

EXTENSIONS OF REMARKS

INTRODUCTION OF A BILL TO PROVIDE FEDERAL JURISDICTION OF CERTAIN MULTIPARTY, MULTIFORUM CIVIL ACTIONS

HON. ROBERT W. KASTENMEIER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 4, 1989

Mr. KASTENMEIER. Mr. Speaker, I am introducing legislation designed to improve the efficiency with which Federal courts are able to handle complex, multidistrict litigation. A single airline crash, hotel fire or bridge collapse can generate hundreds of lawsuits in a myriad of State and Federal courts. Existing law provides the means to unify these proceedings to a considerable extent; nevertheless, it often remains impossible to avoid parallel proceedings in a variety of forums, due to defects in the laws governing joinder, transfer and consolidation. The result is a waste of judicial resources in both the Federal and State courts, which may be obliged to try identical liability issues numerous times. In addition, multiple suits give rise to problems in coordination between State and Federal courts, the threat of bankruptcy before all valid claims can be satisfied, and unfairness in connection with multiple awards of punitive damages.

My bill would create a new Federal court subject matter jurisdiction, specially tailored to meet the problems created by mass tort litigation. It would authorize such cases to be heard in Federal court provided that there is minimum diversity of citizenship among adversaries, and that at least 25 persons are alleged to have sustained physical injury or death resulting in damages over \$50,000 per person. It would broaden available venues in mass tort cases to include any district in which any, rather than all, defendants reside. It would expand the authority of courts receiving mass tort cases transferred via multidistrict litigation procedures, so that such actions could be retained not only for pretrial proceedings, but for determinations of liability and in some cases, damages. Finally, it would relax requirements applicable to removal of cases from State to Federal court, so as to permit mass tort cases filed in State court to be more easily consolidated in Federal court, and to enable the Federal courts to return cases to the State courts for damage determinations, when appropriate.

At a time when the burgeoning volume of drug cases is imposing ever increasing workload pressures on the Federal courts, we must be mindful of the impact the laws we enact will have on the Federal judiciary. One of the primary objectives of this bill is to reduce duplicative litigation in the Federal courts, and so improve the efficiency of court operation. Accordingly, while this bill creates a new basis for federal jurisdiction, its net effect

will be to assist rather than burden the Federal courts in their efforts to cope with workload pressures.

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 "Multiparty, Multiforum Jurisdiction Act of 1989".

SEC. 2. JURISDICTION OF DISTRICT COURTS.

(a) BASIS OF JURISDICTION.—Chapter 85 of title 28, United States Code, is amended by adding at the end the following new section:

"§ 1367. Multiparty, multiforum jurisdiction

"(a) The district courts shall have original jurisdiction of any civil action involving minimal diversity between adverse parties that arises from a single event or occurrence, where it is alleged in good faith that any 25 persons have either died or incurred injury in the event or occurrence and that, in the case of injury, the injury has resulted in damages which exceed \$50,000 per person, exclusive of interest and costs, if—

"(1) a defendant resides in a State and a substantial part of the event or occurrence took place in another State;

"(2) any two defendants reside in different States; or

"(3) substantial parts of the event or occurrence took place in different States.

"(b) For purposes of this section—

"(1) minimal diversity exists between adverse parties if any party is a citizen of a State and any adverse party is a citizen of another State, a citizen or subject of a foreign state, or a foreign state as defined in section 1603(a) of this title;

"(2) a corporation is deemed to be a citizen of any State, and a citizen or subject of any foreign state, in which it is incorporated or has its principal place of business, and is deemed to be a resident of any State in which it is incorporated or licensed to do business or is doing business; and

"(3) 'injury' means physical harm to a natural person and physical damage to or destruction of tangible property.

"(c) In any action in a district court under this section, any person with a claim arising from the event or occurrence described in subsection (a) shall be permitted to intervene as a party plaintiff in the action, even if that person could not have brought an action in a district court as an original matter.

"(d) A district court in which an action under this section is pending shall promptly notify the judicial panel on multidistrict litigation of the pendency of the action."

(b) CONFORMING AMENDMENT.—The table of sections at the beginning of chapter 85 of title 28, United States Code, is amended by adding at the end the following new item:

"1367. Multiparty, multiforum jurisdiction."

SEC. 3. VENUE.

Section 1391 of title 28, United States Code, is amended by adding at the end the following:

"(g) A civil action in which jurisdiction of the district court is based upon section 1367

of this title may be brought in any district in which any defendant resides or in which a substantial part of the event or occurrence giving rise to the action took place."

SEC. 4. MULTIDISTRICT LITIGATION.

Section 1407 of title 28, United States Code, is amended by adding at the end the following:

"(i)(1) In actions transferred under this section when jurisdiction is based in whole or in part on section 1367 of this title, the transferee district court may, notwithstanding any other provision of this section, retain actions so transferred for the determination of liability. An action retained for the determination of liability shall be remanded to the district court from which the action was transferred, or to the State court from which the action was removed, for the determination of damages unless the court finds, for the convenience of parties and witnesses and in the interest of justice, that the action should be retained for the determination of damages.

"(2) Any remand under paragraph (1) shall not be effective until 60 days after the transferee court has issued an order determining liability and has certified its intention to remand some or all of the transferred actions for the determination of damages. An appeal with respect to the liability determination and the choice of law determination of the transferee court may be taken during that 60-day period to the court of appeals with appellate jurisdiction over the transferee court. In the event a party files such an appeal, the remand shall not be effective until the appeal has been finally disposed of. Once the remand has become effective, the liability determination and the choice of law determination shall not be subject to further review by appeal or otherwise.

"(3) Any decision under this subsection concerning remand for the determination of damages shall not be reviewable by appeal or otherwise."

SEC. 5. REMOVAL OF ACTIONS.

Section 1441 of title 28, United States Code, is amended—

(1) in subsection (e) by striking out "(e) The court to which a civil action is removed" and inserting in lieu thereof "(f) The court to which a civil action is removed under this section"; and

(2) by inserting after subsection (d) the following new subsection:

"(e)(1) A defendant in a civil action in a State court may remove the action to the United States district court for the district and division embracing the place where the action is pending if—

"(A) the action could have been brought in a United States district court under section 1367 of this title, or

"(B) the defendant is a party to an action under section 1367 in a United States district court arising from the same event or occurrence as the action in State court.

The removal of an action under this subsection shall be made in accordance with section 1446 of this title, except that a petition for removal may also be filed before trial of the action in State court within 30 days

● 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.

after the date on which the defendant first becomes a party to an action under section 1367 in a United States district court arising from the same event or occurrence, or at a later time with leave of the district court.

"(2) Whenever an action is removed under this subsection and the district court to which it was removed has made a liability determination requiring further proceedings as to damages, the district court shall remand the action to the State court from which it had been removed for the determination of damages, unless the court finds that, for the convenience of parties and witnesses and in the interest of justice, the action should be retained for the determination of damages.

"(3) Any remand under paragraph (2) shall not be effective until 60 days after the district court has issued an order determining liability and has certified its intention to remand some or all of the removed actions for the determination of damages. An appeal with respect to the liability determination and the choice of law determination of the district court may be taken during that 60-day period to the court of appeals with appellate jurisdiction over the district court. In the event a party files such an appeal, the remand shall not be effective until the appeal has been finally disposed of. Once the remand has become effective, the liability determination and the choice of law determination shall not be subject to further review by appeal or otherwise.

"(4) Any decision under this subsection concerning remand for the determination of damages shall not be reviewable by appeal or otherwise.

"(5) An action removed under this subsection shall be deemed to be an action under section 1367 and an action in which jurisdiction is based on section 1367 of this title for purposes of this section and sections 1367, 1407, 1658, 1697, and 1785 of this title."

SEC. 6. CHOICE OF LAW.

(A) DETERMINATION BY THE COURT.—Chapter 111 of title 28, United States Code, is amended by adding at the end the following new section:

"§ 1658. Choice of law in multiparty, multiforum actions

"(a) In an action under section 1367 of this title, the district court in which the action is brought or to which it is removed shall determine the source of the applicable substantive law, except that if an action is transferred to another district court, the transferee court shall determine the source of the applicable substantive law. In making this determination, a district court shall not be bound by the choice of law rules of any State, and the factors that the court may consider in choosing the applicable law include—

"(1) the law that might have governed if the jurisdiction created by section 1367 of this title did not exist;

"(2) the forums in which the claims were or might have been brought;

"(3) the location of the event or occurrence on which the action is based and the location of related transactions among the parties;

"(4) the place where the parties reside or do business;

"(5) the desirability of applying uniform law to some or all aspects of the action;

"(6) whether a change in applicable law in connection with removal or transfer of the action would cause unfairness;

"(7) the danger of creating unnecessary incentives for forum shopping;

"(8) the interest of any jurisdiction in having its law apply;

"(9) any reasonable expectation of a party or parties that the law of a particular jurisdiction would apply or would not apply;

"(10) any agreement or stipulation of the parties concerning the applicable law; and

"(11) whether a change in applicable law in connection with removal or transfer of the action would cause unfairness.

"(b) The district court making the determination under subsection (a) shall enter an order designating a single jurisdiction whose substantive law is to be applied in all other actions under section 1367 arising from the same event or occurrence as that giving rise to the action in which the determination is made. The substantive law of the designated jurisdiction shall be applied to all such actions before the court, and to all elements of each action, except where Federal law applies or the order specifically provides for the application of the law of another jurisdiction with respect to an action or an element of an action.

"(c) In an action remanded to another district court or a State court under section 1407 or 1441(e)(2) of this title, the district court's choice of law under subsection (b) shall continue to apply."

(b) CONFORMING AMENDMENT.—The table of sections at the beginning of chapter 111 of title 28, United States Code, is amended by adding at the end of the following item: "1658. Choice of law in multiparty, multiforum actions."

SEC. 7. SERVICE OF PROCESS.

(a) PROCESS THAN SUBPOENAS.—(1) Chapter 113 of title 28, United States Code, is amended by adding at the end of the following new section:

"§ 1697. Service in multiparty, multiforum actions
"When the jurisdiction of the district court is based in whole or in part upon section 1367 of this title, process, other than subpoenas, may be served at any place within the United States, or anywhere outside the United States if otherwise permitted by law."

"When the jurisdiction of the district court is based in whole or in part upon section 1367 of this title, process, other than subpoenas, may be served at any place within the United States, or anywhere outside the United States if otherwise permitted by law."

(2) The table of sections at the beginning of chapter 113 of title 28, United States Code, is amended by adding at the end of the following new item:

"1697. Service in multiparty, multiforum actions."

(b) SERVICE OF SUBPOENAS.—(1) Chapter 117 of title 28, United States Code, is amended by adding at the end of the following new section:

"§ 1785. Subpoenas in multiparty, multiforum actions

"When the jurisdiction of the district court is based in whole or in part upon section 1367 of this title, a subpoena for attendance at a hearing or trial may, if authorized by the court upon motion for good cause shown, and upon such terms and conditions as the court may impose, be served at any place within the United States, or anywhere outside the United States if otherwise permitted by law."

(2) The table of sections at the beginning of chapter 117 of title 28, United States Code, is amended by adding at the end of the following new item:

"1785. Subpoenas in multiparty, multiforum actions."

SEC. 8. EFFECTIVE DATE.

The amendments made by this Act shall apply to a civil action if the event or occurrence giving rise to the cause of action occurred on or after the 90th day after the day of the enactment of this Act.

CHILD CARE

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 4, 1989

Ms. PELOSI. Mr. Speaker, tomorrow the House will debate a child care bill. This is one of the most important bills that we will take up this session.

It has been 20 years since we have debated child care. Within the past 20 years, we have seen over half of the mothers with young children leave the home to enter the work force. The number of single parent families with children under 10 will have risen 48 percent during the 1980's alone. These fundamental changes in the structure of the family require fundamental changes in our child care system. We cannot wait any longer to address these changes and to help our working families who depend on child care.

I want to commend Chairman HAWKINS and my colleagues on the Committee on Education and Labor, Chairman GEORGE MILLER of the Select Committee on Children, Youth, and Families and Chairman TOM DOWNEY of the Ways and Means Subcommittee on Human Resources for their diligent work on the child care bill. I know they have spent much time and energy to develop the best child care bill possible for America's families.

I urge my colleagues to vote for the child care provisions in the budget reconciliation package and oppose the substitute amendments. American families are depending on the U.S. Congress to assist them in delivering a bill which will provide quality and affordable child care.

THE WAR ON POVERTY HANGS ON

HON. CARL C. PERKINS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 4, 1989

Mr. PERKINS. Mr. Speaker, as we celebrate the 25th anniversary of the Job Corps, I found the following article in the Sunday, September 24 edition of the Washington Post to be most timely and appropriate in discussing our much overlooked war on poverty. The article, written by Colman McCarthy, points out the largely ignored 25th anniversary of the Economic Opportunity Act—an act that created such programs as Head Start and VISTA as well as the Job Corps.

