987

HON. DOUG WALGREN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. WALGREN. Mr. Speaker, today Congressmen BUDDY MACKAY, GEORGE E. BROWN, JR., and I, along with a number of our colleagues, are introducing the National Nutrition Monitoring and Related Research Act of 1987. The identical bill is also being introduced by Senator JEFF BINGAMAN and his colleagues in the Senate. The House passed a similar bill last year by a vote of 305 to 85. The bill requires the development of a coordinated national nutrition monitoring and related research program to make more effective use of Federal and State expenditures and to enhance the performance and benefits of current Federal nutrition monitoring and related research activities.

A national nutrition monitoring system is essential to the development of rational food, nutrition, and health policies at all levels of Government. As early as 1969, the White House Conference on Food, Nutrition and Health recommended the implementation of a comprehensive national nutrition monitoring system. Last year, the chairman of that conference, Dr. Jean Mayer, currently president of Tufts University, reminded us that the recommendation is still unfulfilled 18 years later. The health and well-being of our citizens is the 1 priority of our Nation. All efforts to maintain our competitive edge in the world marketplace will be to no avail without a healthy population. We should not tolerate a government that fails to take into account the nutrition and health status of its citizens.

At present, long-range planning does not occur in nutrition studies. Each Federal agency involved in gathering nutritional and health data follows their own agenda. Attempts in the past to coordinate these activi-

ties have failed, resulting in delays and duplication.

Research to improve the accuracy of data, increase the usefulness of Federal and coordinate surveys of numerous Federal agencies have received little attention.

The difficulty in implementing a nutrition monitoring system which integrates all of these elements is not a matter of political philosophy, but rather a matter of turf protection among the major agencies involved. This bill would fix responsibility jointly with DHHS and USDA. All Federal agencies that use or collect nutrition monitoring data are to participate in the preparation and implementation of an interagency plan and budget to accomplish specified priorities. I recognize that a legislative mandate cannot change the will to put aside turf for the safe of national priorities, but the bill will at least focus the responsibility for Government performance and permit those who fail to be held to account.

The bill emphasizes two areas all have identified as the highest to improve our current nutrition surveillance system. The first priority is to strengthen assistance to State and local governments in their efforts to conduct nutrition monitoring. To make the Federal data sources more cost-effective, mechanisms must be in place to transfer the available technology so Federal data can be applied to State and local populations.

The second priority is for research on less costly and more effective methods to assess dietary, nutritional and health status. This research priority is designed to leverage Government funds through university, industry, and Government partnerships and to ensure that methods developed by Federal funds meet the needs of actual users and provide practical spin-offs for use by public health practitioners.

This bill was not developed in a vacuum. Many of its features were recommended in reports of the National Academy of Sciences in 1981 and again in 1984. Last year DHHS and USDA submitted to Congress a long awaited report from their Joint Nutrition Monitoring Evaluation Committee. Let me quote some of their recommendations to illustrate how closely they parallel the bill being introduced today:

Establish a mechanism for leaning more about the data needs of users, especially Federal agencies;

Increase the availability of nutrition information from Federal surveys;

Improve comparability of data;

Improve timely publication of data;

Continue and expand efforts to study the factors that influence food intake and nutrition status, especially among high-risk subgroups;

Increase research to improve methods for assessing dietary intake and nutritional status; and

Provide adequate resources to the national nutrition monitoring system to implement these recommendations.

In addition to the recommendations, the report interprets, for the first time, the available data on the food intake, nutritional status, and health of our citizens. However, DHHS and USDA caution that, "Most of the data presented in the report were collected during the 1970's and may not reflect current conditions." It is unbelievable that we have up-to-

date information on the gross national product, the cost-of-living index, and other national statistics, but that in 1986 we only know the nutritional status of the population as it was in the 1970's.

The administration continues to oppose the bill on the basis that the current system is adequate and all the requirements of the bill are being met. Yet, users of the system in both the public and private sectors, as well as administration advisory committees, continue to call for improvements. It is clear that a legislative mandate is necessary to make anything happen in this area. It is our responsibility to ensure that an up-to-date and cost-effective means to address the dietary, nutritional and health needs of the American population is available at all times. The passage of this bill will allow both Congress and the public, for the first time, the opportunity to exercise oversight responsibility for this critical activity. I urge my colleagues to join us in co-sponsoring this bill.

**OHIO'S EILEEN BOUTHILLET
PENS WINNING THEME**

HON. EDWARD F. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. FEIGHAN. Mr. Speaker, for years the Veterans of Foreign Wars of the United States and its ladies auxiliary have sponsored an annual scriptwriting contest for the Voice of Democracy broadcast. This year's theme addressed "The Challenge of American Citizenship." The existence of this contest is not only a tribute to American patriotism, but also to the work of this fine organization of veterans, who strive to promote American ideals among this Nation's youth. The authors of the seven final essays will receive, fittingly, scholarships: from \$1,000 for seventh place to \$14,000 for first place.

Ms. Eileen Marie Bouthillet, a 16-year-old high school junior from Rocky River, OH, wrote the State's winning essay. Ms. Bouthillet's essay, wisely points to individual participation as the essential challenge of American citizenship. Her thesis displays a firm understanding of the history of individuals, whose deeds made this country strong. Their examples continue to inspire all citizens to contribute, in whatever small way, toward the advancement of the American ideal. Therefore, I proudly congratulate Eileen, and present her essay to my colleagues.

THE CHALLENGE OF AMERICAN CITIZENSHIP

(By Eileen Bouthillet)

An old man and his grandson were walking along a beach filled with starfish. The boy stopped at one of them, picked it up, and threw it back into the water. He did the same with the next starfish, and the next one. His grandfather, growing weary of waiting for him said, "There are many starfish on the beach. You can't save them all. To try is pointless. The few you put back into the water make no difference." The boy looked at his grandfather, picked up another starfish and said, "But it makes all the difference to this one starfish." The young boy believed that his effort, no

matter how small it seemed was important. In a world filled with large problems and great achievements, it may seem that there is little room for individual contributions and achievements, but George Washington was one man, Abraham Lincoln was one man, and Martin Luther King was one man. These men were American citizens who made their mark in history and contributed greatly to their country. Through their efforts and the efforts of other great men, we as American citizens possess more freedoms and opportunities than the citizens of any other country in the world. A democracy like our own depends on the people as individuals. The contribution of every citizen is not only important, it is vital. The challenge of American citizenship is to believe that one person can make a difference in the welfare of our nation.

The work of every citizen of the United States makes an important contribution to the country. Our talents and our dreams are our possessions and can never be taken from us. The freedom to follow our dreams and develop our talents are granted to us as American citizens. Along with this freedom comes the challenge to use our abilities to benefit the people of our country. Whether a person's goal is to cure cancer, pilot the space shuttle, become President, or run a small business, every service offered to the people of the United States benefits the nation itself. Our discoveries, our purchases, our tax dollars, and our accomplishments are the backbone of the nation. By believing in the importance of our contributions and by adding them to our country's cultural, scientific and economic achievements, we strengthen the nation. Many Americans have met this challenge and have earned the respect and love of their countrymen, but the challenge is larger still.

To believe that one person can make a difference in large problems gripping the nation or the world is a challenge difficult to meet. The majority of American citizens don't hold a political office, and may therefore believe that problems such as the threat of nuclear war or the national deficit are problems that are not placed in their hands. In our democracy, a government of the people, the nation's problems are problems placed in the hands of each individual. Each single person is challenged to make a difference. The road to solving all problems and achieving all great tasks starts with a single step. True power may lie in unity, but before crowds fight for a cause, a single man must. As Reverend James Keller of the Christopher Society said, "It is better to light one candle than to curse the darkness." One individual can light one candle by his educated vote, a letter to his Congressman, his signed petitions or his offered solutions. The dim light given from one candle could be the hope and encouragement needed to light millions of candles. Imagine how much light that would give!

The challenge of American citizenship involves not only our personal contributions to our country's present, it involves being concerned about its future. Our descendants, if they are living in a strong, safe, clean country, can look back at our time and say, "Those people were truly American citizens. They cared about their country and they made things happen. They believed they could make a difference for themselves, for their government, and for the future of their country, and they turned their beliefs into action."

The challenge of American citizenship is unlike any other challenge. In most chal-

lenges or contests, there is only one winner. If each American accepted this challenge, we would all be the winners of a strong prosperous nation. We are all faced with personal challenges in life. We accept them to move forward. By accepting the challenge of American citizenship, we all move our country forward.

ARMENIAN MARTYRS DAY

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. ROYBAL. Mr. Speaker, our former colleague, Justice George E. Danielson, originated the special order ceremonies for Armenian Martyrs Day when he came to Congress in 1971. As we all know, it is now a tradition in the House.

An article about the Armenian Martyrs written by his wife, Candy Danielson, is on the Op-Ed page of the Los Angeles Herald-Examiner of April 23, and I submit that article herewith for inclusion in the RECORD.

The article follows:

GIVE THE ARMENIANS THEIR DAY OF REMEMBRANCE

(By Candy Danielson)

Item: House Concurrent Resolution 49 authorizes the use of the U.S. Capitol Rotunda on April 28 for ceremonies to observe the Days of Remembrance of Victims of the Holocaust. That ceremony will take place, as in previous years, in memory of those who perished in Hitler's genocide of Jews.

Item: House Joint Resolution 132 and Senate Joint Resolution 43 to mark April 24 as a Day of Remembrance for victims of the 1915-1923 genocide of Armenians by the Ottoman Turkish Empire face tough sledding on Capitol Hill. If they are approved, a presidential veto is promised.

How are these two dark periods of history similar? Both were pogroms, organized massacres of helpless people carried out by governments, while the rest of the world did nothing to stop the slaughter.

How are they different? Germany has acknowledged the Jewish Holocaust, has made reparations and has sponsored ceremonies to honor the victims. Turkey, on the other hand, has adamantly refused to accept what archives throughout the world have documented. Instead, the government pays Gray & Company, a highpowered lobbying firm in Washington, D.C. thousands of dollars to persuade members of Congress and the American public that the Armenian genocide never took place. Moreover, since Turkey is a member of NATO, the Reagan administration seems more inclined to oppose an Armenian Martyrs Day than risk a rupture in the alliance.

How does this affect Armenians? Unlike the Holocaust victims, the 1.5 million martyrs who died in the Armenian genocide are pawns in a game in which moral imperatives mean nothing. As a consequence, the survivors of that massacre and their families—in fact, all Armenians—are left to cope with the frustration, anguish, trauma, and sorrow of that human tragedy without the assuaging official recognition of its occurrence.

Make no mistake about it, the life of every single Armenian martyr who perished during the genocide was just as precious as any other life lost to barbarism.

Why should the administration's repeated calls for human-rights progress in other countries be applied only on a selective basis? Why are some allies exempted from its proddings? Selective morality is immorality.

The time has come for new diplomatic initiatives to restore the administration's credibility. Political expediency must not block the moral recognition owed to Armenians.

WORLD POPULATION AWARENESS WEEK

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. FASCELL. Mr. Speaker, 35 States have designated the week of April 20 through 25 as "World Population Awareness Week." I am proud that my State of Florida is among those States which are helping to advance understanding of the serious implications of rapid rates of population growth around the world.

Florida citizens will mark this observance in meetings, conferences, and public forums to be held at Stetson University, Seminole Community College, St. Petersburg Junior College, and other sites across the State. Their efforts to increase their understanding of this important problem will be repeated in many other similar gatherings across the country.

I ask that my State's proclamation, issued by Gov. Bob Martinez, be included in the RECORD at this point:

PROCLAMATION

Whereas, the world's population has reached five billion and is growing at the unprecedented rate of 87 million a year; and

Whereas, rapid population growth causes or intensifies a wide range of grave problems in the developing world including environmental degradation, urban deterioration, unemployment, malnutrition, hunger, resource depletion, and economic stagnation; and

Whereas, 50 percent of the 10 million infant deaths and 25 percent of the 500,000 maternal deaths that occur each year in the developing world could be prevented if voluntary child spacing and maternal health programs could be substantially expanded; and

Whereas, some 500 million people in the developing world want and need family planning but do not have access or means to such services; and

Whereas, the United States has been the leading advocate of the universally recognized basic human right of couples to determine the size and spacing of their families,

Now, therefore, I Bob Martinez, by virtue of the authority vested in me as Governor of the State of Florida, do hereby proclaim April 20-25, as World Population Awareness Week in Florida.

CATHOLIC BISHOPS CALL FOR AUTHENTIC PEACE FOR EAST TIMOR

HON. TONY P. HALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. HALL of Ohio. Mr. Speaker, on March 25, 1987, the administrative board of the U.S. Catholic Conference approved an official statement calling for action to bring "a just and authentic peace" to East Timor.

The administrative board of the U.S. Catholic Conference is the 50-member body which conducts business of the U.S. Catholic bishops between their general meetings. Therefore, this statement on East Timor is a significant expression of concern by the Catholic Church in the United States.

East Timor is the predominantly Roman Catholic former Portuguese colony which was invaded by Indonesia over 11 years ago. As the bishops note in their statement, an estimated 100,000 East Timorese have perished as a result of the Indonesian invasion and occupation.

Unfortunately, the suffering of the people of East Timor continues today. Among the human rights violations cited by the bishops are the intimidation of the church and forced sterilization of East Timorese men and women. In calling for action to address these issues, the bishops make the following observation:

Appropriate representations by the United States could influence the government of Indonesia to take measures that would help bring a just and authentic peace to the territory, end any policies of forced birth control in East Timor, and in other ways ameliorate the suffering of these unfortunate people.

In the 99th Congress, 136 Representatives joined with me to cosponsor House Concurrent Resolution 244, a resolution which expressed the sense of Congress about the ongoing tragedy of East Timor. My resolution mentioned many of the same issues noted by the American bishops. In addition, these concerns were cited in a section on East Timor in the committee report to accompany H.R. 5339, the foreign assistance appropriations bill for fiscal 1987.

Continued attention by the outside world to the plight of the people of East Timor is vitally needed. As the bishops correctly pointed out:

While East Timor has received increased notice in recent years, it is nonetheless undeniable that this issue exists far from the great political debates of the day, and is all too likely to be overlooked as pressing national and international issues compete for public attention.

The bishops went on to warn:

East Timor's remoteness and isolation from the outside world make its inhabitants all the more vulnerable. It is therefore crucial that the East Timor tragedy be highlighted whenever possible, and that efforts continue to enhance the dignity of life in East Timor and the right of the territory's inhabitants to live in peace and freedom.

I share the bishops' concern that the United States continue to pay attention to the situa-

tion in East Timor and raise issues relating to the suffering of the people of East Timor in appropriate international forums. It is clear that the matters addressed by the bishops' statement are also of deep concern to my colleagues in both the House and the Senate. We intend to continue to work with the American Catholic bishops to bring respect for human rights and an authentic peace to the people of East Timor.

For the benefit of my colleagues, the full text of the statement on East Timor by the administrative board of the U.S. Catholic Conference follows:

CONFERENCE BOARD CALLS FOR PEACE IN EAST TIMOR

WASHINGTON.—An armed conflict that has resulted in the deaths of 100,000 East Timorese since 1975 was cited by the Administrative Board of the United States Catholic Conference in calling for action to bring "a just and authentic peace" to East Timor.

The 50-member body, which conducts business of the U.S. Catholic bishops between their general meetings, related the conflict with "the brutal invasion and takeover" of East Timor by Indonesia after the collapse of the Portuguese colonial administration.

In a statement approved (March 25) during its regular spring meeting, the USCC Board said the East Timor situation has begun to receive "the attention it deserves" but it has not been "translated into the action needed to right the wrongs which continue to this day."

Calling attention to "intimidation" of the Catholic Church in East Timor, the statement mentioned forced birth control measures as "especially disturbing" and said that "given the great loss of life that has already taken place among a largely Catholic people, this Indonesian policy takes on the character of genocide."

The USCC Board called on the United States, which it said "has contributed much economic and military assistance to Indonesia," to "make appropriate representations" toward influencing Indonesian government efforts to "bring a just and authentic peace to the territory."

Text of the statement:

"The brutal invasion and takeover of East Timor by Indonesia, which started in 1975 after the collapse of the Portuguese colonial administration, has in recent years begun to receive the attention it deserves, but this attention has not yet been translated into the action needed to right the wrongs which continue to this day.

"In July 1984 Pope John Paul II expressed grave concern over the East Timor situation while receiving the credentials of the new Indonesian ambassador to the Holy See. Bishops' Conferences and Catholic Justice and Peace Commissions in Western Europe—in Portugal, West Germany, France, Switzerland and the Netherlands—as well as Canada and Japan, have made statements or otherwise communicated support and sympathy for the East Timorese and concern over the armed conflict that persists in the territory. This conflict has seen an estimated 100,000 East Timorese (of a population of less than 700,000 before the Indonesian invasion) perish as a result of the Indonesian occupation.

"There is a pressing need to guarantee freedom of expression for, and an end to intimidation of, the Roman Catholic Church in East Timor, which has the heavy responsibility of attending to the spiritual needs of

a people that has suffered grievous losses since 1975, and has seen its tasks multiplied during this period. A serious effort to bring a just and authentic peace to East Timor should be made.

"Forced Birth control measures introduced by Indonesia in East Timor are especially disturbing, and not only because of the Church's abhorrence of unnatural birth control. Given the great loss of life that has already taken place among a largely Catholic people, this Indonesian policy takes on the character of genocide. Accounts of sterilization of East Timorese men and women without their informed consent and an array of other evidence, impel us to call for an immediate end to this policy: 'For in view of the inalienable human right to marry and beget children, the question of how many children should be born belongs to the honest judgement of parents. The question can in no way be committed to the decision of government.' (Gaudium et Spes 87.)

"While East Timor has received increased notice in recent years, it is nonetheless undeniable that this issue exists far from the great political debates of the day, and is all too likely to be overlooked as pressing national and international issues compete for public attention. East Timor's remoteness and isolation from the outside world make its inhabitants all the more vulnerable. It is therefore crucial that the East Timor tragedy be highlighted whenever possible, and that efforts continue to enhance the dignity of life in East Timor and the right of the territory's inhabitants to live in peace and freedom.

"The United States, which has had friendly relations with the government of Indonesia since 1965 and which has contributed much economic and military assistance to Indonesia, surely has the right to raise these issues with that government. Appropriate representations by the United States could influence the government of Indonesia to take measures that would help bring a just and authentic peace to the territory, end any policies of forced birth control in East Timor, and in other ways ameliorate the suffering of these unfortunate people."

INTRODUCTION OF THE NATIONAL BUREAU OF STANDARDS AUTHORIZATION ACT FOR FISCAL YEAR 1988

HON. DOUG WALGREN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. WALGREN. Mr. Speaker, Today I am introducing the National Bureau of Standards Authorization Act for fiscal year 1988 as reported by the Subcommittee on Science, Research and Technology of the Committee on Science, Space, and Technology. The text of this bill will be the markup vehicle for full committee consideration of this legislation. In addition to the National Bureau of Standards, the legislation includes authorization and amendments concerning the Office of Productivity, Technology and Innovation, the National Technical Information Service, and the Japanese technical literature programs of the Department of Commerce.

Funding in the bill for the most part follows the administration's request. The subcommit-

tee however, was unable to accept cuts in the Center for Fire Research or the Center for Building Technology at the National Bureau of Standards. Nor can we accept the proposed phase-out of the Office of Productivity, Technology and Innovation or privatization of the National Technical Information Service. All four of these are vital Federal programs. The first two have a major impact on public health and safety; the last two are vitally linked to strengthening the competitiveness of American industry in world markets.

This legislation, as reported by the subcommittee, lives up to the terms of a written agreement between the leadership of the Committee on Science, Space, and Technology in the House of Representatives and of the Committee on Commerce, Science and Transportation in the Senate, on the other hand, and the Office of Management and Budget on the other. In this agreement, the administration made a commitment to maintain funding for the funding levels for the two NBS centers for the balance of the Reagan years. On our part, we made painful cuts based on these agreements only to have the administration break its word in the fiscal year 1988 budget. Funding in this bill for the Bureau of Standards exceeds the administration request only by the amount necessary to live up to this agreement. A section-by-section analysis of this legislation follows:

IV. SECTIONAL ANALYSIS OF THE BILL

A bill to authorize appropriations to the Secretary of Commerce for the programs of the National Bureau of Standards for Fiscal Year 1988 and for other purposes.

SECTION 1

This section provides the short bill title "National Bureau of Standards Authorization Act for Fiscal Year 1988".

SECTION 2

This section authorizes appropriations for the National Bureau of Standards for Fiscal Year 1988 in the amount of \$142,997,000. The individual line items of the NBS budget are authorized as follows:

	<i>Millions</i>
(1) Measurement & Research Standards.....	\$43,196
(2) Materials Science & Engineering.....	24,557
(3) Engineering Measurement & Standards.....	40,219
(4) Computer Science & Technology.....	8,266
(5) Research Support Activities...	20,259
(6) Cold Neutron Source Facility.	6,500

Line items 1, 2, and 4 are authorized at Administration request levels; except for a \$500,000 transfer to line 3 for superconductivity activities, items 5 and 6 are also at the request level, but are not combined as in the request; item 3 is increased to permit full funding of the Center for Fire Research and the Center for Building Technology in accordance with the compromise reached with OMB in October 1986.

This section also sets authorization floors for certain activities: of funds authorized for Materials Science and Engineering, \$2 million is authorized only for steel technology; of the funds authorized for Engineering Measurements and Standards, \$3.71 million is authorized only for the Center for Building Technology, and \$5.662 million is authorized only for the Center for Fire Research with the stipulation that the two

centers shall not be merged; and of the funds authorized for Research Support Activities, \$7.371 million is authorized only for the Technical Competence Fund.

Section 2 also permits funds to be transferred among the line items provided that the net funds transferred do not exceed 10% of the amount authorized for that line item and that advance notification is provided to the appropriate House and Senate Committees.

Finally, this section also authorizes that the Secretary may propose transfer to any line item in excess of 10% provided that (1) a full written explanation and reason for the transfer is submitted to the Speaker of the House, the President of the Senate, and the appropriate authorizing committees of the House of Representatives and the Senate and (2) the transfer is made only when 30 calendar days have passed since the transmission of the written explanation.

SECTION 3

This section authorizes the sum of \$2,400,000 for the activities of the Office of Productivity, Technology, and Innovation for Fiscal Year 1988. This is the level the Committee feels is required to guarantee that OPTI maintains its traditional level of services.

SECTION 4

This section authorizes the sum of \$500,000 for the patent licensing activities of the National Technical Information Service, permitting activities to continue at the current level of effort.

SECTION 5

This section authorizes the sum of \$1,000,000 for the Japanese Technical Literature Act of 1986 for FY 1988 activities, the same level as was provided in the Act of FY 1986.

SECTION 6

This section provides that funds authorized but not appropriated for the Cold Neutron Source Facility for Fiscal Year 1987 can be appropriated in Fiscal Year 1988.

SECTION 7

This section authorizes such sums as are necessary for Fiscal Year 1988 for each of the above programs for adjustments in salaries, retirement, and other employee benefits. The intent of this section is to allow such adjustments during FY 1988 to be paid for from supplemental appropriations rather than from reductions in level of effort in the programs.

SECTION 8

This section permits the length of availability of funds appropriated under authorizations provided by this Act to be determined in appropriations acts.

SECTION 9

This section amends the Organic Act of March 3, 1901 (15 U.S.C. 274) for the purpose of adding to the list of activities which the National Bureau of Standards specifically may undertake research leading to standards and test methods to advance the effectiveness of computer and related systems and to protect the information stored, processed, and transmitted by those systems. The Bureau's Institute for Computer Sciences and Technology is already engaged in these activities using statutory responsibilities delegated to it by the Secretary of Commerce. The addition of these words ends any doubt that the Congress intends NBS to be actively involved in computer standards work.

SECTION 10

This section amends the Act of March 3, 1901 to provide that the Director of the NBS keep the appropriate committees of the House and Senate fully and currently informed of the activities of the National Bureau of Standards.

SECTION 11

This section stipulates that the National Bureau of Standards shall not charge fees to research associates in the absence of express statutory authority to do so. The section's intent is to encourage greater exchange of researchers between NBS and other U.S. laboratories of all kinds.

SECTION 12

This section provides that the Director of NBS must justify in writing all proposed changes in fees for currently offered standard reference materials and calibration services unless such changes are being made solely to adjust for changed costs of raw materials, of labor, or of producing and delivering standard reference materials and calibration services.

SECTION 13

This section directs the Board of Assessment of the NBS to include, as part of its reviews of NBS programs, an assessment of emerging technologies that require research in metrology. This section focuses the assessment panels on NBS's future as well as on the quality of current NBS programs.

SECTION 14

This section directs the Bureau to prepare a plan detailing how NBS will make small businesses more aware of its activities and to increase small business applications of NBS's research.

SECTION 15

This section prohibits the National Technical Information Service from contracting out or privatizing any of its activities or functions that are not currently performed by contractors, unless such contracting out or privatization is specifically authorized by statute.

SECTION 16

This section establishes the Department of Commerce Science and Technology Fellowship Program to provide employees of the Department of Commerce and other Executive Branch employees with the opportunity of learning how the legislative branch and other parts of the executive branch function.

THE 50TH ANNIVERSARY OF NORTH JUNIOR HIGH SCHOOL

HON. RICHARD H. STALLINGS

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. STALLINGS. Mr. Speaker, today is a special day for many of my constituents. April 23, 1987, marks the 50th anniversary of North Junior High School, Boise, ID's first junior high. Since the opening day 50 years ago, North has maintained the highest standards and goals in the education of our youth.

I would like to submit the following article which appeared in the March 1987, edition of the North and East Boise Journal and which describes the dedication and attention for students and parents alike which has been the

hallmark of North Junior High for these 50 years.

**THAT MAGNIFICENT JUNIOR HIGH SCHOOL
NEARS 50th BIRTHDAY**

"Boise schools are entering a new era. A magnificent junior high school building on Thirteenth Street, between Fort and Resseguie, awaits occupancy next September."—Boise school publication, May 1937.

This new era meant students would no longer attend elementary school for eight years and high school for four. The young adolescents would go to junior high.

North Junior High School was the first junior high school in Boise.

Today the building looks exactly as it did when the doors opened in September 1937. The wide hallways, the cement floors, the built-in lockers, the spacious gymnasium are the same.

Of course the students hurrying through the halls between classes today are not the same. The world is not the same and the school is not the same. Today's North has a greater variety of classes, and programs, to meet the needs of students.

On April 23 North will celebrate its 50th anniversary. Invited to attend are students, parents, teachers, former students and teachers, and people from the community. There will also be a carnival and dance on April 3.

James Coleman is the sixth principal and the one who has served in that role the longest, 19 years. Before becoming principal he was a counselor and then a vice principal at North.

Coleman was born in Osceola, Neb., graduated from Emmett High School and the University of Idaho and served in the Army during the Korean war. His education career began as a teacher at Boise High in 1958.

"I have high expectations of my students, teachers and myself," says Coleman. He said he believes in setting goals and measuring progress in meeting them.

"Teaching to me is adjustment. Every day we walk into the classroom we have to make adjustments for the knowledge and background of these students. We know where we want to go. To take them with us is an ongoing adjustment."

"It is a very challenging age. They are energetic, curious, seeking, trying to become young men and young women. They are going to make errors. They are trying to become an individual, but they are still part of that family."

Coleman says he's a firm believer in discipline, and in being responsive to the needs of others.

"We all have certain rights. There is security in knowing what we can do and what we can't. We know what regulation is and how we can live with it. I believe some of the best lessons in life are failure and disappointment and how we handle that."

It's important to teach students to have confidence in themselves, to know their strengths and weakness, to have a feeling of self worth, he says.

"Kids can get caught up with drugs and alcohol before they know what's going on," he said, and self confidence helps make drugs unnecessary.

North has a policy that says if a student is found using drugs at school, they are turned over to the police. Drugs at school are not a problem, said Coleman.

All Boise schools rate above state and national averages in test scores. "We did well within the Boise school system," added Coleman.

The school is strong in foreign languages, Spanish and French, with a language department headed by Toni Jones. Coleman said the school ranks highest in languages among the nine Boise high schools and junior highs.

All students for whom English is a second language attend North, what is called the ESL class. Among the native languages are Czech, Polish and Laotian. Coleman says the students move into regular classes as rapidly as possible.

Twenty six percent of seventh and eighth graders are on the honor roll and 22 percent of ninth graders. The school has an honors English program.

There is also an extensive pre-vocational program, just as there was when the school opened in 1937. One addition was made, a building adjoining the main school building houses the school cafeteria and industrial arts and art classes.

Junior high has dropouts. Coleman said three dropped the first semester of this school year, but all are back this semester. Some who don't go back enroll in a program called 7001.

When children drop out, it may be related to family values and attitudes, said Coleman. Jobs are difficult to find at this age. After working at such jobs as dishwashing for a few months, most are ready to come back to school, he said.

North has an active parents group, Parents Who Care. Coleman said members are parents who are vitally interested in their children and the role schools play in family life. Three hundred students and parents turned out for recent meetings on preparation for high school and college.

"Parents must get involved in their child's education and their daily life," said Coleman. "Though they're 14 or 15 years old they need that daily guidance, that talking, communication. And it isn't happening in some families."

North students recently won all three prizes in the Fleet Reserve Essay Contest. Winners were Robbin Bowler, Tristan Trotter and Scott Reents.

North's enrollment today is 750.

There were 1,230 students and 35 teachers when the school opened in 1937, said Toni Bicandi, a counselor and chairperson for the 50th anniversary observance. Because elementary schools were so full, part of the classrooms were used by first and second grade students.

R.A. Pomeroy, the first principal, served from 1937 to 1942. He was followed by Harold Hines, Jerald Wallace, Glenwood Robinson, Ed Hoshaw and Coleman.

Five of North's first teachers are still living, Larry Wood, Velma Andrasen, Margaret Boone, Roy Griffin and Ken Gardner.

Parents Who Care are planning a kickoff event for the birthday celebration, a dance and carnival April 3, from 7:30 to 10:30 p.m., for students, parents, teachers, past graduates and previous teachers. Clothing may be from any era in the last 50 years, including 1987.

The birthday celebration April 23, from 7 to 10 p.m., will include a program, music from the past, a tour of the school and a fashion show. Present students will model clothes of the five decades. Boise residents are invited, along with present and past students and teachers.

"The teachers and students are excited about our 50th," said Bicandi. "We would love to have the whole city of Boise join in making this the best party ever."

Congratulations to the staff, parents, students, and alumni of North Junior High School for 50 years of a job well done.

**THE MEDICAID COMMUNITY
PROPERTY AND RESPITE CARE
ACT OF 1987**

HON. OLYMPIA J. SNOWE

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Ms. SNOWE. Mr. Speaker, on April 22, 1987 I introduced H.R. 2131, the Medicaid Community Property and Respite Care Act of 1987. This bill would protect, through the application of the concept of community property, the assets and income of community spouses who have placed a husband or wife in a nursing home. Further, it extends provisions under the Medicaid program to provide respite care for caregiving families.

H.R. 2131 would require that all jointly held assets, excluding those assets currently exempted by Medicaid such as home equity, and income be considered community property and split on a 50/50 basis. In order to protect those with fewer financial resources, this bill would set a minimum floor of \$12,560 in assets and \$890 per month in income. The \$12,560 is based on the median assets of male householders over 65 as established by the Bureau of the Census. The \$890 figure is 200 percent of the Federal poverty level for a one-person household.

In addition, H.R. 2131 would provide for 30 days of respite care per year as an optional State program. Under other proposed spousal impoverishment bills, it may be more financially advantageous to place a sick spouse in a nursing home in order to protect at least one half of the resources. To offset this potential bias toward institutionalization, I propose Medicaid cover a total of 30 days of respite care per year—either at home or in an institution. No more than 15 days of out-of-home care or 3 days of in-home care could be used at one time. In this way, families will be assisted in their efforts to maintain their frail or dependent family members at home.

As many of you know from constituents in your own communities, the current provisions under Medicaid stipulate that an institutionalized individual has an unrestricted right to use jointly-held assets for paying nursing home costs. As a result, the institutionalized individual must "spend down" all resources to the level of \$2,800 before becoming eligible for Medicaid coverage of nursing home care. The consequences of the "spend down" provision is to leave the spouse in the community with very limited resources. Often times the community spouse will become dependent on public welfare programs as a result of this impoverishment. Because women live longer than men and tend to marry older men, the person left impoverished in the community is most often a woman.

Medicaid currently considers income the property of the spouse whose name is on the check. For example, if an institutionalized spouse receives a pension check it will go directly to pay for nursing home care and is not

available to the community spouse for living expenses. Often a woman is completely dependent on her husband's social security and retirement income because she has worked in the home or worked part time and does not receive these benefits herself. All of her husband's income goes to pay for nursing home care and she must live on as little as \$340 a month—the SSI minimum monthly needs allowance.

My bill differs from other spousal impoverishment bills in the use of the community property concept and in the extension of respite care provisions under Medicaid. The notion of community property is one that has been applied in many States to the division of assets when couples divorce. It is perceived to be a fair way of allocating resources among individuals who, each in their own way, have contributed to the family unit. For some, principally women, the contribution has been either through nonpaid work in the home or employment that brings a lower wage than that of the spouse. Each contributes in his or her own way, but each contributes equally in terms of effort and ability.

A distribution of resources based on this notion of community property is fair and it works. Currently, the States of California and Washington are using this concept and finding that not only is it easy to administer, but also that it protects the community spouse from being so impoverished that he or she must become dependent on public welfare programs.

If a couple has lived together for many years, it is tragic when they are separated because one must enter a nursing home. When the community spouse is left impoverished as well as alone, it is a double tragedy. No longer can we tolerate situations in which wives are forced to divorce their institutionalized husbands in order to assure that they will receive financial support. Spousal impoverishment is an issue whose time has come. We have it in our power to avert the tragedy of community spouses who in their older years face impoverishment and public dependency.