In the past decade, these critical and ultimately tax-saving programs have suffered severe cuts in funding as our administration has apparently shifted its Federal spending

priorities. But in my Eastern Kentucky district, we continue to struggle in this war on poverty as unemployment rates reach as high as 40 percent in some areas. Though unfortunately, this ongoing battle no longer commands the attention that it had in the sixties, the programs that resulted play a crucial role in my district and the Nation.

Secretary Kemp, who is mentioned in the article, would be wise to build on these already proven and established programs that have been battling poverty long before Mr. Kemp decided to enter the battle. I respectfully submit Mr. McCarthy's article for my colleagues' review:

[From the Washington Post, Sept. 24, 1989]

THE WAR ON POVERTY HANGS ON
(By Colman McCarthy)

Given mainstream media's penchant—no, addiction—for fluff, the 20th anniversary of Woodstock transformed editors and reporters into hype-mongers convinced that a bemuddled mob self-pastured for three days listening to over-amplified rock music was an event that shaped a generation.

Another anniversary—a 25th—occurred this summer about which hardly a syllable was written or uttered, although a torrent of stories was deserved. It was an event that led to the improvement and uplift of tens of millions of lives and that did shape a generation: the passage of the Economic Opportunity Act in August 1964.

The legislation created the Office of Economic Opportunity, an agency that was to last in name for 10 years but which has survived politically for 25 years in the programs its officials began. These include Head Start, Legal Services, VISTA, Job Corps, Foster Grandparents, Community Health Centers, Upward Bound and Community Action Agencies.

All were created following the funding of the 1964 law. All have survived. OEO-born programs were nurtured in the early days by some of the Left's most politically astute strategists, ranging from Michael Harrington who came aboard as a consultant, to Daniel Berrigan, the Jesuit priest and icon breaker who came to leadership meetings and later served as a volunteer in the Upward Bound Program. The original vision of the 1964 act—to eliminate poverty—has been sustained by allies in Congress who, though chilled by feeling like exiles, stayed unshaken in liberalism's belief in governmental compassion for the weak and poor.

Today, government largess is shoveled out to S&L pirates, to B-2 bombers, to witless prison-building, to the HUD pals of Sam Pierce. While the money is dispensed in unprecedented gobs, the same Republican right that has opposed poverty programs for a quarter-century now has as its leader in Congress Newt Gingrich who says: "The values of the Left cripple human beings, weaken cities, make it difficult for us to in fact survive as a country. . . . The Left in America is to blame for most of the current major diseases which have struck this society."

For a time—two years in the mid-60's—I was one of the disease carriers. I worked at OEO, mostly carrying suitcases for Sargent Shriver, its first director and today a man beloved by all those who worked, or still work, in the life-enhancing programs he inspired and ran. Maybe I'm not objective—the suitcases were always light and Shriver ever warmhearted—but what other public official in the past 25 years has seen so many of his own pro-people programs touch

so many lives? Add in the Peace Corps, which Shriver whipped into shape before OEO, and the assertion of Shriver's uniqueness is even more undeniable.

That was the sentiment the other evening at the reunion conference of the National Association of Community Action Agencies. Some 2,000 officials and volunteers from 950 community action agencies honored Shriver for his enduring commitment.

Poverty war stories were told, with one of the sharpest coming from Arthur Blaustein, once chairman of Lyndon Johnson's advisory council on economic opportunity and now a professor at Berkeley:

"During the 1980 presidential campaign, then-candidate Reagan would entertain crowds with the line: 'Do you know how much it costs to keep a kid in the Job Corps? (Pause.) And how much it costs to send a youngster to Harvard? (Long pause.) Well, I'll tell you: \$8,200 for the Job Corps and only \$8,000 for Harvard.' This usually elicited gales of smug laughter. But it was a totally false comparison, a perversion of reality. It just shows how distortions and false myths are created. The average taxpayer doesn't want a complex economic answer but he does deserve an honest answer.

"There are substantial costs if we eliminate Job Corps. It costs \$26,000 a year to keep a youngster in prison. It costs \$32,000 to keep a youngster in an alcohol and drug abuse program. It costs \$55,000 to keep a youngster in a mental institution. And it costs only \$16,000 to keep a youngster in the Job Corps, where they are learning self-respect and job training."

Job Corps currently has 106 centers. Legal Services has 325 grantees. Head Start has nearly 10,000 centers. Community action agencies operate in 96 percent of all U.S. cities and counties, and VISTA, ever valiant, has 3,012 volunteers in 666 sites.

Earlier this year Jack Kemp announced he would commence "a war on poverty." Where has he been the past 25 years? Let Kemp, if he's interested in more than high-pitched gab, join the war on poverty that's already in progress and might be faring better had his own party not tried so often to gut it.

A TRIBUTE TO OLIN KING

HON. RONNIE G. FLIPPO

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 4, 1989

Mr. FLIPPO. Mr. Speaker, I rise today to pay tribute to Olin King, and his accomplishments in the fields of science and business.

Olin B. King is chairman, chief executive and a founder of SCI Systems, Inc. Since 1961, Olin King has displayed the type of innovative business leadership that has resulted in SCI Systems growing from a three-man operation to one of our country's multinational Fortune 500 sized companies. I am proud to have Olin King as one of my constituents.

Since first coming to Huntsville, AL, in 1957, Olin King has contributed greatly to the area's development as a center of science and industry and to our Nation's progress in electronics and aerospace technologies. Working first as an engineering manager at the Army Ballistic Missile Command and later as part of the original team at NASA's Marshall Space Flight Center, Olin King decided to return to

the private sector in 1961 when he founded SCI.

Today, SCI Systems operates under Olin King's leadership as a diversified electronics manufacturer for both aerospace and commercial markets, and is now one of the Huntsville area's largest industrial employers with over 4,000 employees. In recognition of his innovative business leadership, Olin King was selected as the National Management Association's 1984 Executive of the Year.

Originally a native of Georgia, Olin King received a bachelor of science degree from North Georgia College. He performed graduate work at Emory University and the University of Pennsylvania after which he served in the Korean war as an officer in the U.S. Army Signal Corps.

Olin King is an active business and civic leader in Huntsville. In addition to being chairman of the board and CEO for SCI Systems, he serves as a director of First Alabama Bank of Huntsville, N.A., a director of Delta Communications, Inc., and president of Crown Properties, Inc.

He has worked with both State and local civic organizations committed to promoting excellence in education and economic development in Alabama. Currently, he serves as a trustee of the Alabama Heritage Trust Fund, is a member of both the Council of Twenty-One, Alabama Commission on Higher Education and the Governor's Task Force on Economic Recovery, and is a director of the Alabama Research Institute. Additionally, Olin King serves as chairman, Research Park Board of the city of Huntsville, vice chairman and trustee of the Huntsville Hospital Foundation, and is a member of the University of Alabama in Huntsville's science and engineering advisory committee. A listing of his civic contributions could go on and on.

Olin B. King is the type of business leader which any community would be proud to claim as their own. He has contributed greatly to the growth of north Alabama as one of America's emerging high technology centers. I salute Olin King and wish him the best as he continues his pioneering work in the fields of science and industry.

MANAGING PUBLIC LANDS

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 4, 1989

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for Wednesday, October 4, 1989, into the CONGRESSIONAL RECORD.

One of the tough questions facing the Congress is how our public lands should be managed. Most Americans agree that our nation must both develop and protect its natural resources, but striking a balance between those goals has never been easy. While current debate focuses largely on public lands in the Western states, the issue affects us in Indiana and across the nation as well.

Over 600 million acres in the United States are owned by federal land management agencies, or about 25% of the nation's

2.2 billion acres. These lands are concentrated in the West, including over 75% of both Alaska and Nevada but less than 3% of Indiana. The Bureau of Land Management (BLM) and the Forest Service manage the majority of these lands under a concept known as "multiple use"—allowing for a combination of mining, logging, grazing, oil and gas development, hunting, and recreation. These lands provide 20% of our commercial timber, 33% of our coal, and up to 50% of our onshore oil and gas reserves. Only 80 million acres of federal land are protected as national parks—such as Yellowstone, Yosemite, and the Grand Canyon—where such development activities as mining and logging are prohibited. And scattered throughout national parks, forests, wildlife refuges, and BLM lands are 90 million acres of pristine wilderness, where no roads, vehicles, or structures are permitted.

Questions abound about management of federal lands. How much access should the public have to public lands? Should the federal government own over half of Utah and Idaho and over three-quarters of Alaska and Nevada? How much land should be put into commercial production and how much saved for future generations? Are we threatening wildlife and habitats by allowing mining, drilling, and logging projects next to national parks? Does multiple-use management give too much discretion to land management bureaucracies? Can park managers cope with the large increase in visitors as federal funds dwindle? Many also question why the government reportedly fails to recover the expenses incurred in managing its lands. An estimated \$500 million is lost, for example, on timber sales each year from national forests, since building and maintaining roads for loggers can cost more than they pay to harvest the logs. Similar losses also occur under federal grazing and mining programs.

The greatest debate centers on the extent the government should restrict development to protect environmentally important lands. At issue is whether, when, and how much we value undeveloped and unexploited lands and their riches. While federal laws require both the preservation of natural resources and their commercial use, they do not offer a ready formula for balancing the two. Many argue that the economic benefits for local communities and the nation of developing public lands far outweigh the value of preserving them unimpaired. Others argue that preserving wilderness and other remnants of the American frontier protects water sources, wildlife, and recreation areas, while providing an important link to America's past. The Reagan Administration is largely seen as having tilted toward development. While President Bush has received high marks for his rhetoric in support of environmental protection, his choice of land management officials and his commitment to oil drilling proposals concern many.

The Congress is now focusing on land battles in Alaska and the Pacific Northwest. President Bush advocates opening up 1.5 million acres of Alaska's Arctic National Wildlife Refuge—the only undeveloped Arctic coastline—where there is an estimated one-in-five chance of finding a major oil field. Opponents of drilling argue that the pristine land, supporting one of the largest caribou herds left in the world, should not be damaged for the sake of short-term oil supply. In Washington and Oregon, the logging industry is pitted against environmentalists who want to save the remnants of the original forests that once covered much of

the country and the spotted owl which is dependent on those woods. Environmental groups have won early court battles which have crippled timber sales in the region, shutting down more than half the region's federal timber sales and causing painful job losses.

In Indiana, Hoosiers have been debating for years the final shape of a management plan for the Hoosier National Forest. While the participants in the process are Hoosiers, the major issues are national—how much land should be harvested and how much protected? The long negotiation process is slowly working toward some compromises, such as reductions in the acreage available for harvest and changes in harvest methods.

There is no black-or-white solution to these debates. The Congress may consider measures to overhaul mining and grazing laws—efforts to ensure that public resources are economically harvested. Yet on the larger question of balancing land uses, no recipe exists. The Congress will likely continue to examine each land debate in a piecemeal fashion. In each case, the Congress will confront questions of dwindling natural resources—can we afford either to close off lands to development or to lose untouched lands which cannot be replaced?

How we manage public lands goes to the heart of America's history and to its future. Our country was created out of the wilderness and made prosperous from harnessing its riches. Now, the economics of the country are shifting. The resources industries which depend on the use of the land remain important, but tourism and recreation which depend on the preservation of the land are growing. My sense is that, while development is sometimes appropriate, we should try to preserve fragile lands. It is worth keeping some of our lands untouched so that we and future generations will see the land that nurtured the nation. We will certainly see increasing pressures to develop those lands. Saying no to development becomes harder to do and to afford. But wilderness once developed can never be regained. Although no consensus exists among the public or the government on the management of public lands, we know that the decisions we make now will affect the land profoundly.

PROBLEMS WITH UNITED STATES NARCOTICS AID FOR COLOMBIA

HON. GEO. W. CROCKETT, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 4, 1989

Mr. CROCKETT. Mr. Speaker, as we launch an extensive program of military aid to Colombia for the purpose of aiding Colombia's war on the narcotics traffickers, it is important to realize that the Colombian military itself has links with the paramilitary organizations that form the traffickers' private army. We ignore this fact at our peril, because we might end up aiding "the very forces we are trying to combat."

Such is the conclusion of Coletta Youngers of the Washington Office on Latin America. In a recent op-ed piece for the Los Angeles Times, Ms. Youngers analyzes the problem of paramilitary violence in Colombia and the ap-

parent acquiescence or collusion of elements of the Colombian military with such violence.

I urge my colleagues to take the time to read this excellent article, which follows:

[From the Los Angeles Times, Aug. 31, 1989]

WILL COLOMBIA STAND UP TO PARAMILITARY?

(By Coletta Youngers)

The assassination of Sen. Luis Carlos Galán hit a nerve in Colombian society, and the courageous response of the people and the government deserves applause. For it is political will, not military might, that ultimately will determine whether Colombia will rid itself of the cocaine cartel.

Since the murder of Galán, one of the country's most outspoken anti-drug politicians, the government has made thousands of arrests and expropriated millions in drug-financed property. But the Colombian security forces have yet to confront the military arm of the traffickers, the paramilitary structure that sustains the political and drug-related violence in the country.

According to the government, there are more than 140 paramilitary organizations, most of which are organized and financed by traffickers. Operating like death squads but with the weaponry of mini-armies, they defend the drug lords' interests. These extend beyond narcotics to politics.

Rabid anti-communists, the traffickers have united with landowners and other traditional elites to protect their common economic interests against guerrilla groups and the growing demands for political and economic reforms by poorer sectors of the population. Supporting the alliance are members of the Colombian security forces who resort to paramilitary activity for profit or out of frustration with the inability to win the 30-year battle against guerrilla insurgencies. The net result is a "marriage of convenience" in certain areas of the country between the traffickers and other landowners and members of the military and police forces, all of whom are bent on eliminating "subversive elements."

The paramilitary activity stemming from this "marriage" has displaced guerrillas from areas where they have enjoyed substantial popular support, such as the middle Magdalena agricultural region. However, more often than not, the targets of violence are Colombia's growing nonviolent forces, such as civic movements, peasant and labor unions and a newly formed political party, the Patriotic Union. Last year there were 2,738 political assassinations, including 82 massacres (killings in groups of four or more civilians), the vast majority of which were carried out by death squads or "hit men" trained by them. The murder of Sen. Galán was just one of more than 1,000 political killings this year.

Colombian government investigators and human-rights activists have compiled significant evidence implicating members of the military and police in paramilitary activity. One of the most highly publicized cases occurred in March, 1988, when gunmen raided two banana farms in the Uraba region, killing 22 union leaders. The investigation by the Colombian equivalent of the FBI led to the indictment that September of two well-known drug traffickers, three military officials, a police lieutenant, a mayor and others. After presenting her report on the massacre, the judge presiding over the case fled the country because of death threats. Her father was recently killed, apparently in retribution for her brave actions.

Perhaps evidence such as this provides a clue as to why the Colombian security forces have yet to raid the paramilitary organizations' geographical base, Puerto Boyaca in the middle Magdalena region. Since Galan's death, there has not been one direct confrontation between the military and a paramilitary group anywhere in the country, nor have there been any attempts to raid the highly publicized paramilitary training schools. In fact, within the range of measures being implemented, the paramilitary issue is conspicuously absent. Until the paramilitary groups are confronted directly, drug traffickers will continue to wage their "total war" on the Colombian government and society.

While the Colombian government's recent efforts to curb drug trafficking must be taken in good faith, the Colombian military has yet to show the political will to engage in battle with the traffickers paramilitary arm. The U.S. government, having declared a "war on drugs," has steadily militarized its anti-narcotics programs overseas and is already providing Colombia with significant levels of military assistance under the anti-narcotics rubric. Now it is sending \$65 million more, along with U.S. military advisers to provide "technical assistance." Yet until the Colombian military proves its willingness to clean up its own house and to rid the nation of paramilitary violence, such aid will only serve to exacerbate domestic political conflict. Ironically, in the end it may aid the very forces we are trying to combat.

D.C. POLICE TRAINING

HON. DEAN A. GALLO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 4, 1989

Mr. GALLO. Mr. Speaker, on March 24 of this year, I requested a review by the General Accounting Office of compliance with title I of the District of Columbia Appropriations Act of 1989, which barred the use of Federal funds for all District operations until the D.C. government certified that the number of adequately trained, full-time uniformed officers available for duty was at least 3,880 persons.

As a former local official, I understand the necessity of providing protection of the public health and safety. I am committed to the idea that the keystone of that public responsibility is an adequate number of trained professionals on the front lines of our struggle against crime and lawlessness—the uniformed officer must be prepared to deal with the street.

While recruiting and initial screening of candidates for the Metropolitan Police Department are important components in this overall process, my concern has been, and continues to be, with the entire process that prepares these young men and women for the duties and responsibilities that they will face on a daily basis on the streets of our Nation's Capital.

In March, I provided the GAO with a list of questions that focused on the issue of compliance with the 1989 Appropriations Act. Initially, we were looking at completion of the preliminary report by midsummer.

In July, I was asked by the GAO review team for additional time to complete its work, because existing District record-keeping was

inadequate to answer my questions and, of greater importance, because the initial GAO review process had raised additional questions involving the training of candidates once they were selected by the initial testing process. For that reason, I was pleased to extend the time of reporting in the interest of thoroughness.

Because my initial request for review was based on the number of qualified officers on the street, not merely the initial testing and selection process, I believe our main concern must be with training procedures, rather than initial entrance to the Police Academy for a number of reasons.

Among them, the overwhelming need for uniformed officers in the District will, in and of itself, dictate that no qualified individual will be turned away.

Also, questions involving ranking procedures, as addressed in the GAO preliminary report provided to me today, will be helpful to those Members of Congress and D.C. government officials engaged in this on-going debate, but are not the main issue in my mind.

My most pressing argument for increased emphasis on training rather than initial selection is one of common sense. Anyone who has taken the college entrance exam knows that a good score will provide an initial opportunity for higher education, but is no guarantee that a candidate will eventually receive a degree.

I urge a full review by my colleagues of the findings of this preliminary GAO report, but I will focus my efforts on the training issue.

Specifically, the GAO found that procedures and requirements at the D.C. Police Academy have fluctuated greatly in recent years, but that no documentation exists to justify the changes that have been made.

For instance, the GAO found:

The number of hours of classroom instruction have varied from 927 hours to 450 hours, with the current requirement set at 653 hours. The reason for the fluctuation is undocumented, but could be due to factors such as need for additional officers on the streets, a lack of qualified instructors or other causes.

The number of courses that a candidate can fail and still remain at the Academy has varied from 3 to 5, with no justification or indication as to who within the D.C. government made the policy decision.

The comprehensive exam required for graduation has been waved without justification or documentation at various times, allowing whole classes of candidates to become police officers without taking the exam.

Academy applicants are allowed to take entrance exams an unlimited number of times until they pass, yet no records are kept as to the number of times that individual applicants have been tested. Although copies of the tests were not available to the GAO, the developers of the test confirm that only six questions have been changed in recent years, suggesting that repeated test-taking could allow applicants to pass by trial and error.

I believe that the most disturbing GAO finding is the total lack of documentation supporting decisions and the complete breakdown of record-keeping concerning how decisions are made within the chain of command. If every one is in charge, then no one is in charge.

I have included in the fiscal year 1990 budget a \$26,000 allocation to begin the process of outside accreditation. I intend to fight for these funds in the upcoming House-Senate Conference Committee, based on the urgency of the current situation as outlined by the GAO in this preliminary report to me.

But the bottom line is that we cannot require the District to accept this allocation, which specifically requires an outside accreditation process conducted by a nationally recognized review organization.

I believe that recent news reports and the GAO findings strongly indicate the need for credibility that can only come from an independent accreditation process.

In addition, and perhaps of greater importance, the GAO preliminary findings raise serious questions about the way instructors are selected. No one can say today that the quality of instruction is either good or bad, because there is no apparent rationale for decision-making.

I am therefore calling for a full review of instructor selection and qualifications, either as part of the accreditation process or prior to its inception, but immediately in either case.

The fact is that the officers going through the Academy today will be the future leaders of tomorrow's District police force.

Finger pointing and Monday morning quarterbacking at this point are a waste of time. At the same time, I appreciate the efforts of countless people who believe as I do that we face a crisis now, not 6 months or a year from now.

The question should not be where have we been, the question should be where do we go from here?

I have asked the General Accounting Office to complete work on its preliminary findings and provide me with a final report.

Although the final report is not expected to be completed until late spring or early summer of 1990, I am satisfied that the preliminary report provides the District government with incentives to proceed with a definite course of action. I am hopeful that, by the time the final report is issued, most of these concerns will already have been addressed.

TRYING TO "UNSCRAMBLE" SOVIETS' EGGS

HON. HARRY A. JOHNSTON II

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 4, 1989

Mr. JOHNSTON of Florida. Mr. Speaker, I am pleased to submit for the RECORD the remarks of Mr. Arthur Burck of Palm Beach, FL, that appeared recently in the Palm Beach Post. Mr. Burck frequently comments on the changes in our global balance of power and ideology:

TRYING TO "UNSCRAMBLE" SOVIETS' EGGS

(By Arthur Burck)

The recent triumphant tour of President Bush through Poland and Hungary has ig-

nited hope for freedom among the communist satellite nations of Central and Eastern Europe.

But just as the recent student uprising in Beijing's Tiananmen Square raised worldwide hope for democracy that turned out to be most premature, we must now restrain our expectations. The removal of the communist yoke, especially in its economic implications, is likely to be a slow process, one that may well be prolonged for many decades.

I have been mulling these problems since last October when we cruised the Danube River on a Soviet river boat. As a consequence of what we observed throughout the Balkans, I then predicted the "beginning of the end of communism in Eastern Europe."

THE BEGINNING OF AN END

In 1945, I also witnessed the beginning of the end of the independence of these very same nations that were then occupied or liberated by Soviet armies. Convinced that the permanence of any post war peace hinged on what happened to these occupied nations, then-Sen. Claude Pepper embarked on a five-week investigative tour of these nations. The U.S. Army had ordered me, an Army captain stationed in Rome awaiting return to my civilian position as a Wall Street lawyer, to assist Sen. Pepper as a special aide.

There was nothing that could dissuade the U.S.S.R. from dominating these nations.

Soon thereafter the Soviets "scrambled the egg" of each of these nations by setting up a communist dictatorship of the government and by confiscating all industry and other private property, placing ownership in the state.

Now, the \$64 question that is beginning to confront these nations is: How do we "unscramble the egg"?

Just as the Achilles heel of the Soviet Union is its stagnating economy, the satellite nations face the same problem: bureaucratic state-owned industries that do not function efficiently.

MIND-BOGGLING TRANSITION

Indeed, the transition from a communist economy to a capitalist economy presents mind-boggling problems. Only one thing is certain: the transition will take much longer than anyone imagines.

Remember that there is negligible private capital in communist countries. I suspect, however, that underground assets are much greater than expected. There may be ways of minimizing the problem through leasing arrangements and loans, but it is slow and cumbersome.

Perhaps early solutions can come if most free nations band together to launch a worldwide Marshall Plan to rescue the economies of the stagnant socialist-communist world. But can we do so without also coming to the aid of the present Third World countries in Latin America, Africa and Asia?

And how will our own industries react when they find difficulty in competing with new low-wage countries subsidized by our largess?

In sum, any way one looks at the problems that lie ahead, we must come to the conclusion that, despite current enthusiasm generated by the Bush visit, effective solutions will be remote.

HONORING THE CENTENNIAL OF PIKEVILLE COLLEGE

HON. CARL C. PERKINS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 4, 1989

Mr. PERKINS. Mr. Speaker, on October 19, 1989, Pikeville College in my home district of eastern Kentucky will celebrate its centennial, marking 100 years of service to the education of our region.

Pikeville College was founded in 1889 as the Pikeville Collegiate Institute, an academy for grades 1 through 12. Preparatory classes for teachers were added later, and by 1921, Pikeville College was offering junior college courses at its Pikeville campus. The first 4-year baccalaureate degrees were awarded in 1957, the same year that the high school courses were phased out.

Today, Pikeville College is a thriving liberal arts college with 938 students and 50 faculty members. Its graduates are accepted to some of the top graduate and professional schools, and many of eastern Kentucky's leading citizens are Pikeville College alumni, including State Senator Benny Ray Bailey, State Representative N. Clayton Little, and Pikeville Mayor William C. Hambley.

More than half of Pikeville College's students are adults who have spent several years in the work force of raising families, and have now returned to school in an effort to improve their own education. Many of them would be unable to attend college if it were not located near their home communities. Kentucky has one of the Nation's lowest levels of adult educational attainment, and the service that Pikeville College offers to these returning adult students will go a long way toward righting that terrible wrong.

Pikeville College is in the midst of its Second Century Fund drive, which will provide for a new library and badly needed parking facility on campus, as well as a larger endowment and an increased annual operating budget. This Second Century Fund will help to position Pikeville College to continue its service to eastern Kentucky for yet another 100 years.

The educational opportunities offered by Pikeville College of today are far different than what awaited young eastern Kentuckians before its founding.

In the early 1880's, Dr. William C. Condit of Ashland was sent by the Ebenezer Presbytery to prospect for Presbyterianism in the mountains, to determine the need for churches there. Dr. Condit returned to Ashland distressed by the lack of both churches and schools in the region. "I made my report to the Presbytery," he wrote later, "recommending that we attempt to establish schools and churches together in the mountain communities."