THE CHALLENGE OF AMERICAN CITIZENSHIP

HON. ALAN WHEAT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. WHEAT. Mr. Speaker, it is a special privilege for me today to honor, and to bring to the attention of my colleagues in the House of Representatives, the Missouri winner of this year's Voice of Democracy Scholarship Program sponsored by the Veterans of Foreign Wars.

James Mitchell, a 17-year-old Kansas City High School senior from Missouri's Fifth Congressional District, won the State scriptwriting contest with his thoughtful prose on "The Challenge of American Citizenship." The son of Mr. and Mrs. Walter Mitchell, James is a prolific writer whose work has been published in such publications as *Missouri Writer* and *Artisan*. James has also earned first prize in the statewide optimist oratorical contest.

Mr. Speaker, in addition to the student contestants from Missouri, more than 300,000 high school students across the Nation and overseas participated in this year's annual contest competing for the seven national scholarships. All the contestants were required to write a 5-minute broadcast script entitled "The Challenge of American Citizenship." It is my pleasure to include in the CONGRESSIONAL RECORD a copy of James Mitchell's award-winning script.

THE CHALLENGE OF AMERICAN CITIZENSHIP

(By James William Leroy Mitchell)

It was a sunny afternoon of my childhood when I walked along the sidewalk that circled my block. Looking at my feet, making sure I didn't step on any cracks, I just happened to notice something moving a few feet ahead. It was an ant slowly dragging a potato chip across by path. He was clutching it in his two front pincher-like jaws and seemed to have some trouble pulling it over the rough texture of the sidewalk. I watched him until he got to the spear-like grass of someone's yard and then continued on my way; not giving much thought to this miracle I had just witnessed. Little did I know it, but I am in many ways like this ant, as are all American citizens. Like the ant who had to carry the weight of a potato chip, each American citizen has a certain amount of weight he has to carry. To have a job and the responsibilities of home, look out for the well being of other people in our society, and possibly defend the nation itself are not easy tasks for any person. But in order for an ant colony to survive, each ant has to carry food to the burrow. And in order for America to survive, each citizen has to carry the weight required of an American citizen.

It was Henry James who said that "It is not simple to be an American" and it really isn't. Americans are always encouraged to try harder, strive for what's best, and to find their dreams. The only satisfactory way to do all of this is by working or at least being a productive member of society. Everyone knows that work isn't easy, the word itself is synonymous with demanding. But as demanding as it is, each person gets a certain amount of satisfaction from meeting the demands. Unemployment is a serious problem because work is an important part of a person's life. Even those people who, in the past, were deemed incapable of working are beginning to enter the working world. More physically and mentally handicapped people have jobs. Employment, as difficult as it is, has been recognized as a weight most Americans should carry. Furthermore, the ant who was bringing the potato chip to the colony was feeding more than just himself, he was also feeding all of the other ants. And, like that ant, we are all part of a society that depends on each other. Part of that weight we carry is not only our own but other people's. We pay taxes that go to the government to help the needy, we donate money to certain charities, and some people even directly put time and effort into helping others. In America, no one really lives for himself and himself only. One person's efforts can greatly affect all of society, and, if it should ever come to it, each person also has the responsibility to defend this nation. If not by directly fighting then at least contributing to the war effort. Our society of justice and democracy has to be protected, and every citizen has to carry the weight of this realization.

Every person goes through their lives carrying the weight of citizenship but that's

not easily seen. What we are able to see are the examples of people who, with a combined effort helped those who needed help. Hands across America, Farm Aid, and we are the World are just a few examples of the efforts made by people. People who not only met their everyday responsibilities but also picked up the weight of the nation and other nations. Around Christmas time I always see people standing outside of grocery and department stores. They are usually ringing a bell as they stand in front of a kettle, passerbys, are supposed to place money into. They stand there even though the wind may be cutting through them like a cold knife, because they are collecting money to help the needy. Not only are they carrying extra weight but so are all of the people who donate money.

Why do people do such things? Why do people work, pay taxes, donate money to charity, risk their lives, hold hands for a cause, and stand in the cold ringing a bell? Why did that ant drag a potato chip across the sidewalk? Quite simply, so that he and the colony could have the nourishment. And we do all those things, carry all that weight, so that we can get the benefits of being an American citizen. We work so that we can have money, a place to live, and possibly a family. Not only that, it's simply a privilege to live in America. With America comes greater opportunities, just laws, and freedom. All of the things gained because people carried their weight, met their challenge of citizenship.

I never knew how much I had in common with that ant and his potato chip. Both he, and I, and all of Americans have certain weights we have to struggle with. So if you ever happen to see an ant dragging a potato chip across the sidewalk, walk around it. It's hard enough to carry the weight of responsibilities, but it's even worse to get stepped on.

TRIBUTE TO CHRISTI BAIKO

HON. NORMAN D. SHUMWAY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. SHUMWAY. Mr. Speaker, I would like to ask that my colleagues join with me in recognizing the accomplishment of a very special young constituent of mine, Christi Baiko, of Nevada City, CA. Christi is the nationwide winner in her division of an essay contest sponsored by Mothers Against Drunk Driving (MADD). Christi's essay is moving in its imagery and numbing with its very tragic message. Her prize-winning entry makes it clear that, even at only 15 years of age, she has a formidable writing talent. Most of all, however, her essay is a grim reminder—and, I hope, a sobering one—that "Drunk Drivers Destroy Dreams." I commend Christi's story to my colleagues attention, and know they will join with me in congratulating her for a job well done.

DRUNK DRIVERS DESTROY DREAMS

It's a world shrouded in silence, a world where no breeze gently stirs the leaves, and no birds chatter angrily at an unwary animal that has disturbed their slumber. It's a world of quiet, of death, and of sadness, a place eerie in its beauty and frightening in its silence. The shadows deepen as the last

rays of the setting sun gently caress the leaves.

At one time this was a place of lightness, and laughter, and happiness, a land where anything could happen and most all things did. But no sound comes from here now, because "here" doesn't exist. "Here" is a place of dreams, uniquely its own, that never has and never will exist anywhere but in one innocent little boy's mind.

Now all is silent, for the boy no longer plays in the secret haven of his imagination. You see, a year ago a driver lost control, killing him as he crossed the street. The driver was drunk.

All is silent now in this forgotten world, but not half as silent as the life his family now leads.

NATIONAL NUTRITION MONITORING

HON. MANUEL LUJAN, JR.

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. LUJAN. Mr. Speaker, for the last 8 years, the Committee on Science, Space, and Technology has participated in legislative and oversight hearings regarding the importance of coordination between the U.S. Departments of Agriculture [USDA] and Health and Human Services [DHHS] in the area of national nutrition monitoring.

Each agency is charged with the responsibility of conducting nationwide surveys which provide data needed to assess the nutritional and dietary status of the American population. In addition, beginning in 1988, DHHS, through the Third National Health and Nutrition Examination Survey [NHANES III], will use special sampling techniques that pay particular attention to, and will permit reliable estimates of, the nutritional and health status of infants, children, the elderly, blacks, and Hispanics.

Today, The National Nutrition Monitoring and Related Research Act is being introduced, which proscribes yet further programmatic mechanisms for coordinating the Federal programs. I believe it is appropriate, at this time, to acknowledge the efforts in the executive branch which are also aiming at reaching the same goals—improved coordination and better investment of resources in nutrition monitoring.

The following are examples of how USDA and DHHS are addressing these goals:

EXAMPLES OF USDA AND DHHS EFFORTS TO UPDATE AND BETTER COORDINATE THEIR NUTRITION MONITORING ACTIVITIES

The Departments of Agriculture [USDA] and Health and Human Services [DHHS] recognize the need for up-to-date data on the nutritional and dietary status of the American population, and special subgroups. Accordingly, one or both Departments will be in the field collecting data every year through 1996.

USDA conducted the Continuing Survey of Food Intakes by Individuals [CSFII] in 1985 and 1986 to address this concern for timely data. The survey was designed specifically to supplement data from the larger Nationwide Food Consumption Survey [NFCS] being conducted this year. The Department plans to continue the CSFII after the 1987 NFCS is completed. Both the

CSFII and NFCS include low-income samples in addition to a nationally representative sample of the population.

DHHS plans to conduct the third National Health and Nutrition Examination Survey [NHANES III] over a six-year period beginning in 1988. NHANES III is the latest of a series of studies involving interview and physical examination, as well as diagnostic and biochemical testing, of a representative sample of Americans. NHANES III will provide national estimates of diseases and health characteristics of the American population ages two months and above. Special sampling of infants, children, the elderly, and minority groups such as Blacks and Hispanics will also permit reliable estimates of the health and nutritional status of these groups.

USDA and DHHS are striving to increase the coverage of the National Nutrition Monitoring System, and thereby make more effective use of Federal expenditures for nutrition monitoring and enhance the productivity of the system. The Joint Implementation Plan for a National Nutrition Monitoring System, which was delivered to Congress in 1981, is being expanded into an Operational Plan.

Areas of focus for the expanded plan include emphasizing components of the system in addition to the NFCS and NHANES, improving the system's information dissemination and exchange, and improving the research base for nutrition monitoring. The new Operational Plan covering the 1987 through 1996 time period is expected to be completed within the next month.

A task group has been formed within the Interagency Committee on Human Nutrition Research, co-chaired by USDA and DHHS, to identify research needs in the area of nutrition monitoring and to work to see these needs are met. As part of this process, the task group will examine surveys conducted at the Federal level that now provide or could potentially provide nutrition monitoring data.

Coordination has been a major area of activity between the NFCS and NHANES staffs over the past two years. Both surveys will use the same food coding system and National Nutrient Data Bank to obtain food composition values. The staffs have reviewed population descriptors and nutrition-related questions and recommended a set of common questions to improve comparability. These are being adopted by the agencies to the extent possible. To help data users understand the remaining differences in content and sampling design between these two surveys, data tape documentation will be improved.

These data are used for a wide variety of purposes. Jointly, USDA and DHHS are giving increasing attention to the needs of health policy planners at the State and local levels. In addition to the annual Nutrient Data Bank Conferences, which focus on better understanding and proper use of nutrient data for dietary assessment, during 1986 USDA and DHHS participated in two workshops designed to help States use the CSFII, NFCS, and NHANES data. These workshops also allowed the Federal staff to gain a better understanding of the States' data needs.

NCHS conducted four workshops in 1986 and two will be held in 1987 to acquaint researchers with techniques for analyzing the Hispanic Health and Nutrition Examination Survey. A group of users of NHANES data from government, academia, and industry

also meet quarterly with NCHS staff to discuss how to best utilize NHANES resources and share analytical results.

The workshops described in the preceding bullet illustrate one way that States can get assistance to help them use these nationally representative data in predictive models for their own populations. The Federal staffs are also willing to make available their knowledge about conducting surveys, so that interested State and local groups can conduct their own, an increasingly attractive option to the prohibitive cost of conducting nationwide surveys that are specifically valid at geopolitical levels such as a State or county. Another workshop is planned for June 1987 for this purpose.

USDA and DHHS have recognized the need for interpretation of data from the Nutrition Monitoring system and proposed a reporting system in the 1981 Implementation Plan. The first report of the Joint Nutrition Monitoring Evaluation Committee [JNMEC] was delivered to Congress in July 1986. It is a first step toward providing integrated interpretation of data from the system. The Departments are currently developing plans for preparation of the second report to Congress, which is due in 1989.

The CSFII data will be available for the second report on nutrition monitoring as will the results of eight cooperative agreements funded by USDA to examine the 1985 CSFII data in greater depth. Data from the DHHS Hispanic Health and Nutrition Examination Survey [HHANES] will also be available and will permit estimates of nutritional status and of other health characteristics to be made for Mexican-Americans, Puerto Ricans, and Cuban Americans.

Timeliness of data release and analysis has been an ongoing concern of the Departments, Congress, and the nutrition community. USDA's CSFII was designed so as to avoid this pitfall. The first wave of data was released as hard copy and on data tapes within six months of data collection. To further improve the timeliness of data release, data collection during NHANES III will be automated in mobile examination centers. Collection of information about dietary intake will also be automated in NHANES III.

JAPAN'S SMOKESTACK INDUSTRIES PIN HOPES ON RESEARCH

HON. DOUG WALGREN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. WALGREN. Mr. Speaker, 1987 marks the fourth year of attempts within the administration and the Congress to get a firm commitment to a steel research initiative. This program is needed to develop "leap frog" concepts to put the United States once again in the world lead in steel technology. We know we will not be able to compete with Third World labor costs or Japanese capital costs; we also know that steel is very important to our national defense and our competitive position in world markets. We cannot afford to let this industry deteriorate further. Yet all we have to show for our efforts to establish a "leap-frog" steel research program are years of planning and some unobligated appropria-

tions. The failure of the administration to take this program seriously despite its origins in the Office of the President's Science Adviser is inexcusable.

Ironically, once again we may have shown the Japanese how to solve their problems with American ideas. They made the decision to pour money into steel R&D shortly after they learned of the American proposal for a steel research initiative. I commend the following article on Japanese steel research to my colleagues and urge them to support an enhanced United States effort before it is too late.

[From the Wall Street Journal, Mar. 25, 1987]

JAPAN'S SMOKESTACK INDUSTRIES PIN HOPES ON RESEARCH

(By Stephen Kreider Yoder)

CHIBA, JAPAN—In the shadow of the cold smokestacks at Kawasaki Steel Corp's huge steelworks stands a shiny new six-story building.

Next month, hundreds of researchers will move into this "high-tech research tower," built by the steelmaker for \$33 million.

The sparking lab and silent blast furnaces bespeak the company's struggle for survival. Kawasaki Steel expects to post a loss equivalent to \$330 million for the fiscal year ending this month. The company has cut managers' salaries, closed mills, slashed capital investment and put workers on furlough—but it hasn't touched research-and-development outlays.

"We won't cut R&D," says Nobuo Ohashi, managing director of Kawasaki Steel's research labs, "unless there's absolutely nothing else left to cut."

INVESTING IN THE FUTURE

The story is much the same with Japan's other smokestack industries. The high yen is shriveling profits of companies already faced with slack markets and such new lost-cost rivals as South Korea. But while Japan's steel companies, shipyards, textile mills and even high-technology concerns are cutting costs to survive the crisis, they keep pouring cash into research.

"It's the most important expenditure for our future," says Toshiba Corp.'s president, Sugichiro Watari.

The strategy illustrates one of the strengths of the Japanese economy. Western manufacturers, especially in older industries, often cut costs across the board when profits fall. In Japan, where stockholders are patient, loans come easy and takeover are rare, R&D in times of hardship is a must.

And while the strong yen makes dollar-denominated products competitive now, the Japanese expect their research push to help them emerge with competitive new technologies.

Few industries have been hit harder than steel. With the strong yen and a steel market glutted by cheaper Korean and Brazilian output, Japan's steelmakers face a plight similar to the one they forced on their American and European counterparts. Exports have fallen sharply. Such giants as Nippon Steel Corp., Kawasaki Steel, Nippon Kokan K.K. and Kobe Steel Ltd. are posting losses and cutting jobs.

In similar straits, many big U.S. steelmakers reduced research-and-development budgets. Bethlehem Steel Corp. of the U.S. cut research spending in 1982 when it began to incur losses, and followed with further cuts in 1983 and 1984. The company sold its

research center, reduced the number of researchers to 450 from nearly 1,000 in the 1960s and moved many of the remaining employees out of central research laboratories and into the plants.

(Of course, many bigger Western companies maintain research and development in bad times, especially in such high-tech industries as semiconductors. America's Intel Corp. and Motorola Inc. didn't cut research spending during the industry's slump in 1985 and 1986. And many Western companies are following the Japanese lead in maintaining R&D now.)

But unlike some of their U.S. competitors, Japanese steelmakers are maintaining research spending and bringing researchers under one roof. Nippon Kokan, Japan's No. 2 steel concern, increased R&D outlays 15% in 1986 from the prior year, to almost \$200 million. Kobe Steel is holding its outlays to last year's levels, as is Kawasaki Steel.

All three will open expensive central-research labs this year, squeezing costs in other areas to maintain the investment. "We have to bite the bullet today to be able to eat tomorrow," says Kobe Steel spokesman Mitsuo Sakamoto. Kobe Steel researchers are studying biotechnology, water processing and alcohol production. "Steel will never grow like it did," Mr. Sakamoto says. "If we don't open new areas, we can't survive."

Until two years ago, Kawasaki Steel wasn't even doing research in fields other than steel. Now 60% of its nearly 433 researchers study dozens of non-steel technologies, including lasers, semiconductors, solar cells and superstrong composite materials. While the steelmaker plans to cut 5,300 blue-collar positions by the end of 1988, it is stepping up its hiring of young researchers. The company's research center hired 50 new graduates last year, up from 20 in 1984.

"Without research muscle we have no future," says Mr. Ohashi, Kawasaki Steel's research director. "We can't expect to start making profits in new businesses in just a few years. But if the high yen continues, we'll be needing it."

Steel isn't alone in this attitude. For example, a textile maker, Teijin Ltd., is cutting expenses. The textile industry was battered by less-expensive textiles from Southeast Asia even before the yen began to surge. Teijin began closing factory lines last July, including some of its most automated, and expects a 20% drop in profit in the year ending this month.

But while one-third of its mills stand idle, Teijin's research lab near Tokyo goes full bore on such products as pharmaceuticals and fibers. The company increased R&D spending 6% in 1986, to \$92.5 million. Cutting such outlays "would be suicide," says a Teijin official.

HOPES FOR TURNAROUND

Many analysts expect Japanese companies, even in smokestack industries, to emerge from the yen crisis better off. Trimming the fat off production and developing products will make them more competitive in the future, they say.

Japanese companies can afford to wait because they have an ally in their big shareholders. These are mainly banks, insurance companies, and institutional investors that don't meddle in management and they don't press for short-term profitability or cost-cutting measures. That gives the companies the luxury of pumping money into research even if it hurts the balance sheet.

What's more, they can fund long-range R&D efforts even in lean times through

access to easy financing from Japanese banks, many of which are stockholders. Weak, company-based unions also make it possible to channel funds into R&D, even while forcing workers to accept pay freezes and forced holidays on reduced pay.

QUICKER PACE

High-tech companies are still more adamant about keeping research budgets intact. Toshiba says 30% of its products were developed in the past three years. In five years, it expects half of its products will have been developed in the previous three years.

"If we don't do our R&D now, our sales in five years will be halved," says Sakae Shimizu, senior executive vice president. "It's like food—it's the last thing you cut out."

Japan's electronics giants saw profits fall last year as demand for computer chips and other exports tumbled. But "when things get rough, the trend here is to focus even more on research," says Hisao Oka, Mitsubishi Electric Corp. managing director. "Right now that's one of our weapons against the high yen."

ILLINOIS PROCLAIMS WORLD POPULATION AWARENESS WEEK

HON. JOHN EDWARD PORTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. PORTER. Mr. Speaker, Gov. James Thompson has proclaimed the week of April 20-25 as World Population Awareness Week in Illinois. In doing so, Governor Thompson has joined more than 34 other State executives in encouraging Americans to consider the issues relating to continued world population growth.

Many Illinois citizens, scholars, and community leaders will do just that in conferences and forums to be held this week at Northwestern University, MacMurray College, and other locations around the State. Like thousands of other Americans at similar gatherings throughout the country, they will struggle to learn more about this complex and challenging problem and offer possible solutions.

I am pleased to recognize those efforts by joining with my colleagues in the Illinois delegation, Senators PAUL SIMON and ALAN DIXON, in supporting House Joint Resolution 148 and Senate Joint Resolution 69 to declare this week nationally as World Population Awareness Week.

I request that Governor Thompson's proclamation be printed in the RECORD.

The proclamation follows:

PROCLAMATION

Whereas, the world's population has reached 5 billion and is growing at the unprecedented rate of 87 million a year; and

Whereas, rapid population growth causes or intensifies a wide range of grave problems in the developing world, including environmental degradation, urban deterioration, unemployment, malnutrition, hunger, resource depletion, and economic stagnation; and

Whereas, 50 percent of the 10 million infant deaths and 25 percent of the 500,000 maternal deaths that occur each year in the developing world could be prevented if voluntary child spacing and maternal health

programs could be substantially expended; and

Whereas, some 500 million people in the developing world want and need family planning, but do not have access or means to such services; and

Whereas, the United States has been the leading advocate of the universally recognized basic human right of couples to determine the size and spacing of their families;

Therefore, I, James R. Thompson, Governor of the State of Illinois, proclaim April 20-25, 1987, as World Population Awareness Week in Illinois, and I call upon all Illinoisans to reflect upon the consequences of overpopulation.

HEALTH CARE PROBLEMS IN RURAL AREAS

HON. MIKE SYNAR

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. SYNAR. Mr. Speaker, health care problems in rural areas deserve more attention. One-quarter of our Nation's citizens live in rural areas. Although information on the availability of health care services and the health care needs of rural Americans is scarce, there have been several studies which point out some stark differences between rural and urban areas. It's these differences that led to the creation of the Rural Health Care Coalition and the five piece legislative package the coalition introduced April 22, 1987. The Rural Health Care Coalition is a bi-partisan group of 36 House members formed to address the concerns of both users of health services and health providers in rural areas.

Some of the differences between rural and urban areas which relate to health care include:

Documented shortages of physicians, psychologists, speech therapists and other allied health professionals as well as a shortage of hospitals and skilled nursing facilities.

Higher mortality rates, especially infant mortality rates.

More incidents of chronic, long term illnesses among elderly living in rural areas.

A recent study indicated that the mental health needs of rural citizens have been severely underestimated and that the independent nature of rural residents may prevent them from getting the care they need.

More residents are low income. Rural elderly are twice as likely to be poor or near poor than their urban counterparts.

Lower Medicare reimbursement rates for rural doctors and hospitals despite the fact that providers have relatively high fixed costs.

Access to health care in rural areas is aggravated by the lack of public transportation. Transportation costs in rural areas are higher than in urban areas.

Of the Nation's 58 hospital closures in 1986, nearly 64 percent were small or rural hospitals. Only 4 closures were reported among hospitals with 200 or more beds.

In a recent Touche-Ross survey of hospitals, 97 percent of the respondents said that hospitals with fewer than 200 beds were the most vulnerable to failure. The survey notes

that this assessment is made on the basis of first-hand knowledge.

Discharges for small or rural hospitals fell by 13 percent during 1980-84, more than 6 times the national average.

Between 1980-84, the average daily census for small and rural hospitals declined at a rate more than twice the average for other hospitals.

Sixty percent of small and rural hospitals report that Medicare revenues represent 43 percent of their total net revenues.

Because many rural and small hospitals serve a greater than average proportion of Medicare and Medicaid patients, they are more vulnerable to change in reimbursement rates and regulatory policies.

Many different factors work together to make it more difficult for health care providers to serve patients in rural areas and for rural citizens to get the health care services they need. Access may be limited for a number of reasons: The nearest hospital is 40 miles away and there is no public transit system or inadequate emergency transportation. Rural citizens are less likely to have adequate health insurance and may not be able to afford treatment.

Since 1970, the elderly population in rural areas has increased by 27 percent. Young families are giving up, moving to urban areas and leaving behind older folks in dying communities. The heavy concentration of elderly citizens creates special problems in rural areas.

Because many rural and small hospitals serve a greater than average proportion of Medicare and Medicaid patients, they are more vulnerable to changes in reimbursement rates and regulatory policies. The Prospective Payment System relies on the law of averages. Large hospitals can offset their losses through greater patient volumes and a balanced mix of private paying patients. Many rural hospitals can't do this.

Rural hospitals haven't fared as well as their urban counterparts under PPS. According to the Prospective Payment Review Commission, over one-fourth of all rural hospitals incurred losses under PPS, while very few urban hospitals had losses. In Oklahoma, it's estimated that three-fourths of all the small and rural hospitals in the State are breaking even or losing money.

The five bills that the Rural Health Care Coalition has introduced will help build the framework necessary to deal with rural health problems in the future. They don't solve all of the problems, but they are a good start.

The Rural Health Care Preservation Act, H.R. 2113, addresses the most critical problem in assessing the problems of health care in rural areas—information. It is difficult to make changes in the current system, when we're not exactly sure what needs to be done. The Health Care Financing Administration readily admits that it cannot provide much of the statistical data requested by the Congress on the health needs of rural Americans, how their reimbursement policies and regulations affect rural health providers or even what kinds of services are available in rural areas.

H.R. 2113 solves the problem by creating a focal point within the Department of Health and Human Services which can look into both

public health issues and reimbursement policies through the creation of a Deputy Undersecretary for Rural Health. This office would serve as a clearinghouse, coordinator and advocate for the health needs of rural Americans.

Recognizing that the problems of rural health care go beyond reimbursement issues, this bill creates a panel of experts to study rural health issues with an eye toward the future.

The bill also expands the National Institutes of Mental Health's demonstration projects for rural mental health programs. The farm crisis in rural areas has strained mental health systems which do exist to the breaking point. It's clear that rural areas don't have the services necessary to deal with the mental health needs of rural citizens in today's stressful rural environment.

To aid in the gathering of information on rural health care, the bill also requires that 25 percent of the new research initiatives in the area of health services delivery under the Public Health Service Mental Health's block grant program be set aside for services in rural areas.

Small and rural hospitals are particularly vulnerable to changes in HCFA regulations which can, and in many cases do, increase their cost of doing business. The bill requires that all proposed and final regulations issued by HHS which have a substantial impact on rural health care providers and beneficiaries be accompanied by an impact analysis statement.

The Rural Health Care Coalition's legislative package also includes four other bills:

H.R. 2114—The Medicare rural hospital amendments

H.R. 2115—The Rural Nursing Care access amendments

H.R. 2116—The Peer Review Organization due process and equity amendments

H. Con. Res. 108—expressing the sense of Congress that Medicare reconciliation legislation take into account the plight of rural hospitals

Ensuring that rural citizens have access to affordable and quality health care is the goal of the Rural Health Care Coalition. I support efforts to keep health care costs down. PPS has had some positive results, however, it could use some fine tuning. I fully expected that some inefficient hospitals would close under this system of reimbursement—I didn't expect that most of them would be located in rural areas or that the rural hospitals would be threatened with closure, not because they're inefficient but largely because they're located in rural areas.

In most small towns, the local hospital is more than a place to receive health care. It's the anchor in a community that provides jobs, attracts health care providers and assures industries that an area is suitable for economic development. Take away the anchor and you may lose the town.

The coalition's legislative package is balanced and reasonable. It accepts that there are many questions about the future of rural health care and tries to deal with the future from a position of knowledge by gathering the information necessary to make important decisions down the road.

NATIONAL POLIO AWARENESS WEEK

HON. RICHARD A. GEPHARDT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. GEPHARDT. Mr. Speaker, in an effort to call attention to the late effects of polio, I am introducing legislation to designate June 1, through June 7, 1987, as National Polio Awareness Week.

Many of us are fortunate to have benefited from the great medical advances that have been made in the prevention of polio. However, there are an estimated 300,000 individuals in the United States who survived the polio epidemic of the 1940's and 1950's but were left with some degree of disability. Of great concern as well are the unimmunized travelers to the Third World where the disease remains endemic and epidemic.

The late effects of polio appear to progress very slowly and are just now coming to the attention of the medical profession. Because of this, there has been little organized activity to provide services, fund basic research, or educate the public and medical community.

This bill, designating the first week of June 1987, as National Polio Awareness Week, will coincide with the fourth International Polio and Independent Living Conference being held in St. Louis, MO. The conference will bring together national and international experts on post-polio problems.

Mr. Speaker, we hope the House will act quickly to enact this joint resolution. An awareness of the problems post polio survivors are experiencing is the first step to finding a solution.

H.J. RES. 253

Whereas there are an estimated 300,000 polio survivors in the United States today, 65,000 to 70,000 of whom may experience polio's late effects;

Whereas knowledge about the late effects of polio is slowly spreading to the health care community and to the general public;

Whereas polio is still endemic and epidemic in the Third World and remains a threat to unimmunized travelers; and

Whereas the International Polio Network, in an effort to call attention to the problem of polio and its late effects and to provide the public with accurate information on the disease, will bring national and international experts on post-polio problems together in St. Louis on June 4 through June 7, 1987, for the Fourth International Polio and Independent Living Conference: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled. That the week of June 1 through June 7, 1987, is designated as "National Polio Awareness Week", and the President is authorized and requested to issue a proclamation saluting the work of the International Polio Network and calling upon the people of the United States to observe the week with appropriate ceremonies and activities.

WINNER OF POSTER CONTEST SPONSORED BY MOTHERS AGAINST DRUNK DRIVING

HON. RICHARD H. BAKER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. BAKER. Mr. Speaker, I want to take this opportunity to congratulate 15-year-old Vikki Shaffett from Denham Springs, LA. Vikki is a sophomore at Denham Springs High School and won first place in the grade 10 to 12 division of the 1987 Mothers Against Drunk Driving [MADD] nationwide Poster/Essay contest. Displaying a message that reads, "Drunk Drivers Destroy Dreams," her poster was judged the best in the division.

For her achievement, Vikki and her family were flown to Washington, DC, for a press conference and awards ceremony hosted by National Car Rental, which sponsored the MADD contest this year.

Ms. Marita Doolittle, a high school senior also from Denham Springs High School, placed second in this contest. This is the first time that the top two finishers in a division have come from the same high school.

These two young women are to be commended for their efforts. Through hard work and dedication, they are helping to make others aware of the dangers of drinking and driving. The people of Denham Springs, and all of Louisiana, are proud of the efforts of Vikki and Marita.

ANALYSIS GROUP INC., NAMED NATIONAL PRIME CONTRACTOR OF THE YEAR

HON. WALTER E. FAUNTROY

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. FAUNTROY. Mr. Speaker, it is with great pleasure that I rise today to pay tribute to a Washington, DC based firm selected by the U.S. Small Business Administration as the Mid-Atlantic Regional and National Prime Contractor of the Year.

Analysis Group, Inc. [AGI], is a multidisciplinary engineering and technical services firm located in Washington, DC, with branch offices in Rockville, MD and Charlotte, NC. AGI has earned a reputation for immediately responding to major technical challenges and assuming a leadership role in transportation science, engineering mechanics, testing and evaluation of engineering systems, management and information systems, and international development programs.

Founded in 1977, AGI has grown from a small group of engineers providing technical services for a handful of private and government clients to a diversified professional organization meeting client needs worldwide. Their success against tight market conditions in a changing world economy, speaks of a winning spirit, hard work, determination and a profound commitment to the kind of competitive edge that once served to make this country

the unmatched industrial and technological leader of the world.

With the great adversity that we face in the world market, it will be companies such as Analysis Group that will serve to renew our economic hopes and dreams for the future.

We must recognize the importance, in the history of American enterprise, of the individuals that have demonstrated to our great benefit a firm belief in the pursuit of excellence. Dr. Arthur S. Paul is one such man. I, therefore, feel it necessary to bring to the attention of my colleagues, my great respect for the work of this fine man and the company he founded.

KERN COUNTY NURSE OF THE YEAR

HON. WILLIAM M. THOMAS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. THOMAS of California. Mr. Speaker, I ask you to join me in paying tribute to the 1987 Kern Registered Nurse of the Year—Elizabeth Hualani Day.

Lani Day has faithfully served patients of Kern County for 42 years. She is fluent in English and Spanish and relates to the cultural needs of all her patients in a sensitive way. Her career has been dedicated to improving the quality of life for many of Kern County's residents. She travels to four clinical sites of Clinica Sierra Vista's community health centers to help provide medical care to migrant farm workers, their children, and many of the county's poor, and low-income residents.

In all her years of nursing, Lani Day has worked in almost every aspect of nursing—including hospital-based emergency departments, pediatrics, intensive care, newborn nurseries, medical-surgical, doctor's offices, outpatient clinics, obstetrics, surgery, and intensive care. Aspiring nurses at Bakersfield College are now reaping the benefits of Lani Day's years of experience as she is a visiting clinical instructor, teaching the special skills of clinical assessment.

Always striving to keep on top of the expanding roles in clinical and administrative areas, Lani Day maintains active membership in the following professional organizations: California Coalition of Nurse Practitioners; National Association of Pediatric Nurse Practitioners; American Public Health Association; Kern Nurse Practitioner/Physician Assistant Association; and Kern Nurse Association.

Lani Day has treated her patients with respect and I know she has earned the respect of her colleagues who I would like to join in congratulating Kern's Nurse of the Year—Lani Day.

TRIBUTE TO DR. CHARLES E. ROLLINS

HON. PETER H. KOSTMAYER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. KOSTMAYER. Mr. Speaker, I rise today to pay tribute to a truly outstanding member of my constituency, Dr. Charles E. Rollins. Dr. Rollins has been dedicated to the education of America's youth for over 30 years. Dr. Rollins began his career in education in 1955, when he became dean of York [PA] Junior College. From there, he founded Edison Community College in Florida.

The majority of his career has been spent at Bucks County Community College, where he has been president for the past 22 years. It is from this position that Charles Rollins retires this spring. He will be honored at a dinner on May 8.

Dr. Rollins' commitment to improving the quality of higher education is evident from the many commissions and associations he has headed, including the Pennsylvania Association of Colleges and Universities, and the Pennsylvania Commission for Community Colleges.

Dr. Rollins has not only served his community in educational capacities, but has also found time to devote to the Bucks County Council of Boy Scouts, the United Fund, and the Multiple Sclerosis Fund.

A dedication to higher education is a dedication to America's young people, and consequently to the future of our country. Dr. Charles E. Rollins is deserving of the highest accolades for his dedication and contributions.