Condit and two other Presbyterian ministers, Dr. James Hendrick and the Reverend Samuel B. Alderson, selected Pikeville as the best site for such a combination, and in 1883, the First Presbyterian Church of Pikeville was founded, followed 6 years later, in 1889, by the Pikeville Collegiate Institute.

The early years were hard for the young school. Poor roads, a lack of funds to pay teachers, and several outbreaks of typhoid all worked against the dedicated teachers and principals who worked in those years to make the school succeed. But succeed they did, and today Pikeville College is in its most secure position ever as it prepares for its second century of service.

I know that the Members of the House will join me in congratulating Pikeville College on the event of its centennial, and in wishing it well in the years to come.

A TRIBUTE TO JAMES MEADLOCK

HON. RONNIE G. FLIPPO

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 4, 1989

Mr. FLIPPO. Mr. Speaker, I am very happy to pay tribute today to James Meadlock, and his outstanding work as an entrepreneur in the field of interactive computer graphics.

James Meadlock is a founder, president, and chairman of the board of Intergraph Corp., one of Alabama's home-grown "Fortune 500" companies. James Meadlock has been a pioneer in designing, manufacturing, marketing, and supporting interactive computer graphics systems for design, engineering, and mapping applications.

James Meadlock is a leader in the continuing growth of Huntsville as a center for high-tech computer science and industry. He has contributed greatly to making the city of Huntsville a better place to live and work. I am proud to have James Meadlock as one of my constituents.

Originally a native of North Carolina, James Meadlock attended North Carolina State University where he received a degree in electrical engineering. During 12½ years of work with IBM, he made major contributions to America's historic achievements in missile guidance and space systems technologies.

James Meadlock worked to make America's dreams of space exploration a reality. He was responsible for the software system that was used to guide and control the Titan II Missile System. In addition, he developed all software that was used on the Saturn Launch Vehicle for guidance and control of the vehicle and all of the check-out software that was used prior to launch to test the readiness of the vehicle in flight.

In 1969, James Meadlock became one of the founders of M&S Computing, the company which was renamed Intergraph Corp. in 1980 to better reflect its ground-breaking work in interactive graphics. His work in this area was recognized by the U.S. Congressional Caucus for Science and Technology in 1985 when he was awarded a Congressional High Technology Award for outstanding contributions to the advancement of science and technology. In 1987, James Meadlock was named Executive of the Year by the National Computer Graphics Association.

Under James Meadlock's leadership Intergraph Corp. has become the U.S. Government's leading supplier of interactive comput-

er graphics systems. Serving both defense and civilian needs, Intergraph systems are used by local, regional, and national services and agencies worldwide. Intergraph Corp. is now one of the Huntsville area's largest employers.

James Meadlock and his innovative work at Intergraph Corp. have placed Huntsville on the cutting edge of this exciting new technology. The people of Huntsville are fortunate to have this hard-working, dedicated individual as a member of their community. I salute James Meadlock and wish him the best in his efforts to expand the horizons for new developments in interactive graphics.

THE ILLUSION OF "LAND FOR PEACE"

HON. MATTHEW J. RINALDO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 4, 1989

Mr. RINALDO. Mr. Speaker, a constituent, Mr. Joel Weingarten, recently published an article expressing his views on aspects of the Middle East situation. He requested that I insert excerpts of his remarks in the CONGRESSIONAL RECORD, and those excerpts follow:

THE ILLUSION OF "LAND FOR PEACE"

(By Joel Weingarten)

The current wisdom in Washington and Jerusalem is that Israel can resolve a multitude of economic and national security difficulties by conducting "land for peace" negotiations with its Arab neighbors. The paradigm for this view, of course, is the Camp David Treaty, which Israel signed with Egypt ten years ago. Yet before plunging into another Camp David, we might first pause to consider the consequences of the first Camp David.

The Camp David Accords call for Egypt and Israel to: "refrain from hostile propaganda directed at one another * * *." Egypt's government-controlled press repeatedly violated this obligation.

On June 8, 1987, Egypt's leading government-owned newspaper, El-Ahram, reported that Israel was responsible for hoof and mouth disease in Egypt, arguing that Israeli "biological warfare" began in 1983 and that all imports from Israel should therefore be halted.

In December 1988, the government-owned newspaper El-Akhbar claimed that Israel was the most likely culprit in the terrorist bombing of Pan Am flight 103 which exploded over Lockerbie, Scotland on December 21, killing 259 passengers. Western intelligence, however, has traced the attack to Libyan and/or Syrian-backed terrorists.

It should further be noted that since 1981 Egypt has only agreed to one summit meeting between the Egyptian and Israeli leaders—and that was at the behest of the United States.

The peace process was supposed to promote the normalization of trade. However, Egypt has placed an almost total embargo on trade with Israel.

Even more important are violations of the treaty's guarantee that neither nation's citizens would be physically harmed by the other country's citizens, or by parties using the countries' mutual border. Egypt has aided the PLO by providing its terrorists

safe haven in Cairo and allowing them to launch attacks against Israel from its border. Since October 1987 there have been at least six such attempts to infiltrate Israel by use of Egyptian territory.

In addition to cross-border terrorism, Egypt has been the site of the assassination of Israeli citizens. In June 1984, Egyptian terrorists shot Israeli diplomat Zvi Kedat. In September of 1985, seven Israeli tourists were killed by an Egyptian soldier. In August 1986, Egyptian terrorists assassinated Israeli diplomat Albert Atrachki.

Finally, Egypt has engaged in an extensive build-up of its military along its Israeli border, in clear violation of troop level agreements reached at Camp David.

The Camp David process has been good to Egypt, which has reclaimed the 23,600 square-mile Sinai peninsula from Israel and gained funds and military support from the United States without sacrificing its standing in the Arab world. More important, Egypt has made these acquisitions without having to conform to either the letter or the spirit of the Camp David treaty.

In exchange for the promise of peace, Israel has sacrificed strategically and economically valuable territory. Israel's geopolitical position has been irreparably weakened. All of these losses could be deemed acceptable had Israel received a true peace; but that has not been the case.

A real peace treaty would have required that Egypt actually change its intentions toward Israel. But this is not what the Camp David treaty has meant. It has instead meant continued belligerence under the guise of peace.

The issue behind Camp David's record is whether forfeiting land brings peace. The Egyptian example shows that the Arab world can gain through negotiations as much as, if not more than, it can receive through battle, and that it need not even provide true peace in exchange.

THE BUREAUCRACY DOES WORK

HON. AL SWIFT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 4, 1989

Mr. SWIFT. Mr. Speaker, the motivational technique that is least used in politics and government is positive reinforcement. The electorate tells us more frequently what we've done wrong than what we've done right. And, in turn, Members of Congress tend to berate the bureaucracy far more often than we praise it. That's too bad. It is as useful to let people know what they do that pleases us as it is to identify what does not.

I recently got a letter from a constituent who understands this very well. The objects of his praise were the people in his local Social Security office in Everett, WA. I asked his permission to put this letter in the CONGRESSIONAL RECORD where others could see that usually government does work the way it is supposed to.

The letter was addressed, importantly, not to me but to "Dear helpful and concerned staff." I thank Mr. Leonard Gurian for writing the letter and I'm happy to share it with all of my colleagues.

I would like to thank you people for your concern and advice in my recent "misunderstanding" with the Social Security Adminis-

tration. Even if there was no direct part in the resolving of the problem on your part the fact that you were there to give me some encouragement and advice was certainly comforting. You helped to give perspective that I did not have and could not have achieved elsewhere at so "little" cost.

I would also like to put on paper my feelings about the people at the local office of the Social Security office. With no exception they were polite, tolerant (of a man who was quite angry when he first went out to the office) informative, patient, straightforward, and actually, I felt, wanted to help me.

Too often we hear of bureaucrats who want to chalk up one more for the team (or for themselves) having shot down Joe Citizen. Not so here. I wish I had the name of the person who helped me at the window out there—she was excellent. Mr. Ron Ferwerda who ultimately passed judgment on my case could not have been any more fair. Perhaps he went by the book but how refreshing it was to be told that if I were prepared to culminate the business right then and there I would not have to come back for the second session.

When I went in for the appointment I felt quite strongly that I should not have to pay for 3 months of the over-payment because I had been advised when I applied for S.S. to ask for those months. Mr. Ferwerda agreed. Although I felt that someone, somewhere fouled up in sending me the money for the months I did not deserve, the fact is that the money was not mine and should be paid back.

Well, enough already. One hears so many horror stories about people trapped in the labyrinth of government red-tape over "sins" never committed it was indeed heartening to have come out of this business with a judgment that I felt was the only fair one. Thank you.

Sincerely,

LEONARD GURIAN,
Everett, WA 98201.

THE LONG-TERM HEALTH CARE APPROACH

HON. JOEL HEFLEY

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 4, 1989

Mr. HEFLEY. Mr. Speaker, it has been over 2 years since I first cautioned this body on the effects of enacting catastrophic health care coverage and a financing surtax. Today, the House will be asked to correct the catastrophic nightmare enacted during the 100th Congress. Hopefully a majority of my colleagues will join me in repealing this bad law and starting over in our search for a long-term approach to health care for our senior citizens.

This cannot be the end of it, however. The problem of health care for the elderly, and particularly long-term health care, is a problem we must not ignore. Currently, the elderly comprise 12 percent of our population and that number is expected to double by the year 2040. Approximately 1.3 million senior citizens are residents of nursing homes. By the year 2040, a projected 4.4 million senior citizens will require nursing home care, and another 14 million disabled seniors will be living in the

community. This creates a situation where the present health care system will be inadequate.

Consequently, now is the time for Congress to enact an effective and efficient long-term health care plan for our elderly. Such a program must be affordable for our Medicare beneficiaries and, unlike the present catastrophic legislation, must address the real problems of catastrophic care.

Options such as the use of community-based services such as home care and adult daycare services could lower the cost of long-term health care. The unnecessary institutionalization of persons who are better served by community-based services is a financially wise alternative.

The private sector financing mechanism for long-term care has potential for addressing some of these concerns. The market for long-term care insurance is rapidly expanding, with approximately 70 companies now underwriting 420,000 persons. There is growing interest in increasing the coverage of long-term health care, while making it more affordable through employer-based group coverage.

In closing, I remind you that during the last session of Congress, we heard the wishes of the people concerning health care. The recent outcry concerning the catastrophic law suggests that Congress failed. With this in mind, I am calling on Congress to devise a plan that allows the private sector to play a significant role in responding to the catastrophic health care needs of our Nation with as little government interference as possible.

IN RECOGNITION OF MICHAEL I. PUPIN

HON. GEORGE W. GEKAS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 4, 1989

Mr. GEKAS. Mr. Speaker, I would like my colleagues to join me in recognizing a great Serbian-American who was born on this day in 1858.

Michael I. Pupin was born in Banat, which is in present day Yugoslavia. In 1874 he came to America with only 4 cents in his pocket. Within 9 years he earned a B.A. from Columbia University and 6 years later he obtained his Ph.D. from the University of Berlin. He became a professor of electronics at Columbia, and during his tenure, he continually pursued improved technology in America. Professor Pupin received a total of 34 patents for his inventions and won the 1924 Pulitzer Prize in biography for his work "From Immigrant to Inventor."

I include an article about this important American reprinted from the November 29, 1981 Buffalo Courier-Express.

MICHAEL PUPIN, FROM IMMIGRANT TO INVENTOR

[Reprinted from Buffalo Courier-Express, Sunday, November 29, 1981]

When he got off the ship at Castle Garden in 1874, a 16-year-old boy from Serbia had five cents in his pocket. Unable to resist a piece of prune pie, prunes being a Serbian delicacy, he invested his nickel in it, only to discover that the prunes consisted

largely of pits. It was his introduction to American self-reliance.

This initial setback did not discourage Michael Pupin. He went on to become professor of electromagnetics at Columbia and the man who made it possible for us to talk to one another over long-distance telephones. Each week I walked past a building named after him, where generations of his students, their students, and their students' students, have studied physics.

His autobiography, "From Immigrant to Inventor," published in 1922, won the Pulitzer Prize. The book is document appropriate to that far-off time in which cheerfulness and good will invariably triumph over adversity. Seeing a copy in a bookstore recently, I couldn't resist grabbing it.

Pupin was an engaging mixture of loyalty to his rural Serbian origins and, at the same time, rebelliousness and a desire to rise in the world. He never quite put behind him the traditions and associations of his native village of Idvor, and even before he left it, he had acquired a police record of opposition to his country's government.

In the new world, he was badgered by a group of young rowdies for wearing a red fez, scuffled with their leader and wrestled him to the ground, only to be given a loud cheer by the others, who defended him when a large mustachioed policeman arrived. It was his second lesson in America.

He worked on a farm in Pennsylvania, learned English, returned to New York to do odd jobs and finally made his way to Columbia, where he encountered modern science and was transformed. The driving ambition which carried him through long hours of labor and study also drove him toward knowledge, and it is characteristic of Pupin that for him, rising in the world of men and rising in one's knowledge of the natural world were essentially blurred.

When he went back to Europe for his first visit after 11 years, the same railroad conductor in Vienna who had earlier called him a Serbian swineherd now called him "gracious sir." Pupin gave him a big tip and reminded him of their earlier encounter, "America is the land of rapid changes," said the conductor.

Pupin was an example of what we now call the upwardly mobile. He had a gift for sloughing off provincial mannerisms and accommodating himself to another moral system. He took nearly everything at face value, and wealth and station never lost their fascination for him. Writing in the early 1920s, he referred to Warren G. Harding as that "ideal type of genuine American," which looks a little odd today.

But he accomplished much. No other discovery in his lifetime had aroused quite so much interest as that of the X-rays, and he was in the vanguard of their use. He was at that time the only physicist in the United States who has any experience with vacuum tubes, and so when Roentgen's discovery was first announced, Pupin was better prepared than anyone else on this side of the Atlantic to repeat it. On Jan. 2, 1896, he made the first X-ray photograph in America.

Soon thereafter, Dr. William T. Bull, a surgeon of great gifts, brought to Pupin a distinguished lawyer named Prescott Hall Butler. Butler had received a full shotgun charge in his hand in a hunting accident and was in considerable pain.

Pupin realized that the patient would not be able to stand the exposure of nearly an hour which X-ray photography then required. But his good friend Thomas Edison

had sent him several fluorescent screens which were much more sensitive. "I decided," Pupin wrote, "to try a combination of Edison's fluorescent screen and the photographic plate.

He put the screen on the plate and Butler's hand on the screen, and a "beautiful" photograph was obtained with an exposure of only a few seconds. It showed the numerous shots "as if they had been drawn with pen and ink." Dr. Bull operated and extracted everyone of them in a "short and easy" operation.

Thus originated the process we all take for granted. Pupin grumpily complained that nobody gave him credit for the discovery, although he had described it in the journal *Electricity* on Feb. 12, 1896. The patient was more appreciative. When other offers to reward Pupin were refused, Butler proposed to establish a fellowship for Pupin at the Century Club which would guarantee Pupin two drinks a day for the rest of his life. "This offer," wrote Pupin, "was also refused."

Pupin conducted his research when there were no well-supplied laboratories and lavish grants. He and his colleague, Francis Crocker, had to earn money on their own with which to buy equipment. And all this in addition to a heavy teaching load. Research scientists today would recoil in horror from the conditions under which he worked.

Pupin dreamed of being a great discoverer in science. This was denied to him. He chose the title of his book deliberately, and it was as "inventor" that he knew he had truly achieved distinction. Yet the long-distance transmission line was no gadget produced by the tinkering around of some garret engineer. Rather, it resulted from the thoughtful pondering of a genuinely theoretical physicist.

His own discoveries have been eclipsed by those of his great pupils, like Edwin H. Armstrong. But this is as he would have wanted it to be. "The aim of his whole life," wrote Freeman Dyson, "was to imbue his fellowmen, and fellow-Americans in particular, with his own deep love for pure scientific knowledge."

A TRIBUTE TO CHARLES MARION COOPER

HON. WES WATKINS

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 4, 1989

Mr. WATKINS. Mr. Speaker, I rise today to pay tribute and homage to a longtime member of my staff—Charles Marion Cooper. Charley passed from this life late yesterday evening at the age of 63 years old. For those who did not know Charley, they missed a rare opportunity, for he was a rare breed. He was part of the last of an era—an old-time newspaperman.

Charley was more than a staffer, he was a trusted personal friend. He was not only a great writer and staff member but a fine father figure to the staff. And, I might add, Charley was someone that you considered as a second dad or brother, if you will. He never met a stranger.

As part of this great institution we call the House of Representatives, Charley embodied

that which we find so important—institutional knowledge. Charley Cooper worked in two gubernatorial, two senatorial, and three congressional campaigns. He lobbied for not only free markets but fair markets in petroleum and agriculture.

For 6 years he served as special assistant and press secretary, and administrative assistant in my office. He headed former Oklahoma Representative Clem McSpadden's office when the powerful Congressional Rural Caucus was formed.

He was an effective champion of rural Oklahoma. Those who knew him considered him a humorist and philosopher that could always be counted on for wisdom, advice, and counsel. No doubt, if Charley were here today he would weave his wisdom into a good story. He was always good for at least one if not two stories at any sitting.

In an 18-year news career in Oklahoma, Charley served as the editor of the Pryor Daily Times and worked for newspapers at Temple, Anadarko, and Antlers. Together with his wife, Allene Bary-Cooper, an artist-writer-photographer, he produced "The Homeplace: A Gathering of Voices," a coffee-table book on rural America.

A Capital correspondent for World Oil, he was a Washington lobbyist/writer/public relations director for the Independent Petroleum Association of America, 1975-77. He served as public relations director 1981-83 for the American agriculture movement and was the free-lance associate editor of the AAM Reporter at the time of his death. He was a board member of the American Family Farm Foundation.

In Oklahoma, he helped expose the 1964-65 asphalt price-fixing case that led to court judgments for the State while working for the Oklahoma Good Roads and Streets Association.

Candidates that he advised were U.S. Senator Fred R. Harris, U.S. Representative Toby Morris, Ed Edmondson and Clem McSpadden, Oklahoma Attorney General Larry Deryberry and Keith Cartwright, Preston Moore, and Clyde A. Wheeler, Jr.

He served two active duty tours in the Navy, was commander of two American Legion posts, was a Mason, and earned a college degree in Texas.

As so often Charley wrote in floor statements for me on occasions such as this one, I want to close with one of his favorites and Charley, I think it applies—"well done thou good and faithful servant." You will be missed by the staff and all that knew you. The world, the Congress, the State of Oklahoma, and numerous individuals are better off having known Charles Marion Cooper.

SEVEN REASONS WHY THE BUSH ACID EMISSIONS CAP IS A GOOD IDEA

HON. SHERWOOD L. BOEHLERT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 4, 1989

Mr. BOEHLERT. Mr. Speaker, as the Energy and Commerce Committee considers

H.R. 3030, the Dingell-Lent clean air bill proposed by President Bush, questions will be raised concerning a very important element of that package, the postcompliance cap on some emissions.

As EPA Administrator William Reilly recently told the Subcommittee on Energy and Power, it would be very difficult to view H.R. 3030 as an adequate, definitive solution to the acid rain problem if, as some propose, this environmental safeguard is dropped. In fact, it is the acid emissions cap of H.R. 3030 which makes that bill superior to H.R. 1470.

The cap language in H.R. 3030 deserves careful study and, if necessary, fine tuning. I don't profess to have all the answers on this one. But before giving any consideration to eliminating the cap, we should all recognize it for what it is—good environmental, energy, and economic policy. Here's why:

First. Without a cap, our multibillion-dollar national investment in acid rain controls could, over time, erode away. The Environmental Protection Agency forecasts up to a 20-percent erosion in emission reductions by 2010 without the safeguard of a cap. Such erosion would be a tragic, frustrating result for everyone.

Second. The acid emissions cap is intimately linked to the trading allowed under the Bush proposal. Inter-regional trading without a cap shortchanges the environment; a tight emissions limit without trading is needlessly costly to electric consumers. The integrity of the emissions market breaks down without the cap.

Third. The cap will lead to a long overdue emphasis in energy policy on efficiency and conservation. According to the Center for Clean Air Policy Analysis, the efficiency encouraged by a cap could: Halve cost impacts in States most-affected; reduce the need for costly new powerplants; enhance energy independence and industrial competitiveness relative to Japan and Europe; spur new technologies; and lower emissions of carbon dioxide, which contributes to global warming.

Fourth. The cap-and-trading scheme creates a form of cost-sharing requiring no new taxes or Federal subsidies. No matter what kind of plan is devised, the costs of acid rain controls will be felt throughout the national economy. So which is better: A fee imposed on utilities regardless of their contribution to the problem or their own cleanup requirements; or a system based on who can afford to pay for the largest, most cost-effective reductions? Utilities who make such reductions can sell excess allowances to others who cannot.

Fifth. The cap is compatible with economic growth. The record from 1973 to 1987 demonstrates that America can enjoy economic growth and increase coal utilization even as acid emissions decline. H.R. 3030 guarantees emissions will drop faster to environmentally acceptable levels and, with the cap, stay there well into a distant and uncertain future.

Sixth. State public utility commissions [PUC's] should appreciate the cap's benefit of all electric consumers.

Seventh. Several factors will effectively discourage hoarding of pollution allowances: Pressure from State PUC's to sell the allow-

ances and give rate relief to customers; the unpredictable value of allowances in later years as the supply increases; and the pool of allowances that will be created by the incentives for cost-effective reductions by the industrial sector.

Mr. Speaker, I note with interest the efforts by several of my colleagues to eliminate arbitrary inequities under the proposed cap, and ensure its workability. The House Working Group on Acid Rain, which I cochair, looks forward to working with them in the pursuit of balanced environmental and energy policy.

But obviously, there are numerous economic and environmental benefits to the proposed acid emissions cap which merit our consideration before any efforts are made to eliminate it.

ST. PETER'S CHURCH CELEBRATES ITS 150TH ANNIVERSARY

HON. RICHARD J. DURBIN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 4, 1989

Mr. DURBIN. Mr. Speaker, I rise to congratulate St. Peter's Catholic Church in Quincy, Ill, on its 150th anniversary celebration. The church has sponsored a series of special events over the past 6 months to mark the event, and is holding a grand banquet on Wednesday, Oct. 11.

St. Peter's parish has 1,108 families, and a total of 3,200 parishioners—the largest in the city. St. Peter's School also is the largest parochial grade school in Quincy, with 338 students in grades K through eight.

The church has a long and illustrious history. The parish was founded June 13, 1839, on the southwest corner of Eighth and Maine Streets in Quincy. The original church was built for the city's English-speaking Irish Catholics, who until then had been served only by visiting missionaries and a German-speaking priest assigned to St. Boniface Church.

The church was renamed for Saint Peter in 1863. Tragically, a tornado demolished the building on April 12, 1945, and parishioners subsequently rebuilt the church at its present site on 25th and Maine. A rectory and convent opened in 1967, a school for the handicapped and the St. Peter Holy Children pre-school were opened just last year.

One of the major forces in the early days of the church was Father Peter McGirr, appointed pastor in 1862, who oversaw a large expansion of the church and school. It was Reverend McGirr who welcomed into the parish a runaway slave, Augustine Tolton, who later entered the seminary and went on to become the first black priest in the United States.

Mr. Speaker, I salute the parishioners and pastor of St. Peter's the Rev. Roy Bauer, on the 150th anniversary of their church.

CELEBRATING NATIONAL CHILDREN'S DAY

HON. GEORGE W. GEKAS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 4, 1989

Mr. GEKAS. Mr. Speaker, I want to draw the attention of my colleagues to a very special young person in my congressional district.

Frieda Dyson is a high school senior from Harrisburg, PA, who was selected to represent the State this week in Washington as a child ambassador. Frieda, and other child ambassadors from around the country are here to celebrate National Children's Day with a series of events intended to call attention to the state of our Nation's children. The ambassadors are helping Congress to focus on the positive possibilities open to young Americans, as well as to consider the pressing needs and problems facing our youth.

The ambassadors testified yesterday before the Select Committee on Children, Youth, and Families and the Budget Committee Task Force on Human Resources. Their unique insight and experience was both moving and inspirational.

The testimony of my constituent, Frieda, focused on the importance of teens rising above peer pressure to stay away from drugs. Frieda knows a great deal about such inner strength. She lived in foster homes for the first 8 years of her life; yet Frieda has been able to overcome this difficult start. She is president of her senior class at the Harrisburg Academy, she tutors disadvantaged children after school, she aspires to be a writer, and is an articulate spokesperson on saying no to drugs. Needless to say, I am extremely proud to have this young lady in the 17th Congressional District.

I would like to take this opportunity to share with my colleagues a segment of Frieda's testimony from yesterday's hearing:

Children are malleable and impressionable. We are open to a lot of stresses and are vulnerable, but the reverse is true too. We are open to positive influences if they are made available to us; we need adult influences that are positive. More environmental emphasis needs to be focused on strengthening family units, stable homes and continued support will, over time, decrease drug usage rates among my peers. For further significant positive changes to occur there needs to be communication and cooperation between the youth of America and the leaders—the educators and the parents.

In conclusion, only through joint efforts on all levels and spheres of influence will the situation brighten. We, the youth of America, are looking to you, the present leaders, not necessarily for the answers to the drug crisis, but for your continued pledged commitment to us. As it has been said many times—we are the future and even more so, we are the present. We need your help and your concentrated efforts here and now.

Mr. Speaker, it is when I have the privilege of meeting young people like Frieda Dyson, I become more certain than ever that America is in good hands.