We in Bucks County, PA, wish Charles and his wife Audrey many wonderful years with their family. Dr. Rollins' professionalism and enthusiasm will be greatly missed by his colleagues and students. A man as energetic and committed as Charles Rollins will likely continue his involvement in education and the community, and his influence I know will be felt in the years ahead.

CONGRATULATIONS TO JEFFREY E. GINGERICH

HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. GOODLING. Mr. Speaker, I would like to take a moment to commend the efforts of Jeffrey E. Gingerich, a resident of Spring Grove, PA, and a six-grade student at the Spring Grove Area Intermediate School.

Jeffrey has won the Daughters of the American Revolution essay contest by writing on the theme, "Letter to the Editor: 1787." In his letter, Jeffrey explained why he felt the Constitution should be ratified. Jeffrey began his research for the essay in December which took shape in the 403-word paper he submitted to the DAR.

Entering essay competitions is not a new venture for Jeffrey, as he entered the same contest last year which earned him the

second place award. Jeffrey's avid interest in American history began when he went to the Gettysburg Battlefield as a third-grader.

Congratulations to Jeffrey E. Gingerich and young people like himself who take an active interest in our Nation's history.

VAN BRUNT & SON, INC., CELEBRATES 100 YEARS IN BUSINESS IN 1987

HON. BERNARD J. DWYER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. DWYER of New Jersey. Mr. Speaker, I rise today to bring to the attention of my colleagues in the House an historic anniversary which is being celebrated this year by a firm in my district.

Van Brunt & Son, Inc., which is based in Old Bridge, NJ and Kutztown, PA is celebrating 100 years in the motor freight transportation business.

Begun in 1887, Van Brunt has grown and changed greatly over the years. Technology in the trucking industry has evolved greatly in this time, the ownership has changed hands, but one thing has remained the same: the commitment to providing quality and dependable service to its customers.

Today, under the leadership of its president, Fred C. Hermann, Van Brunt & Son, Inc. is making its pressure felt in another area—truck safety. Their commitment to assuring that the trucks they put on the road are safe is a model for the entire industry.

Mr. Speaker, I am sure the Members of this House will want to join with me in congratulating Van Brunt & Son, Inc. on its 100 successful years in business and offer our best wishes for all their future endeavors.

ASSOCIATION OF FLIGHT ATTENDANTS ENDORSE H.R. 432 THE AIRLINE ANTISMOKING ACT

HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. SCHEUER. Mr. Speaker, I want to bring to the attention of my colleagues a letter I received yesterday from the Association of Flight Attendants endorsing H.R. 432, the Airline Antismoking Act. H.R. 432 bans smoking on board all domestic airline flights, as called for by the National Academy of Sciences in a recent study on the health effects of environmental tobacco smoke.

The National Academy found that the separation of smokers and nonsmokers in separate sections aboard airplanes does not prevent exposure to smoke of all passengers and flight attendants. The close proximity of passengers and crew also exacerbates this problem. Fresh air circulation in airplane passenger cabins is significantly less than what passengers and flight attendants are accustomed to on the ground. The high concentration of smoke in the smoking section of a passenger

cabin cannot be compensated for by increased ventilation, even if such an increase were economically and technically feasible, which it is not.

Air quality on board commercial airlines warrants our serious concern. Contaminants—particularly environmental tobacco smoke—make the cabin air quality substandard compared with other closed environments such as trains and subways. In fact, ozone and other air contaminants, coupled with low relative humidity, may interact with smoke in airline cabins to increase its harmful effects.

H.R. 432 would lessen irritation and discomfort to passengers, reduce potential health hazards to cabin crews, bring cabin air quality into line with standards established for other closed environments, and remove the possibility of fires caused by cigarettes.

With 28 percent of the American public taking at least one airline trip a year, and with some 70,000 flight attendants working long hours inside planes, the time has come to do away with smoke on board airlines. The Association of Flight Attendants agrees, and the text of their letter of endorsement follows:

ASSOCIATION OF FLIGHT ATTENDANTS,
Washington, DC, April 22, 1987.

Congressman JAMES H. SCHEUER,
Rayburn House Office Building,
Washington, DC.

DEAR CONGRESSMAN SCHEUER: The Association of Flight Attendants, the largest flight attendant union in the United States, would like to express its appreciation to you for introducing legislation that would ban smoking on all domestic flights. We fully support such legislation for the following reasons:

(1) According to the Surgeon General and the National Academy of Sciences, involuntary smoking increases the risk of lung cancer among the non-smoking spouses of smokers. Since the Academy found that flight attendants inhale the same amount of smoke at work as someone living with a pack-a-day smoker, we are convinced that some flight attendants will develop lung cancer as a result of passenger smoking.

(2) Passenger cigarette smoke is acutely irritating to the eyes, nose, throat and lower respiratory tract of flight attendants. The effects of environmental tobacco smoke are exacerbated by the high level of physical activity of our flight attendants, low ventilation rates, reduced oxygen levels at high cabin altitudes, and high concentrations of smoke in the smoking zones.

(3) Cigarette smoke is perceived by many flight attendants as increasing their susceptibility to colds and other respiratory illnesses, and may lead to cardiovascular problems and reduced pulmonary function.

(4) According to the National Academy of Sciences, ventilation rates on aircraft cannot be increased sufficiently to accommodate smoking due to the design limitations of the existing ventilation equipment.

(5) Although it has been suggested that "marketplace" solutions might eventually protect some passengers as airlines offer no-smoking flights, a flight attendant is "locked in" to her/his employer and cannot exercise a market choice.

Our decision to support a total ban on smoking involved an evaluation of several competing interests. Many of our members smoke, and a ban would be an inconvenience for them as well as for the passengers who smoke.

However, we feel that the right to hazard-free workplace is a transcendent one, particularly where known carcinogens are involved. Moreover, we have also found that a significant percentage of our smokers favor further restrictions on smoking.

We also looked at the practicality of enforcing a ban since that task will fall to us. Our analysis is that a ban on smoking will lead to a less than pleasant transition period, but that everyone will soon learn and follow the new rules. As smoking sections are eliminated, and potential smokers are randomly distributed throughout the cabin, peer pressure alone should be enough to deter smoking.

Our primary concern, however, was what effect, if any, a ban on smoking would have on smoking in lavatories—a known fire hazard. It could be argued that a smoking ban will lead to lavatory smoking. The problem with this argument is that there already is a great deal of lavatory smoking and this is partly because smoking is allowed on aircraft. The aft section of a plane is often a sort of smoking salon, and it is natural for passengers to transition from smoking in their seats to smoking in the lavatory. The fact that smoking is allowed on aircraft causes passengers to lose their inhibitions about smoking. If smoking was banned, and it became "taboo" on the aircraft, current levels of smoking should decrease.

On the other hand, it may be the case that some smokers would have difficulty going for more than a few hours without smoking cigarettes, and a smoking ban could have these people contemplating smoking in the lavatories on the long flights. The National Academy of Sciences recommended that these smokers use nicotine substitutes, or schedule flights with stopovers, but we think the best insurance against smoking would be criminal penalties that are clearly posted and enforced. Few persons would risk going to jail for a cigarette, and those who risk the lives of others should face severe penalties. We therefore ask that you consider adding criminal penalties to the legislation that you have introduced. A ban on smoking, combined with criminal penalties for lavatory smoking, would lead to a sharp reduction in the lavatory smoking that occurs today.

Once again, we thank you for introducing this legislation which will greatly reduce the likelihood of flight attendants developing lung cancer. We thank you from the bottom of our hearts—and lungs.

Sincerely,

SUSAN BIANCHI SAND,
President.

COMMEMORATING THE 75TH
ANNIVERSARY OF HADASSAH

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. LANTOS. Mr. Speaker, it is a special honor for me to call to the attention of this House the 75th anniversary of Hadassah. In 1912, a young woman, Henrietta Szold, organized a meeting of 12 women at Temple Emanuel in New York City. Impressed by the beauty of Israel, but horrified at the poor living conditions and inadequate medical facilities there, Henrietta asked these women to assist

her in an effort to improve the lives of people in Israel.

From this modest beginning, Hadassah has become a leading international organization with a membership of 385,000 women, who are concerned with humanitarian service, medical care, education, and improving the quality of life in Israel and many other countries around the world. Furthermore, the organization has made an important contribution to strengthening and preserving the Jewish heritage in the United States.

Mr. Speaker, I must confess to a lack of objectivity with regard to Hadassah. First of all, Henrietta Szold, the founder of the organization was born just a year after her father, Rabbi Benjamin Szold, arrived in the United States from my native Hungary to accept an appointment as rabbi of Congregation Oheb Shalom in Baltimore. The Szold family are distant relatives of mine.

Furthermore, my wife Annette is a life member of Hadassah. She has served for many years as vice president and program chairman of the San Francisco Peninsula's Deborah Chapter of Hadassah. I have many pleasant memories of programs and events that she helped to organize.

Hadassah is a nonpolitical organization, but it has an international commitment. There are presently Hadassah hospitals and schools in 18 countries, including France, Great Britain, Argentina, South Africa, and the Caribbean Islands. The organization is responsible for dispensaries, special programs, school lunches, child health and welfare centers, and playgrounds in many of these countries. In the Soviet Union, Ethiopia, and Iran are aid stations set up by the organization to help children in developing areas and deprived neighborhoods.

Hadassah not only strives to assist, but the members of the organization understand that in order for a people to benefit from this assistance, they must be educated. Therefore, Hadassah established the Hebrew University-Hadassah Medical School in Israel. During the past 75 years, many students and graduates of this school have received international recognition for their contributions to medicine.

A number of vocational training programs have been initiated as well. The Hadassah-Israel Education Services organization trains young men and women in a variety of nonmedical fields.

In the United States, Hadassah has undertaken a commitment to work with Jewish and non-Jewish immigrants, assisting them to learn English and to assimilate to the American lifestyle. The organization also has been actively involved in the education of Jewish youth through special projects and an ongoing program of active participation in American, Jewish communal, and Israeli life. Hadassah encourages the study of Jewish history and heritage through special courses and Hebrew cultural organizations. With Hadassah's other outstanding programs, these activities are essential in giving young people a common bond and sense of identity that is so important in today's frenetic society.

Mr. Speaker, on the 75th anniversary of Henrietta Szold's first meeting in New York City, I would like to take this opportunity to recognize and commend the accomplishments

of Hadassah. Hadassah's medical and educational facilities illustrate its commitment to improving the quality of life for the less fortunate around the globe.

Hadassah has done an outstanding job in working toward its twin goals of promoting and improving the quality of life in Israel and strengthening the role of Judaism in America. The dedicated members of Hadassah have succeeded in providing a firm foundation on which the Jewish heritage continues to grow.

NATIONAL NURSING HOME
RESIDENTS' DAY

HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. PEPPER. Mr. Speaker, tomorrow is a special day for many elderly Americans. April 24 has been designated as National Nursing Home Residents' Day—a day on which we recognize and honor the many achievements of the over 1.5 million Americans who reside in nursing homes. It is a day on which we let these wonderful people know that we care for them, recognize their special needs, and are grateful for their substantial contributions—past and ongoing—to the growth and development of this Nation.

Many nursing home residents are actively involved in efforts to improve the quality of care and quality of life they and fellow residents receive in nursing homes. Many residents work through resident councils to provide a resident voice in the operation of their facilities. Today we salute this involvement and call attention to the need to strengthen and universalize resident councils. An active resident council can be the key to a good nursing home.

Nursing home resident advocacy extends beyond the facility into State and national policy making. Residents have played critical roles in the development of and advocacy for local, State and national level nursing home reforms. This is a proper and long overdue role for residents.

In my own State of Florida, nursing home residents are actively involved in the Long-Term Care Ombudsman Program and in State-level policymaking panels. The St. Petersburg Nursing Home Hotline Patrol has recently organized Florida's first areawide resident council involving residents from 25 nursing homes. These are people our State legislators in Tallahassee and the Florida congressional delegation here in Washington will be hearing from on legislation that affects nursing home residents. I look forward to the excellent work that this group will undoubtedly perform.

Nursing home residents played a vital role in the recent landmark Institute of Medicine study of nursing home care, *Improving The Quality Of Care In Nursing Homes*. They participated in the public meetings which laid the groundwork for this study. Residents were also involved in key interviews around the Nation identifying needed improvements in Federal and State regulation.

While we take the occasion of this special day to pay tribute to these and many other ac-

complishments of America's 1.5 million nursing home residents, we must also make a commitment to enact meaningful changes to Federal law designed to afford these people the protection, quality of care, and quality of life they are all too often denied. The Institute of Medicine study called for numerous changes in this regard. It provided the Congress with the framework for needed reforms. I along with several colleagues introduced legislation last session designed to implement many of the Institute of Medicine study recommendations. However, due to the brevity of the legislative session, no final action was taken.

I am happy to say that since the end of the 99th session, there has been a great deal of excellent work done, coordinated in large part by the National Citizens Coalition for Nursing Home Reform, to bring us closer to enactment of meaningful reform. There is greater interest now than ever in enacting comprehensive nursing home reforms this year. It is those that are among the most vulnerable among us that will benefit by swift and positive action by both bodies.

I strongly urge my colleagues to join me in recognizing both the special needs and accomplishments of nursing home residents on this National Nursing Home Residents Day and in all the days to come. Thank you.

SALUTE TO SCHOLARS

HON. WAYNE DOWDY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. DOWDY of Mississippi. Mr. Speaker, I want to take this occasion to congratulate and honor the graduating seniors in the Jackson public schools who have been designated by their respective schools as scholars. Each of the eight high schools in the Jackson Public School District, under the leadership of Superintendent Robert Fortenberry, designated their 10 top students as scholars.

These scholars were honored at a ceremony held in the Jackson City Council chambers on April 2, 1987. This ceremony was sponsored by the Jackson Council PTA/PTSA and hosted by the mayor.

In a time when the quality of our children's education is rightly becoming a central national issue, it is refreshing to note that many churches in Jackson and throughout Mississippi are stressing the values of a good education. I note, for instance, that Cade Chapel Missionary Baptist Church, under the leadership of Dr. Horace Buckley, has four of these scholars in its membership. They are: Miss Sharon Thigpen of Jim Hill High School, the daughter of Mr. and Mrs. Beray Thigpen; Mr. Cedrick Buckley of Lanier High School, the son of Dr. and Mrs. Horace Buckley; Miss Linda Braxton of Murrah High School, the daughter of Mrs. Erma Braxton, and Mr. Michael Smith of Callaway High School, the son of Mr. and Mrs. Alonzo Smith.

All the scholars selected by each of these schools are making a commitment to excellence and has earned the respect and support of parents, fellow students, and the communi-

ty. Their continued success should make all Mississippians and Americans proud.

Mr. Speaker, I call now on all my colleagues in the House of Representatives to join me in extending our warmest congratulations and best wishes to each of these scholars and in extending our best wishes for their continued success.

PRESERVING AND STRENGTHENING HEALTH CARE IN RURAL AMERICA

HON. THOMAS J. TAUKE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. TAUKE. Mr. Speaker, a number of my colleagues and I have formed the House Rural Health Care Coalition. Yesterday, the coalition introduced five measures designed to focus Federal attention on rural health care problems and to ensure that every rural American has access to high-quality, community-based health care services.

The Rural Health Care Coalition had its beginning not here in Washington, but in each of our districts. In town meetings with our rural constituents, in letters and calls, conferences and forums with our rural hospital administrators, physicians, nurses, and other health professionals, we have learned firsthand of the serious stresses on the rural health care system in our states and in the Nation as a whole.

I have on my desk a letter from one of my rural hospital administrators who has recruited for months without success for a physician for his community. I have communities without dentists. I have a letter from a country commissioner pleading for assistance in improving Medicare rates. His community, like so many in rural areas, is hard-pressed by recession. It can no longer afford the increasing subsidies necessary to support its hospital because Medicare rates are below the cost of caring for beneficiaries. My district caseworkers spend much of their time trying to find nursing homes with beds to assist families with relatives in need of care. Too often, the only beds to be found, if any, are far distant from the patient's community.

Rural hospitals are the key to a strong rural health care system. In addition to basic acute care, these hospitals are often the locus for home health services, respite care, nursing care, preventive health and well-child clinics, and other health services. They are essential to attracting and retaining physicians and other health professionals in rural areas. And recent studies and reports bear out what my rural communities are telling me: Rural hospitals are in trouble.

In 1985, Propac reported, 49 community hospitals closed, compared with an average of 33 closures between 1980 and 1984. Approximately 80 percent of the closures were hospitals with fewer than 100 beds.

In 1986, according to the American Hospital Association, of the Nation's 58 closures, 37—nearly 64 percent—affected small or rural hospitals—only 4 closures were reported among hospitals with 200 or more beds.

In a recent survey of U.S. hospitals by Touche Ross, survey respondents agreed almost unanimously that the smallest hospitals are the most vulnerable to failure. Ninety-seven percent say that hospitals with fewer than 200 beds are the most vulnerable * * *. In many cases, the survey notes, this assessment is made on the basis of firsthand knowledge.

In a February report to Congress on the impact of the prospective payment system on the American health care system, Propac found that the most striking difference in the impact of prospective payment upon hospital operating margins was between urban and rural hospitals. The urban average margin was a full 7 percentage points higher than the rural average margin. Over one-fourth of rural hospitals incurred losses under PPS while many urban hospitals had losses.

Over the past several years, we on the coalition have worked individually and together, informally, on initiatives for preserving and strengthening rural health care services. In this Congress, recognizing the magnitude of this challenge and its fundamental importance to the quality of life in rural America and to the recovery and successful diversification of the rural economy, we decided to formally organize ourselves into a bipartisan, broad-based coalition, to give rural health care a strong, united voice.

Members of the Rural Health Care Coalition have introduced the following measures:

H. CON. RES. 108

Concurrent resolution expressing the sense of Congress that Medicare reconciliation legislation take into account the plight of rural hospitals

Whereas many rural hospitals throughout the country are faced with severe economic problems precipitated, in part, by the implementation of the medicare hospital prospective payment system;

Whereas the rate of failures among small rural hospitals has increased significantly, jeopardizing access of health care for rural residents;

Whereas rural hospitals serve as a focal point for health care in many rural areas and not only provide acute medical care but also provide home health, respite, and nursing care, attract health care personnel, and train specialized medical staff;

Whereas rural hospitals also serve as an economic focal point for many rural communities and are the largest employer of residents in the community and contribute significantly to the economic stability and financial viability of the community;

Whereas, in comparison to hospitals in urban areas, rural hospitals have a disproportionately higher proportion of patients who are uninsured or eligible for medicare;

Whereas recent reports and data have suggested that separate urban and rural payment rates under the medicare hospital prospective payment system have placed rural hospitals (and, in particular small rural hospitals) at a distinct disadvantage; and

Whereas modifications in the medicare hospital prospective payment system are required to achieve equity between rural and urban hospitals: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of Congress that, in enacting any legislation that amends the medicare program to rec-

oncle its expenditures with those required under a Congressional concurrent resolution on the Federal budget for fiscal year 1988 and subsequent years, there should be taken into account the special needs of rural hospitals which are not currently taken into account under the current medicare hospital prospective payment system.

(To cosponsor or for further information, please call Cleo (R. Rowland, 5-6531) or Jeri (V. Smith, 5-6435).)

H.R. 2113: THE RURAL HEALTH CARE PRESERVATION ACT

SECTION 1: SHORT TITLE

SECTION 2: DEPUTY UNDER SECRETARY FOR RURAL HEALTH CARE

a. Secretary of HHS shall appoint a Deputy Undersecretary for Rural Health Care to provide a focal point within the Department for coordinating a wide range of public and private sector activities to maintain and strengthen the rural health care system.

The Deputy Undersecretary's responsibilities include, but are not limited to:

Oversight of the rural health care system with periodic reports to Congress and the Secretary of HHS, including a region by region analysis of rural Americans' access to community-based health care services (including, but not limited to acute care, physician care, skilled nursing and long-term care, home health care, respite and hospice care, mental health, and dental and eye care).

Periodic reports on federal and private sector research underway on issues of particular significance to rural health care delivery and access. Establish clearinghouse for collecting and disseminating existing and emerging information, data, and research.

Annual reports to Congress on the status of Congressionally mandated studies and reports on rural health care issues.

Provide technical assistance to state and local governments, hospitals, and hospital groups on diversifying services and matching service mix to hospital capabilities and community needs.

Establish a clearinghouse for collecting and disseminating information on the rural health care system.

Coordination of rural health care activities and programs across HHS and with other federal agencies such as USDA, DOD, IHS, and DOT (EMS).

SECTION 3: RURAL HEALTH CARE ADVISORY COMMISSION

The Director of the Office of Technology Assessment shall provide for the appointment of a Rural Health Care Advisory Commission modelled after PROPAC (while PROPAC has a rural representative, PROPAC deals with reimbursement issues only. The problems of the rural health care system are broader) Three year authorization. Annual reports on problems in the rural health care system and alternatives for addressing these problems. Authorizes such sums as may be necessary.

SECTION 4: REGULATORY IMPACT ANALYSIS

Requires that all proposed and final regulations under the jurisdiction of the Secretary of HHS and having an impact upon a substantial number of rural health care providers and beneficiaries be accompanied by an impact analysis, including the impact of reporting requirements.

SECTION 5: RURAL MENTAL HEALTH DEMONSTRATION PROJECTS

Include in the demonstration authority under the National Institute of Mental Health specific authorization for rural mental health demonstration programs. Increase the general demonstration authorization by \$10 million.

SECTION 6: RURAL RESEARCH AND DEMONSTRATION FUNDING

Require that of the funds appropriated for new research initiatives in the area of health services delivery under the Public Health Service, at least 25 percent must be used to fund projects of particular significance to access to high-quality health care services in rural areas.

(To cosponsor or receive further information, please call Kim (Synar, 5-2701) or Jane (Tauke, 5-2911).)

H.R. 2114: THE RURAL HOSPITAL AMENDMENTS

SECTION 1: SHORT TITLE

SECTION 2: MEDICARE PAYMENTS FOR HOSPITALS THAT ARE SOLE COMMUNITY PROVIDERS

Hospitals which are sole community providers or which meet the criteria of sole community provider status and which experience a decrease of five percent or more in total inpatient cases in a cost reporting period compared with to the previous cost reporting period shall receive a volume adjustment payment.

(Under current law, hospitals which seek actual designation as sole community providers receive this adjustment and are reimbursed at 75 percent hospital specific/25 percent PPS rates. They also are eligible to receive volume adjustment payments. However, many potential scps don't seek the actual designation because the national PPS rates are marginally higher than the blend. This provision extends the volume adjustment to those which do not seek the actual designation but otherwise qualify as scps.)

A volume adjustment payment compensates the hospital for the fixed costs it incurs in the cost reporting period in providing inpatient services, including the reasonable cost of maintaining core staff.

This section also requires a PROPAC report on the adequacy of the criteria currently used to designate sole community providers and requires the Secretary to clarify the guidelines for the volume adjustment.

SECTION 3: IMPROVING THE AREA WAGE INDEX

Requires the Secretary to issue the Congressionally mandated report on the appropriateness of an urban/rural differential.

Requires the Secretary to update the data used to construct area wage indices on an annual basis.

Requires PROPAC to report on whether an adjustment to the area wage index is warranted to account for variations in occupational mix of hospital employees, including the development of separate wage indices for licensed health care professionals and other hospital employees.

SECTION 4: IMPROVING RURAL HOSPITAL OUTLIER PAYMENTS

Require that all of the money in the outlier pools be distributed.

Require HHS to report on total outlier payments since the implementation of PPS.

Require PROPAC to study and report on the appropriateness for small rural hospitals of the day and cost outlier criteria and recommend appropriate changes, including

the option of giving preference to cost over day outliers.

SECTION 5: REPORT ON SEPARATE URBAN AND RURAL DRG UPDATES

Requires the Secretary to analyze and report on the appropriateness of providing for different percentage updates for urban and rural hospitals and gives the Secretary the authority to provide for different updates.

SECTION 6: REIMBURSEMENT INCREASE FOR RURAL HOSPITALS LOCATED NEAR URBAN AREAS

Requires the Secretary to establish by regulation an exceptions process for any hospital that

- a. disagrees with its area wage index
- b. is located in a county adjacent to an SMSA

c. can demonstrate that it has a case mix equal to or greater than the median case mix for hospitals located in an adjacent SMSA

If the hospital met the tests, it would receive the wage index used in the adjacent SMSA.

SECTION 7: RESEARCH FUNDING

Requires that at least 25 percent of the funds available to the Secretary under Medicare health services research and demonstration authorities be used to fund research in rural health care services and problems.

(To cosponsor or for further information, please call Lauren (Daub, 5-4155) or Anne (Dorgan, 5-2611).)

H.R. 2115: THE RURAL NURSING CARE ACCESS AMENDMENTS

SECTION 1: SHORT TITLE

SECTION 2: REVISION OF MEDICARE "SWING BED" PROVISION

Rural hospitals of up to 150 beds could participate in the swing bed program if they (1) obtained any required certificate of need; or (2) demonstrated to the satisfaction of the Secretary of HHS that:

(a) there is no skilled nursing facility with Medicare-certified beds in the county or equivalent area in which the hospital is located; or

(b) if there are such facilities, at least 95 percent of the total number of licensed beds have, on average, been occupied during the 24-month period before the date of entering into the agreement.

Hospitals of 50 to 150 beds are required to apply annually to the Secretary to participate in the swing bed program, meeting one of the above-mentioned criterion.

Hospitals would receive the small SNF prospective payment amount for routine services and the reasonable cost of ancillary services (that is, hospitals would be reimbursed at the same rates that are available to free-standing SNFs).

(To cosponsor or for further information, please call Herb (Whittaker, 5-3911) or Jane (Tauke 5-2911).)

H.R. 2116: THE PRO DUE PROCESS AND EQUITY AMENDMENTS

SECTION 1: SHORT TITLE

SECTION 2: PRE-EXCLUSION HEARING FOR PHYSICIANS

While current law does provide a physician with the opportunity to appeal to a Health and Human Services (HHS) administrative law judge or seek judicial review, the physician presently may be excluded from the Medicare program before ever having the opportunity to utilize these basic due

process rights. In general, this amendment would not tamper with the process of appeal currently established, but simply would stay implementation of a sanction until the individual has had an opportunity for full review outside of the PRO.

The amendment deals more severely than current law with those physicians whose continuing participation in the Medicare program is deemed to present an immediate and severe danger to beneficiaries. When the PRO makes a recommendation to the Inspector General (IG) for sanctioning in an immediate and severe case (as distinct from the larger category of gross and flagrant violations), the IG has five days in which to take action to immediately exclude the physician from the Medicare program. (Currently, such a physician could remain in the program up to 120 days after the PRO's sanction recommendation.) If sanctioned, the physician then has a right to an expedited hearing within 30 days. (If an expedited hearing is not provided within 30 days, the sanction is lifted.) If the sanction decision is upheld, the physician can continue through the normal appeals process, but the sanction remains in place (as is the case with all physicians currently.)

As a further safeguard for beneficiaries as well as other patients, when the IG confirms an immediate and severe determination, the PRO must notify the state examining and licensure board of the determination. Additionally, the PRO must notify hospitals where the sanctioned physician practices. However, public notice need not be made until a decision is reached in the expedited hearing.

The amendment provides appeal rights without program exclusion for physicians who are currently in the appeals process, as well as a 30 day period after enactment for any physician who was sanctioned during the 12 months prior to enactment but failed to appeal, and now wishes to begin an appeal. The provisions for immediate and severe cases would apply to these two groups of physicians as well.

Although sanctions have been imposed on physicians only up to this point, providers (e.g., hospitals) also may be sanctioned. All of the provisions of the bill increasing due process rights to physicians apply to providers as well.

SECTION 3: REQUIRING ACTION BY THE INSPECTOR GENERAL

After a PRO has recommended a sanction, the Inspector General is required to review the case to make a final determination. However, under current law, failure of the IG to act within 120 days creates a situation of "pocket approval," not "pocket veto," meaning that a sanction could occur without the IG ever making a determination. This amendment would require an affirmative action within 120 days by the IG before a sanction could go into effect.

SECTION 4: PROVIDER APPEALS OF ADVERSE DETERMINATIONS BY PROS

Presently, in cases of an adverse PRO denial determination, beneficiaries are entitled to a hearing when the matter in controversy is \$200 or more, and to judicial review when the amount is \$2,000 or more. On the other hand, providers and physicians are left without any recourse in cases of adverse determinations. The amendment simply gives providers and physicians the same right of appeal which beneficiaries currently have.

SECTION 5: NOTICE OF CHANGES IN STANDARDS

The retroactive application of standards has led not only to confusion and frustration for some providers and physicians, but has also meant that denials of services and the possibility of sanctions have been based on actions taken at a time when individuals were not even informed of the rules being used. This amendment would require the PRO to provide a 30-day notice to physicians and providers of changes in the standards (including criteria, guidelines, processes, and administrative policies and procedures) which physicians and providers are expected to follow. This required notification includes changes in the services for which preadmission or preprocedure review is required.

SECTION 6: EQUAL EMPHASIS FOR EDUCATIONAL ACTIVITIES

There has been great concern that PROs emphasize sanction activities over educational responsibilities. Under current program administration, PROs receive extra funding above their contract amounts for sanction activities but must take educational expenses out of their operating budgets. This amendment would require that PROs provide an emphasis on performing educational activities that is not less than the emphasis placed upon sanction activities. HCFA would be required to consider this educational emphasis during the next PRO contract renewal process in 1988.

SECTION 7: ON-SITE HOSPITAL REVIEWS

The current PRO law requires that local, state and national standards of care be taken into account in PRO reviews. The numerous sanction and corrective action procedures taken thus far in rural areas present the distinct likelihood that local standards are not adequately understood or accounted for by many PROs. One method of enhancing understanding and communication between any provider and PRO is on-site reviews; however, many rural hospitals are denied on-site reviews, and instead are reviewed entirely through a remote, mail-in procedure. The amendment would require that at least 50 percent of the reviews for small (less than 50 beds) rural hospitals be conducted on-site.

SECTION 8: NOTICE AND OPPORTUNITY FOR DISCUSSION ON PAYMENT DENIALS

Under current law, it is left to individual PROs as to what response they will permit providers and physicians in cases of payment denials. The amendment would require that in implementing denials, the effective date would be postponed for 30 days after notice of proposed determination. During this time, the providers and physicians would be advised by the PROs of a reasonable and convenient opportunity for discussion about the proposed determination. PROs would be given 30-60 days after enactment to adjust their procedures to this new requirement.

SECTION 9: REQUIRING REPRESENTATION OF HOSPITALS ON PRO BOARDS

True peer representation is vital for a system of peer review to work effectively. While PROs are appropriately physician-oriented, the extensive review of hospitals dictates that providers must also be represented within the system. Currently, the law permits providers to be represented on PRO governing bodies. The amendment would require at least one individual on the board to be a representative of hospitals. This requirement would be effective with 1988 contracts.

SECTION 10: EQUITABLE INTENSITY OF PHYSICIAN REVIEW

The uniform 3% of all charts per hospital random sampling procedure which is currently used means that physicians who are part of small medical staff are reviewed much more intensely than physicians who are part of a large medical staff. The amendment would require that HCFA develop a random sampling technique which takes into account the size of the medical staff per hospital and creates a more uniform likelihood that a given physician will have charts reviewed regardless of his/her association with a large or small medical staff.

(To cosponsor or for further information, please call Becca (Stenholm, 5-6605) or Grace (R. Hall, 5-6673).

The Coalition would welcome our colleagues' cosponsorship of these initiatives, developed in consultation with a broad range of agencies and organizations, and designed to help ensure that every rural American has access to high-quality, community-based, basic health care services.

THE NEUROFIBROMATOSIS FIGHT CONTINUES

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. CONTE. Mr. Speaker, I rise once again to draw the attention of my fellow colleagues to the disease neurofibromatosis [NF], or Von Recklinghausen's disease which affects over 100,000 Americans. One baby in every 3,000 born in the United States will develop NF. Caused by an abnormal gene which can either be inherited from one parent who has the disease or the result of a gene mutation in one of the parents, it is a mysterious disease.

For most, the symptoms are mild and a normal life can be lead. Others develop nerve and skin bumps on the face and body. Scoliosis, curvature of the spine, is very common. Children with NF can have learning disabilities or be overactive. Rare eye and ear tumors can result in blindness or loss of hearing. Bone defects can be present at birth. Psychological problems often arise around the question of whether or not to take the risk involved with the children.

At this time, there is no treatment for NF, just ways to treat the effects. There is no way of preventing NF, nor is there a pre-natal test to tell if an unborn baby has the disease. Researchers are trying to locate the mutant gene that causes the disease. Others are trying to improve methods of diagnosing and treating the effects of NF.

The month of May has been proclaimed "Neurofibromatosis Awareness Month" by Governor Dukakis in the Commonwealth of Massachusetts. Expanded research and education are the only way a cure can be found. We must be aware of its presence and the harm it can cause. People everywhere must be spared the agony of this disease. The fight continues.

THE ALEXIS DE TOCQUEVILLE
SOCIETY AWARD

HON. ALEX J. McMILLAN

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. McMILLAN of North Carolina. Mr. Speaker, I rise today to commend and recognize two of my constituents who will receive the Alexis de Tocqueville Society Award, which is presented to the outstanding volunteer in the United States. The award represents the volunteer spirit of neighbor helping neighbor that the early French philosopher and historian admired about American society when he visited this country in 1831. This year, awards are being made to outstanding volunteers in each State.

My constituents, Jack and Dolly Tate of Charlotte, NC, epitomize the spirit of volunteerism in America. Together, they have been involved with more than 50 different civic, educational, governmental, and religious organizations, spanning at least 45 years of continuous service. The Charlotte-Mecklenburg area is an outstanding example of a community that enthusiastically meets its needs through volunteer activity and Jack and Dolly are the kind of people whose proven leadership make this activity successful.

I remember when I entered the work force in the late 1950's. Jack told me that his life had to combine his religious convictions with his business ambitions. That meant a commitment to community service for Jack and his wife. He and Dolly have continued to fulfill this commitment over the years by promoting innovative projects to stimulate volunteer work and financial support.

Time and space won't permit a complete compilation of their contributions, but I would like to highlight a few of Jack and Dolly's achievements and accomplishments.

Together, Jack and Dolly received the Algernon Sydney Sullivan Award from Davidson College in 1980 for their outstanding community service work. In 1986, they were jointly honored with the Humanitarian Award from the National Conference of Christians and Jews.

Both are dedicated to promoting the well-being of our children. They organized and founded Child Care Resources, Inc. and Jack served as the group's first president. This organization has evolved into an integral part of the Charlotte-Mecklenburg area and has recently developed an innovative plan to break government dependency of mothers and children by recycling direct financial support into day care programs for mothers who want to return to the work force. Jack is now a vice president and chairman of the recycling fund.

Jack has lobbied strongly for increased commitment of the Mecklenburg County government for child care dollars for low-income families. And, indeed, his work has been successful as the budget for these programs has risen from \$144,000 in 1982 to \$1.4 million last year.

He is chairman of the Charlotte-Mecklenburg Teen Center and serves on the board of associates for the North Carolina Child Advocacy Institute. Jack is board president for the

Cities-in-Schools Program for Charlotte-Mecklenburg, a member of the board of trustees of the local YMCA, and a member of the board of trustees for Presbyterian Hospital.

In 1984, he received the Liberty Bell Award for Community Service from the Mecklenburg Bar Association. The local United Way is fortunate to have Jack serving in a leadership position.

Dolly is chairman of the government relations committee for United Way. She is commissioner emeritus of the Charlotte-Mecklenburg Hospital Authority and a member of the board of directors for the community school of the arts.

In addition to her partnership with Jack on many projects to help children, she also works with the elderly. Dolly is a member of the executive committee on The Pines, a retirement center in Davidson, NC, and serves as the chairman of its health committee.

In 1973, Dolly was chosen as Citizen of the Year for the Southern Piedmont Chapter of the National Association of Social Workers. In 1978 she was honored as the outstanding alumni for Sweetbriar College and in 1982 received the Governor's Award for volunteer work in organization and administration.

The Council of Children presented her with the Dolly Award, which was named after her, to recognize her as the 1982 Volunteer of the Year in children's work. And in 1983, she was named Woman of the Year by Charlotte radio station WBT.

Mr. Speaker, as you can see, it is quite appropriate that Jack and Dolly Tate have been chosen to be honored with the de Tocqueville Award representing the State of North Carolina. If Alexis de Tocqueville was amazed at the American spirit of volunteerism in 1831, he would stand in awe today at the accomplishments of so many Americans like Jack and Dolly Tate.

While Jack and Dolly will be honored on Monday, April 27, we also should be mindful of the millions of other Americans who understand that life is not only a matter of self-fulfillment. Rather, life is enriched by fulfilling our obligation of service to others.

JOHN W. HECHINGER AND THE
FIGHT AGAINST HANDGUNS

HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. LEHMAN of Florida. Mr. Speaker, in a recent article in the Washington Post, Mr. John W. Hechinger argued persuasively in favor of divestiture of stock in companies that manufacture handguns.

It is said that actions speak louder than words, and by his example, Mr. Hechinger demonstrates how private citizens can make a difference. Many years ago, Mr. Hechinger stopped the selling of handguns in his large chain of hardware and lumber stores, and recently he sold his shares of Colt Industries because of that company's manufacture of Saturday night specials.

Divestiture can be a potent political statement, and I commend Mr. Hechinger for acting on his convictions.

The article follows:

HANDGUN DEATHS: LAST YEAR, THERE WERE
106 IN D.C. ALONE

IT'S TIME TO STOP THE PROFITS FROM MAKING
SATURDAY NIGHT SPECIALS

I've unloaded my shares of stock in Colt Industries. I waited a year or two in hopes that this diversified company would respond to pleas to discontinue that portion of Colt Firearms that makes Saturday night specials.

Last year I voted by proxy against the directors with the notation that they were irresponsible in not stopping production of these weapons—pistols with a barrel of less than three inches whose only purpose is to threaten and, in too many instances, destroy human life. This year they're still making these palm-concealable weapons—and I'm an ex-shareholder in an otherwise fine company. Here's why:

Twenty thousand Americans are killed every year with handguns (in 1986, there were 106 handgun-related homicides in D.C. alone), yet neither Congress, the federal government nor the firearm industry itself has taken strong steps to police these products. You might hear it argued that the District has one of the strongest gun laws in the country. But the ease of transporting these weapons from Maryland, Virginia and other nearby states makes the local gun laws insufficient.

There are approximately 60 handgun makers in America today, ranging from giants such as Colt Firearms and Sturm Ruger to small manufacturers that produce no more than 10 to 20 handguns each year. To many Americans, these new merchants of death are nameless and faceless strangers. But they are daily increasing the odds that you or a loved one will be killed in America's handgun war. Nothing personal, they say.

In the United States, handgun production is an almost unrestricted industry. An individual need only pay 50 bucks to become a manufacturer! Unlike many American industries, the handgun makers aren't bound by any minimum standards in safety, size, construction or quality. No government agency routinely provides studies on handgun safety.

In my business, a regional chain of hardware and lumber stores, I deal hourly with federal regulations designed to protect my customers in the use of certain products. In 1983, we stopped selling handguns, a normal staple in many stores of our type. I realized then that handguns are a potentially dangerous product whose sales should be carefully monitored and controlled.

But the handgun makers don't agree. They have steadfastly refused to introduce their own safety innovations or support legislative proposals to reduce handgun tragedy.

Despite the success of legislative and cooperate safety programs on most products, the pistol makers have been immune to regulations. They don't even have to provide an instruction manual when they sell a handgun, much less a safety manual. They don't have to warn children away, include any safety devices or print warnings from the surgeon general.

Instead, they help to bankroll their lobbying arm, the National Rifle Association, which seeks repeal of even the remaining

weak gun laws in our country. Their profits help support such extremist activities, if you can believe it, as the NRA's lobbying campaign to legalize the sale of machine guns, silencers and armor-piercing bullets. Would pharmaceutical companies actively campaign against laws requiring child-proof caps or automakers against seat belts?

There is hope, however, that in order to ply their trade the gun makers will have to introduce new product controls. Last year, in a landmark decision, Maryland's highest court ruled that a gun manufacturer can be held liable for the consequences of selling handguns. The court held that a Maryland robbery victim could ask for damages from the maker of the Saturday night special used to injure him. (An attempt to overturn that decision was defeated by the Maryland House of Delegates just last week—in recognition of the fact that the chief use of these weapons is criminal activity.) At least 75 similar cases have been filed, which means the gun makers are in for a tough fight.

Ironically, the firearms industry could long ago have settled the debate on the gun issue by distinguishing between concealable handguns—the weapons of crime, and long guns, rifles and shotguns—the weapons of sport. Without restricting the use of long guns, they could have laid down the rules and worked for legislation to require handgun licensing, waiting periods and background checks for handgun buyers to guard against handguns falling into criminal hands.

The time has come to draw a harder line. We need to take steps to ensure that these gun makers understand the consequences of their single-minded, profit-motivated actions. One way is for individuals, institutions and others who have investments in these companies to divest themselves of their holdings. Churches divested over the early civil rights issues. Colleges, universities and corporations are doing so now in the face of South Africa's vicious apartheid.

Divestiture will not topple these giant conglomerates. Handguns do make money, but they are hardly the bread and butter of diversified companies such as Colt or Smith and Wesson. Yet by letting them know that handguns are an increasingly large minus to their corporate image, we may help nudge them closer to making the change necessary to save lives.

Private citizens must join together to show these merchants of death that they can no longer abdicate responsibility. Let's hit the gunmakers in a way that forces them to listen—through tougher national handgun laws, through lawsuits and, most important, by raising the consciousness of their board rooms.

FAA IS PLAYING WITH FIRE

HON. JOE MOAKLEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. MOAKLEY. Mr. Speaker, today I would like to bring to the attention of my colleagues another near catastrophe involving three separate airline incidents in the skies over Texas and California.

It appears to me that the FAA is playing with fire. Do we have to experience a midair collision before something is done with the FAA air traffic controllers? In today's Washington Post, FAA Chief Donald Engen is quoted

by saying the air controllers' mistakes are going to be scrutinized. Well that's all fine and well but what do we do in the meantime.

The enormous rise in midair collisions over the past year is very hard for me to comprehend. Where does the blame lie? Is it pilot error, or the air traffic controllers? Wherever or whoever shoulders the blame for these near collisions must be found. What we have is a time bomb whose ticking is almost through. When the number of near misses increase, it's only a matter of time before two planes meet. The system is not as safe as it used to be, not as safe as it should be, and not as safe as it could be.

THE INF TALKS: ELIMINATING WHAT WE SHOULD KEEP AND KEEPING WHAT WE SHOULD ELIMINATE

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. ASPIN. Mr. Speaker, the INF negotiations are on a very fast track. It's probably too late to do anything now to slow the train. But I am worried that we are on an express headed in the wrong direction.

I am worried in part about the denuclearization of Europe. As long as the West is at a conventional disadvantage, we will need nuclear weapons. Yet, the original proposal to discuss the elimination of intermediate-range nuclear force [INF] missiles of a longer range has now grown like Topsy into talk of eliminating all nuclear weapons from the continent of Europe—while ignoring the imbalance in conventional forces that would remain.

For example, General Secretary Gorbachev in his speech this month in Prague, endorsed the elimination of the long-range INF missiles and negotiations on short-range INF missiles. Later, he even proposed eliminating short-range system, too. And, in the Prague speech, he also endorsed proposals for a nuclear free zone in Europe. The first of these proposals came from the United States; the second the United States seems ready to embrace; and the third proposal which is being advanced by some Europeans. The combination would go a long way toward the denuclearization of Europe.

As many have pointed out, we are dealing here mainly with a political or psychological problem, rather than a military problem. We would still have some 4,600 nuclear devices—nuclear artillery shells, landmines, and battlefield-range missiles. And if we are careful, the elimination of the long- and short-range INF missiles need not denuclearize Europe. Still, the long-range INF missiles were first installed to deal with concerns in Europe about linking United States nuclear forces to NATO's defense. These concerns, while dampened during the time of the left's protest against the deployment of the Pershing II and ground-launched cruise missiles [GLCM's] in Europe, are likely to erupt again now that the missiles may be taken out.

But there is another, more important, reason I am worried about the INF proposal.

The agreement that is in the works is going to eliminate the weapons we should keep and the weapons we should eliminate.

In Europe, we are talking essentially about three different types of nuclear forces. First, there are the long-range INF missiles, with a range of 600 to 3,000 miles. Our ill-advised proposal in 1981 was to eliminate those, and the Soviets have now taken us up on our offer. Second, there are the so-called short-range INF missiles of the range of 300 to 600 miles. The Soviets have offered to eliminate those, too. Seeing that we have no missiles in this category, and the Soviets have something on the order of 140, many are saying this is a logical extension of the first agreement and in fact, a good deal. Third, there are those weapons that are positioned near the front line of the battle—so-called battlefield or tactical nuclear weapons, such as landmines, truly short-range missiles and nuclear artillery. Of the three categories, the most dangerous is the tactical or battlefield nuclear weapons.

They are most dangerous because they are near the front. If conventional warfare were to break out in Europe, the ebb and flow of the battle would immediately put these weapons under pressure. An artillery battle about to be overrun would face the choice of using its nuclear shells or losing them. The last thing we need in the hypertense early days of a war is a lot of requests from battlefield commanders for authority to use nuclear weapons before they are captured.

Those of us who have been interested in arms control have long known that we needed to move nuclear weapons far away from the battlefield. If war breaks out, we want to have time—time to threaten the use of nuclear weapons if the conventional war is going badly, and time to decide whether to use them. The ideal would have nuclear weapons away from the battlefield with a direct line of communication to NATO headquarters and the political decision makers, to make sure that nuclear weapons are not used prematurely or haphazardly. It is widely conceded that, once nuclear weapons are used, even in a tactical situation, we could end up in an all-out nuclear war. Therefore, we want to make sure we are not under heavy pressure to use nuclear weapons quickly.

But the agreement that is being contemplated with the Soviet Union would make it impossible to deploy the weapons we should have—namely missiles with ranges in the hundreds of miles—and make us very dependent on the weapons we should be getting rid of—namely the battlefield nuclear weapons with ranges of zero, for landmines, to a dozen or so miles, for artillery shells.

In working on policy issues, it is always a good idea to keep in mind what we are trying to do. Most arms controllers would say we are trying to reduce the chances of nuclear war breaking out. The Soviet Union and the United States are superpowers with differing interests, so there will be periodic rough spots or crises in our relationship. What arms control should try to do is reduce the chances that these crisis will lead to nuclear war.

To do that, arms control tries to structure the forces on both sides through agreements so that it is in neither side's interest to be the

first to use nuclear weapons. Most of the issues that arms controllers deal with are in the range of strategic issues. For example, the vulnerability of our land-based missiles creates situations where one side or the other might be tempted to go first. Silo-based missiles can be taken out by the side that chooses to fire first. The side that shows restraint and is willing to fire second ends up with no silo-based missiles to fire. That provides a temptation to fire first. The goal of arms control is to remove such temptations by assuring that no advantage accrues to he who fires first. In the case of land-based missiles, we accomplish that goal by removing the missiles from vulnerable silos and making them mobile so they cannot be found. In Europe, the major temptation stems from the pressures to use battlefield nuclear weapons before the other side overruns the battlefield.

If we are interested in reducing the chance of nuclear war breaking out, we should be working to replace the battlefield nuclear weapons with weapons that don't require a hair-trigger. In 1979, when we proposed deployment of the Pershing II's and GLCM's, we took out 1,000 battlefield nuclear weapons, thereby affirming the objective of replacing battlefield weapons with longer-range missiles. In the Montebello decision, the Reagan administration agreed to remove another 1,400 battlefield nuclear weapons while longer-range missiles were being deployed in Europe. All of this was good arms control—getting nuclear weapons away from the battlefield.

I am not suggesting an agreement with the Soviets to remove the battlefield nuclear weapons. The difficult verification problems associated with missiles would be nothing compared to the problems of trying to verify a ban on battlefield nuclear weapons, some of which are small enough to be carried by one man. We should really be withdrawing battlefield weapons unilaterally. We should move out the battlefield nuclear weapons and put in long range missiles, which, with current accuracies, can do all of the things that battlefield weapons can do, but are far enough away from the front not to come under "use it or lose it" pressures.

But the danger is that the proposal that we are discussing with the Soviets, the so-called "double zero" proposal—zero long-range INF missiles on both sides, and zero short-range INF missiles on both sides—would make this kind of unilateral restructuring of our nuclear forces impossible.

We would, of course, still have aircraft capable of delivering nuclear bombs, and they would be based away from the battlefield. But when held on nuclear alert, these aircraft are sitting ducks for a Soviet nuclear attack. They invite a nuclear first strike. And these aircraft are dual purpose aircraft—most will be delivering conventional ordnance at the outbreak of the war. Then if the conventional war goes badly, we will set aside more and more aircraft in case we need to use nuclear bombs. But the problem with this is that if the war is going badly, we will need all the conventional ordnance these aircraft can deliver. At that point in the war, we don't want to withhold our aircraft to refit them for dropping nuclear bombs.

Using aircraft to replace battlefield nuclear weapons may solve one problem but create another. All in all, the best solution to the instability posed by battlefield nuclear weapons is to replace them with the very kinds of weapons we are planning to eliminate, namely INF missiles.

Given that we need nuclear weapons as long as there is a conventional imbalance, and given that some of these weapons should be in Europe, you have to conclude that this double-zero agreement with the Soviets will have us eliminating the nuclear weapons we should keep, and keeping the nuclear weapons we should eliminate.

All administrations have trouble keeping their policies coherent. But this administration has more trouble than most. It is not clear what this administration's objectives are in pursuing the proposed INF agreement with the Soviets. The agreement will not reduce the probability of nuclear war—it will, in fact, make it impossible to restructure our forces in order to reduce the probability of nuclear war. The agreement will not reduce defense budgets, since these weapons are but minor budget items. Perhaps it will lead to better relations with the Soviets. But this administration has always said it is against agreements for the sake of agreements.

We have got to where we are by a combination of events and politics, and perhaps we are stuck with it. The events were, first, a 1979 decision to proceed with a dual-track of INF negotiations and deployment, made by the NATO allies in order to get public support in Europe for the Pershing and GLCM deployments. Second, there was the ill-advised 1981 offer by the Reagan administration to eliminate long-range INF missiles on both sides in order to score a public relations triumph over the Soviets. Those events have led us to where we are. There is now great pressure to sign an agreement that is presumably "good politics" for both General Secretary Gorbachev, who needs stature in order to shoulder aside the bureaucrats who oppose his economic reforms, and President Reagan, who needs relief from his Iran-Contra problems.

But the game is not over. The big question remains: Will the administration and the allies pull themselves together and get us unstuck from an arms control position that simply does not make a lot of sense?

TRIBUTE TO DANIEL J.
MCGINLEY

HON. ROBERT A. BORSKI

OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. BORSKI. Mr. Speaker, I rise today to join the Irish Society of Philadelphia in honoring Mr. Daniel J. McGinley, who will receive the Irish Society's "Annual Award for Educational Excellence" on April 29, 1987.

Mr. McGinley, whose parents immigrated from Donnegal, has spent a lifetime educating the children of Philadelphia. After graduating from North Catholic High School, he went on to LaSalle College, and eventually earned a masters degree in education from Temple Uni-

versity. He has spent his career as a teacher and principal in the Philadelphia school system, and is currently serving as the president of the Philadelphia Association of School Administrators.

Daniel J. McGinley's record of service to the young people of Philadelphia has not gone unnoticed, and I am proud to join with the Irish Society in honoring this distinguished educator.

A TOAST TO THE BREWERS

HON. F. JAMES SENSENBRENNER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. SENSENBRENNER. Mr. Speaker, I would like to congratulate the Milwaukee Brewer organization for tying the best start in major league baseball history, 13 to 0. Brewer fever is running rampant through Wisconsin. In the preseason, the Brewers were picked to finish in sixth or seventh place, but now many are chanting "Number One."

Brewer fans have always had a great spirit. Now with this winning streak, they are going wild. The Brewers are the pride of Wisconsin and the talk of the Nation. This team is really giving the fans something to scream about.

On April 15, Juan Nieves pitched a no hitter. Easter Sunday, going into the bottom of the ninth, the Brewers were down by three runs. Then with two men on, Rob Deer, Milwaukee's leftfielder, hit a three-run homer to tie the game at 4 to 4. With two outs and one man on base, Dale Sveum hit a 2-run homer to win the game, 6 to 4.

I would like to thank the Brewer's President, Allan "Bud" Selig, their manager, Tom Trebelhorn, and the entire Brewer organization for the excitement they have given Wisconsin and the Nation. It is this kind of accomplishment and pride which brings some joy and excitement to this serious world. Likewise, it reminds us in Washington that there is a world beyond the beltway.

NAFCU'S 20TH ANNIVERSARY

HON. FERNAND J. ST GERMAIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. ST GERMAIN. Mr. Speaker, in 1966 over 50 credit union leaders met in Los Angeles to explore the possibility of a national trade association located in our Nation's capital which would have one specific and overriding task: to shape directly the laws and regulations under which Federal credit unions operate. As a result of that meeting, the National Association of Federal Credit Unions was incorporated on April 26, 1967. I am pleased to rise today to extend my heartiest congratulations to NAFCU on the occasion of its 20th anniversary.

As a Member of Congress entering his fourth term at the time of its inception, I have had the opportunity to watch NAFCU grow from a one person office to an association representing over 700 Federal credit unions and employing over 30 individuals. NAFCU's tremendous growth has only been equaled by its expert ability to identify, study, and represent issues of concern to Federal credit unions before Congress.

Over the last 20 years, I have had countless occasions to work with NAFCU on issues of crucial importance to Federal credit unions, and have always held in high esteem its professional, respected, and effective representation on Capitol Hill. As chairman of the House Banking Committee I know the positive impact that the association has had in informing Congress, particularly members of the committee, on matters of importance to the credit union community. NAFCU has done this through effective lobbying and through the useful information in its publications the Federal Credit Union and Update. For these reasons, I appreciate our strong relationship over the years and look forward to working with NAFCU to address crucial Federal credit union issues in the future.

Mr. Speaker, I invite you and all of our colleagues to join me in congratulating the National Association of Federal Credit Unions on its 20th anniversary. I hope NAFCU's next 20 years are marked with the same level of success, professionalism and service to the credit union community as were the first 20.

A SALUTE TO STANFORD UNIVERSITY

HON. ERNEST L. KONNYU

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. KONNYU. Mr. Speaker, I am privileged to represent, in the 12th District of California, one of the finest educational institutions in the world, Stanford University.

Stanford is preparing to celebrate the 100th anniversary of the laying of its cornerstone next month, having grown from a horse farm owned by its founder, Leland Stanford, to an educational institution that has patented 111 inventions including such diverse developments as gene-splicing, computer time-sharing, the birth control pill, the IQ test and vitamin C.

If I may, Mr. Speaker, I would like to take a moment to inform my colleagues of some of the ways Stanford University has touched, and in many cases changed, the lives of every American.

The birth control pill, developed by Stanford chemist Carl Djerassi, 1960.

Vitamin C, Nobel Prize winner Linus Pauling, 1966.

Heart transplants, Dr. Norman Shumway, 1968.

Laser eye surgery, ophthalmologists Milton Flocks and Christian Zweng, 1963.

The IQ test, Dr. Lewis Terman, 1916.

Gene-splicing, Dr. Herbert Boyer, 1973.

The wind tunnel, William Durand, 1918.

The laser, physics professor Arthur Schawlow and physicist Charles H. Townes, 1956.

The hydrogen bomb, Dr. Edward Teller, 1952.

The aerobie, Alan Alder, 1985.

The one-hand basketball shot, Angelo "Hank" Luisetti, 1937.

Nike athletic shoes, Philip Knight, 1962.

Football's T formation, Clark Shaughnessy, 1939.

The football huddle, Glenn Scobey "Pop" Warner, 1925.

The transistor, William Shockley, 1948.

The computer mouse, Douglas Engelbart, 1964.

Computerized airline reservations, Oliver Whitby, 1957.

The music synthesizer, John Chowning, 1974.

IBM computers, Arthur Samuel, 1949.

Artificial intelligence, John McCarthy, 1961.

Computer-assisted teaching, Pal Supples and Richard Atkinson, 1966.

The microprocessor, Marcian E. "Ted" Hoff, 1968.

Computer time-sharing, John McCarthy, 1959.

Napalm, chemistry professor Philip Leighton, 1945.

Flamethrowers, Philip Leighton, 1942.

Radar, Russell Varian, Sigurd Varian and William Hansen, 1939.

Mr. Speaker, these are only a few of the many products and projects developed by Stanford University that have changed the world we live in. I salute the university for its many advances and achievements. I am honored to represent Stanford and its students and employees during this historic 100th Congress.

THE 25TH ANNIVERSARY WITH WKRC RADIO

HON. THOMAS A. LUKEN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. THOMAS A. LUKEN. Mr. Speaker, it is with great pride that I draw attention to a friend and an outstanding citizen from my district, Mr. Jerry Thomas. I congratulate Jerry on his 25th anniversary with WKRC radio where he can be heard daily between 5:30 to 10 a.m. Monday to Friday. Currently, Jerry's show is the top rated morning show in Cincinnati which is not surprising considering his colorful personality on the air.

Over the years Jerry has entertained his radio listeners with such voices as Usual Lee Wong (the Chinese weatherman), H.D. Lightfoot, the Reverend Barton Sharp, and his constant companion, Granny. Also, Jerry appeared as cohost on the former "P.M. Magazine" seen on Channel 12 (WKRC-TV) 1984-85. He also hosted channel 12's "Bowling for Dollars" program for 1 year and was the host for channel 12's "Afternoon Movie" where he use his comedic talents to entertain viewers during the commercial break periods.

Jerry is well known and highly esteemed for his integrity and tireless service in the community. Jerry served as chairman Mother's March, of March of Dimes. Also, he is a board member of the Cincinnati chapter of the

American Cancer Society. In addition, Jerry is a current board member of the Wesley Hall Nursing Home.

Jerry is admired for his many years of service with the Muscular Dystrophy and American Heart Associations where he has received awards from both organizations attesting to his contributions. He also plays in numerous golf outings for charitable purposes and lends his talent as master of ceremonies for many smaller charitable functions.

Very often on this floor, Mr. Speaker, we talk of things that are wrong and of great evils that need to be corrected. It is for me both a pleasure and an honor to be able, on this occasion, to speak of something that is very right and that deserves our tribute and our praise. That is the distinguished career of Jerry Thomas, a man dedicated to entertaining and helping others and his community.

THE LAW ENFORCEMENT ASSISTANCE FOUNDATION

HON. BOB MCEWEN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. MCEWEN. Mr. Speaker, in 1985, a very worthwhile activity was started to assist law enforcement agencies across the country in their increasingly costly fight against narcotics, special crises, and terrorism.

It was then that the Law Enforcement Assistance Foundation [LEAF] was founded by Police Col. Herbert Bryant, Jr., as a much-needed service for law enforcement agencies in a seven-State area and the District of Columbia. I am pleased that Ohio has now been included in the geographical area supported by the foundation.

The specialized equipment in the LEAF inventory includes heavy armored cars, armored personnel carriers, armored forklifts, armored cranes, and other specialized tactical equipment and transport vehicles. This type of equipment could not otherwise be available to individual police agencies because of high cost and required equipment operation expertise. The equipment comes from private and government sources and where necessary is redesigned by LEAF personnel to serve special law enforcement needs. Personnel from LEAF service and maintain this equipment on a daily basis so that it is instantly available to police agencies as required.

Day-to-day operations are handled by a full-time director and one assistant. Additional sworn police personnel required are assigned and paid by the various State and Federal law enforcement agencies which LEAF serves. This group of personnel operates under the name of ARGUS [Armored Response Group United States].

The initial training of police agencies in the use of this equipment is provided by ARGUS personnel and followup training is carried out on a continuing basis. Agencies such as the FBI Hostage Rescue Team, U.S. Federal Protective Service Police, U.S. Capitol Police, and many State and local police agencies have been trained and are presently using these special vehicles.

In the short time since its founding, the Law Enforcement Assistance Foundation has provided a significant service to the community, resolving four crisis hostage situations with no harm to individuals. The innovative tactics and unique equipment used by LEAF clearly made the difference in these situations.

We are all aware of the problems caused by narcotics, special crises, and terrorism. Providing the special means to deter these problems is the goal of the Law Enforcement Assistance Foundation.

Mr. Speaker, I would like to commend several of the people who have been instrumental in the Law Enforcement Assistance Foundation's solid success:

Hon. Gerald L. Baliles, Governor, Commonwealth of Virginia.

Hon. Edwin L. Pittman, attorney general, State of Mississippi.

Hon. John R. Isom, sheriff, Loudoun County, VA.

Hon. Paul L. Barrett, sheriff, Warren County, MS.

Police Col. J.C. Herbert Bryant, Jr., commander, Armored Response Group United States.

John W. Hanes, Jr., Chairman, LEAF Advisory Board.

Capt. John V. Sealock, deputy commander, Armored Response Group United States.

These individuals are performing a valued service to our country and I personally thank them for their dedication and commitment.

TRIBUTE TO LYN REYNOLDS

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. EDWARDS of California. Mr. Speaker, I would like to pay tribute to an outstanding community worker who for the last 10 years has given unselfishly of her time and talents to the people of the Santa Clara Valley.

Lyn Reynolds graduated from the University of Washington, with a B.A. degree in business administration. She was the women's news editor for the Yakima Herald Republic in Yakima, WA from 1964 until 1971. In 1971, she became executive director of Planned Parenthood of Yakima County, a position she held until becoming executive director for Planned Parenthood of Santa Clara County in 1975.

Lyn had done an outstanding job in a demanding and often controversial position. A total professional, she has conducted herself in a responsible, intelligent, and capable manner. Perhaps her greatest accomplishment is the work she has done to develop strong support for her organization, by building bridges of communication with local, State and Federal office holders. She has been a tremendous asset to our community.

At a time when Federal support for community agencies has become unreliable, Lyn astutely has developed and implemented a plan that has reduced her agency's dependence on Government funds from 75 percent in 1976 to 26 percent today. Lyn was able to accomplish this shift while planned parenthood's

annual budget was growing to well over \$2 million.

Lyn is a friend and adviser who will certainly be missed. I wish her well in the years ahead, and thank her for years of service to the people of the Santa Clara Valley.

TRIBUTE TO ROBERT OUTER

HON. HAMILTON FISH, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. FISH. Mr. Speaker, I would like to take this opportunity to call the attention of my colleagues to the outstanding honor being awarded to a community leader of the 21st Congressional District of New York, Robert Outer.

Robert Outer, known to everyone as Bob, is this year's recipient of the 20th Annual Meritorious Award, sponsored by the Exchange Club of Southern Dutchess, the largest service club in Dutchess County, NY.

Bob is vice president of Command Broadcast Group which encompasses the following stations: WBNR, WSPK of Beacon, NY; WINR, of Binghamton, NY; WCSR, of Scranton, PA. Listing all of Bob's personal accomplishments and community involvements would indeed take pages. But it is his concerned and energetic efforts on behalf of his fellow man and colleagues that has distinguished this man and earned their respect.

The meritorious award is a great honor and it is bestowed this year on a richly deserved gentleman.

Both through the Exchange Club of Southern Dutchess and through his own involvements, Bob has been an example to all of us who are concerned about the future of our communities.

Please join me in congratulating him on this honor. It is my great pleasure to bring him to the attention of my colleagues today.

RX FOR IMPROVED RURAL HEALTH CARE

HON. JIM LIGHTFOOT

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. LIGHTFOOT. Mr. Speaker, today, as a member of the Rural Health Care Coalition, I am endorsing its efforts to respond to the growing crisis in our rural health care industry. The Rural Health Care Preservation Act, the Medicare rural hospital amendments, and the peer review organization due process and equity amendments are just a beginning as Congress addresses the revolutionary changes that are taking place in the delivery and the financing of health care services in our country.

Mr. Speaker, there are about 2,700 rural hospitals in the United States today. Many of these are experiencing financial difficulties. In fact, some studies indicate that as many as 600 of these hospitals may close by 1990.

Rural hospitals are a vital part of the delivery of health care in their communities. Rural

hospitals represent around 47 percent of the total number of U.S. hospitals, based upon 1984 figures; these institutions serve about 95 million people or 45 percent of the U.S. population. In fact, about 345 of the Nation's rural hospitals are their communities' sole sources of health care. If these hospitals were to close, access to health care for the elderly, the poor, and the young would be significantly impeded.

Because most rural hospitals are small, a low occupancy rate makes it difficult to cover fixed costs, accumulate operating capital, or obtain financing for needed capital improvements. The result of a hospital's financial deterioration is loss of staff, physical plant deterioration, and an inability to attract or retain quality physicians. In 1984, almost 30 percent of rural hospitals reported an operating deficit for patient care of greater than 6 percent. This is an indication that many of our rural hospitals may be taking the first step toward their ultimate demise.

Another problem facing rural hospitals, Mr. Speaker, is the current depressed state of the economy of rural America. As the shift in the population to the Nation's urban areas continues, the proportion of our rural hospitals' patients increasingly become the old, the poor, and those who lack health insurance.

In addition, since about 50 percent of all rural hospitals are tax supported, the present depressed economy limits a community's ability to adequately maintain its hospital.

Mr. Speaker, I must also suggest that the Medicare prospective payment system [PPS] has contributed to the operating and economic deterioration of our rural hospitals. The low occupancy rates of these operations make it difficult to offset losses from reduced Medicare revenues. In fact, compared to urban hospitals, rural hospitals are compensated at a lower rate for the same procedures. This is based on the assumption that costs are less in rural areas. PPS regulations also require lower wage adjustments for our rural hospitals in spite of the fact that many of these hospitals must compete with urban hospitals for the same labor pool. Finally, rural hospitals cannot take advantage of financially beneficial arrangements for the teaching and care of the elderly or the poor as can the urban hospitals.

Mr. Speaker, most small rural hospitals have not seen an overall improvement in their financial conditions since the advent of the PPS system. In 1984, Medicare patients made up 40 percent of rural hospital admissions and 46 percent of patient days; for urban hospitals, the figures were 34 percent and 43 percent, respectively. Due to this dependence on Medicare patients and the probable tightening of future PPS reimbursement policies, small, rural hospitals can look forward to an even greater worsening in their overall financial conditions.

Mr. Speaker, I believe that our Rural Health Care Coalition has taken a very positive first step. This step must be taken in order to address the unintended consequences of the policies that originally were instituted to alleviate the crisis in our health care industry, but that now threaten the viability of many of our rural hospitals. These consequences are, in my opinion, the cause of why many of our

medical doctors are now forced to practice defensive medicine, rather than preventative medicine. Ultimately, many doctors are discouraged from practicing medicine in our rural areas at all. The most negative result, of course, is that our rural residents are denied needed health care services.

This first step can serve as the impetus to reverse the negative effects of some of these policies and it can help to establish a basis for essential research in the rural health care industry. Our efforts should be geared toward improving the delivery of health care to the rural elderly and the rural poor. In addition, a side benefit of our efforts, and maybe as important, will be that the rural young will be better served by improvements in rural health care delivery.

Again, Mr. Speaker, the coalition's efforts are a good first step and I commend my colleagues for their diligence in attempting a solution to this problem. I also urge my colleagues in the House to join our efforts in rectifying the predicament that threatens our rural hospitals. The job, Mr. Speaker, is far from over.