EXTENSIONS OF REMARKS

STAND UP FOR THE CHILDREN

HON. CLIFF STEARNS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 4, 1989

Mr. STEARNS. Mr. Speaker, I would like to take this opportunity to turn our attention to an issue which is close to all of our hearts—our Nation's children.

I am inserting into the RECORD here the lyrics to a song written and produced by two constituents of mine in Ocala, FL, which says beautifully that it is our duty and responsibility to care for and care about the children of the world. Their rights to a future that is safe, free, and healthy should be a priority to all of us, and I applaud the efforts of Robin MacBlane and Larry Whitler to bring attention to this important goal. Their song "Stand Up for the Children" is a wonderful tribute to their commitment, and I am proud to share it with you today.

STAND UP FOR THE CHILDREN

(Lyrics and music by Larry Whitler)

A child's smile
A child's laughter in the air
Is the most beautiful song I'll ever hear
But this world is cruel
And we've got to
Stand up for the children
Teach them how to fight
Let them know you stand behind them
Let them know they have a right
To a free world
A safe world
A clean world
A drug free world, oh God
If I do anything
Let me stand up for the children of the world
A child rests
His little head upon my shoulder
And with each breath I feel upon my ear
I melt inside
I melt inside
A young girl strives
To do her best with all her talents
And there's a beautiful look within her eyes
As she sees her mom and dad applauding

SIXTY YEARS OF SERVICE TO MICHIGAN'S GASOLINE DEALERS

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 4, 1989

Mr. DINGELL. Mr. Speaker, I rise today to pay tribute to the Service Station Dealers Association of Michigan. Established in 1929 as the Retail Gasoline Dealers Association of Michigan, this organization is currently celebrating its 60th anniversary.

For 60 years the SSDA has been in the business of promoting and protecting the interests of Michigan's gasoline retailers. It represents over 1,000 dealers and their families in the areas of oil company-dealer relationships, health and liability insurance, credit cards, and other dealer-related activities.

From its inception in 1929, the association has been a leader for the dealers of Michigan. From "Gasoline Lil," a noted SSDA lobbyist,

to Cash Hauley and Chuck Shipley, former executive directors of the association, the retail gasoline dealers have been well served.

Currently, President Philip Bucalo, a Livonia Shell dealer, Executive Director Daniel Loepp, and the entire SSDA board are working hard to represent dealers' interests on a number of important issues including franchises, small business, and the environment.

Once again, congratulations to the Service Station Dealers Association of Michigan on the 60th anniversary of this fine organization. I am sure the next 60 years will see the SSDA continuing in its fine tradition of serving the gasoline dealers of the State of Michigan.

TIME TO FIGHT BACK IN OUR NATION'S CITIES

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 4, 1989

Mr. RANGEL. Mr. Speaker, regardless of how many national drug strategies and drug bills we produce in the Congress and the executive branch, the war on drugs will not be won without grassroots involvement and support from the American people.

The National League of Cities has been involved in recent years in fighting the drug war on our local government front. The National League of Cities has been instrumental in forging a productive, working relationship among the chief executives who run our Nation's communities; a relationship that has led to a healthy exchange of ideas and strategies to combat the drug crisis in America's major cities. Consequently, we have witnessed a rebirth of grassroots warriors, lending hope to the cause of a drug-free America.

In order to help carry forward with this noble effort and continue the work being done by the National League of Cities, I am introducing today a House joint resolution to commemorate December 3-9, 1989, as "National Cities Fight Back Against Drugs Week." It is during this week, Mr. Speaker, that the National League of Cities hopes to shine the public spotlight on the important antidrug efforts taking place within our cities. We hope to inspire those who are working in the trenches to continue their work, and those who are standing on the sidelines will be persuaded, we hope, to join in on the action.

This special resolution is more than just a symbolic effort. The passage of this House resolution, Mr. Speaker, would bring about direct action and noticeable results in the war on drugs, through the scheduling of a variety of events in communities throughout the country. Churches, civic groups, law enforcement agencies and educators, parents and young people will be joining forces to let the drug traffickers know that we are not going to give up the reins on our communities. We must let them know that we are united in our stand against the pervasiveness of these poisons in our society.

Our cities have been devastated by the war on drugs. Entire communities are being held hostage by drug dealers and their agents who conduct their heinous trade with no regard for

human life and the law. An entire generation of youth in our inner cities stands on the brink of being lost for the future because of the infatuation with crack and fast money. When our children begin to flock to the dead-end road of drug involvement—a road that almost always ends in death or incarceration—then something is truly wrong with America.

Mr. Speaker, some of our inner cities are so blighted that their populations consist mainly of hopeless and helpless individuals who turn to drugs because they have nowhere else to turn. They do not have jobs. They do not have education. They do not have opportunities and options. They are the homeless and the hungry. They are the forgotten and the ignored.

We must act and we must act now to restore order, along with hope and opportunity, in our cities. This resolution seeks to restore that order, hope, and opportunity.

Americans everywhere have said in poll after poll that they want to end the drug scourge. To the citizens in this country, the drug crisis is the No. 1 crisis in our Nation. Americans want us to solve this problem, and in doing so, we must realize and pay attention to what is happening in our inner cities.

I hope that all of my colleagues will support this resolution, and will take an active role in National Cities Fight Back Against Drugs Week.

**SALUTE TO SIGMA CHI AT
GEORGE WASHINGTON UNIVERSITY**

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 4, 1989

Mr. SKELTON. Mr. Speaker, I rise today to salute Epsilon chapter of Sigma Chi fraternity at George Washington University on its 125th anniversary. The chapter was granted petition on December 10, 1864, and has since contributed to the development of hundreds of young men, emphasizing the ideals of friendship, justice, and learning.

Today, the excellence of Epsilon chapter is demonstrated by its academic success, record of community service, and campus involvement. For 3 consecutive years, the national fraternity has recognized Epsilon with the Peterson Outstanding Chapter Award, its highest honor. Through its 125 years, this chapter has produced community, State, and national leaders who have made positive contributions to our country.

As the son of a Sigma Chi, the father of three, including one Epsilon member, and a Sigma Chi myself, it is with great personal pleasure that I ask Congress to join me in extending congratulations and best wishes to Epsilon chapter.

EXTENSIONS OF REMARKS

**THE FORESTRY AMENDMENT
TO INTERIOR APPROPRIATIONS**

HON. DENNY SMITH

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 4, 1989

Mr. DENNY SMITH. Mr. Speaker, as a Member who represents many timber dependent communities in Oregon, I have worked with my colleagues for months in an effort to achieve a short-term solution to the timber supply crisis facing the Pacific Northwest. My support for the amendment before us, however, is not without reservations about its long-term implications for both the Northwest and the entire Nation.

This is not a painless, easy compromise for the tens of thousands of forest products workers in the Pacific Northwest. The timber sale level in this amendment is a significant reduction from previous years. The amendment may keep people employed throughout the coming year, which I certainly support. In the long run, however, reduced harvest levels will result in economic chaos as tens of thousands of jobs are lost in the Northwest.

Every Member of this House needs to know that this amendment, and all other measures that reduce the public timber supply, will directly affect your constituents as well. Twenty percent of the wood products consumed in the United States come from public lands. Restricted domestic supply will lead to higher prices or a higher trade deficit from increased imports.

Higher timber prices will mean higher housing costs for your constituents, edging young couples and first-time buyers out of the housing market. Thirty percent of this Nation's building supplies are already imported, and nothing is being done to reverse that trend.

We in the Northwest have a good story to tell. Our region is the most productive timber region in the Nation. We can have a perpetual timber yield that provides a sustained supply of wood products for all Americans. And we can do so in an environmentally sound manner.

As we work for the long-term solution, we must be willing to examine the entire public land base in Oregon and Washington. The acres of old growth already preserved in national parks and in wilderness status must be counted toward any long-term solution.

In closing, let me reiterate that this was a truly, a compromise of a compromise, and one that is much more severe than the compromise originally proposed by the Oregon delegation at the summit in June 1989. It also relies on the good faith, constructive participation of the environmental community in order to make these provisions work. If that good faith is broken, I will be back next year to push for a solution that really works.

October 4, 1989

**THANKS TO LIVERMORE'S
MAYOR: DALE TURNER**

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 4, 1989

Mr. STARK. Mr. Speaker, I would like to extend my deepest appreciation to one of the finest citizens and community leaders in California's Ninth District. Mayor Dale Turner has, for the past 17 years, served the city of Livermore and the Livermore/Amador Valley in an elected and appointed position with great integrity and honor. Unfortunately for his constituents, Dale has decided not to seek reelection as Livermore's mayor.

Dale Turner's public life began when he was appointed to the Livermore Planning Commission in 1972. He then ran for the Livermore City Council in 1974, where he served until 1980. In that same year, Dale became Livermore's first directly elected mayor; a position he is now retiring from. Mr. Turner has served on many committees designed to improve the Livermore Valley quality of life and foster better relations with local communities. He has been particularly active in ensuring that the huge Lawrence Livermore and Sandia National Laboratories were good neighbors to the people of the valley.

Professionally, Mr. Turner is a graduate of the Pacific Coast Banking School/University of Washington, Louis Allen Management School and the American Institute of Banking. Mr. Turner has worked for local banks and currently holds a mortgage banking position.

Mayor Turner has served the people of Livermore with dignity and a commitment to excellence. He has never let anything but the quality of life and the future of Livermore influence his decisions as mayor. The people of Livermore are not only losing their mayor, but a true friend as well.

My wife, Carolyn Wente, and I wish him the very best in the years to come. We are sure he will continue to find new ways to provide civic and business leadership in the Greater Livermore Valley.

**SENSE OF CONGRESS CONCERNING
THE CONTINUED HUMAN
RIGHTS VIOLATIONS BY THE
PEOPLE'S REPUBLIC OF CHINA**

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 4, 1989

Mr. GILMAN. Mr. Speaker, today I am introducing House Concurrent Resolution 208 a resolution concerning human rights violations by the People's Republic of China [PRC].

The daily arrests, beatings, and repression go on. Yet, there are some U.S. officials considering PRC admission to the General Agreement on Tariff and Trade [GATT].

There have also been high-level meetings between representatives of the administration and PRC officials. Secretary of State Baker has met twice with the Foreign Minister of the PRC.

I believe now is not the time for these sort of contacts and initiatives. There should first be a dramatic change of leadership in the PRC before we allow entry into the GATT, extend MFN, grant World Bank loans and meetings between high-level officials.

House Concurrent Resolution 208 expresses the sense of Congress that the state of human rights in the PRC and Tibet is still far too grim and that the proposed congressional sanctions and those put into place by the President should be upheld. Accordingly, I urge my colleagues to support House Concurrent Resolution 208.

I request that at this point in the RECORD a copy of House Concurrent Resolution 208 be printed in full.

H. CON RES. 208

Whereas on June 4, 1989, the Government of the People's Republic of China ordered an unprovoked, brutal, and indiscriminate assault on thousands of peaceful and unarmed demonstrators and onlookers in and around Tiananmen Square by units of the People's Liberation Army;

Whereas the Government of the People's Republic of China has engaged in widespread mass arrests in the aftermath of the June 4, 1989, military assault in Tiananmen Square, arresting thousands of students, workers, and others and executing scores of individuals;

Whereas security forces of the Government of the People's Republic of China have repeatedly assaulted peaceful demonstrators in Tibet and have imprisoned thousands of Tibetans for the expression of their political and religious beliefs;

Whereas freedom of emigration is currently being denied by the People's Republic of China to individuals supporting the prodemocracy movement, particularly to leaders of the movement who are currently residing in the United States and Australian Embassies in China, and to the citizens of Tibet, where martial law has been in effect since March of 1989;

Whereas a subcommission of the United Nations Human Rights Commission has voted 15 to 9 to have the full Commission examine charges that the People's Republic of China brutally suppressed the prodemocracy movement in China in violation of the Universal Declaration of Human Rights, representing the first time that a permanent member of the United Nations Security Council has been censured in a United Nations forum for its human rights performance; and

Whereas harassment and intimidation continues within the People's Republic of China and within Tibet, where surveillance, arrests, beatings, and torture have been documented by independent, international human rights organizations, and as well as in the United States, where harassment of Chinese students participating in the prodemocracy movement has been reported widely by leading United States press organizations: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that—

(1) the situation in the People's Republic of China and in Tibet remains as grim today as it was when President Bush first imposed

EXTENSIONS OF REMARKS

sanctions on the People's Republic of China and when the House and Senate passed legislation calling for additional sanctions;

(2) there should be no relaxation of those Presidential sanctions, and the Congress should act swiftly to secure final enactment of its own proposed sanctions legislation;

(3) the President should confer with the other signatories of the General Agreement on Tariffs and Trade and oppose any further meetings or any further action regarding the People's Republic of China's desire to accede to the General Agreement on Tariffs and Trade until martial law is lifted and human rights are restored in both the People's Republic of China and Tibet;

(4) the United States should continue to oppose any change in World Bank policy toward loans to the People's Republic of China, and continue to oppose the release of loan funding to the People's Republic of China until martial law is lifted and human rights are respected in both the People's Republic of China and Tibet; and

(5) the President should carefully consider withholding nondiscriminatory treatment (most favored nation treatment) for the products of the People's Republic of China for an additional 12 months pursuant to section 402(d)(5) of the Trade Act of 1974, as proposed by the President on May 31, 1989, until there is freedom of emigration in both the People's Republic of China and Tibet.