NUCLEAR TESTING DOES NOT STRENGTHEN OUR SECURITY

HON. RICHARD A. GEPHARDT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. GEPHARDT. Mr. Speaker, "A shaft of light cutting into the darkness" was how President John F. Kennedy described the 1963 agreements on limiting nuclear testing. Our purpose today is to continue in that spirit. We do so for one overriding reason: A mutual, reciprocal, verifiable ban on nuclear weapons tests is in our interest.

The major challenge facing our national leadership is to provide for the defense of our Nation and our allies while reducing the danger of nuclear war. We must meet this challenge. Until 1981, every President since Eisenhower has made it his goal to achieve a comprehensive test ban treaty. The frustration and impatience of the American people has been increasingly clear with the lack of progress. Last year, this House, in a bipartisan statement on behalf of the American people, called for a ban on testing.

Now it is time for us again to make our voices heard. Yesterday, the United States detonated another nuclear test. This brings to four the number of United States and Soviet tests, two each, in just the last 2 weeks. This new round of testing is an unmistakable signal of an expanding arms race. Both sides are trapped in the cycle of new weapons development.

John Kennedy had it right in 1963. He said:

In today's world, a nation's security does not always increase as its arms increase when its adversary is doing the same, and unlimited competition in the testing and development of new types of destructive nuclear weapons will not make the world safer for either side.

I strongly believe that a mutual nuclear war-head testing moratorium is a reasoned and forceful initiative to move us toward a stable

equilibrium in nuclear forces. We and the Soviet Union have more than enough nuclear weapons to destroy the world several times over. Our nuclear forces have never been stronger, and our weapons are more accurate because we enjoy a significant technological degree over the Soviet Union. This ban is in our interest. It would serve us well to prevent the further modernization of Soviet nuclear weapons.

This legislation contains rigorous inspection provisions. It limits nuclear tests to the one kiloton level we can independently verify. We will know, immediately, if the Soviets cheat. We also know that the concern over the reliability of weapons is a hollow excuse because the vast majority of reliability checks are mechanical.

We need to act today. The arms race does not make our world safer nor guarantee our future. And again, I want to quote President John F. Kennedy. He made clear that new initiatives have risks but—

*** the far greater risks to our security are the risks of unrestricted testing, the risk of a nuclear arms race, the risk of new nuclear powers, nuclear pollution, and nuclear war.

The language of this bill will strengthen the momentum of arms control and can only bolster future negotiations. We own it to our selves, and our children to challenge the Soviets to stop nuclear testing. This is a first step.

NEVADA WILDERNESS DESIGNATION ACT OF 1987 PRESERVES THE BEAUTY OF NEVADA FOR GENERATIONS TO COME

HON. JAMES H. BILBRAY

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. BILBRAY. Mr. Speaker, today I introduce the Nevada Wilderness Designation Act of 1987, legislation which will go far toward preserving of the rugged beauty of Nevada for generations to come. I feel a great sense of pride with the introduction of this bill, for there are few places on earth to rival the splendor of these magnificent lands.

This act represents a sound balancing of the need for wilderness preservation and access, ensuring Americans that a sizable portion of Nevada will be available for multiple-uses as commonly understood while simultaneously setting aside large tracts of unspoiled, untouched areas for posterity. It is in context of the latter sense which I wish to address my remarks here today.

Mr. Sieberling, the distinguished former chairman of the Public Lands Subcommittee of the Committee on Interior and Insular Affairs, has described these areas within Nevada as the most beautiful in our Nation and further added that Nevada wilderness is one of the best kept secrets of the American outdoors. His comments were made during a Public Lands Subcommittee tour of Nevada, a journey which I had the honor to attend as a representative of the Nevada State Senate.

Mr. Speaker, from firsthand knowledge of these areas I can attest to their striking grandeur. I have yet to encounter other areas as

resplendent as these found within my home State.

For those of my colleagues who have not had the opportunity to visit these wonderful lands, allow me to highlight the areas proposed under the Nevada Wilderness Designation Act of 1987:

Mt. Jefferson, the awesome, isolated summit of the Toiyabe Range, is included. This area includes a singularly important archaeological site, the highest Shoshone encampment in Nevada prehistory. The proposed Arc Dome Wilderness is home to mountain lion and mule deer as well as numerous trout streams lined with cottonwood, willow, aspen, birch, and maple. Boundary Peak, rising to 13,145 feet, is the highest point in Nevada. Currant Mountain, whose name is derived from the currant bushes which cap its crest, includes beautiful conifer forests of white fir, limber pine, and bristlecone pine, contrasting the heavily glaciated peaks and cliffs found within the East Humboldts. The largest herd of bighorn sheep—Nevada's State animal—to be found on Nevada National Forests is found within the Grant Range. Nevada's only current wilderness area, the Jarbidge Wilderness, is enhanced by the addition of 49,000 acres to include the massive limestone cliffs and canyons rising to the 11,298 feet of Troy Peak. Close to my home in Las Vegas, Mt. Charleston provides miles of limestone cliffs and extensive forests of Ponderosa and bristlecone pine. The Ruby Mountains, a spectacular glacier-carved landscape rivaled nowhere else in Nevada or much of the rest of the United States, is lined with hanging valleys, clusters of lakes, and snow-fed streams flowing down U-shaped glacial valleys.

Other areas are included Mr. Speaker, yet time does not permit me to describe them in a measure commensurate with their beauty.

Mr. Speaker, the Nevada Wilderness Designation Act represents a sound compromise of wilderness preservation and access. Those of us who proudly call Nevada our home wish you to see the beauty of our State. We are confident that should you have such an opportunity, the splendor of Nevada will belie any notion that Nevada is a desert wasteland, suitable only for blowing sands and nuclear waste. On that point Mr. Speaker, there is no compromise.

I ask that the body of the Nevada Wilderness Designation Act be printed in the RECORD.

H.R. 2142

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 "Nevada Wilderness Designation Act of 1987".

ADDITIONS TO THE NATIONAL WILDERNESS PRESERVATION SYSTEM

SEC. 2. (a) In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131-1136), the following lands are hereby designated wilderness, and, therefore, as components of the National Wilderness Preservation System—

(1) certain lands in the Toiyabe National Forest, which comprise approximately thirty-nine thousand acres, as generally de-

pected on a map entitled "Alta Toiyabe Wilderness—Proposed", dated April 1987, and which shall be known as the Alta Toiyabe Wilderness;

(2) certain lands in the Toiyabe National Forest, which comprise approximately one hundred fifteen thousand acres, as generally depicted on a map entitled "Arc Dome Wilderness—Proposed", dated April 1987, and which shall be known as the Arc Dome Wilderness;

(3) certain lands in the Inyo National Forest, which comprise approximately ten thousand acres, as generally depicted on a map entitled "Boundary Peak Wilderness—Proposed", dated April 1987, and which shall be known as the Boundary Peak Wilderness;

(4) certain lands in the Humboldt National Forest, which comprise approximately thirty-six thousand acres, as generally depicted on a map entitled "Currant Mountain Wilderness—Proposed", dated April 1987, and which shall be known as the Currant Mountain Wilderness;

(5) certain lands in the Humboldt National Forest, which comprise approximately thirty-one thousand acres, as generally depicted on a map entitled "East Humboldt Wilderness—Proposed", dated April 1987, and which shall be known as the East Humboldt Wilderness;

(6) certain lands in the Humboldt National Forest, which comprise approximately fifty thousand acres, as generally depicted on a map entitled "Grant Range Wilderness—Proposed", dated April 1987, and which shall be known as the Grant Range Wilderness;

(7) certain lands in the Humboldt National Forest, which comprise approximately forty-nine thousand acres, as generally depicted on a map entitled "Jarbidge Wilderness—Proposed", dated April 1987, and which shall be known as the Jarbidge Wilderness as designated by Public Law 88-577;

(8) certain lands in the Humboldt National Forest, which comprise approximately eighty-two thousand acres, as generally depicted on a map entitled "Mt. Moriah Wilderness—Proposed", dated April 1987, and which shall be known as the Mt. Moriah Wilderness;

(9) certain lands in the Toiyabe National Forest, which comprise approximately twenty-nine thousand acres, as generally depicted on a map entitled "Mt. Rose Wilderness—Proposed", dated April 1987, and which shall be known as the Mt. Rose Wilderness;

(10) certain lands in the Humboldt National Forest, which comprise approximately eighty-two thousand acres, as generally depicted on a map entitled "Quinn Canyon Wilderness—Proposed", dated April 1987, and which shall be known as the Quinn Canyon Wilderness;

(11) certain lands in the Humboldt National Forest, which comprise approximately ninety thousand acres, as generally depicted on a map entitled "Ruby Mountains Wilderness—Proposed", dated April 1987, and which shall be known as the Ruby Mountains Wilderness;

(12) certain lands in the Humboldt National Forest, which comprise approximately thirty-one thousand acres, as generally depicted on a map entitled "Santa Rosa Wilderness—Proposed", dated April 1987, and which shall be known as the Santa Rosa Wilderness;

(13) certain lands in the Toiyabe National Forest, which comprise approximately forty-three thousand acres, as generally de-

pected on a map entitled "Mt. Charleston Wilderness—Proposed" dated April 1987, and which shall be known as the Mt. Charleston Wilderness;

(14) certain lands in the Toiyabe National Forest, which comprise approximately ninety-seven thousand acres, as generally depicted on a map entitled "Table Mountain Wilderness—Proposed" dated April 1987, and which shall be known as the Table Mountain Wilderness.

MAPS AND DESCRIPTIONS

SEC. 3. As soon as practicable after enactment of this Act, the Secretary of Agriculture shall file a map and a legal description of each wilderness area designated by this Act with the Committee on Interior and Insular Affairs of the United States House of Representatives and with the Committee on Energy and Natural Resources of the United States Senate. Each such map and description shall have the same force and effect as if included in this Act, except that correction of clerical and typographical error in each such map and description may be made by the Secretary. Each such map and description shall be on file and available for public inspection in the Office of the Chief of the Forest Service, Department of Agriculture.

ADMINISTRATION OF WILDERNESS

SEC. 4. Subject to valid existing rights, each wilderness area designated by this Act shall be administered by the Secretary of Agriculture in accordance with the provisions of the Wilderness Act governing areas designated by that Act as wilderness, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the date of enactment of this Act.

WILDERNESS REVIEW CONCERNS

SEC. 5. (a) The Congress finds that—
(1) the Department of Agriculture has completed the second roadless area review and evaluation program (RARE II); and

(2) the Congress has made its own review and examination of National Forest System roadless areas in the State of Nevada and of the environmental impacts associated with alternative allocations of such areas.

(b) On the basis of such review, the Congress hereby determines and directs that—

(1) without passing on the question of the legal and factual sufficiency of the RARE II final environmental statement (dated January 1979) with respect to National Forest System lands in the State of Nevada; such statement shall not be subject to judicial review with respect to National Forest System lands in the State of Nevada;

(2) with respect to the National Forest System lands in the State of Nevada which were reviewed by the Department of Agriculture in the second roadless area review and evaluation (RARE II) and those lands referred to in subsection (d), that review and evaluation or reference shall be deemed for the purposes of the initial land management plans required for such lands by the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, to be an adequate consideration of the suitability of such lands for inclusion in the National Wilderness Preservation System and the Department of Agriculture shall not be required to review the wilderness option prior to the revisions of the plans, but shall review the wilderness option when the plans are revised, which revisions will ordinarily occur on a ten-year cycle, or at least every fifteen years, unless, prior to such time, the

Secretary of Agriculture finds that conditions in a unit have significantly changed;

(3) areas in the State of Nevada reviewed in such final environmental statement or referenced in subsection (d) and not designated wilderness upon enactment of this Act shall be managed for multiple use in accordance with land management plans pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976: *Provided*, That such areas need not be managed for the purpose of protecting their suitability for wilderness designation prior to or during revision of the initial land management plans;

(4) in the event that revised land management plans in the State of Nevada are implemented pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, and other applicable law, areas not recommended for wilderness designation need not be managed for the purpose of protecting their suitability for wilderness designation prior to or during revision of such plans, and areas recommended for wilderness designation shall be managed for the purpose of protecting their suitability for wilderness designation as may be required by the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, and other applicable law; and

(5) unless expressly authorized by Congress, the Department of Agriculture shall not conduct any further statewide roadless area review and evaluation of National Forest System lands in the State of Nevada for the purpose of determining their suitability for inclusion in the National Forest Wilderness Preservation System.

(c) As used in this section, and as provided in section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, the term "revision" shall not include an "amendment" to a plan.

(d) The provision of this section shall also apply to:

(1) National Forest System roadless lands in the State of Nevada which are less than five thousand acres in size.

(2) Those National Forest System roadless areas, or portions thereof in the State of Nevada, which were identified by unit plans listed at the end of this subparagraph, which are not designated as wilderness by this Act:

National Forest	Unit Plan
Humboldt.....	Santa Rosa
Humboldt.....	Ruby Mtn./E. Humboldt
Toiyabe.....	Mt. Charleston
Toiyabe.....	Central Nevada

GRAZING IN WILDERNESS AREAS

SEC. 6. (a) Grazing of livestock in wilderness areas established by this Act, where established prior to the date of enactment of this Act, shall be administered in accordance with section 4(d)(4) of the Wilderness Act and section 108 of Public Law 96-560.

(b) The Secretary of Agriculture is directed to review all policies, practices, and regulations of the Department of Agriculture regarding livestock grazing in national forest wilderness areas in Nevada in order to insure that such policies, practices, and regulations fully conform with and implement the intent of Congress regarding grazing in

such areas, as such intent is expressed in this Act.

STATE WATER ALLOCATION AUTHORITY

Sec. 7. (a) As provided in section 4(d)(6) of the Wilderness Act, nothing in this Act shall constitute an express or implied claim or denial on the part of the Federal Government as to exemption from Nevada water laws. (b) Nothing in this Act shall be construed as to limit the exercise of valid water rights as provided under Nevada State law, nor shall it constitute an express or implied reservation or water rights in favor of the Federal Government.

WE MUST NOT ALLOW INSTITUTIONS TO BECOME THE PERMANENT PRISONS OF OUR NATION'S SENIOR CITIZENS AND HANDICAPPED INDIVIDUALS

HON. NICK JOE RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. RAHALL. Mr. Speaker, today, along with seven of our colleagues, I am introducing a bill to amend title XIX of the Social Security Act to require States to provide for payment for reservation of nursing home beds under the Medicaid Program. The seven Members of the House who are joining me in introducing this legislation are RICHARD ROE, BILL RICHARDSON, HELEN DELICH BENTLEY, LAWRENCE SMITH, HARLEY STAGGERS, ROBERT WISE, and JOE KOLTER. I appreciate their support and applaud their concern for senior citizens and handicapped individuals.

Current Federal regulations allow States to pay nursing homes for reserving a bed during a recipient's temporary absence from the facility if: (1) the recipient's plan of care provides for absences other than for hospitalization; and (2) the State's Medicaid plan provides for such payments and describes any limitations on the reserved bed policy. In other words, Federal regulation provides States discretion as to whether they wish to reserve nursing home beds for program beneficiaries and discretion as to the circumstances under which beds can be reserved.

Unfortunately, the States address the reservation of beds in a variety of ways and many States do not choose to provide the security that this option would provide. In such cases, a patient is forced to forgo the opportunity to participate in therapeutic recreation outside the home or even family visits because there is always the chance that the nursing home would have given someone their bed during their absence. At a time when we in Congress, and society as a whole, are advocating family and community participation in the care and welfare of our Nation's senior and handicapped citizens, this is a tragic occurrence. In my belief, it is also a contradiction to the original intent of Congress.

In an effort to correct this abhorrent situation, this legislation would make the reservation of nursing home beds for up to 15 days in any 12-month period of the regulations—not an option to the States. Furthermore, a nursing home's ability to participate in the Medicaid Program would be contingent on its agree-

ment to allow patients this 15 day period of flexibility.

Realizing the possible cost of this type of measure, I have included a provision which clearly states that the State plan under this title need not provide for payment to a skilled nursing or intermediate care facility for the reservation of a bed for any days on which the facility cannot demonstrate that there is an individual waiting for the use of that bed. This provision should prove to be quite a cost-saving measure and an improvement on the existing law. In addition, to further reduce the cost to the States, and to maximize the possibility for bed usage, my bill provides for the use of the bed by respite patients and such under the Medicaid recipient's period of absence.

This bill is designed to reaffirm the commitment of Congress to the well-being and humanitarian treatment of our Nation's institutionalized citizens. I hope that my colleagues will realize the need for this legislation and join me in this effort. Fifteen days for every 12-month period is all this bill is asking. Fifteen days to visit one's family; to participate in therapeutic recreation; to have some sort of social interaction in other than a hospital setting. Can we justify denying senior citizens and handicapped individuals this small period of time outside an institution? In all good conscience, I can not. Nor can the seven original cosponsors of this bill. I hope that our colleagues feel as we do and will lend their strong support to this legislation.

REFUSENIK UPDATE: THE ELBERT FAMILY OF KIEV

HON. MIKE LOWRY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. LOWRY of Washington. Mr. Speaker, I wanted to let my colleagues know about recent developments concerning the Elbert family of Kiev. In an attempt to break the logjam of 11 years of refusals of their requests for permission to emigrate to Israel, Lev Elbert went to Moscow in March and began a hunger strike. By the time that Secretary of State Shultz arrived in Moscow, Lev was too weak to attend the seder at the U.S. Embassy.

During their visit as part of the Speaker's delegation, several of our colleagues visited Lev. I wish to express my deep appreciation for their willingness to make this expression of support for the Elberts' right to emigrate.

After 47 days, Lev Elbert ended his hunger strike when he was told that the family's case was being considered in the office of Interior Minister Alexander Vlasov. Unfortunately, his health may have suffered permanent damage.

During the past few weeks, many of our colleagues have joined in appeals on behalf of the Elberts. Now, once more, it may be possible to help this family by urging Mr. Vlasov to grant them an exit visa.

It is especially important for us to go on record against the claim that Lev was exposed to state secrets during his military service during the 1970's. Since he served in a

battalion that built swimming pools, this claim—which has been used to refuse their past applications—is clearly groundless.

Accordingly, I plan to send Mr. Vlasov a telegram with the following text: "As Members of Congress, we urge you to grant an exit visa to Lev and Inna Elbert of Kiev. No one in this family has been exposed to state secrets, and they have the right to be reunited with their relatives in Israel under the Helsinki Final Act, the U.N. Universal Declaration of Human Rights, and Soviet emigration law. We hope you will act quickly for a positive resolution of this longstanding case."

Because the Interior Minister may make a decision on this case very soon, I would like to send this telegram on Wednesday, April 29. I appreciate your attention to this matter at such short notice.

CONGRESSIONAL TRIBUTE TO JAMES A. "TONY" HARRISON

HON. ED JENKINS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. JENKINS. Mr. Speaker, it is with pride that I rise today to commend and congratulate my constituent, James A. "Tony" Harrison. Mr. Harrison, who is the counselor at Sugar Hill Elementary School, which is in Gwinnett County, GA, has been named the "National Elementary School Counselor of the Year."

In order for Mr. Harrison to have achieved this award it is obvious that he is dedicated to the emotional growth and well-being of every child he comes in contact with at his school. And, Mr. Speaker, as you know, in this fast paced society that we have emerged ourselves, a kind word, quick smile, and having someone to confide in can make all the difference in the life of a child. By working closely with the staff at Sugar Hill Elementary, Mr. Harrison has proven to be dedicated to the task of helping children obtain their optimal self-worth.

Not only do I applaud Mr. Harrison's professionalism, but also his tremendous sense of civic responsibility. He has chosen to remain in the community where he was raised, and, one cannot help but admire a man who continues to invest in the citizens of his hometown. To borrow an old Southern expression, Mr. Harrison is a prime example of a "local boy done good."

I am proud to have Mr. Harrison reside in my congressional district. I also congratulate the Gwinnett County School System for having someone of Mr. Harrison's caliber on their staff. Now, Mr. Speaker, I urge all my colleagues in the House of Representatives to join me in paying tribute to Mr. Harrison.

FEDERAL NUTRITION MONITORING NEEDS LEGISLATIVE GUIDANCE

HON. BUDDY MacKAY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. MACKAY. Mr. Speaker, today my colleagues in both the House and the Senate are introducing an identical bill, the National Nutrition Monitoring and Related Act of 1987. The bill is essentially the same proposal which passed the House on June 26, 1986, by a vote of 305 to 85. The Senate Committee on Governmental Affairs reported the House-passed bill by voice vote on August 12, 1986. Several other Senate committees considered the bill at the close of the 99th Congress. Unfortunately, the Senate did not complete action on the measure before the close of the 99th Congress. Title I and title II of the bill we are introducing today are identical to the House-passed proposal. Title III has been improved through modifications worked out in cooperation with the Senate sponsors.

H.R. 2151 and its Senate companion mandate the development of a comprehensive plan to establish a coordinated National Nutrition Monitoring System. The plan is to be used by the responsible agencies as the basis for requesting appropriations to implement the priorities identified. Several components of a National Nutrition Monitoring System have been in place for many years. And for years, the Congress has been blindly authorizing and appropriating funds for a piecemeal approach without any idea of the specific budgetary resources the seven or more agencies involved were allocating to this important national resource. As a result, the Congress has no direct means to assess either the direction or the adequacy of Federal nutrition monitoring and research activities.

A National Nutrition Monitoring System is a basic tool necessary to examine linkages between food consumption patterns, nutritional status, and health status. The baseline data and projected trends should be the basis for establishing food, nutrition, and health policies for research and education. Presently, we are forced to make these policy decisions on data collected in the 1970's and interpreted for the first time in 1986. What is needed is a comprehensive system which not only provides up-to-date information, but is designed to increase the value and accuracy of the data while, at the same time, reducing the cost of data collection and analysis. This is the goal of H.R. 2151.

The bill calls for coordination of the activities of all agencies involved. Nutrition and health status data are to be collected continuously over time, a technique deemed by the National Academy of Sciences to be more cost-effective than the present system of collecting data every 6 to 10 years or on selected population panels. Investments are to be made to research and apply scientific and engineering techniques which will enhance the accuracy and usefulness of the data, rather than continuing to expand scarce resources collecting data using imprecise and nonstandardized methods and indicators of nutritional

and health status. Presently, Federal efforts have concentrated on the survey components of the system with little or no effort to enhance the science of nutrition monitoring or to motivate multidisciplinary approaches to develop new and more accurate standards and indicators of the nutritional and health status of our citizens.

Today's technology and scientific knowledge have simply not been applied to nutrition monitoring. Yet, there is no doubt that breakthroughs could be achieved to increase the usefulness of the system, and in the long range reduce the cost of a Federal system, as well as the cost of health care in the Nation.

For example: Considerable Federal funds have been expended on research to determine the relationship of diet and heart disease. Through disease prevention programs, the public has become increasingly aware of the importance of investing in a blood test to determine their cholesterol level, one indicator of coronary risk. For many years there has been concern over the accuracy of the roughly 100 million cholesterol tests performed yearly. Reference materials with known values to ensure that the analytical instruments used to measure cholesterol give reliable results were not available. Materials for improving the reliability of cholesterol tests recently developed by the National Bureau of Standards and the College of American Pathologists will be available for the first time in the summer of 1987. Unfortunately, this type of methods research so important to the accuracy of nutrition and health assessments and to effective disease prevention programs has not been given priority or included in Federal nutrition monitoring activities.

As soon as this bill is introduced, you will hear from the administration, as we did in the last Congress, that everything the bill calls for is being accomplished and therefore this proposal would be unnecessary and wasteful. Through the administration's own admission, the threat of this bill over the past several years has resulted in improvements in Federal nutrition monitoring. If all components are being accomplished, why does the administration object to legislation that will allow the Congress and the public to know, for the first time in history, the cost of the program, the anticipated plans for the program over the next 10 years, and the projected responsibility of each agency committed to carrying out the required plan? The administration simply does not want the Congress to have the opportunity to exercise responsible oversight for nutrition monitoring.

A legislative mandate is necessary to assure a National Nutrition Monitoring System exists over time, has a central Federal focus, is cost-effective, and serves the needs of the public, State, and local governments, and the private sector. History indicates that without a legislative charter nutrition monitoring has suffered, not only in this administration, but in preceding administrations as well, from the lack of a locus of Federal responsibility and from rapid starts and abrupt stops directed by the whims of both the executive branch and the Congress. These phenomena are wasteful. Investments in this national resource, so important to the public's health, can only be profitable when a program which builds on the

efforts and expertise of all agencies and users is in place.

Although coordination has improved under the present administration, many simple and inexpensive means of improving the usefulness of the system have resulted in unrealized promises. The ultimate goal of the 5-year plan submitted to Congress in 1981, 3 years overdue, was to coordinate the USDA nationwide food consumption survey and the DHHS health and nutrition examination survey in 1987. That promise was abandoned due to lack of leadership and coordination. The alternative solution proposed was to assure common methods and linkages between the two surveys to provide for the most effective use of Federal expenditures. Last month this option was also abandoned.

The 1981 plan which was never updated to accommodate budgetary or policy changes, new scientific knowledge, or recommendations of the scientific community expired last year. A new plan, not yet submitted to Congress, has been in the making for 2 years and apparently focuses only on surveys conducted by two agencies of USDA and DHHS. The nutrition monitoring research of other agencies within these two Departments, such as the Agricultural Research Service, the Food and Drug Administration, and the Centers for Disease Control are not integrated into the draft plan. Also conspicuous by their absence are the activities of the Bureau of Labor Statistics, the Department of Defense, and the National Bureau of Standards.

Clearly there is a need to make more effective use of Federal and State expenditures for nutrition monitoring and enhance the performance and benefits of current activities. This is the exact purpose of H.R. 2151. I urge my colleagues to join Congressman GEORGE E. BROWN, JR., Congressman DOUG WALGREN, and myself in cosponsoring this bill and working toward its passage in the 100th Congress.

VICE ADM. JIM STOCKDALE AND THE NECESSITY FOR RESOLVE

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. MICHEL. Mr. Speaker, one of the genuine heroes of the Vietnam war is Vice Adm. Jim Stockdale who endured and survived years of torture, solitary confinement, and endless interrogation at the hands of Communist Vietnamese after he was shot down in North Vietnam.

Jim Stockdale recently made a speech on the subject of "Our Personal and National Resolve" to the American Society of Newspaper Editors. While it concerns his own experiences as a Navy flier—who is the only person to have personally witnessed all of the events leading to what became known as the "Tonkin Gulf incident"—and his survival at the hands of Communist torturers, what he has to say about the necessity for resolve—in human beings and in nations—can teach us a lot about our own problems and particularly about this Nation's resolve as it faces a militant and highly motivated adversary.

At this point I wish to insert in the RECORD, "Our Personal and National Resolve," a speech by Vice Adm. Jim Stockdale to the American Society of Newspaper Editors, San Francisco, April 8, 1987.

OUR PERSONAL AND NATIONAL RESOLVE

I came up with this title from a flat footed start in the two minutes between answering Neil Morgan's initial contact phone call and his deadline to go to press with the program. It might give you the idea that I am going to talk about the abstractions (Religion, Patriotism, and so forth) that I think our personal and national resolve ought to be attached to. Not so. Such talk is the preserve of preachers and political orators, and I am neither.

I am going to talk about resolve in itself—its nature, how expensive it is (what it takes out of you), what it takes to generate a reliable quantity of it, how it must be selectively focused, how indispensable it is prolonged, competitive, campaigns of human will, personal and national. I don't like to hook it to abstractions because it's seldom in abstractions that its major staying power lies. And when it comes to resolve, staying power is the name of the game.

That comes as a shock to many. People like to think that abstractions drive our lives. Take it from me, you can't get off the stage of an ex-POW type talk until you finally concede to the questioning audience that yes, it was principally God and the American ideal that carried you through. Now I think for many of my comrades, and probably for most, those are very important considerations. But as I learned, and probably as you know, and as literature tells us, resolve's power frequently lies in objective roots.

My friend Glenn Gray, before he died, a notable Professor of Philosophy, spent WWII on the battlefields of Europe interrogating German prisoners and scribbling in a personal journal which years later he published under the title "The Warriors; Reflections on Men in Battle." He talks of the mysterious growth of comradeship among men who would never be friends and have nothing in common but common danger:

"Numberless soldiers have died, more or less willingly, not for country or honor or religious faith of for any other abstract good, but because they realized that by fleeing their post and rescuing themselves, they would expose their companions to greater danger. Such loyalty to the group is the essence of fighting morale. The commander who can preserve and strengthen it knows that all other psychological or physical factors are little in comparison."

Not often, but occasionally in prison, I would get a relayed tap code message from a new shootdown: "I've got to have something to hang on to. What do you think I should hold as my highest value in here?" My stock answer, and one I believed in more strongly every day I was there, was: "The guy next door. Protect him. Love him. He is precious. He is your only link with our prison civilization in here."

Over the years our prison civilization, tied together with those thin strings of surreptitious and highly risky wall taps, became our country, our family. So when, you as newspaper men might ask, wouldn't bad news about your homeland decay your resolve? What if a big scandal broke? Wouldn't that pitch you into the depths of despair? My reply would be, "probably not". But of course we had a degree of protection from outside influence in our little "country"—

protected from the bad news in the press, because the Vietnamese insisted on translating your articles into their own pidgin English phrases, thereby robbing them of much of their credibility. And protected as well, as we marshalled our resolve, from interference by what had by then become a pusillanimous government in Washington. Suppose I had had to check with them before I ordered us all to take torture before complying with this or that Vietnamese edict. It would have blown their minds.

The only time I ever saw anger at news in the prison was when we were told on the loudspeaker, convincingly, that McNamara and Johnson had quit and that the bombing would stop. That was personnel. That was betrayal.

But even that had little or nothing to do with the level of long term resolve of that vast majority of our prison gang. By then, we were the world, as we saw it. Our secret orders had gone out to all Americans in North Vietnam, (with over 9/10ths support): "Accept no amnesty, no early release, we all go home with the last man." That did blow Washington's mind. A few years ago I got a five page single spaced letter from William Bundy trying to unravel it.

Where were the roots of this kind of resolve? Certainly the roots were not cerebral, in our heads; the roots were emotional, in our hearts. When you're down to the wire, you can't afford to play with intellectualism. And when you're living with the carrot and the stick you have to force yourself to repel arguments from reason.

I have a hunch that in most cases in this type situation, the roots of resolve have most to do with ego, conscience, personal honor, "over my dead body". But its hard to get a man under pressure to open on that. Each develops his own formula and seals it in his breast. Strange commonalities grew up among men who came to devote their lives to clinging to self respect with their fingernails,—building, building, building resolve. No one would talk about it there. No, you don't find men exchanging philosophical confidences on death row. More than once I spent an afternoon daydreaming in a dark cell—to suddenly have revealed to me some marvelous truth of the heavens that I felt the tremendous urge to share with my neighbor. When I got into the subject, his answering taps for each word grew more hesitant and withdrawn. I was getting into his private territory. And he clearly didn't want to get involved in mine. He had worked out a balance that was keeping him even with the interrogators and the ropes, and my insights, which he was nicely rejecting, would have been only threats to his equilibrium, destabilizers of his web of resolutions that he had compounded to live by in times of crisis. The core of his resolve was his alone, not for public consumption.

What he was building was what I came to call, what I named in that prison, "moral leverage". Moral leverage is sort of like a very clean conscience, except it's active, not passive. It's a power source. It is nothing modern or sophisticated; rather it is the simple, even primal power source of human nature. It is a gut feeling that you develop that tells you that you are clean and you are right and that you are ready to carry your mission to the ends of the earth. Like all simple primal powers of man, it gets generated only when he is pushed to the extreme. In a political prison (and in my view political prisons for the individual and wars for nations are the extremes which cry for primal power), it is what is needed to salve

closed the chinks in your moral armor, those gaps which alone give the commissar access to your inner self with his extortionistic crowbar.

I am using the word moral here in the fundamental sense Clausewitz uses it in "On War":

"It is not the loss in men, horses, and guns, but in order, confidence, cohesion . . . It is principally the moral forces which decide here."

Concepts of morality were always in the shadows of the North Vietnamese prisons. In the ordinary sense, what was moral to them was usually immoral to us, but the subject lurked, always. I am not saying they honored our moral positions; but even as they wiped them aside, if they detected conviction, consistency, and personal honor, their eyes sometimes betrayed the fact they are inwardly moved. Communists are trained to keep an eye on the moral high ground. But in running that political prison, they kept an even sharper eye out for hints of shame in us. Shame they loved, because it was their best leveraged entry point in working toward a false confession. (And I don't need to remind you that political prisons are built around the need to get false confessions.) The commissar needed that entry point to start feeding in the fear and guilt, feeding in those pincers which spearhead all breaking of human will. So you learned to get up in the morning and say to yourself "God, help me keep my conscience clean."

Power as a political prisoner comes from building layer upon layer of convictions that are hard to assail. You lie awake at night memorizing and concentrating on position points that you can maintain for hours, eyeball to eyeball with your interrogator, not blinking or betraying fear or guilt, yes and position points you can maintain in the ropes. Because on all important issues, unless you fold, those ropes are going to come. And as we all know, that's serious business, for its in the ropes that death visited some.

And that's why I've spent so much time on the prison scene in this talk, because there it becomes clear, clear for all to see, that a wise man sailing into harm's way needs a lot of emotional baggage, but can not let shame become a part it. Shame is excess in circumstances that call for resolve. It wearies resolve. The point, then, is to do nothing shameful, nothing unworthy of yourself. Because if you do, and you are in any way honorable, it will haunt you and corrode your will. These are simple but very true, very powerful, very important facts.