THE 30TH ANNIVERSARY OF AFGE LOCAL 1923

HON. C. THOMAS McMILLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 4, 1989

Mr. McMILLEN of Maryland. Mr. Speaker, today I wish to give special recognition to the American Federation of Government Employees [AFGE] Local 1923 as they celebrate their 30th anniversary. I would like to extend my sincerest congratulations to this organization on their accomplishments and also recognize the week of October 1-7 as AFGE 1923 week as Gov. William Donald Schaefer has proclaimed it.

Local 1923 was founded on August 1, 1959, with the goal of fostering rights and protections for Federal employees of the Social Security Administration. Since its inception 30 years ago, under President William MacNeil, the membership of Local 1923 has grown to over 7,000 people who represent approximately 20,000 Social Security Administration, Office of the General Counsel, and Health Care Administration employees. This representation covers a five-state area, including Pennsylvania, West Virginia, Virginia, Delaware, and Maryland. Under its current president, John Gage, who also serves as the national AFGE vice president, Local 1923 has become a respected and admired organization throughout the political and labor arenas.

It is with great pride that I congratulate the AFGE Local 1923 on their 30 years of government employee services. I know that my colleagues will join me in offering best wishes for the continued success of this organization.

INTRODUCTION OF WHITE SANDS FAIR COMPENSATION ACT OF 1989

HON. JOE SKEEN

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 4, 1989

Mr. SKEEN. Mr. Speaker, today I am introducing the White Sands Fair Compensation Act of 1989, which would authorize \$17.5 million to individuals who lost their land or mining claims to the U.S. Government for the establishment of White Sands Missile Range during World War II.

This legislation establishes a 7-member commission which will evaluate the claims submitted by owners related to the taking of their property and make payments to those claimants not fully compensated. In evaluating claims, the Commission would determine the value the property had in 1975—when the U.S. Government permanently took the lands comprising White Sands Missile Range—based on established precedents for the value of similar real estate in New Mexico. Priority consideration would be given to the claims of ranchers and miners who owned property continuously between 1941 and 1975.

To gain a broader understanding of the plight these individuals have undergone over nearly half a century, one must go back to the international strife that plagued this country of united Americans during the second World War. Most Americans were asked to sacrifice for the great causes this nation fought for.

The ranchers and miners affected by this legislation are just a few of the many patriotic individuals who made great sacrifices for this country. All of these fine people gave up their lands, their livelihood and their homes to the U.S. Government which pledged that these ranchers and miners would be returned their property once World War II ended. The productive land these people gave up was ultimately used to develop and detonate the most destructive weapon known to mankind—the atomic bomb. Nearly 45 years after Hiroshima and Nagasaki, and after the rebuilding of Japan and Europe, and after a bill authorizing the compensation of Japanese-Americans interned in American prisons during World War II, these ranchers and miners are still trying to rebuild their lives and salvage what is left of the future. In a real sense, the destruction of World War II has never ended for these individuals and their families and it is ironic that a nation which can establish a Marshall plan to rebuild Europe has failed to adequately compensate its own citizens.

The Aleutian and Pribilof Islands Restitution Act, title II of Public Law 100-383, provides a precedent for compensation of these White Sands ranchers and miners.

When the Japanese attacked the two westernmost Aleutian Islands during World War II, the U.S. military evacuated about 900 Aleuts from the Pribilof Islands and from many islands in the Aleutian chain. Though this action was militarily justified, the Aleuts were treated poorly during the relocation period. When the Aleuts returned to their villages after the war, they were confronted with wartime destruc-

tion, much of which was done by U.S. military personnel.

In Public Law 100-383, Congress stated: "The United States has not compensated the Aleuts adequately for the conversion or destruction of personal property, and the conversion or destruction of community property caused by the United States military occupation of Aleut villages during World War II. There is no remedy for the injustices suffered by the Aleuts during World War II except an Act of Congress providing appropriate compensation for those losses which are attributable to the conduct of United States forces and other officials and employees of the United States."

If this same standard were used for the White Sands ranchers and miners, it would allow them to be compensated for public domain lands included in the ranch and mining units, as this is an established precedent for ranch valuation in New Mexico.

I have introduced this bill as remedy for the 150 or so ranching families who were displaced by the creation of the White Sands Missile Range. This legislation would be a significant step in the process of bringing an end to this controversy. This bill is the result of six months of study and consultation with the ranchers and miners, their families, individuals of the New Mexico Cattle Growers Association and the range management specialists at New Mexico State University.

GERMAN-AMERICAN DAY

HON. DENNIS M. HERTEL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 4, 1989

Mr. HERTEL. Mr. Speaker, I rise today on the occasion to recognize German-American Day which will be celebrated all over the United States on October 6, 1989, and in Michigan by many of my constituents.

The President will sign a proclamation on October 6, 1989, which was adopted already in both Houses of Congress. Over 850 cities will celebrate this occasion with parades, festivals, dances and banquets. The richness of the German culture will be fully recognized and will demonstrate the contributions of Americans of German descent to the United States.

My constituents, many who are of German descent will be celebrating this day by attending a German-American heritage ball on Friday, October 6. The ball is an annual event which is held at the German-American Cultural Center in Detroit. As in the past, many Congressmen and Senators, and other local officials will be attending this event to show their appreciation for all that the German-American community has done.

The German-American Cultural Center is the host of this event and this celebration is considered the cultural event of the year among German-Americans in the Detroit area. Dancing and singing will be featured and the music will be provided by various German music groups along with the German American Cultural Center Orchestra. The center has also sponsored festivals and other cultural

events throughout the year and have been very instrumental in helping to drawing the German-American community together.

My dear colleagues please join me in honoring the German-Americans and joining them in celebration in Michigan and in the United States.

THE BUCKTAIL COUNCIL OF THE BOY SCOUTS OF AMERICA

HON. WILLIAM F. CLINGER, JR.

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 4, 1989

Mr. CLINGER. Mr. Speaker, I rise today to pay tribute to the Bucktail Council of the Boy Scouts of America. The Bucktail Council, located in DuBois, PA, encompasses all or part of four counties in my congressional district.

The Bucktail Council was one of two councils in the United States to have received this year's annual Gold Seal Award. The U.S. Department of Agriculture has presented this award annually since 1963, for outstanding conservation efforts to a local Boy Scout council in America.

The council has had an active Conservation Committee for over 15 years. Every 3 years the Bucktail Council Conservation Committee plans and executes a councilwide Conservation camporee, which is attended by more than 500 Scouts and Scouters.

In 1982, the council received the Green Seal Award for outstanding conservation contribution in the Northeast region. Because of the prestige of this award, the council was not eligible to be recognized for their accomplishment for another 5 years.

Council leaders indicate they will continue to have the council place a strong emphasis on conservation. Douglas L. Krofina, Bucktail Council executive, explains, "Conservation is more than planting a tree or building a jack dam; it is an ethic we must teach our children." I have been a long-time supporter of conservation and I applaud the Bucktail Council on its community spirit and its work on projects that help to control erosion and improve streams.

On behalf of the 23d District of Pennsylvania, I want to congratulate each and every member of the Bucktail Council of DuBois, on this notable accomplishment. The council's dedication is most impressive and deserves our recognition and our thanks.

CLEAR THE RUNWAY, HERE COME THE DUCKS

HON. DUNCAN HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 4, 1989

Mr. HUNTER. Mr. Speaker, I am extremely privileged to honor a great American conservationist upon the realization of one of his lifetime efforts. Bert McKee's achievements at Edwards Air Force Base in California in establishing critically needed wetlands and waterfowl habitat demonstrate the creative thinking we so desperately need as Congress address-

es the environmental problems facing our country. I hope that every Member will find some time to read about the great work of my friend, Bert McKee.

CLEAR THE RUNWAY, HERE COME THE DUCKS

(By Rich Roberts)

EDWARDS AIR FORCE BASE.—In this desert sky where eagles dare, ducks, too, will fly.

The site of aviation history will score a blow for wildlife with the re-creation of 170 acres of waterfowl wetlands. The Plute Ponds Expansion Project, in the southwest corner of Edwards' 470 square miles, will provide an enlarged rest area, with limited hunting, for weary ducks migrating along the Great Basin corridor of the Pacific Flyway—one of four major waterfowl migration routes of North America.

It's a joint venture of the Air Force, Ducks Unlimited, the California Department of Fish and Game and the Los Angeles County Sanitation District, Lancaster Division, each delighted that its own interests will be served.

By creating a gridwork of dikes, Lancaster will have more overflow ponds for its treated sewage, the Air Force won't worry so much about birds buzzing its aircraft or the runways flooding, and the wildlife people are so happy they could quack.

All it will take is a few bulldozers and \$262,000, but the dream is a quarter-century old. It's Bert McKee's dream.

McKee, 86, of Arcadia, has a conservation history dating back to 1931, about 50 years before such causes became popular and six years before Ducks Unlimited was founded when the Dust Bowl era had dropped waterfowl populations to all-time lows. He chaired a local Junior Chamber of Commerce committee that was concerned about vanishing habitat—an issue now critical because of development and drought.

Later, in 1962, McKee became president of Ducks Unlimited which has grown to about 600,000 members, including 55,000 in California, and is perhaps the most effective wildlife conservation organization in the world.

McKee started hunting ducks in the desert in the 1930s when he bought into the nearby Wagas Club, one of the few ducks clubs spared during World War II when Edwards took over most of the land east of the Sierra Highway (California 14) between Lancaster and Mojave.

"They took out about 10 duck clubs," McKee said. "Some of them moved over on the west side [of the highway]. Most of 'em left the area . . . moved down to the Salton Sea or wherever they could get water."

There was once water here, too. Area maps indicate Rogers and Rosamond Dry Lakes on the base, and the Air Force wants to keep them that way, which is part of the story of how the project came about—that and the perseverance of Bert McKee.

Dedication ceremonies are scheduled Thursday alongside Shuttle Road where Columbia, Discovery and the ill-fated Challenger have rolled. McKee will be there, perhaps with his longtime duck-hunting friend Gen. Jimmy Doolittle, 91, who led the B-25 carrier-based raid on Tokyo in 1942.

The cost is being borne by an anonymous donor who earmarked the project as part of a \$2-million gift to Ducks Unlimited. McKee, a former international president of DU, described the donor only as "an old duck hunter."

Perhaps he once used one of the old duck blinds that can still be seen on the site.

McKee started working on the Air Force to help the ducks in the mid-'60s.

"We started several times to get something going," he said. "It depended a great deal on who headed the [base]. We had a tremendous interest when [Maj.] Gen. [Irving L.] Branch was there in '65, then there was a lack of interest because a lot of these fellas had no interest in wildlife. We'd have it ready to do and they'd change administration, and we'd have to start all over again."

The breakthrough occurred as the end result of the Antelope Valley's population boom. The sanitation district was running out of places to dump used water.

Denton Guthrie, assistant state chairman for DU, said: "Every time somebody flushes their toilet out here, that water's gotta go someplace."

Since the late '50s, the district has had 320 acres of containment ponds for chemically treated effluent just west of the site. But as the population grew and those ponds overflowed, the water would flood Rosamond Dry Lake, which is an emergency landing site for test aircraft and lies directly under the Alpha Low Level Flight Corridor. The flooding not only made the lake unusable but drew birds into the area and raised the risk of what the Air Force calls "bird strikes," a danger with fatal implications.

Chris Rush, the civilian base natural resources planner, said: "We've had to restrict flight operations when it's flooded."

As the Air Force and the sanitation district became increasingly alarmed, McKee said, "I just kept plowing away."

Jimmy Doolittle's a great friend of mine. He went over there with me and attended meetings and talked. Most of our problem had been we weren't getting up high enough."

Doolittle helped McKee gain altitude in the Air Force hierarchy, and results followed.

"Finally, I went back to Washington and got to the people back there at the North American Wildlife Conference. They had two [representatives] from Edwards—the boys that were lukewarm on the deal—and they voted to really get the thing going."

It's only 170 acres, making a total of 490, which is less than a square mile. But when one considers that California has lost 95 percent of its wetlands, according to Mike Maier of the Waterfowl Habitat Owners Alliance, every little bit counts.

"We've destroyed more wetlands than any other part of the country," Maier said. "Two-thirds of the wetlands in California—267,000 acres—are now owned by private duck clubs."

That was the message McKee took to the Air Force.