And it came to me on more than one occasion as I checked and rechecked my private package of moral leverage in that filthy solitary cell as I waited for that inevitable showdown torture session, that it is not an intolerable analogy to compare a leader taking a nation into war with a political prisoner building resolve, preparing himself for what lies ahead. Each is going to see blood and be surprised at it each time, each is going to have to look the opposition in the eye and convince himself and them that he is conscious of where he is going and prepared for the consequences, and each is going to be exposed to every temptation to back out, cop out, for the lack of moral leverage, and leave a lot of people out there swinging in the wind.

Resolve worthy of laying your own life on the line in the torture room, or putting your country's soldiers into combat, should be

founded on a rock and ingrained in your heart. Nothing less.

That's the way I think about resolve. Heavy as it is, draining as it is, it isn't the sort of things you spray around on things you would just vote for. We can all conceive of a universe in which most of the things we would merely vote for (approve of) might be served just as well by other choices. But can you conceive of a universe in which it would be worthy of you to be cowardly or maleficent, vicious or wanton, or utterly without charity? Of course not.

Resolve is too expensive to waste on trivial things and too precious to throw away on anything you don't believe to your bones to be worthy of you. On the other hand, the things we do consider worthy of ourselves demand it.

In other words, what we dispense resolve on is dependent on how we feel about ourselves. How we behave and think depends on who we think we are. If we have a low opinion or ourselves, if we deserve a low opinion of ourselves, our resolve is not likely to flourish. For contrast, look at Socrates. Socrates thought it unworthy of himself to pander to the Athenians—because all they could do was extend his life, and pandering to extend his life was an affront to his own sense of behavior worthy of him. His resolve was, as with all of us, directly tied to his own self respect and the terms on which he could preserve it.

So what about national resolve? You've got it. It's too valuable, it's too hard to come by, it takes too much out of us, to commit it to any cause that is not worthy of our nation. And if you agree with me that what goes for a man going into torture (i.e. his need for resolve) should apply to a leader sending his troops off to shed their blood (his need for resolve), you'll see I'm saying quite a lot about what's going to war for. Intellectualism won't cut it, bureaucratic maneuvering won't cut it, arguments from reason are insufficient. To profess resolve means you are willing to make the cause part of you, part of the nation. It must come from the heart of the leader, from the heart of the nation.

Who was tracking the heart of the nation as we dabbled in Vietnam as war clouds gathered over Southeast Asia? Who was keeping his eye on our moral leverage as we tripped the switch that locked us into that war for keeps? Let's talk about moral leverage and that Tonkin Gulf Resolution, that engine of the war.

At the time I was shot down in September 1965, the Tonkin Gulf was still just a place. It was a place where I had had some interesting and revealing experiences a little over a year before. It was easy to talk about. Everybody I was associated with during that first week in August 1964 knew exactly what happened, and exactly how this Tonkin Gulf Resolution came into being. There was no way you could hide it from a thousand ears on military duty, listening in on tactical radio circuits.

But when I came home in 1973, I quickly learned that in the eight intervening years of my absence, the story, and its management, had changed in many ways. Hearing my loose talk, a senior officer whispered to me: "You don't understand the full situation."

"Don't understand it?", I answered. "Hell I led all three of the air actions that week; I know more about it than anybody. Who do you think's been protecting all this for eight years in a communist jail!"

But he was right. I had a lot to learn about the entirely new ways in which this

pivotal event in American history was discussed. "Tonkin Gulf" was no longer just a place, it was a buzzword, a symbol. Different groups had affixed different packages of ideas to it. And the trend continues. To many, "Tonkin Gulf" is a buzz word for Johnson duplicity. To others, Johnston betrayal. Now to another group, which includes some of those who have their hearts set on doing away with the War Powers Act, Tonkin Gulf equates to "anti-war lies". Many strange combinations. Strange bedfellows.

I'm going to go back and talk about it just like I did in 1964 and 1965 when it was just a place, and when the facts were clear, unmistakable, and distinct. Once again quickly, here's how it goes. On a Sunday afternoon, August 2nd 1964, I took four F8 Crusaders from the Ticonderoga 300 miles up into the Gulf and sank two of three North Vietnamese PT boats which had fired a couple of torpedoes at the *Maddox* and missed. Washington promptly wrote off the episode as the erratic action of a trigger happy local PT commander. A little over 48 hours later on a dark and stormy night, there was another call for my squadron to go up into the Gulf. I answered the call, was the first plane up there, had the best seat in the house, and watched it all. This time there were two destroyers, *Maddox* and *Joy*. At first everybody seemed to think they were going to be attacked, but the North Vietnamese never showed up. No boats. No Attack. False Alarm. The carrier reported "no boats", of course. The destroyers reported no damage, no boats sighted, sorry about early message that got you riled up, Washington, but over-eager sonar operator and weather conditions had us confused for a while.

Giddy hilarity prevailed in pilots quarters on the carrier, and in destroyer wardrooms as we all turned in after midnight. We were all drained, relieved, laughing at the fiasco of seeing ghosts on a stormy spooky night at sea.

Mark this down, newspaper men: in the 19th century, before radios, that would have been the end of it. It would have been forgotten by those involved in a couple of days and the world would have continued as before. But nowadays, with alert Washington on top of everything, a hand on every button, everybody supposedly under control worldwide: Chaos. Big Deal. And the world would never be the same. The Giant had been aroused by the destroyers' early messages and twelve hours, I say again twelve hours, after the corrective messages had started pouring into Washington from the destroyers and carrier, I blew the oil storage facilities of Vihn, North Vietnam, off the map, in reprisal—reprisal not for the Sunday affair, but for the Tuesday night non-affair, for repeated attacks. (See "Vantage Point" by L.B. Johnson.)

Well, what did I think after that? Remember, I had not had those communist prison lessons on how tendentious issues turn on moral leverage, yet. And being brought up in the world of technology, expediency, and bureaucratic squeeze plays, I must confess I didn't think a hell of a lot about it. I knew Washington knew I had blown up the big oil tanks on a false pretense. (I had some important visitors come see me on a secret trip from Washington some days later, as readers of the book will remember.) But, I was only a 40 year old fighter pilot, new to the ways of the world in high places. Vietnam was a tinderbox situation; I felt sure the war was going to start anyway. Washington thought so too. (The previous May, William

Bundy had prepared the Resolution to get Congress aboard—it was a "fill in the blanks" document. Here was an opening in the Tonkin Gulf, so "make it the Tonkin Gulf Resolution and get the war started, in earnest".) When you are facing an inevitable event, why not see that it is triggered on your time schedule instead of the enemy's? Why not opportunistically interpret mixups as provocations?

Of course I wised up in prison. As this moral leverage concept seeped into my consciousness it finally dawned on me that the damage done by chicanery in building block events in war does not end with the breaking of Boy Scout rules. I agree with Lenin: "The man who thinks you can run a Revolution by the rules of cricket is a fool." But the penalty that sneaks up on you is the breakdown in your resolve if you know you have got where you are by being an opportunist. Even to lie there in the leg irons and follow the world news by reading through the propaganda crap of Hanoi Hanna, you could not miss the central fact that as the months wore on the Johnson government was losing confidence in itself. That was the bitter pill.

Quite a change from those happy days when LBJ, sitting on August 5th, 1964 before a stack of conflicting messages could get a laugh out of the line: "Well, boys, I guess we'll never know what happened, will we?"

I sometimes think of myself as the Phoenix who arose from the ashes to answer that question. In my absence complicated battles had raged in Senate committee rooms; tactics of each side changed time and again. Those Washingtonians who kept trying to prove there had been boats out there on that Tuesday night after all, centered their "proof" on certain North Vietnamese intercepted messages that supposedly described what U.S. News and World Report later called a "Phantom Battle". (See the article of 12 full pages in the issue of July 23, 1984. Two years of study went into it.) I am the only person in the world who was an eye witness both to the actions of the real PT boats on Sunday and the "Phantom Battle" on Tuesday night. These messages that McNamara introduced as proof before the Senate in February 1968 present a picture of Tuesday night in the Gulf that literally no one who was there recognizes. But when I finally got to see the messages, they exactly describe what a Vietnamese observer would have reported of my real PT boat episode of Sunday the 2nd. I can track my own airplane right through the battle. Just a slight mixup of messages?

Well of course I didn't know how all this fiasco, this modern management route to the start of the Vietnam War, all worked out till I got back from prison. What did that young intelligence officer in the TV movie last month tell James Woods when he ("I") asked him in 1973, "What ever happened to that Tonkin Gulf Resolution?"

I remembered his researched reply and wrote the line in the book. He said: "I was still in high school on August 7th, 1964 when it was enacted, so didn't actually follow it too closely—the whole issue became a political football while you were in prison. Fulbright's committee in the Senate had big hearings about it, everybody became disillusioned with it, and finally sick of it, and it was Nixon who finally declared the thing null and void, repealed it. But by then it was 1971 and most people wanted to forget about it. I don't know, it just kind of went away."

To me, that sums up the Vietnam War. The legacy of "The Best and the Brightest". Talk about going out with a whimper! No understanding of moral leverage; no pretense of resolve. What the hell kind of a scale of values has this 20th century world lured us into? Those whizkids and their mentors played games with the great good will of middle America, squandered it, "got religion", bugged out, left a generation of their sons face down in the mud, and got away with it. They bragged about running a war without the emotional involvement of the mob, the men on the street. They decided it was best to keep the American public in the dark and rely on their own "creative thinking".

As a matter of fact, the "game play" in the Tonkin Gulf was hailed by the American game theory elite as an artful piece of politico-military maneuvering. This game theory crowd are the people who like to think you can move adversaries around by clever feints and bluffs as you would an intelligent opponent in a game room situation and thereby save lives as you make gains with the military potential—sending tacit signals by the use of arms, and making war more humanitarian, they would say. By 1966, Harvard economics professor Dr. Thomas Schelling, whose book "Strategy of Conflict" I had dutifully read in graduate school four years before (and laughed at, in hindsight, as I saw the scene in Hanoi), was in print with a new book on military strategy, "Arms and Influence" (Yale press, of course). This one memorialized LBJ's finesse in the Tonkin Gulf in those August days. These three sentences capture the spirit:

"If the American military action was widely judged unusually fitting, this was an almost aesthetic judgment. If words like repartee can be applied to war and diplomacy, the military action was an expressive bit of repartee. It took mainly the form of deeds, not words, but the deeds were articulate."

I would call it an articulate rendering of a Resolution that plumb ran out of Resolve and plumb got us off on the worst of all starts in a war. It gave us false confidence in escalation theory and a guilty conscience. How much longer are we going to let these egghead theorists drive us into these blind alleys?

I say let us be aware that resolve and commitment and moral leverage, the only glue that ties America's sons to their leaders, cannot be displaced by throw-away concepts of finesse and trickery. These are not worthy of us, and because they are not worthy of us we cannot rely on them. The deepest human resolve is not built on self deception, rationalization or cuteness. It has its roots in the finer elements of human beings and of their countries. Thus—resolve to stand for what is worthy of us, to live so that our own best conscience is not offended. Only this will perpetuate the best of us and our institutions for generations still to come.

STEEL REHABILITATION ACT OF 1987

HON. WILLIAM O. LIPINSKI
OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES
Thursday, April 23, 1987

Mr. LIPINSKI. Mr. Speaker, I rise today in strong support for H.R. 2062, legislation that

deals with our Nation's ailing steel industry. Introduced by myself, Mr. SAVAGE, and Mr. TRAFICANT, the bill would limit imports of all steel mill products to 15 percent of domestic supply for 5 years in return for mandating that the major steel companies invest substantially all of their net cash-flow for modernization of the industry in the same period. Companies would also have to earmark at least 1 percent of net cash-flow for retraining displaced steelworkers.

America's steel industry is currently embroiled in a crisis—a crisis of economic survival. The expansive flow of foreign imports in the domestic market has in fact precipitated and deepened this crisis. Ten years ago there were 370,000 production and maintenance workers employed in the steel industry, and imports constituted only 14 percent of the total U.S. market. Today there are fewer than 200,000 workers, and imports have reached as high as 30 percent.

Over the past 4 years losses in the steel industry have exceeded \$7 billion. Since 1974, 15 steel companies have gone out of business. Thirty complete steel plants have been closed and 560 production units in other plants have been terminated. Total employment in the industry has actually been cut in half. A comprehensive approach limiting steel imports is therefore needed if we are to insure a future for our domestic steel industry.

H.R. 2062 is a proposal based on legislation introduced in the 98th Congress, the Fair Trade in Steel Act of 1984. The 1984 act recognized that foreign steel producers had unfair competitive advantages in the U.S. market because of direct subsidies, targeted loans, import restrictions, and other unfair practices on the part of steel-exporting countries. President Reagan attempted to deal with the rising tide of unfairly traded imports and the terrible effect on the U.S. steel industry by announcing a bilateral approach to the problem—the Voluntary Restraint Agreement [VRA] Program.

Yet, while the President's program has brought the import share for steel down from a high of 28 percent in the early 1980's it has not even come close to the target share of 18.5 percent. Steel imports now account for a little over 23 percent of domestic supply and, according to industry analysts, are expected to rise in 1987. When you consider that each percentage point above the target represents thousands of high-paying jobs and millions in lost revenue, the magnitude of the failure is put in proper perspective. An October 1981 Government Operations Committee report stated that if the target had been reached, an estimated 54,000 jobs could have resulted and 2.8 million tons of steel, now manufactured abroad and sold in the United States, would have been made here.

Due to the great rise in export-targeted steel capacity and large Government subsidies on the part of certain countries, the American steel industry has been devastated in recent years. Even though producers in the United States have made a substantial commitment to the future of the American steel industry by undertaking capital investment projects in excess of \$12 billion from 1980 to 1985, massive losses in the industry have discouraged many of these vital projects. Conse-

quently, American producers have not been able to keep pace with foreign producers.

That is why, Mr. Speaker, I favor and believe in a unilateral policy toward steel imports. It is still something that is still direly needed. Steel coming from countries not covered under VRA's—like Canada, Sweden, Argentina, and Taiwan—now account for over 25 percent of all imports and are expected to grow in the coming year. While a provision of H.R. 3, the omnibus trade bill, addresses the problem of these imports, it is only in relation to those countries which have VRA's with the United States. Instead of mandating negotiations with these nations toward VRA's, H.R. 3 only takes into account circumvention of steel quotas from the VRA countries into non-VRA countries for shipment to the United States. While this provision is important in making certain VRA countries live up to their agreements, nothing is mentioned about regulating the flow of steel that is made in Canada, Taiwan, or the other countries not covered under VRA's. Clearly the voluntary approach to restricting steel imports into the United States is insufficient to achieve desired reduction in the import market share.

The United States cannot continue to afford such a patchwork approach to steel imports. Only with a comprehensive, consistent steel policy can our Nation avoid the inevitable problems of circumvention and unfair trading policies on the part of steel-exporting countries. With H.R. 2062, the United States can take concrete steps to elude the pain and suffering caused by events such as the recent LTV Steel decision to rescind employee benefits because of bankruptcy proceedings, the recent chapter 11 filing of Sharon Steel, the Nation's eighth largest producer; the precarious financial state of the major steel companies; and the tragic, dangerous movement of the United States from steel-producing Nation to steel import-reliant Nation.

It is therefore, the intent and purpose of this legislation that access to the U.S. market for foreign steel products be on an equitable basis, for the survival of this industry is critical to our national defense and the maintenance of a strong industrial economy which employs millions of workers and sustains the Nation's prosperity.

To move ahead we must have the courage to look ahead. We must adjust our priorities and pool our technological skills and available resources together to maintain domestic employment and protect America's future in the international marketplace.

THE CHALLENGE OF AMERICAN CITIZENSHIP

HON. ROBERT LINDSAY THOMAS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. THOMAS of Georgia. Mr. Speaker, I would like to take this opportunity today to present to this distinguished body the winning entry from the State of Georgia in the Voice of Democracy broadcast scriptwriting contest.

This year more than 300,000 secondary school students participated in the contest,

which is conducted by the Veterans of Foreign Wars of the United States and its ladies auxiliary. A winning contestant from each State came to Washington for the final judging and Darin E. Oliver from Hinesville was selected to represent Georgia in the competition.

Darin is a junior at Bradwell Institute in Hinesville, who plans to attend the University of Georgia to study writing and the theatrical arts. He is also interested in swimming, reading, and fishing. At this point, I would like to insert his essay into the RECORD:

THE CHALLENGE OF AMERICAN CITIZENSHIP

Are you proud? Now think for a minute—are you proud? I don't mean you just fixed the lamp in the den proud. I mean—are you proud of who you are—of what you are? Are you proud to be here right now? Proud because you're in a country that God has blessed with beauty, peace and freedom. Are you proud to be in America?

Some of you stand and say, "Yes, I am proud to be here. I am proud to be in America. I am proud to be an American." While others of you, you don't really know. Still others sit disgustedly because you know you don't want to be here, because you think there's something wrong with the system or worse yet you just don't care! You don't want to be here, man. You don't care! It's all messed up—it's the system, man; all the time hasseling you and interrupting your life.

Your day gets interrupted because someone wants to hassle you with a few questions to prove whether or not you did something when you know you're innocent. But here you're innocent until proven guilty. Yeah! It's part of the system! It's the reason your day may get interrupted. It may keep you from false accusations and such. You're worried about your day, but you don't realize that in other parts of the world people have their lives interrupted for years because their country doesn't have a system. They're guilty until someone can prove them guilty, because they don't have the "system" and we do. We have the system. Sure, it's got weak points, but it works.

You see, here in America we have the system—that blam system interrupting your day—maybe it does; maybe it does, but it's the system that gives you your rights. It's that system that keeps you safe. It's that system that makes you—your family free. Free to express themselves—free to be proud.

In America we are free. We have the right to enjoy life alone or to express ourselves to the fullest. In America if you like something, you can say you like it; but if you don't like it, you can say you don't like it. If something offends you, you can change it. You can do what ever you want here, because you're free.

But do you know why? Do you know why you're free? Your free because your—because our ancestors were not. Our ancestors, our forefathers knew they had what it took to establish a new nation based on the ideals of men working together in love—and respect—and freedom. And in this knowledge they found pride—and in this pride they found strength—strength enough to challenge the mightiest nation on earth and win.

They brought forth a country of people free and proud. Many of our forefathers died in the battle for this new country. They faced death proudly—standing with open arms to embrace what they knew was not the end; but the beginning—the start of

a new chapter in history, the story of America. They died so that America would live. They died so that we would live!

And for what? So you can sit there and not care! So you can refuse to pledge your hopes, your honor and your service to your country—to our country to our America. It is your responsibility, it is our duty to be proud. It is our duty to take the flag from the last generation and carry it on to future greatness. And with that thought in your minds, and with that knowledge in your hearts; I ask you again, "Are you proud? Are we proud?" We must be. For we are the end of the old America and we are the beginning of new history and we must be not proud Americans, but Americans with pride.

INTRODUCTION OF NATIONAL LITERACY DAY RESOLUTION

HON. JAMES J. FLORIO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. FLORIO. Mr. Speaker, last year 222 of my colleagues joined me in cosponsoring a resolution I introduced, which was enacted, designating a day to commemorate National Literacy Day. I again introducing this resolution to designate July 2, 1987 as National Literacy Day. I hope to call attention to the large numbers of Americans that cannot function in our society because they are illiterate.

Mr. Speaker, studies indicate that 27 million Americans cannot read a newspaper, cannot fill out a job application, cannot maintain a checkbook or understand the warning label on a bottle of medicine. In short, our Nation has 27 million people that form a class of functional illiterates that are uneducated, untrainable, and economically dependent. And these numbers are growing every year. The Department of Education estimates that, every year, 2.3 million more illiterates, including high school dropouts, unlettered passalong graduates and immigrants, are added to our society.

We are paying a high price in our Nation for this unfortunate deficiency. As chairman of the House Subcommittee on Commerce, Consumer Protection and Competitiveness, I am concerned that our Nation's competitiveness is being eroded by the presence in the workplace of millions of Americans who are functionally or technologically illiterate. There is a direct correlation between the number of illiterate adults unable to perform at the standard necessary for available employment and the money that is allocated to child welfare costs and unemployment compensation.

Social and economic discrimination problems are propounded because illiteracy is highest among blacks and Hispanics. The high percentage of illiterate juveniles in criminal court indicate that illiteracy fosters crime. Of concern to our Nation's strength is the fact that illiteracy directly impacts our military capability. Millions of dollars of damage is still done to expensive equipment because many men and women in the service are unable to read and comprehend even the simplified manuals.

The total costs related to our Nation's literacy are estimated to exceed \$225 billion annually. Chronic unemployment is a further

problem that illiterate individuals in our Nation need to deal with. Up to 75 percent of the unemployed lack the basic skills to get a job or be trained for a job.

Disturbingly, Federal funding for literacy programs has not been sufficient to address a problem reaching mass proportions. Federal, State, municipal and private literacy programs have only been able to reach 5 percent of the total illiterate population. The annual amount of money spent by our Federal Government for this problem amounts to \$17 per person for a total of \$352 million. The Department of Education estimates that only 2 million people are reached annually by these programs.

The total cost of illiteracy to our Nation cannot be measured accurately. However, our Nation is paying dearly in lost productivity and human misery. We hear of sad stories of people suffering tragedies because they could not read: the industrial worker killed because he could not read a warning sign; the mother who gave her sick child pink detergent instead of stomach medicine because she could not decipher medicine labels; the mother who thought she was signing a routine field trip permission slip for her daughter only to discover that she had relegated her daughter to a home for the retarded.

It is for these reasons that we call attention to the problem of illiteracy in our Nation by designating July 2, 1987 as National Literacy Day. We must begin to recognize this problem in order to find solutions and obliterate illiteracy. I would like to, at this point, commend the thousands of volunteers in our Nation that are working tirelessly to help illiterate individuals in their communities. Thirty-three States have formed literacy councils and activities by volunteer organizations, colleges and schools are increasing.

I urge the support of my colleagues in this worthwhile effort.

NATIONAL POLICY AND TECHNOLOGY FOUNDATION ACT OF 1987

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. BROWN of California. Mr. Speaker, today I am reintroducing the National Policy and Technology Foundation Act of 1987. Thirty of my colleagues have joined me as original cosponsors, including Mr. GEPHARDT and Ms. SCHNEIDER.

This legislation is designed to create a permanent forum to analyze and develop coherent, long-term technology policy. This foundation would provide Federal support for technology, conduct increased technical data collection and expedite transfer of technology to the private sector. Such a permanent institution is essential to maintain the healthy and progressive technological base necessary for American competitiveness in the years to come.

We are all aware of the impending crisis in America's ability to compete in foreign and domestic markets. The U.S. balance of trade has gone from a surplus of \$18 billion in 1983

to a staggering deficit of \$170 billion in 1986. Compounding this problem is that the United States, in the past 2 years, has become the largest debtor nation in the world—a situation unheard of for a developed nation.

While the trade legislation we are considering this year will play an important role in improving American competitiveness in the near term, many trends indicate that without efforts to develop the sound technological base needed for developing and producing quality, cost-competitive products and services, we will be plagued with continued loss of competitiveness in the future. This requires a coherent, broad-based long-range science and technology policy. It is clear that such an enlightened and foresighted approach does not exist today. For a discussion of current trends in technology, as well as studies and indicators, please reference my October 16, 1986 CONGRESSIONAL RECORD statement (page E3665) titled, "Attacking our Trade Deficit in Earnest," and my April 24, 1986 CONGRESSIONAL RECORD statement (page E1379).

For years, the Science, Space and Technology Committee has held hearings on several aspects of our Nation's science and technology. Throughout these hearings, a general trend has emerged. Federal science and technology policy in the United States is not keeping pace with the rapid changes in our technological and information base, or with the international marketplace. It is clear that this inability to develop policies and keep pace with today's society and demands is severely hampering the potential usage of technology, and will continue to do so in the future.

We have three options to address this problem. The first, most passive approach is to ignore it. The second is to address each crisis individually. There have been several bills introduced in the House and the Senate which do address one aspect of science and technology policy. And, I applaud each of these efforts to improve our science and technology base. However, as we all know, Congress tends to put off policy changes until a crisis confronts us. The result is that many of the problems which we must address today might have been avoided to some extent if we had had the foresight to act earlier.

Further, we have stalled so long in the area of science and technology policy that the number of issues is staggering. Senator BINGAMAN and I, in attempt to address some of the more urgent issues, have introduced the America's Living Standard Act, which is a package of programs designed to boost American science and technology. Other bills have likewise been introduced.

However, our third, and I would argue most effective, option would be to create a permanent forum, such as the National Policy and Technology Foundation, which would include input from academia and the private sector, would conduct data collection and policy analysis, and would have the responsibility to project potential crises, alert policymakers, and even recommend policy options to our policymakers before difficulties reached crisis proportions. While the National Science Foundation does this to a degree, it is vitally important that we increase our focus, our priority, and our support for technology, in addition to our current programs for science.

This is important because, while basic research provides us with the very foundation of our technologies, it is in essence only the first link in a whole chain of events which must take place before basic knowledge is translated into new products and services. This chain includes technology development, innovation, product development, investment in manufacturing processes, and infusion of the product or service into our society. I sometimes call this the science and technology chain.

This chain is only as strong as its weakest link. If we are to rely on science and technology to solve some of our future problems, as well as boost our industries and keep them competitive, then the Federal Government must take a more active role in ensuring each link is maintained and strengthened. While the Reagan administration and others have felt that research, other than basic science, should be the responsibility of the private sector, a growing portion of our society disagrees.

For one, the cost of technological research in the areas of automated manufacturing processes and the development of high technology processes and products tends to require long-term investment and planning, and are frequently too expensive for one company to undertake. Some of our competitors, however, such as Japan, have overcome this problem by establishing national research efforts, supported with national funds, to undertake expensive research. If the United States is to keep up with these target-marketing approaches, we must find ways to encourage and support collaborative efforts within our own industries.

We must also ensure that our country and our industries have the means to anticipate and react to changes in the marketplace before they become critical. This requires that we have an adequate data base of information upon which our industries can intelligently develop market plans, and upon which the Nation's policymakers can, in an informed manner, formulate and assess policy alternatives. To look at Japan again, Japan has established the Ministry of International Trade and Industry [MITI], which conducts strategic market research and provides its industries with much more extensive information than we can provide our own companies. Further, MITI facilitates industry consortia efforts to develop new technologies.

Over the course of the years, several approaches to establishing a national technology policy institution have been proposed. The National Policy and Technology Foundation is one approach which I feel warrants discussion. I am also sponsoring a proposal to establish a Department of Science and Technology, another legitimate approach to solving this problem.

During the last few years, several respected studies have been published regarding technology policy. I would encourage my colleagues on both sides of the aisle to consider the many options we have available and seriously consider supporting a permanent forum for supporting U.S. technology in the future.

Below is a brief summary of the National Policy and Technology Foundation. For more information on the Foundation, see the April 24, 1986 CONGRESSIONAL RECORD.

SUMMARY

The National Policy and Technology Foundation Act of 1987 will be established as an independent agency in the Executive Branch of the Federal Government to be governed by a 24 member board, appointed by the President with the advice and consent of the Senate. The Foundation will perform four functions:

DATA BASE FOR POLICY MAKING

The Information Office will collect, organize and disseminate national and international information, data, and statistics for Public-Private Policy Makers. (Would include the National Technology Information Office)

NATIONAL POLICY, ANALYSIS AND ASSESSMENT

The Office of Policy, Analysis and Assessment would continuously evaluate data, statistics, information from the National Information Office to identify pending needs, opportunities or problems including trade competitiveness, and propose, evaluate and assess alternative policy options for consideration by the Councils.

PUBLIC POLICY, DEBATE AND CONSENSUS

The Foundation would set up independent public councils to respond to requests from the President, Congress, and Foundation Directors. They will provide independent public forums that openly debate and redefine national policy issues, including addressing the disincentive created by incoherent national policy, and help generate public consensus.

POLICY IMPLEMENTATION AND TRADE COMPETITIVENESS

The Foundation will include a number of offices which will implement programs and policies formulated by the above entities.

(a) The Foundation will encourage technology advancement through the Office of National Programs, Office of the Professions and the National Bureau of Standards.

(b) The Foundation will support institutional and human resource development through the Office of Institutional and Human Resource Development.

(c) The Foundation will increase federal technology transfer and deployment through an Office of Small Business, the Office of Intergovernmental Technology and Professions and delivery systems, and the Patent and Trademark Office.

FINE TUNING SBA'S BUDGET

HON. JOHN J. LaFALCE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. LaFALCE. Mr. Speaker, today I am introducing legislation to fine tune the authorization for the Small Business Administration. The bill is noncontroversial and in accord with the President's budget request. It would do three things.

First, it would increase the authorized amount of surety bond guarantees from \$1.142 billion to \$1.250 billion, an increase of \$108 million. I want to stress, however, that this is a program level increase and does not amount to an expense of an equivalent amount. Under this program SBA guarantees to reimburse a surety company for up to 90 percent of any loss it sustains due to nonperformance or nonpayment by a small business.

Most of these contracts will be fully performed, and thus there will be no claim made against the SBA guarantee. In only about 2 percent of the cases does the small business default, and thus the gross cost of this program will probably be under \$2 million.

Second, it would require that all of the debentures issued by certified development companies and guaranteed by the SBA be sold to private investors. Prior to fiscal year 1986, all of these debentures were sold to the Federal Financing Bank. But, on a pilot basis, Congress mandated sales to the private sector. That pilot program has proven successful and this bill would completely privatize the program during the balance of this fiscal year and for all of fiscal year 1988.

Third, and finally, the bill would authorize the appropriation of \$16 million to pay losses under the pollution control bond guarantees program. These are claims which are being made against guarantees issued in prior years and must be paid.

I do not know of any opposition to the bill, and I anticipate that the committee will act upon it very quickly.

OLDER AMERICAN INDIAN SERVICES IMPROVEMENT ACT

HON. DON BONKER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. BONKER. Mr. Speaker, I rise today in support of the Older American Indian Services Improvement Act as offered by Congressman MARIO BIAGGI. I am pleased to cosponsor this legislation, which would strengthen support under the Older Americans Act [OAA] for elderly Indians.

Since its enactment in 1965, the Older Americans Act has successfully served millions of older people. Programs sponsored under the OAA have served as models for the effective delivery of services that promote the independence and dignity of older Americans.

Despite the tremendous successes of the OAA, there are still many older Americans who are not receiving needed services. One of the most disturbing gaps exists in the provision of services to aged minorities. Services to minorities have actually declined substantially in recent years despite evidence that minorities experience the greatest needs.

I am especially concerned for native Americans, many of whom reside in Washington State. Far too many older Indians go without needed services from the Older Americans Act, including services provided through title VI, the section of the act designed specifically to address the needs of native American elders.

The low participation rate of native Americans in OAA programs stands in marked contrast to the enormous needs they experience. Older Indians have a poverty rate of over 60 percent, a rate higher than that of any other ethnic group in this country. Data presented to the Senate Special Committee on Aging by the National Indian Council on Aging indicated that 75 percent of Indian elderly do not have telephones and 24 percent do not have indoor

plumbing. Mortality rates are dramatically higher among Indian elders compared to other Americans, and the life expectancy of Indian people is 8 years less than that of the general population. Clearly, this is a population with critical needs for services that must be addressed.

To at least partially address these needs, Mr. Speaker, I am pleased to join with Mr. BIAGGI in cosponsoring his amendment to the OAA. This legislation would focus attention on the plight of native American elders. In the first place, a new Office for Tribal Programs headed by an Associate Commissioner on Indian Aging will be established within the Administration on Aging. This office will provide a visible advocate for older native Americans within the administration, as well as a central point for gathering information and coordinating services with Federal departments and agencies. In short, the Office for Tribal Programs will provide a focus for efforts to serve older Indians at the Federal level.

Indians belonging to tribes receiving grants under title VI of the OAA are currently ineligible for title III services. This has meant that many older Native Americans are denied needed services based on the inaccurate assumption that they are receiving adequate services under title VI. Our legislation would eliminate this practice, ensuring that all Indian elders are eligible for services where they are available. I am pleased to note that administration has also proposed that this unfair prohibition be repealed.

The amendment proposed by Mr. BIAGGI would also increase the outreach efforts of the area agencies on aging [AAA's]. AAA's in localities with significant native American populations would be required to identify the Indian elderly in their service areas and to inform these elders about the services available.

This bill includes a modest increase in the authorization for title VI to provide for increased availability of services and to meet the needs of the growing numbers of eligible Indian tribes. This small amount of money will go a long way in serving some of America's most needy citizens.

Over the past several years, the funds available for title VI grants have remained static while the numbers of tribes eligible for such grants has increased. The result has been a decline in the funds available to individual tribes—from an original maximum level of \$100,000 per tribe to the current maximum of \$89,000. As more tribes become eligible for title VI, the amount that can be granted to each tribe will continue to shrink unless we increase the overall pool of available resources.

Mr. Speaker, the Older Americans Act has contributed significantly to the marked improvement in the lives of our Nation's elderly in recent years. Many of our older citizens are more healthy and prosperous than at any time in our Nation's history. It is time to extend some of the benefits of that prosperity to senior citizens from all ethnic and national heritages. I urge my colleagues to support this urgently needed legislation.

THE RAILROAD UNEMPLOYMENT INSURANCE AND RETIREMENT IMPROVEMENT ACT OF 1987

HON. BOB WHITTAKER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. WHITTAKER. Mr. Speaker, I am pleased to join as an original cosponsor on the Railroad Unemployment Insurance and Retirement Improvement Act of 1987. This bill is substantially the same bill that was reported by the Energy and Commerce Committee last Congress and is supported by rail labor and management. The bill was jointly referred to the Committee on Energy and Commerce and the Committee on Ways and Means last Congress. However, due to the press of business during the final days of Congress, the Ways and Means Committee was unable to consider the legislation. I commend my colleagues, Chairman LUKEN, Congressman, COATS, and Congressman SLATTERY for their cooperative efforts to update and improve the legislation and introduce it early in this Congress. As I understand it, the Energy and Commerce Committee will take action on this bill within the next few weeks. Consequently, the Ways and Means Committee will have adequate time this Congress to take action on the legislation, which they have assured us they will do.

The railroad unemployment insurance [RUI] account currently is not financially healthy. The RUI account owes over \$800 million to the railroad retirement account. Therefore, not only is the financial stability of the RUI account in jeopardy, but the RUI system is also a drain on the railroad retirement account which has a direct impact on the financial security of railroad retirees. It is essential that Congress take action to improve the financial viability of the RUI account and to ensure equitable benefits to both unemployed rail workers and railroad retirees. I would like to commend my colleague Congressman COATS for his early recognition of the financial problems the RUI account faces and for initiating legislation to address these problems early in the 99th Congress.

The legislation we are introducing moves us in the direction of ensuring the financial viability of the RUI system while providing a level of fair benefits to employees.

Although this bill is a step in the right direction toward ensuring a financially viable and fair RUI system, it is necessary to note that the bill does not address the problem to the indebtedness of the RUI system to the railroad retirement account. The repayment tax currently in effect to reduce that debt will terminate on September 30, 1990. At the time, there will still be a substantial debt to the retirement system. The financial security of railroad retirees is therefore dependent to this extent on the health of the RUI system. While we are taking essential steps in improving the RUI system with the bill we introduce today, let us not forget that we must also examine the question of the RUI debt to the railroad retirement account in the near future.

This bill is a bipartisan effort, and I urge early action by the Energy and Commerce Committee and the Ways and Means Committee.

HUMANITARIAN EFFORTS

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. TRAFICANT. Mr. Speaker, I rise today to recognize the special humanitarian efforts of four outstanding residents of my 17th Congressional District.

Recently, Nancy Sciarra, a businessperson of McDonald, OH, was temporarily hospitalized and could not attend to the needs of her small convenience store. In an act of exemplary civic involvement and neighborly friendship, Sandra Reese, Maria Yanniello, Maria Pimpenella, and Cristina Dirrico came to Ms. Sciarra's assistance by maintaining her business and caring for her children while she was hospitalized and during her recovery. Their help to Nancy Sciarra in her time of need was a source of great comfort and inhibited financial losses that would have only compounded her health problem.

On behalf of the residents of the Mahoning Valley, I would like to commend Sandra Reese, Maria Yanniello, Maria Pimpenella, and Cristina Dirrico for their kind of gesture of humanitarian service. Their expression of concern is admirable and benefits the highest qualities of citizenship. It is with pleasure and enormous pride that I join the people of the 17th Congressional District in honoring these four individuals who have truly exhibited the characteristics of the model citizen.

TRIBUTE TO MR. RAY BECKER

HON. HOWARD WOLPE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. WOLPE. Mr. Speaker, I want to pay tribute to Mr. Ray Becker, a very special friend and constituent, upon his 25th anniversary as executive vice president of the Kalamazoo Board of Realtors.

At a time when hostile corporate takeovers and nonstop revelations of scandal on Wall Street have raised serious questions about the nature of business life and business ethics in America, it's important to remind ourselves of people like Ray Becker who, through their integrity and their commitment to public service, exemplify the very best in the American entrepreneurial spirit.

Since his appointment to the executive vice-presidency of the Kalamazoo Board of Realtors, Ray has distinguished himself as a leader, an innovator, an educator, and a principled professional.

Due in large part to Ray's influence and guidance, the Kalamazoo Board of Realtors has distinguished itself as an organization firmly committed to a strict code of professional ethics and to the principle of equal housing opportunity for all Kalamazooans.

Buyers and sellers alike can enter Kalamazoo's housing market with the certain knowledge that their brokers will represent their interests honestly, openly and fairly.

And under Ray's direction, Kalamazoo's realtors have committed themselves to serving their clientele aggressively and effectively. One important measure of that commitment is the board's consistent leadership in the use of high-tech innovations—innovations that have delivered for buyer and seller alike proven results. For example, the Kalamazoo Board of Realtors was one of the very first boards nationally to offer computerized multiple listing services. And today, Kalamazoo realtors have cemented their high-tech leadership by becoming the first professional association in the country to provide clients with computer-generated images of available properties.

Thanks in large part to Ray Becker's encouragement, the Kalamazoo Board of Realtors has also dedicated itself to the continuing education of its membership. The board's school of real estate now offers a variety of classes from per-license training to continuing education and advanced training for experienced professionals. As a result, realtors in the Kalamazoo area are among the best-trained and most highly skilled in the Nation.

At the same time, Ray has worked tirelessly to make sure that his industry is an industry of opportunity for anyone with the determination and dedication to succeed. Only one measure of his success in this regard is the increased participation of women on the Kalamazoo Board of Realtors—a level of participation that has grown from 23 percent in 1962 to over 40 percent today.

Mr. Speaker, Ray Becker, and the Kalamazoo Board of Realtors over which he has served for the past 25 years represent American business at its very best. Ray's commitment and dedication to his profession have been an inspiration to his colleagues and to those of us who have had the privilege to work with him.

TRIBUTE TO TOM RICHARDS AND KATE SHERIDAN

HON. ROBERT G. TORRICELLI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. TORRICELLI. Mr. Speaker, it is with great pleasure that I rise today to pay tribute to my good friends Tom Richards and Kate Sheridan of Maywood, NJ. Tom Richards has served his community of Maywood for 12 years as a councilman and is now running for the office of mayor. He is also a past president of the Maywood Rotary, is a member of Maywood First Aid and Emergency Squad and the immediate past captain of the squad. Tom and his wife Nancy have two children, Tommy and Jessica, but have always found time to make a significant contribution to their fellow neighbors of Maywood. Tom is the founder of Affiliated Packaging in Maywood and is also a veteran of the U.S. Army.

Kate Sheridan and her husband Thomas have two children, Elizabeth and Mary Kate. Kate has been active with the Brownies and

the Girl Scouts, as well as being a past president of the Maywood Cooperative Nursery. She also offered her services as a councilwoman candidate last year.

Both Tom Richards and Kate Sheridan are the type of citizens that make the time to contribute to the quality of life in their community and, therefore, have earned the respect and affection of the residents of the Borough of Maywood, NJ.

WORLD POPULATION AWARENESS WEEK

HON. DAVID E. SKAGGS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. SKAGGS. Mr. Speaker, with the world's population increasing by 87 million people a year, we need to think about how the growth affects global society. We must also recognize that our Nation's policies can enable or impede access of men and women to family planning services.

Colorado Gov. Roy Romer and other Governors have declared this week "World Population Awareness Week." As a cosponsor of House Joint Resolution 148, which would grant World Population Awareness Week official national designation, I support their efforts to make the public more aware of population issues and more aware of how our national policy can shape the future of this world.

I submit Governor Romer's resolution to be printed in the RECORD.

WORLD POPULATION AWARENESS WEEK, APRIL 20-25, 1987

Whereas overcrowding in the developing world contributes to environmental degradation, urban deterioration, malnutrition, hunger and disease; and

Whereas millions of infant deaths and hundreds of thousands of maternal deaths each year could be prevented by maternal health programs and voluntary spacing of pregnancies; and

Whereas child and maternal health and family planning services are not available to many who seek them in the developing world; and

Whereas many Coloradans want to offer their encouragement to those who would work to enhance the lives of men, women and children suffering the consequences of overcrowding in areas of limited resources;

Now, therefore, I, Roy Romer, Governor of Colorado, proclaim April 20-25, 1987, as World Population Awareness Week in the State of Colorado.

TRIBUTE TO EXECUTIVE ASSISTANTS

HON. RICHARD RAY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. RAY. Mr. Speaker, although yesterday was Secretary's Day, and we praised those secretaries across the country for their hard work, it is with the utmost praise that I pay grand tribute today to the men and women on

Capitol Hill that serve with undying faith and dignity as executive assistants.

At this point I want to point out that I have 18 men and women on my staff who all qualify equally as executive assistants.

I urge you to take a moment out of your busy schedule today and recognize those that squeeze the glue that holds our lives together, not just one faithful, loyal person who may be your secretary and who goes far beyond that, but everyone of those special people that keep us prepared, up to date, and on time. It is the executive assistants on Capitol Hill that keep the legislative branch running ahead of the other two branches of Government.

Mr. Speaker, may I honestly say that we could not do as well as we do without their extreme dedication and perseverance. I'm sure that my colleagues on both sides of the aisle will agree that this recognition is timely and worthwhile.

So again, Mr. Speaker, I am pleased to pay tribute to my staff and all of the staffs on Capitol Hill and in our district offices.

DEPARTMENT OF SCIENCE AND TECHNOLOGY

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. BROWN of California. Mr. Speaker, I have come to the House floor several times over the past few years to discuss science and technology policy. Recent studies, including the President's Commission on Industrial Competitiveness—the Young Commission—have cited the lack of coherent, broad-based, long-range planning in our science and technology policies. For a more comprehensive discussion of these studies, please refer to my October 16, 1986, CONGRESSIONAL RECORD statement, page E3665, titled, "Attacking Our Trade Deficit in Earnest," which includes a partial listing of the many excellent reports and studies which have been conducted on science and technology policy and industrial competitiveness.

Over the course of the past 7 years, I have introduced a variety of proposals to create a permanent policy institution to support technology in the United States. These include a National Technology Foundation, and a National Policy and Technology Foundation—which I have reintroduced this week.

However, I feel there is legitimate reasons for creating an even stronger institution in the form of a Department of Science and Technology. Such a Department, in various forms, has been proposed since Vannevar Bush recommended a Department of Research in his report, "Science; the Endless Frontier," in 1945. Most recently, the President's Commission on Industrial Competitiveness, in its December 1985 report, recommended the creation of a Department of Science and Technology. I feel that it is time we seriously consider such a strong move.

The reason why I feel such a Department warrants attention, is because we have been relatively unsuccessful in maintaining a Federal focus and priority on science and technol-

ogy policy in the past. Further, the congressional and administration responses to science and technology crises in the past—which have been to appoint special advisors or offices to the President—have proven to have diminishing effectiveness. It seems that each new administration must initially be educated as to the importance of maintaining and supporting a strong Science and technology base in America. The Reagan administration is no different. It reduced the budget of the Office of Science and Technology Policy [OSTP]—our latest attempt to create a science and technology policy office—in half. It took President Reagan a full term to begin to understand the importance of basis research. And, he has yet to learn of the vital role that the Federal Government must play in supporting technology.

Such intervals of limited support for science and technology have been devastating. As you know, most research projects extend over several years, and require consistent support. Research projects cannot be dropped and picked up in 2 or 3 years. The result is that they often have to be started over, and critical scientists turn to other projects or other more stable fields.

I feel that since our past moderate attempts to solve our science and technology policy problems have met with such temporary success, we must consider a more permanent approach—that of establishing a Department of Science and Technology.

There are several depths to which such a Department could be formed. I am recommending a very limited department. Most Federal mission-oriented research, such as the programs within the Environmental Protection Agency, the Department of Defense, and others would be continued by their sponsoring departments and agencies.

SUMMARY

The Department of Science and Technology I am proposing today would be divided into four main sections. The responsibilities of these four sections would be described generally, and the Secretary would be given the authority to transfer responsibilities within the department and from other departments or agencies as deemed appropriate.

The Department would consist of: National Science Foundation [NSF], National Standards and Engineering Laboratory [NSEL], Advanced Research Projects Foundation [ARPF], and National Bureau of Technology Transfer [NBTT].

These four sections would be overseen by an Office of Policy, Analysis, and Assessment. This policy division would replace OSTP. It would include a section on international S&T policy, a section on institutional and human resource development, and a section on national programs, and a section on national S&T policy coordination—including economic policy and competitiveness issues.

There would be a National Science Board [NSB] and a newly created National Technology Board [NTB] would serve the advisory capacities similar to that which the NSB currently enjoys with National Science Foundation.

First. National Science Foundation: This would be transferred in its entirety to the DST. NSB would likewise follow. The Secretary would have the authority to transfer the engi-

neering directorate or other portions of NSF to the Advanced Research Project Foundation if deemed appropriate.

Second. National Bureau of Standards [NBS]: NBS would be transferred in its entirety to the DST. Its mandate would be expanded to legitimize the many additional responsibilities under which it has been working for years.

Third. The Advanced Research Projects Foundation [ARPF]: This Foundation would serve a role in technology development which is similar to the role of NSF in Science. This Foundation would include a civilian grants program for small businesses, as well as identify and focus on areas of technology which is deemed in the national interest to support, such as the SemaTech initiative. It would include a mechanism for supporting and assisting industry consortiums to avoid picking winners and losers. A National Technology Board [NTB] would be created and serve in an advisory role to the Foundation.

Fourth. The National Bureau of Technology Transfer [NBTT] would be a new addition to our Federal Government. It would include the National Technological Information Service [NTIS]. In addition, it would be responsible for reviewing other government sources of information pertinent to technology, technology development, available grants and contracts to the private sector, government programs, economic data and statistics. After reviewing this information, the NBTT would be responsible for creating and making available an index and description of available government information sources which might be of use to industry. It will be responsible for encouraging government information networks. Further, it will be responsible for defining missing links in our information sources, and either recommending that another agency take on this responsibility, or itself, gather information pertinent to the research, development, application, and use of technology.

RESTORE TRADE ADJUSTMENT ASSISTANCE, JOB CORPS, AND LIBRARY SERVICES FUNDING IN FISCAL YEAR 1988 APPROPRIATIONS

HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. OBERSTAR. Mr. Speaker, earlier this week, I described the needs of unemployed iron ore miners, aspirants for Job Corps programs, and beneficiaries of library services programs in the course of testimony before the Appropriations Subcommittee on Labor, Health and Human Services and Education.

I urged the subcommittee to provide in its fiscal year 1988 appropriations bill at least \$49.9 million for TAA, the level of funding for the current fiscal year; to restore the \$4 million proposed cut from Job Corps programs in the President's budget; and to restore the full \$130 million for library services which the President also proposed to terminate in his fiscal year 1988 budget.

I offer the complete text of my statement for the consideration of my colleagues as we work through the appropriations process for these important programs for fiscal year 1988:

STATEMENT OF HON. JAMES L. OBERSTAR OF MINNESOTA

Mr. OBERSTAR. Mr. Chairman, thank you for the opportunity to come before the Subcommittee this afternoon and discuss the need to maintain adequate funding levels for programs of prime importance to my constituents in northeastern Minnesota. Mr. Chairman, you have always been receptive of our needs, and supportive of my requests. People in my District know they have a friend in this Subcommittee and will continue to rest easy knowing of your strong support.

I want to discuss those programs this morning—two which go hand in hand: Trade Adjustment Assistance and the nation's library services programs, and a related program, the Job Corps.

TRADE ADJUSTMENT ASSISTANCE

The Trade Adjustment Assistance Act of 1974, was enacted to assist workers and industries—principally workers, to adjust to the world of dislocation. The intent of the act was clear, and to the extent that a degree of dislocation was inevitable, it was a fair proposal.

Since that time, and especially in the last seven years, we have seen a gross betrayal of the worker-assistance provisions of the bill. The United States has amassed a \$170 billion trade deficit which will not be erased in the near future. Hopefully the Congress will pass trade legislation in the next few days to reprioritize current trade practices and give precedence to the needs of domestic industry over those of foreign competitors.

But until that commitment is made, we will continue to suffer massive displacement and accompanying need to retrain American workers to be productive and profitable.

Allow me to cite an unfortunate example in my northeastern Minnesota Congressional District as an indication of the strong need for the TAA program. We are a mining region. We mine iron ore and process it into taconite pellets which then are shipped to lower lakeports to be made into steel.

Until the early 1980's our mines flourished—people were confident about themselves and about the future. At its height, the iron mining and processing industry accounted for 55% of the regional economy of northeastern Minnesota. In 1981 it purchased \$900 million in goods and services from 2,000 Minnesota businesses and employed 15,000 people with a \$400 million payroll. Last year, that same industry employed about 6,000 people with a payroll of less than \$180 million.

July 17, 1986 is a date northern Minnesota will not soon forget. That was the date the LTV steel company filed for Chapter 11 bankruptcy, throwing into doubt the future of Erie and Reserve Mining Companies. When the LTV bankruptcy dust settled 800 workers at Reserve Mining in Silver Bay were without jobs, and without any hope of finding similar employment in the region.

These workers likely will qualify for TAA benefits. However, the funding for this program is so low that the Department of Jobs and Training in Minnesota is paying only for job search and relocation benefits (as directed by the U.S. Department of Labor). No training funds are being paid, and the State of Minnesota estimates that \$500,000

is needed just to pay for claims ALREADY on file.

This is because the total \$29.9 million appropriated was almost completely consumed in the first four months of the current fiscal year. The Supplemental Appropriations Bill which the House will consider later this week contains an additional \$20 million, which would greatly assist workers this year, funding which your Subcommittee approved as part of the Supplemental, and I appreciate your help in that matter.

Obviously, the program is grossly underfunded, and a national commitment will be critical to its future. TAA is a good program, it is valuable, it performs a useful function in retraining workers and helping them find new jobs. As the nation's \$170 billion trade deficit indicates, our trade policies are a failure. American labor, the finest, most talented in the world, is increasingly coming up short in its competition with unfairly subsidized foreign competition.

Unfortunately, it is the individual worker who bears the scars of this failed trade policy. The House of Representatives will soon act on legislation to redirect our trade agenda, but in the meantime, more and more workers will be thrown out of work. President Reagan has recognized the need to retrain workers, and has made the TAA program part of his competitiveness initiative.

But he plans to do so while eliminating the TAA programs as we know it, which would be detrimental to the vital interests of our Nation's dislocated workers.

It is vitally important to our region that our workers are provided the education and training necessary to maintain employable skills. Until the mining industry took a downward turn in 1981, we thought this business would lead us into the twenty-first century. We now face the grim reality that unless a firm commitment is made to retrain former taconite workers in new skills, our workforce will have to leave the region in search of employment in the Minneapolis/St. Paul area or beyond. Community and regional leaders are joining me in actively pursuing new businesses to relocate in the area, but unless we can provide a trained workforce, our efforts will be in vain.

But there is hope, and part of that hope is TAA funding. TAA has enabled displaced workers to make ends meet while searching for new jobs. It has enabled them to learn the skills that will be vital in a diversified economy. And it has helped them to find new jobs.

At the very minimum, I urge the Subcommittee to fund TAA in FY'88 at its current \$49.9 million. But, please consider how inadequate that level has been and that, until an alternative to the TAA program is enacted, this program is all our displaced workers have to rely on, if they are to remain competitive in tomorrow's economy.

JOB CORPS

I also want to express my strong support for the continued good fiscal health of the Job Corps programs. From 1981 through 1985, 321 young people from my District have participated in the Job Corps. The placement rates for these young people have kept up with the national average.

President Reagan proposed to cut the Job Corps budget \$4 million in FY '88, which I would urge the Subcommittee to reject. In addition, in January 1988, the Congressional prohibition on center closings expires, and the administration plans to start closing certain centers and transfer these slots to other centers. Such actions would be detri-

mental to my District, which is largely rural and spread out over a geographic area that spans a distance similar to the distance from Connecticut to Washington, D.C. A tremendous hardship would be created for individuals forced to travel long distances to Job Corps centers.

LIBRARY SERVICES

I am also here today on behalf of our country's public libraries, to request that funding for library services programs for Fiscal Year 1988 be maintained at the current service level.

At the outset of the 100th Congress, I had the honor of being elected to serve on the House Budget Committee, which has given me an opportunity to speak out in defense of programs, including TAA and library services, vital to all Americans. At a hearing of the Budget Committee earlier this year, I questioned Education Secretary William Bennett about the Reagan Administration's agenda for the Library Service Program.

I was amazed that Secretary Bennett, the individual who should be MOST concerned about the future of the nation's libraries, was perfectly comfortable to accept the draconian cuts the Administration recommended. I reminded him that the United States presently spends more money on military marching bands than it does on its libraries, to which the Secretary responded that funding was all a matter of priorities.

Well, I agree with the Secretary on this point, except that highest among my priorities are programs to help people improve themselves; the need to continue funding the Library Services and Construction Act; the need to fund Title II-A, II-B and II-C of the Higher Education Act; and the need to fund the Education Consolidation and Improvement Act state block grant.

In my home state of Minnesota, over \$4,473,700 of the funds expended in this Fiscal Year will be Library Services and Construction Act funds. These monies will support a variety of services, including Indian Reservation bookmobiles, library resources for the blind and physically handicapped, public library construction and cooperation among public, school, college, university and special libraries.

Historically, library usage has increased during hard times, and last year was no exception. In fact, use of Minnesota's libraries has reached an all-time high. Between 1980 and 1985, the number of items checked out by library users increased 28%. During these same years, unemployment in my northeastern Minnesota Congressional District reached an all-time high. Unemployment rates of 40% are increasingly common among the Mesabi Iron Range communities, where once-thriving iron ore mines and processing facilities are now idle.

"You've got everything I need, from Civil Service test books to a national ad-search paper. Then, when, I get a lead, you've got books that tell me how to write a resume and how to act in an interview. I'm giving myself the best possible chance to find work by using the library," wrote one unemployed miner about the Iron Range's library services.

As the unemployment rate in my district consistently peaked at above the national average, libraries have stretched their limited resources to meet the needs of out-of-work people and have even added new services in some areas.

The Duluth Public Library has a number of books to help people write a resume; but during this recession, the demand for job-

hunting assistance has been so great that the reference section put together a résumé pamphlet and printed copies to hand out to people in need of this type of assistance. The library also has typing booths so the unemployed can type their résumés.

More and more families are turning to their community libraries for enjoyment and entertainment. Unemployed parents are bringing their children in to the library to play with the toy collections and to check out a favorite toy to take home. One grateful mother of three said, "I could never afford to buy a tenth of the toys and kits you have available for us to check out."

Whole families now spend several hours in the library. The Duluth Library even had to install a changing table in the rest room so parents would have a place to change diapers.

The families who bring their children in just to play with the toys learn through the story hours that little children like to be read to. The result has been that regularly for the last few months the Duluth library has opened for business with scarcely 50 picture books available for loan—they own nearly 50,000. Other parents who are unable to read have discovered the kits (a cassette and a book) and are borrowing these in great numbers so their children can have the experience of being read to. The library has had to ration the kits because some mornings there are only two or three left of the hundreds they own.

Minnesota has used LSCA Title III, Interlibrary Cooperation funds, to establish a regional-resource sharing organization called PLANET (Public Library Access Network). This organization links the resources of libraries within a specific area and provides a central clearinghouse for interlibrary loan and reference services. Also, a contract funded by LSCA links Minnesota's public libraries to the resources of the State's academic libraries and libraries in nearby states; without federal funds, this service would end.

These are just a few of the excellent programs Minnesota's libraries have undertaken, with federal assistance, to bring valuable information and education services to the region's residents.

We have 337 public library buildings and 27 mobile libraries serving over 3.9 million people. Minnesota boasts 1,500 library media centers in public schools serving 699,000 students. Forty-four academic libraries service 148,000 students in four-year, graduate and professional academic institutions; and 21 college libraries serve 42,000 students in two-year academic programs.

But the ultimate goal of providing adequate library services to all Minnesotans is far from complete. Currently, about 95,000 Minnesotans who live in rural areas are without any service at all. In addition, service to many of the State's handicapped, institutionalized and minority citizens is admittedly inadequate.

We in the Congress have an obligation to assist our libraries in their quest to provide the best possible service to all residents. At a time when the President recommends eliminating federal support for library programs, Congress must accept the responsibility to stand up for the needs of the nation's libraries and provide adequate funding.

In FY' 87 the House funded the nation's libraries at \$130 million. This includes funds for Titles I, II, III, IV and VI of LSCA, and Titles II and III of the Higher Education Act. The President requested not a single

cent for any of these programs. I urge the subcommittee to reject the President's proposal and maintain library funding at current levels in FY' 88.

Mr. Chairman, I have cited examples of genuine human need for library services and TAA funding, cases drawn from real life to demonstrate the need for these funds. I want to thank you again for your hard work and persistence in recognizing the importance of these programs. It is unfortunate that the Administration will not address the needs of the beneficiaries of these programs. But my constituents and I take comfort in knowing that this Subcommittee has supported these needs in the past and, I am confident, will do so in the future.

THE OLDER AMERICAN INDIAN SERVICES IMPROVEMENT ACT

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. BIAGGI. Mr. Speaker, I am pleased to be introducing legislation today to address the critical needs of older American Indians. My bill, the Older American Indian Services Improvement Act, would amend the Older Americans Act of 1965 to improve access to services, the quality of services, advocacy efforts on behalf of older Indians, and the availability of grants and contracts to older Indian organizations.

This legislation would also reemphasize the important role that the Older Americans Act plays in improving the quality of life for older American Indians, and directs the Administration on Aging, the State agencies, and area agencies on aging to focus more attention on this role.

I have been joined in introduction of this bill by Mr. ROYBAL, the distinguished chairman of the House Select Committee on Aging, and our distinguished colleague from the State of Washington [Mr. BONKER], who chairs the Aging Committee's Subcommittee on Housing and Consumer Interests. I have also been working on this issue with Senator BINGAMAN, and he introduced the same legislation yesterday that I am introducing today.

Mr. Speaker, the timing of this bill's introduction has been well planned. For the past 2 years, advocates of older American Indians and those of us in Congress with similar interests have been developing the policies which are contained within this bill. This process has included both field hearings and hearings in Washington, DC, with representation from older Indian organizations, title VI grantees, title III providers, Federal, State and local agencies, and with the participation of experts from the fields of aging, health and other human services, and most importantly, older Indians themselves.

Now that we have done our research and have heard first hand about the problems that older American Indians must face, we are fortunately in the midst of reauthorizing the Older Americans Act and have an excellent opportunity to implement the needed changes to improve the quality of life for Indian elders.

Today, the Education and Labor Committee's Subcommittee on Human Resources

held a markup of H.R. 1451 to reauthorize the Older Americans Act. During markup and throughout the legislative drafting sessions that we have had, Mr. KILDEE, the distinguished chairman of the Human Resources Subcommittee, has stated his strong support for addressing the needs of older Indians through amendment to the Older Americans Act. I am also informed that other members of the subcommittee on both sides of the aisle will support my efforts. Therefore, I am extremely optimistic that by the time we reach the full Education and Labor markup of H.R. 1451, we will have a consensus on the bill I am introducing at this time.

Mr. Speaker, at this time I would like to discuss some of the key elements of my bill. To begin, this legislation attempts to address the tremendous need for better access to services. Under current law, older Indians who are members of tribes which receive title VI grants are ineligible to receive any title III services, regardless of whether those services are available through the title VI grant. In many cases, the title VI grant provides very few services, often times only nutrition services are available and only to a limited number of tribal members. My bill deletes from current law this exclusion of older Indians from title III programs.

In addition, my bill directs area agencies on aging with significant numbers of older Indians in their areas to conduct outreach activities to identify these individuals and to inform them of available services. Also, the bill instructs State agencies and area agencies on aging to consider the distribution of older Indians residing in an area when they develop State and area plans. These provisions are essential to ensuring that the aging network providers are aware of the necessity to reach out to Indian elders.

Other language in the bill regarding access to services includes directing the Commissioner on Aging to provide special training programs and technical assistance designed to improve services to older minorities and Indians. The Commissioner would also be instructed to conduct, through contract, a study to assess the issue of availability and quality of services currently being provided to older Indians. These are just a few examples of how we would modify the act to make services more accessible to those in greatest need.

The next issue we confront in this legislation relates to providing better opportunities for participation in other titles of the act by Indians and their organizations. My bill, for example, provides for title V grants or contracts for community service employment opportunities for older American Indians. It also adds as criteria for awarding projects under title V, the consideration of the rates of poverty and unemployment experienced by older minorities and Indians, and limited English speaking persons. These are clearly efforts to focus this excellent program on groups which have historically not benefited enough.

Along this same line, the bill directs the Commissioner to ensure that title IV grants and contracts are equitably amended among agencies, organizations, and institutions representing minorities. Further, it expands the pur-

pose of the education and training section of title IV by providing for the establishment and support of minority centers on gerontology, the dissemination of information regarding aging, and training opportunities for Indian tribes. This, it is my hope, will improve, enhance, and expand minority personnel and training programs.

The next goal of this bill is to improve advocacy activities on behalf of older American Indians. This is accomplished primarily by including representation of Indian tribes in the outline of the Federal Council on Aging, and establishing an Office for Tribal Programs under the Administration on Aging.

The Office for Tribal Programs will be headed by an Associate Commissioner on Indian Aging. I feel strongly that the needs of older American Indians and the need for a strong advocate in the administration demands the creation of this office and its Associate Commissioner.

The Associate Commissioner on Indian Aging will serve as advocate on behalf of older Indians inside and outside the Department of Human Services, and will coordinate older Indian activities between Federal departments and agencies when appropriate.

The Associate Commissioner will also administer and evaluate grants provided by the Older Americans Act for older Indians. He or she will also play an important role by recommending policies and priorities to the Commissioner regarding older American Indians. I believe that this type of informed exchange is not taking place at this time.

Finally, my legislation addresses the critical issue of funding for title VI programs. We cannot simply strengthen the language of the act in recognition of the needs of older Indians; we must also increase the authorization levels, which will allow this acknowledgement of the less than adequate services in order to reach those individuals who need our assistance.

My bill would restore current title VI grants to 1984 funding levels, which were reduced when 43 new grantees were added, it would provide current grantees to serve a larger portion of their remaining unserved elderly, and it would allow for adding 24 new title VI grantees per year for the next 5 years. The total number of grantees would still only represent 50 percent of the federally recognized tribes—or 254 tribes—by 1992.

In conclusion, Mr. Speaker, I want to restate that we know the need for more and better services is there. We have page after page of excellent testimony and statistics to prove this need for action here in Congress. Older American Indians are rapidly increasing in number, yet Federal dollars for title VI have not kept pace. These proud individuals, whose ancestors greeted many of ours at the shores of America, suffer today from extremely high unemployment and live in poverty at a rate estimated to be as high as 61 percent. This is not the life we want for any older Americans.

Older Indians live an average 3 to 4 years less than the general population, and during that shorter lifetime, they experience a lack of adequate nursing homes and other health care facilities, and a lack of adequate area agencies on aging to meet their needs.

Mr. Speaker, I will not put forth the whole statistical picture of our older American Indians, but suffice it to say, it is high time that we use our minds and hearts to help provide the necessary effort to improve the quality of life for older American Indians.

Mr. Speaker, I would like to express my sincere thanks to Curtis D. Cook, the Executive Director of the National Indian Council on Aging, and Stephen Wilson, chairman of the National Title VI Grantees Association for their continued support and extensive contributions in drafting this legislation.

For the benefit of my colleagues, I wish to insert the full text of this much-needed and important initiative into the CONGRESSIONAL RECORD.

H.R. 2163

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

SHORT TITLE

SECTION 1. This Act may be cited as the "Older American Indian Services Improvement Act".

OBJECTIVES AND DEFINITIONS

SEC. 2. The matter preceding paragraph (1) of section 101 of the Older Americans Act of 1965 (hereafter in this Act referred to as the "Act") is amended by inserting after "subdivisions" the following "and of Indian tribes".

FEDERAL COUNCIL ON AGING

SEC. 3. In section 204(a)(1) insert "Indian tribes" after "minorities".

CONTRACTING AUTHORITY

SEC. 4. Section 212 of the Act is amended by inserting after "State agency" a comma and the following: "or in the case of a grantee under title III, subject to the approval of the Associate Commissioner on Indian Aging".

PURPOSE

SEC. 5. Section 301(a) of the Act is amended by inserting after "agencies" a comma and the following: "and with Indian tribes and Indian tribal organizations".

ORGANIZATION

SEC. 6. (a) Section 305(a)(1)(E) of the Act is amended by inserting after "such areas," "the distribution of older American Indians residing in such areas,".

(b) Section 305(d)(2) of the Act is amended by inserting "or geographic" after the words "cultural or social".

(c) Section 306(a)(1) of the Act is amended by inserting "and the number of older American Indians" after the words "with low incomes".

COORDINATION OF SERVICES BETWEEN TITLE III AND TITLE IV

SEC. 7. Title III of the Act is amended by inserting after section 313 the following new section:

"COORDINATION OF SERVICES BETWEEN TITLE III AND VI

"SEC. 314. (a) No older American Indian shall be prohibited from receiving services under this title.

"(b) Each area agency on aging, with a significant Indian population, in order to be approved by the State agency, shall conduct outreach activities to identify older American Indians within their planning and service area, and shall inform such Indian individuals about the availability of such assistance under this Act.

"(c) The Associate Commissioner on Indian Aging shall evaluate the adequacy of outreach services under this title and title VI of this Act for older American Indians and recommend to the Commissioner, necessary action to improve service delivery, outreach, coordination between title III and title VI services, and particular problems faced by older American Indians. This evaluation and recommendations will be included in the Commissioner's report on the activities carried out under this Act as defined under section 207(a)."

EDUCATION AND TRAINING

SEC. 8. (a) Section 402 of the Act is amended by adding at the end thereof the following new paragraph:

"(e) In making grants and contracts under this title, the Commissioner shall ensure that they are equitably awarded among agencies, organizations, and institutions representing minorities.

(b) Section 410 of the Act is amended—

(1) by striking out "and" at the end of clause (4);

(2) by striking out the period at the end of clause (5) and inserting in lieu thereof a semicolon and "and"; and

(3) by adding at the end thereof the following new clause:

"(6) establishing and supporting minority centers of gerontology to improve, enhance, and expand minority personnel and training programs."

(c) Section 411(a) of the Act is amended by adding at the end thereof the following new paragraph:

"(4) To provide dissemination of information on older American Indians to the public and to provide in-service training opportunities and courses of instruction on aging to Indian tribes through nonprofit Indian aging organizations."

(d) The first sentence of section 412 of the Act is amended by inserting in the parenthetical thereof after "services" the following: "and minority populations".

(e) Section 423(a) of the Act is amended by adding at the end thereof the following new paragraph:

"(4) The Commissioner in making grants and contracts under this section shall ensure that they are equitably awarded among agencies, organizations, and institutions representing minorities."

(f) Section 425(a) of the Act is amended—

(1) by inserting "(1)" after the subsection designation;

(2) by striking out "(1)" and "(2)" and inserting in lieu thereof "(A)" and "(B)", respectively; and

(3) by adding at the end thereof the following new subsection:

"(2) The Commissioner shall carry out directly or through grants or contracts special training programs and technical assistance designed to improve services to older American Indians and minorities."

COMMUNITY SERVICE EMPLOYMENT FOR OLDER INDIANS

SEC. 9. (a) Section 502(b)(1)(M) is amended to read as follows:

"(M) will assure, that to the extent feasible, such project will serve the needs of minority, limited English speaking, and Indian eligible individuals in proportion to their numbers in the State, and with consideration to their rates of poverty and unemployment;"

(b) Section 506(a)(1)(A) of the Act is amended by inserting the word "preference" the following new sentence: "The Secretary shall next reserve such sums as may be nec-

essary for national grants or contracts with national Indian aging organizations with the ability to provide employment services to older American Indians."

STATEMENT OF PURPOSE AND FINDINGS FOR TITLE VI PROGRAMS

Sec. 10. Section 601 of the Act is amended to read as follows:

"STATEMENT OF PURPOSE, FINDINGS, AND POLICY

"Sec. 601. (a) It is the purpose of this title to promote the delivery of supportive services, including nutritional services for Indians that are comparable to services provided under title III.

"(b) The Congress finds that the Indian elderly of this country—

- "(1) are a rapidly increasing population;
- "(2) suffer from high unemployment;
- "(3) live in poverty at a rate estimated to be as high as 61 percent;
- "(4) have a life expectancy between 3 and 4 years less than the general population;
- "(5) lack sufficient nursing homes and other health care facilities;
- "(6) lack sufficient Indian area agencies on aging;
- "(7) frequently live in substandard and overcrowded housing;
- "(8) receive less than adequate health care;
- "(9) are served under this title at a rate of less than 19 percent of the total national Indian elderly population living on Indian reservations; and
- "(10) are served under title III of this Act at a rate of less than 1 percent of the total participants under that title.

"(c) The United States Government and the Congress have a legal and moral obligation to Indian tribes as established by treaties, statutes, Executive orders, and the Constitution of the United States. The Congress of the United States recognizes Indian and Alaskan Native elderly as a vital resource who are entitled to all benefits and services available; and that such services and benefits shall be provided in a manner that preserves and restores the dignity, self-respect, and cultural identity of older American Indians."

STRENGTHENED ELIGIBILITY

Sec. 11. Section 602(a) of the Act is amended—

- (1) by striking out "60" after "least" and inserting in lieu thereof "50";
- (2) by inserting "and" after clause (1);
- (3) by striking out "and" and inserting in lieu thereof a period at the end of clause (2); and
- (4) by striking out clause (3).

IMPROVED ADMINISTRATION FOR INDIAN PROGRAMS

Sec. 12. Section 605 of the Act is amended—

- (1) by inserting "(a)" after the section designation; and
- (2) by adding at the end thereof the following new subsections:

"(b)(1) There is established in the Administration on Aging an Office for Tribal Programs.

"(2) The Office shall be headed by an Associate Commissioner on Indian Aging.

"(c) The Associate Commissioner on Indian Aging shall—

- "(1) serve as the effective and visible advocate in behalf of older American Indians within the Department of Health and Human Services and with other departments and agencies of the Federal Government regarding all Federal policies affecting older Americans Indians;

"(2) coordinate activities between other Federal departments and agencies to assure a continuum of improved services through memoranda of agreements or through other appropriate means of coordination;

"(3) administer and evaluate the grants provided by this Act for Indian tribes, in particular coordination of title III services, pursuant to section 314;

"(4) recommend to the Commissioner policies and priorities with respect to the development and operation of programs and activities conducted under the Act in relation to older American Indians;

"(5) collect and disseminate information related to problems experienced by older American Indians;

"(6) develop research plans, conduct and arrange for research in the field of Indian aging with a special emphasis on the gathering of statistics on the status of older American Indians;

"(7) develop and provide technical assistance and training programs to grantees under this title; and

"(8) convene an Indian aging conference at regular intervals not to exceed two years and with the purpose of identifying conditions impacting older American Indians and proposing solutions to related problems and for the exchange of information relating to service delivery approaches.

"(d) The Associate Commissioner on Indian Aging shall create and chair an interagency task force on older American Indians and report to the Commissioner and relevant agencies the task force findings and recommendations within six months of enactment of this Act."

REAUTHORIZATION

Sec. 13. Section 608(a) of the Act is amended to read as follows:

"Sec. 608. (a) There are authorized to be appropriated \$12,100,000 for fiscal year 1988, \$14,900,000 for fiscal year 1989, \$17,700,000 for fiscal year 1990, and \$20,600,000 for fiscal year 1991, and \$23,600,000 for fiscal year 1992, such sums as may be necessary for each of the two succeeding fiscal years, to carry out the provisions of this title other than section 606."

TASK FORCE; SPECIAL REPORT ON SERVICES FOR INDIAN OLDER INDIVIDUALS

Sec. 14. (a) The Commissioner on Aging shall establish a representative interagency task force representative of departments and agencies of the Government with an interest in older American Indians and their welfare designed to make recommendations with respect to facilitating the coordinations of services and the improvement of services to older American Indians.

(b) The Commissioner on Aging shall enter into a contract with a public agency or nonprofit private organization, to conduct a thorough study of the availability and quality of services for older American Indians. The study shall include—

- (1) an analysis of how many Indian elderly now participate in title III and VI programs as compared to how many Indian elderly are eligible for program participation;
- (2) a description of how title III and VI grants are made to Indian tribes and services are made available to older American Indians;
- (3) an analysis of the recommendations of the interagency task force established under subsection (a); and
- (4) a determination of what services are currently provided through title VI to older American Indians and how well the Administration on Aging assures that supportive

services to Indians are commensurate with title III service, with special consideration to information and referral services, legal services, transportation services, and the Ombudsman services.

(c) The Commissioner shall, not later than 18 months after the date of enactment of this Act, prepare and submit to the Congress a report on the study required by this section, together with such recommendations, including recommendations for legislation, as the Commissioner deems appropriate.

THE RAILROAD UNEMPLOYMENT INSURANCE AND RETIREMENT IMPROVEMENT ACT OF 1987

HON. DAN COATS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. COATS. Mr. Speaker, today, I am joining my colleagues Chairman LUKEN, Congressman WHITTAKER, and Congressman SLATTERY in introducing the Railroad Unemployment Insurance and Retirement Improvement Act of 1987. I have been informed that this will be the vehicle the Energy and Commerce Committee will be acting on in the very near future. From correspondence between the Energy and Commerce Committee and Chairman ROSTENKOWSKI last Congress, I am confident that the legislation will also receive consideration by the Ways and Means Committee during the 100th Congress. I am including that correspondence in the RECORD.

The bill we are introducing today is substantially similar to legislation that the Energy and Commerce Committee reported last Congress. The legislation makes three major improvements to the current railroad unemployment insurance [RUI] system.

First, it requires rail carriers to pay unemployment taxes based on their unemployment experience, instead of the flat tax they currently pay. This will encourage rail carriers to attempt to keep their unemployment rates low.

Second, the bill provides a surcharge which will be triggered when funds in the RUI account fall below certain designated levels. Presently, when the funds in the RUI account are not sufficient to pay unemployment benefits, the RUI system borrows from the railroad retirement system. The RUI system's record of repaying those loans is dismal. Providing a mechanism to raise additional funds will contribute to the financial solvency of both the RUI system and the railroad retirement system.

Finally, the bill includes an amendment that I offered and was adopted during consideration of the legislation by the Energy and Commerce Committee last Congress. That amendment provides for an increase to \$30 in the maximum daily benefit afforded unemployed rail workers from the current unrealistically low level of \$25.

I began urging Congress to address the financial problems facing the RUI system early in the 99th Congress. I believe that this legislation is a necessary step in that direction and should be enacted this year. I appreciate the

cooperation of my colleagues in drafting and introducing this legislation. This bill is supported by both rail labor and management, and I look forward to action on this legislation in the very near future by the Energy and Commerce Committee and the Ways and Means Committee.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, October 9, 1986.
HON. DAN ROSTENKOWSKI,
Chairman, Committee on Ways and Means,
Washington, DC.

DEAR DAN: On September 30, 1986, the Energy and Commerce Committee reported H.R. 5501, the Railroad Unemployment Insurance Solvency and Benefit Increase Act of 1986. As you know, this bill was jointly referred to the Committee on Ways and Means. We are writing to urge the Ways and Means Committee to take immediate and favorable action on H.R. 5501 so as to permit its enactment.

H.R. 5501 is similar to S. 1968, the Railroad Unemployment Insurance Amendments of 1985, that has been reported to the Senate by the Committee on Labor and Human Resources. We anticipate that the Senate will take action on H.R. 5501 before the end of the Congress if the bill passes the House.

The financial problems facing the Railroad Unemployment Insurance (RUI) system are nothing new. For many years, the RUI system has had to borrow from the Railroad Retirement Account in order to pay benefits. Additionally, RUI benefits are lower than those paid to unemployed workers under most states' unemployment insurance systems.

H.R. 5501 is based on an agreement between rail labor and management, as reflected in the consensus recommendation of the Railroad Unemployment Compensation Committee in 1984 and subsequent modifications agreed to in August 1986. Controversial provisions of the original agreement that may adversely affect the Railroad Retirement Account or the funds of the U.S. Treasury have not been included. H.R. 5501 retains the independent nature of the RUI system, while making changes in that system that will help to make it financially solvent. It also provides a long needed increase in benefits which is crucially important to unemployed rail workers.

The future of the RUI system is crucial to the approximately 30,000 unemployed rail workers who are currently receiving benefits. Further, since the RUI system has at times in the past been able to pay benefits only by borrowing money from the Railroad Retirement Account, the financial health of the RUI system as a direct impact on the financial security of railroad retirees.

The system is obviously in desperate need of reform. Congress should not delay any longer addressing the problems of the system or of unemployed rail workers. We look forward to working with you to place the RUI system on sound financial footing.

Sincerely,

JOHN D. DINGELL,
Chairman, Committee on
Energy and Commerce.

JAMES J. FLORIO,
Chairman, Subcommittee
on Commerce, Transportation,
and Tourism.

NORMAN F. LENT,
Ranking Minority
Member, Commit-

tee on Energy and
Commerce.

BOB WHITTAKER,
Ranking Minority
Member, Subcommittee
on Commerce, Transportation,
and Tourism.

DAN COATS,
Member, Committee
on Energy and
Commerce.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
Washington, DC, November 4, 1986.

HON. NORMAN F. LENT,
Ranking Minority Member, Committee on
Energy and Commerce, Washington, DC.

DEAR NORM: Thank you for contacting me with regard to H.R. 5501, the Railroad Unemployment Insurance Solvency and Benefit Increase Act of 1986.

This legislation was referred to the Committee on Ways and Means on September 11, 1986. Unfortunately, the press of legislative business in the final days of the 99th Congress prevented the Committee on Ways and Means from considering this legislation prior to the Congress' adjournment. If the legislation is introduced in the 100th Congress, please be assured that it will receive the careful consideration of the Committee on Ways and Means.

With warm regards, I am,
Sincerely,

DAN ROSTENKOWSKI,
Chairman.

THE RAILROAD UNEMPLOYMENT INSURANCE AND RETIREMENT IMPROVEMENT ACT OF 1987

HON. THOMAS A. LUKEN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. THOMAS A. LUKEN. Mr. Speaker, today, I am introducing legislation designed to improve the solvency of the railroad unemployment insurance system [RUI]. This bill, the Railroad Unemployment Insurance and Retirement Improvement Act of 1987, changes the current system of funding for the program and brings benefits for unemployed rail workers into line with the economic realities of the 1980's.

This bill is based on an agreement between rail labor and rail management, as reflected in the consensus recommendation of the Railroad Unemployment Compensation Committee in 1984, and subsequent modifications agreed to in August 1986. Both labor and management realize that problems with the RUI system are enormous. The RUI fund is in debt to the railroad retirement fund for \$800 million. As more and more workers have lost their jobs, the base of contributions for both of those funds have shrunk proportionately. Benefits haven't been raised in more than a decade.

This consensus legislation, however, will address these problems. First, this bill will, for the first time, make each rail carrier directly accountable to the RUI system. Rail carriers will be judged on their individual employment histories. The result will be that those who

lean most heavily on the system will do their fair share to support it.

Second, the bill also will provide unemployed rail workers with a reasonable daily benefit. Benefits will be raised from \$25 to \$30 per day.

Finally, the bill makes certain amendments to the Railroad Retirement Act, including eliminating the arcane "last person service" rule.

I want to thank all those who worked so hard to develop this bipartisan legislation, especially my subcommittee colleagues, Congressman COATS, Congressman SLATTERY and Congressman WHITTAKER. We plan an expeditious markup.

LET'S STOP ANTIFOULANT PAINTS FROM FOULING OUR WATERS

HON. WALTER B. JONES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. JONES of North Carolina. Mr. Speaker, today, I am introducing legislation, along with 19 of my colleagues, which would significantly reduce the input of organotin, emanating from antifoulant vessel paints, into the aquatic environment.

Organotin is a general term for a group of biocides which are often added to antifoulant vessel paints—paints which are used to prevent the buildup of encrusting organisms such as barnacles and algae. Two types of organotin-based antifoulant paints are on the market today, free-association and copolymer. Generally speaking, the free-association type releases organotin at a higher rate than the copolymer type and is effective for a shorter period of time. Both types of organotin-based antifoulant paints are widely used. Approximately 70 percent of all ocean-going commercial vessels use the copolymer type. In the recreational sector, 10 percent of the U.S. vessels use the free-association type and 20 percent use the copolymer type.

Organotin-based antifoulant paints are very effective, perhaps too effective. Recent studies in England, France, and the United States have shown that low levels of organotin (in the parts per trillion range) can be toxic to many nontarget marine organisms. For example, researchers in France have found that organotin originating from recreational boats caused gross shell deformities in oysters. In the United States, researchers have found that low levels of organotin caused anatomical deformities in the reproductive organs of female snails and also caused fiddler crabs to regenerate claws which were functionally useless.

In recognition of the possible widespread toxic effects of organotin on nontarget aquatic organisms, the Environmental Protection Agency (EPA) commenced a special review of the nine most common TBT antifoulant paint formulations—TBT is one of the most common types of organotin—in January 1986. Under this review, manufacturers of the 340 registered TBT antifoulant paint formulations are required to provide the EPA with a variety of information about their paint formulations.

For example, each manufacturer must provide the EPA with information on the chemical make up of their formulation, the rate at which it releases TBT, its effect on nontarget aquatic organisms, its fate in the environment, and its effect on workers who apply and remove it. The EPA hopes to review this data, primarily the chemical make up and release rate data, and issue proposed interim regulations in October of this year.

The Subcommittee on Oversight and Investigations of the Merchant Marine and Fisheries Committee held a hearing on September 30, 1986, to investigate the use of TBT in antifouling vessel paints. Evidence presented at the hearing indicated that the concentrations of TBT in many U.S. estuaries commonly exceeds levels which have been shown to cause toxic effects in nontarget marine organisms. In addition, international paint, which produces 40 percent of marine coatings sold, testified that a restriction on the sale of the high release rate free-associated type TBT-based antifouling paints would cause the least economic harm and would significantly reduce the amount of TBT input into the waters of the United States. Finally, it was clear from the testimony presented at the hearing and investigations conducted by my staff, that the EPA will not promulgate final regulations governing the release of TBT from antifouling paints for at least 1 year and more likely 2 years. Therefore, I am convinced that there is a need for Congress to act now and restrict the sale of all high release rate organotin-based antifouling paints, including TBT-based paints, until the EPA promulgates final regulations.

The legislation that I am introducing today would prohibit the sale of organotin-based antifouling paints which release organotin at a rate greater than 5 micrograms per square centimeter per day and directs the administrator of the EPA to certify which paints meet this standard. In addition, the retail sale of organotin compounds which can be added to paint to make free-association antifouling paint is prohibited. These restrictions only apply to antifouling paints and organotin compounds which are intended for use on a vessel or a marine structure. The bill is an interim measure; therefore, it will remain in effect only until the EPA issues final regulations regarding the release of organotin into the aquatic environment by organotin-based antifouling paints.

I believe that this bill will remove all high release rate organotin-based antifouling paints from the market. The Navy estimates that this type of regulation will reduce the input of organotin into the aquatic environment by 20 to 50 percent. In addition, this legislation will leave many, less environmentally damaging, organotin based antifouling paints on the market. Therefore, I believe that this bill will significantly reduce the input of organotin into U.S. waters and yet still allow those who earn their livelihood on the water; for example—the merchant marine and fishermen—the option of using these types of antifouling paints.

The evidence that organotin is very harmful to a wide variety of aquatic organisms is conclusive. Congress should move quickly to limit the input of organotin into our waters. The legislation I am introducing today will accomplish that goal and yet cause little economic harm

to those who make and use these types of antifouling paints. Therefore, I urge all Members to support this bill.

A SNEAKY SUPPLEMENTAL FOR THE WORLD BANK

HON. BEAU BOULTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. BOULTER. Mr. Speaker, I would like to submit for the RECORD an editorial from yesterday's Wall Street Journal, written by Mr. Joe Rogers, a former representative to the Asian Development Bank. In the article, Mr. Rogers draws upon his wealth of experience in multilateral lending to expose the unwise lending practices often associated with multilateral lending institutions. I commend the editorial to my colleagues.

The editorial follows:

A SNEAKY SUPPLEMENTAL FOR THE WORLD BANK

(By Joe O. Rogers)

The Appropriations Committee is preparing to bring before the full House April 22 substantial increases in funding for farm subsidies, modernization of the machine tool industry and support of ailing oil producers. This time, however, no Americans need apply.

The funds are for the World Bank's notoriously profligate International Development Association (IDA)—50-year loans, no interest and 10 years of grace—and the African Development Bank. Total tab: just over \$250 million.

The vast majority of funds channeled through the World Bank and its sister agencies find their way to the nationalized industries and state-run agricultural cartels. Like most welfare, this spending is ultimately destructive of the economics and people who receive it. Rather than providing credit for competitive, market-determined uses, it goes to feed swollen bureaucracies and to appease the political elites who allow them to remain in place. Where it does lead to production, it undercuts any unsubsidized producers elsewhere.

Until substantial reform in the operation of the World Bank and its affiliates is obtained, new funding should be withheld. If reform is not possible—the Reagan administration has failed in six years of continuing effort—funding should be terminated. (This applies equally to soft loans from IDA and the "hard-loan" window of the World Bank; only their repayment terms differ.)

A few examples illustrate the continuing problems.

The World Bank has recently approved a \$100 million loan to China to rehabilitate its machine-tool industry. State-run by definition, it is in direct competition with our own beleaguered industry. If successful, this project will reduce the sizable Chinese market for American producers and create the potential of a major new international supplier. Should this have occurred as a result of a competitive environment there could be no quarrel with the growth of China's industry. As a part of a wave of subsidies, it is outrageous.

In February, the World Bank approved a so-called "trade policy loan" for Indonesia that, the World Bank reports, "will be used to support the government's efforts to respond to the sharp fall in oil prices . . .

while enabling it to regain stability in its balance of payments and in its budget." According to the Far Eastern Economic Review, the World Bank plans an additional loan this year aimed at improving agricultural production. Total cost: about \$500 million. In combination with similar loans made by the Asian Development Bank, this package yields a substantial floor under the price of Indonesian crude oil not available to market-economy producers.

Unfortunately, these are not isolated cases. The 1986 World Bank Annual Report provides a classic description of its activities. On page 118, citing a \$90 million IDA loan, the directors wrote: "Funds will be onlent by the Agricultural Bank of China to individual farmers, households, collective units, and enterprises owned by local government entities and collectives . . . for the development of aquaculture, orchards, agroprocessing, and livestock enterprises." No farm bank crisis there!

Similar examples abound: \$30 million went to Burma to increase rice exports; \$15 million to the Bolivian National Oil Co.; \$64 million went to Hungary, a communist nation, to reduce its coal imports—sorry, West Virginia; \$3.9 million of IDA funds went to Guinea to manage government-owned mining operations; \$100 million to Hungary "to enable it to achieve international competitiveness;" \$12 million of IDA funds went to the Yemeni government for its national oil company.

Perhaps the most interesting aspect of the legislation this week is the fact that it is part of a "supplemental" appropriations package. At one time such legislation was intended to accommodate emergency situations that could not be foreseen at the time regular appropriations were enacted. An example is the \$50 million included for humanitarian earthquake relief for El Salvador, a real and tragic emergency.

For most of what's involved here, there is no real emergency. Congress considered requests for funding all of these agencies in the regular appropriation passed in October. At that time, with full information available and after extensive hearings, a deliberate decision was made not to appropriate during the current fiscal year the funds now being proposed. Nothing of substance has changed to warrant a reversal of that decision.

What has changed is that the supplemental appropriation receives less scrutiny than the regular legislation. Spending requests shaved in that fall legislation can be reborn in the spring with little chance of detection. The fiscal budget now under consideration is for 1988; fiscal 1987, currently under way, can be bloated with impunity. To cap the legislative legerdemain, Speaker Jim Wright pulled this bill from the pre-Easter calendar because the House was considering its budget. The speaker did not wish to be seen spending on foreign aid extravagances while advocating substantially increased taxes and further reductions in the nation's defense. Now the coast is clear.

Congressional largess is likely to go on, but altering U.S. policy toward subsidized competition may be possible. Rep. Beau Boulter (R., Texas), Sen. Steven Symms (R., Idaho) and others have introduced a bill to allow U.S. representatives at the World Bank and its sister organizations to support only those loans that do not provide subsidies to competitors of American agricultural or mineral producers. This would require that the borrowing government must lend the proceeds to its producers at locally com-

petitive interest rates and that no production, operating or export subsidies be provided.

Enactment of this legislation would be a good first step toward reform. Perhaps creative floor strategists can substitute it for the folly of the supplemental package. At the very least, their efforts can focus attention on what is being done and send this legislation back to the Appropriations Committee for badly needed rewriting.

IN HONOR OF DR. STANLEY H. KELLERHOUSE

HON. HAMILTON FISH, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. FISH. Mr. Speaker, I rise today to commend a most distinguished resident of the 21st Congressional District of New York, Dr. Stanley H. Kellerhouse. The volunteer service bureau of the United Way of Westchester will honor Dr. Kellerhouse of Croton, NY as their Volunteer of the Year at their 6th annual luncheon on Monday, April 27, 1987 at the Tarrytown Hilton, for his more than 30 years of service to the community in many roles and organizations.

Dr. Kellerhouse was chosen from a most worthy group of nominees, and I recognize all of them for their efforts.

Dr. Kellerhouse has made outstanding contributions to many organizations. He has been active in the Salvation Army for over 30 years. As mayor of Croton, among many accomplishments he organized the kettle bell ringing program involving well-known citizens as ringers.

One of his current volunteer roles is that of advisory and fundraising committee member and distributor of food baskets for the Croton Caring Committee.

Dr. Kellerhouse also volunteers at several nursing homes and at the Veterans' Administration Medical Center in Montrose, where he not only serves on the ethics committee, but also entertains the residents by playing ragtime piano and organizing singalongs.

Through his longstanding commitment to young people, while dean of students at the high school, he was responsible for discipline and had the opportunity to work with troubled children. Many of his volunteer activities reflect his interest in them.

In the 1940's Dr. Kellerhouse was appointed to the New York State Youth Services Commission. He has served on the Advisory Science Committee of the Boy Scouts of America for many years. He is a member of the Rotary Club and has been active in the youth sports program for St. Joseph's Home in Peekskill, NY.

Dr. Kellerhouse has initiated many events which have cut across social boundaries and built bridges. He continues to serve the people and the community with unflinching energy and commitment, and always with the intention of increasing understanding and cooperation among peoples.

Mr. Speaker, the accomplishments of Dr. Stanley H. Kellerhouse are many. His work is a fine example for all of us.

THE PRESIDENT IS RIGHT ON THE MARK

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. ROGERS. Mr. Speaker, with the head of one of our closest, most important allies due here next month, President Reagan again showed he has the right stuff. He called Prime Minister Nakasone on his commitment to free and fair trade.

With his announcement of up to \$300 million in tariffs on Japanese products in response to Tokyo's failure to observe the 8-month-old semiconductor pact, the President demonstrated that where necessary and appropriate, he will take charge and act. He has done it before, and if necessary, will do it again.

In the last 4 years, 600 antidumping and countervailing duty cases have been prosecuted, four times more use of the mainstay of our trade laws than ever before. Dumping and section 301 unfair trade actions were self-initiated for the first time in history by this President. And we are ready to aggressively renegotiate the General Agreement on Tariffs and Trade from a position of strength.

With this latest action on semiconductors, already we are hearing of Japanese plans to buy tens of millions of dollars of supercomputers and of their desire to settle the dispute. Now, we must press them even harder in other areas, especially regarding purchases of American coal. The President is right on the mark: Now is the time for strong action.

SUPPLEMENTAL APPROPRIATIONS BILL

HON. STEVE GUNDERSON

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1987

Mr. GUNDERSON. Mr. Speaker, today when the House approved an \$11.3 billion supplemental appropriation bill for fiscal year 1987, it did so without my support. While there are some provisions in the bill with which I strongly agree—and I will go into those in some detail later—on balance, I do not believe the measure should have been adopted.

I have two primary motivations for opposing this measure: First, the measure included a \$10 million appropriation for the Secretary of Agriculture to conduct three studies on the implementation of mandatory supply management for basic agricultural commodities; and second, the measure includes ill-timed and poorly worded arms control language.

On mandatory supply management, I strongly believe that if we are to open the 1985 Farm Bill to substantial amendment, we should let the proper authorizing committee do the work. The House Agriculture Committee, of which I am a member, is the proper committee. But the House Appropriations Committee, which did all the work on this bill, is not the proper committee to be rewriting our Nation's farm policies.

Second, it is sheer folly to unilaterally institute supply management when the rest of the agricultural commodity producing world is just waiting to seize the opportunity to take our overseas markets. I urge my colleagues in the House to remember the 1983 payment-in-kind experiment, which was a unilateral supply management approach, and let to drastically reduced U.S. world market shares for grain and wheat exports.

Third, I don't know who has been reading the newspapers lately, but for those who have been it is abundantly clear that the agricultural sector is going to be a major part of the upcoming GATT talks in Uruguay. Why, then, are we pulling the rug out from under our farmers today by giving away their overseas markets? What we need to do is sit down at GATT and negotiate international agreements on supply management. Those efforts I will wholeheartedly support, because they provide a real opportunity to deal with worldwide agricultural surpluses.

Now, with regard to the arms-control provisions included in the Supplemental Appropriations Act, I can't help but be disappointed at the unfortunate language, and the inexplicably poor timing on the part of the House leadership in bringing these matters to the floor.

The bill mandates United States compliance with the numerical limits of the 1979 U.S.-Soviet Union SALT II agreement, and a moratorium on U.S. nuclear testing with devices yielding over 1 kiloton of explosive power. Both of these provisions are contingent on Soviet adherence to the same restrictions.

Mr. Speaker, there have been many occasions when I have actively supported the concepts behind these proposals, dating back to the original Zablocki Nuclear Freeze Amendment in 1982. During the 99th Congress, I was an original cosponsor of House Joint Resolution 3, which called for the resumption of negotiations for a Comprehensive Test Ban Treaty. Also, I supported House Concurrent Resolution 350, which urged the President to abide by the entire SALT II agreement only if the Soviets abided by the entire SALT II agreement.

I have always believed that bilateral agreements establishing procedures for mutual and verifiable arms reductions represented significant steps toward arms control, which in turn fostered genuine peace and stability between the superpowers. Further, I am convinced that the Congress can play an important role in encouraging such agreements between the United States and the Soviet Union.

However, there also must be a sensitivity to the delicate nature of timing in the development of a treaty. At no time in the history of U.S.-Soviet relations have the two superpowers been closer to an authentic arms reduction treaty—not simply an agreement which regulates both side's weapons-building. Newspaper headlines report the progress being made in the arms talks almost daily. If anything, the Congress should be drawing up a resolution applauding the direction of the talks, and expressing its support for the President's negotiating team, as it takes another step toward deep cuts in both side's nuclear arsenals.

Instead, the House leadership chooses to harp on two issues already under serious discussion in Geneva: compliance to restraints in nuclear forces, and a moratorium on most nuclear testing. Rather than expressing support for the U.S. negotiators in Geneva, these provisions serve only to interfere with the very process they were intended to assist.

The proposal authored by NORMAN DICKS prohibits funding any deployment or maintenance of nuclear weapons which exceeds the numerical limits of the SALT II agreement, unless the President certifies that the U.S.S.R. has exceeded those same limits.

Apart from the issue of timing, I cannot support this proposal because it does not recognize that, in an agreement, all provisions of the entire agreement must be adhered to by both sides. In the case of SALT II, both numerical limits and qualitative restrictions must be obeyed. This is a concept the House overwhelmingly endorsed last July in the form of House Joint Resolution 3.

Without question, this is not the case. Although the Soviets have been careful to stay within the numerical limits and sublimits of the agreement, they have committed serious qualitative violations which undermine the principle of mutuality so essential to a successful bilateral agreement.

The Soviets have built a large radar station near the Siberian city of Krasnoyarsk, which due to its size, its location, and the direction it faces, is undeniably an antiballistic missile radar designed to monitor a large portion of eastern U.S.S.R. The Krasnoyarsk radar violates the Anti-Ballistic Missile Treaty of 1972, which allows each side only one limited ABM defense site, the Soviet's other site being near Moscow.

The SALT II agreement permitted each side to test and deploy only one new missile, although they could modernize within certain strict limitations. The U.S. MX missile and the Soviet SS-24 are both permitted under the agreement. However, the U.S.S.R. has developed another new missile, the SS-25—another clear violation of the treaty.

Further, the Soviets have begun a policy of telemetry encryption, or coding missile test signals to make them unreadable to anyone except themselves. SALT II prohibits the en-

coding of missile test information where it "impedes verification of compliance with the provisions of the treaty." A treaty only makes sense if adherence to it can be checked, so efforts to confuse and obstruct the other side's verification measures are illegal. However, intelligence information clearly shows that the U.S.S.R. is engaging in this practice, and thus are in violation of the treaty in still another instance.

Yet, despite these known Soviet transgressions, some of the proponents of these "arms control" provisions dismiss them as trivial. Others contend that the U.S. should abide by SALT II in spite of obvious Soviet violations, out of fear that the Soviets would overwhelm us with nuclear warhead production if we did otherwise. Not only do these arguments smack of appeasement, they ignore the pronouncements of President Carter, who helped fashion SALT II, and said that if we ever detect any violation by the Soviets, then we have a basis for voiding the entire treaty.

While I certainly share concern for arms control, I am equally concerned about maintaining the integrity of the agreement. The Dicks provision fails in that regard, and therefore is unacceptable at this time, when a genuine arms reduction treaty is so close.

There is no question that realistic peace and stability in the nuclear age can only be achieved through a relaxation in tensions between the United States and the Soviet Union, a thorough understanding on both sides of our mutual interests and differences, and certainly, an end to the arms race through a treaty which contains real, verifiable, and mutual cuts in both side's nuclear and conventional arsenals.

But this goal will never be reached through poorly-worded legislation that places unilateral restrictions on the United States, at a time when arms reduction negotiations are making progress. If the Congress is going to make a contribution to arms control, it must do so in harmony with U.S. negotiators charged with the task of hammering out a treaty, and with the recognition that proper timing is essential to a successful arms reduction agreement.

Despite these major objections to the bill, there are provisions worth mentioning that are positive. H.R. 1827 makes an important trans-

fer of \$287 million from the Guaranteed Student Loan Program (GSL) to the Pell Grant Program. The GSL Program currently is experiencing an excess of funds for two reasons:

- (1) 1987 operating costs for the GSL program are lower than expected; and
- (2) T-Bill rates declined, thus lowering interest subsidy costs.

The Pell Grant Program, on the other hand, for a number of years has experienced shortfalls. A transfer of GSL funds to the Pell Grant Program will cover 1987 shortfalls, and assist those truly needy postsecondary students entering college or continuing their education. This is a justified and safe transfer of funds and will not hamper the operation of the GSL Program.

Another education supplemental I support is the \$3.4 million for the Special Milk Program. This additional funding will pay for 46 million half-pints of milk to be served in 1987 to youngsters in split-session kindergarten programs. Kindergarteners who attend nonprofit schools, and do not have access to a meal service program are eligible for this important nutritional service. The 99th Congress enacted H.R. 7, the School Lunch and Child Nutrition Amendments of 1985, and this supplemental appropriation funds this new provision serving kindergarten youngsters.

Other provisions contained within the fiscal year 1987 supplemental appropriations bill that make my vote today very difficult, include increases in funding for important employment training programs which I strongly support. Specifically, the bill provides an additional \$50 million for the Summer Youth Employment Program, \$35 million for the Work Incentive Program (WIN), \$10 million for the Community Services Employment Program for Older Americans, and \$30 million from the Unemployment Trust Funds for Employment Service operations to provide for State administration of the Targeted Job Tax Credit Act.

While I support these increases provided under the Labor-HHS-Education component of the bill, I cannot support an overall appropriations measure that would be disastrous to U.S. farmers and to our arms control efforts.