"They knew they had to do something with all this land they were tying up," he said. "There are 300,000 acres in Edwards, and when you multiply all these military bases that aren't doing anything at all to encourage wildlife * * * the most important part of this is that we're establishing precedent."

This is the first significant wildlife habitat restoration project on a military base.

Guthrie said: "There are a lot of wildlife projects that, if done properly and managed properly wouldn't detract at all from military operations."

It's also the first DU project in Los Angeles County, which has no significant duck hunting on public lands and only three private clubs.

Until 1986, in fact, DU, which reported a net income of \$67 million last year, spent all

of its funds developing habitat in Canada, from where the birds come. Now it has expanded its projects to its MARSH program—Matching Aid to Restore States Habitat—working with groups such as these under its "Partners in Conservation" concept.

The Piute Ponds already have more than 200 species of birds. The project is targeted for ducks, but geese and other winged creatures, not unlike the space shuttle, are expected to use the site as a landing zone as they migrate between Canada and Mexico. A few will stay and nest. All waterfowl need is shallow water with a food supply.

From a month before hunting season to a month after, the sanitation district increases chlorination, but the birds seem to thrive.

Hunting will be limited. The only people allowed to hunt are military personnel, active or retired, and their dependents; base civilian personnel and contractors, and a few longtime local Rod and Gun Club members with "grandfather" privileges.

The limitations don't seem important to DU.

"Probably 50 percent of our members don't even hunt," Guthrie said. "They're just interested in saving the ducks."

Rollie Kienzie of Whittier, a lifelong hunter who belongs to the Rio Hondo DU chapter, said: "This isn't for hunting. This project is for conservation."

Maier: "This valley is a historic flyway, once populated by [Piute] Indians. It's reasonable to believe it was a wetlands at one time. People live where there's water."

In later days, McKee brought Air Force generals and astronauts out to hunt ducks around Edwards. John Wayne, Bing Crosby and other celebrities visited his ranch.

"In those days we had rugged individualists," he said. "We've got to teach more people what the art is. These fellas that go out and simply shoot ducks and don't do anything else are not gonna save the resource."

MISSING SERVICE PERSONNEL ACT LEGISLATION

HON. JOHN G. ROWLAND

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 4, 1989

Mr. ROWLAND of Connecticut. Mr. Speaker, today I am joining with the distinguished minority leader, BOB MICHEL, in introducing legislation to provide procedural due process in determining the status of missing service personnel.

Earlier this year, I introduced the Missing Service Personnel Act (H.R. 1730). The purpose of this bill is to correct the current method by which the U.S. Government accounts for missing service personnel, and to establish a more acceptable system for future servicemen.

Having been involved in the POW-MIA issue since the beginning of my tenure in Congress, I am aware of the differing opinions as to how best to make final determinations regarding missing service personnel. Throughout this time, my goal has steadfastly remained that Congress must find the most workable and acceptable solution to ending the pain and suffering of the families of those left unaccounted for.

To achieve this objective, today I have again written to Congresswoman BYRON, the chairperson of the House Armed Services Subcommittee on Military Personnel and Compensation. I have requested a hearing on both H.R. 1730 and the legislation I have introduced with Congressman MICHEL. I believe that the best way to formulate legislation ensuring that we do not repeat our Nation's past mistakes is to hold a congressional hearing on both proposals. We must work to pass the best legislation possible to address this critical issue.

THE INTRODUCTION OF THE SYSTEMATIC APPROACH FOR VALUE ENGINEERING [SAVE] ACT

HON. CARDISS COLLINS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 4, 1989

Mrs. COLLINS. Mr. Speaker, not a day goes by that we don't pay homage to the national urgencies of our day, such as the needs to maximize our resources, decrease the national debt, increase our international competitiveness, reduce our trade deficit, and develop superior technologies and products. The difficulty is found in devising plans that address one or more of these concerns.

But there is, in fact, a process which deals with all of these issues: Value engineering.

Value engineering [VE] routinely yields sizable contract savings and improves quality at the same time. The beneficiaries include taxpayers, the governmental entity engaging the contractor, the contractor itself, the contractor's industry, and the American economy in general. In short, no one loses. This is a rare case of a "win-win" situation.

VE is a specialized, multifaceted, creative, team-conducted technique that defines the objective of a product, service, process or construction project and questions every step toward reaching it. It does so with an eye to reducing all costs—including initial and long-term costs—and completion time while improving quality, reliability, and aesthetics. Analysis covers the equipment, maintenance, repair, replacement, procedures and supplies involved. Life-cycle cost analysis is one of its many aspects and it differs from other cost-cutting techniques in that it is far more comprehensive, scientific, and creative.

It is widely accepted that VE saves no less than 3 percent of a contract's expense, and commonly that figure is 5 percent. At the same time, the cost of doing a VE review ranges from one-tenth to three-tenths of a percent. Thus, on a \$2 million construction contract, the very minimum that would be saved would be \$54,000 while savings of \$98,000 is very likely. On a major military procurement contract for \$1 billion over life-cycle, that translates to a range of savings from \$27 million to \$49 million. Based on VE usage in recent years, the ratio of VE costs to VE savings has ranged from 1:10 to 1:100, with 1:18 being the most frequent result.

Examples of VE successes are plentiful. In 1988, a VE review of a bridge repair project in

Cleveland yielded \$7 million in savings from a \$26 million budget—27 percent savings—and shortened the period of the bridge being closed from 36 months to 20—44 percent. In 1986, the aircraft giant Hughes documented savings of \$462.1 million from VE, and VE savings of \$490 million were anticipated for the following year. Another giant, General Dynamics, saved the Air Force more than \$25.4 million over the life of the F-16 program, retaining \$941,058 as an incentive fee. And the list goes on.

Whenever VE has been examined, the invariable conclusion is that it should be used more often as it has an untapped potential too great to even estimate. The Senate Committee on Governmental Affairs held a hearing in 1987, from which it was made clear that VE has a shockingly successful track record and that vast savings are ready, willing and able to be attained. The Governmental Accounting Office has conducted at least 12 studies on VE in recent years, each one of which has touted VE's achievements and advocated its expanded use in a broad spectrum of activities. VE's utility is so well recognized that Donald Trump extolled its virtues in his recent book, "The Art Of The Deal." In regard to the building of a casino in Atlantic City, Trump writes:

One way we stood to save money was from something known as value engineering. A good example was the installation of the cooling towers for our air-conditioning system. Originally our architects placed them on the roof of the hotel tower. Through value engineering, we determined that we'd save a lot of money by installing them on a lower section of roof, just seven floors up, because that roof could be poured much sooner. In turn we'd be able to start all the piping and electrical work for the air-conditioning 6 months earlier.

I got the building finished right on schedule for a May 14 opening. That meant we'd be able to take advantage of the Memorial Day weekend, traditionally the best 3 days of the year for the casino business in Atlantic City. I also came in slightly under the original budget, at \$218 million. It represented the first casino-hotel in Atlantic City ever built on time and on budget.

Numerous Federal departments, agencies, and other contracting authorities have already reaped substantial benefits from the use of VE. Among them are: Army Corps of Engineers, Veterans' Administration, General Services Administration, Army, Naval Facilities Engineering Command, Air Force, Federal Highway Administration, Navy, and the Environmental Protection Agency Wastewater Treatment Program.

But its past and present use would be characterized as sporadic, at best. The use of VE remains far below its potential.

Today I am introducing a bill which would require that VE reviews be conducted for:

Every construction contract exceeding \$2 million;

Every "major" procurement contract; Subcontracts of major procurement contracts for 25 percent of a contract's value and otherwise where deemed appropriate by the VE team; and

State and municipal contracts where the State or municipality is using Federal funds or operating under Federal authority.

By targeting only large Government contracts, VE efforts will be concentrated on the activities which will reap the greatest rewards. While a VE review of a \$25,000 contract would most likely be cost effective—and should be done voluntarily—the bill would chase the more sizable savings.

To address the principal explanation for VE's sporadic usage—i.e., that the absence of top-level management support fosters resistance to change—my bill would also establish a VE office in each Federal department and agency to oversee the VE program and encourage contractor compliance. Where appropriate, the VE office could also conduct the VE reviews itself.

Some have suggested that this is not the appropriate time for legislation in light of the Office of Management and Budget's circular number A-131, which directed Executive branch offices to utilize VE. But A-131 has been ineffective. The Executive branch offices that had not employed VE before A-131 are still not relying on it. Still other offices are disregarding A-131's reporting requirements and I can only assume their use of VE to be inadequate. Putting a VE requirement into law would promote compliance and facilitate accountability and enforcement. It could not be eliminated by a subsequent order from this nor a future administration.

Moreover, the S.A.V.E. Act would go far beyond A-131 by applying VE to: All contracts within certain defined categories rather than simply "where appropriate" with authority to make case-by-case exceptions; State and local governments in connection with federally funded contracts; and large subcontracts.

In addition, each department and agency that engages in contracts would be directed by the S.A.V.E. Act to institutionalize VE in a separate VE office, staffed with professionals well versed in VE.

Mr. Speaker, we have a responsibility to take advantage of VE. Ironically enough, although VE was developed in the United States during World War II for the purposes of maximizing our resources and improving our defense capabilities, it has most effectively been used by the Japanese electronics and automobile industries. Isn't it time that we reap the fruits of our own brainchild? Isn't it time that we support this effort within our own Government?

RETIREMENT OF WILLIAM H. HOGAN, JR.

HON. NICHOLAS MAVROULES

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 4, 1989

Mr. MAVROULES. Mr. Speaker, I would like to pay tribute to an individual who, with the highest distinction, served the Committee on Armed Services, U.S. House of Representatives, as an assistant counsel, and then general counsel, Mr. William H. Hogan, Jr.

After over 20 years of outstanding service to the Committee on Armed Services, 2 years of service to the late Honorable William H. Bates, then ranking minority member of the

committee, and over 23 years of service in the U.S. Navy, Bill is retiring.

Bill has assisted me for many years on the Armed Services Committee, but in addition, is a constituent of mine. Bill was born in Lynn, MA, and despite having traveled around the world with the Navy and the committee, rarely misses an opportunity to return to Massachusetts.

Bill has been in public service all his life. He began his career in August 1940, when he enlisted in the U.S. Navy. Except for 3 years following World War II, he served in the Navy until retirement in 1968 as captain, Judge Advocate General Corps.

In August 1968, Bill became assistant to the late Honorable William H. Bates, then ranking minority member of the House Committee on Armed Services. Upon Congressman Bates' death in 1969, Bill became assistant counsel to the Investigations Subcommittee, and shortly thereafter was appointed to the full committee staff as counsel. Upon organization of the committee for the 95th Congress in February 1977, Bill was appointed general counsel, and has served in that position for the last 12½ years.

During that time Bill participated in countless investigations, including the investigation into the massacre at My Lai, the first investigation into drug abuse in the military and the investigation of Honor Code violations at West Point, and provided invaluable expert advice to the members of the committee as counsel to numerous special subcommittees, including the Special Subcommittee on Defense Aspects of the Equal Employment Opportunity Program, the Special Subcommittee on Disciplinary Problems in the Navy, the Special Subcommittee to Probe Disturbances at Military Bases, and the Special Subcommittee on Intelligence.

Because of his special efforts and mastery of issues in such diverse areas as the naval petroleum reserves, CHAMPUS, the Uniform Code of Military Justice, admission of women to the service academies, and the contempt of Congress citations relating to the Watergate break-in, Bill contributed greatly to the committee's resolution of these critical issues.

On behalf of the Armed Services Committee, the Congress, and the Nation, I want to express our sincere appreciation to Bill Hogan for his selfless dedication, loyalty, professionalism, and the great contributions he has made to the security of this Nation. We wish him well in his retirement.

HONORING KEN LAHNER

HON. HENRY J. HYDE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 4, 1989

Mr. HYDE. Mr. Speaker, I want to suggest to my colleagues that they take a moment and read a transcript of an editorial tribute to an excellent public servant, Mr. Ken Lahner—a man who gave much of career to the people of DuPage County, IL, for the past 12 years. The editorial appeared recently in The Daily Journal of Wheaton, IL.

[From the Daily Journal, Aug. 9, 1989]

PUBLIC SERVICE LOSES ITS HARDEST WORKER

The image of Ken Lahner that will always stick in our minds is one in which he is sitting in the county building cafeteria very early in the morning, well before board members or administrators are even in the building.

He is on his second king-sized cup of black coffee and third or fourth cigarette, pouring over the pages of a computer printout the size of a Chicago phone directory. He will find the information he needs, boll it down to a page or two memo and have it copied for board members at a committee meeting in less than an hour.

Lahner last week confirmed rumors that he was leaving county government to take a management position in private industry.

His departure leaves more than a vacancy at the comptroller job he held. he was also a savvy politician who could convince people in Wheaton and Springfield to look past county board Chairman Jack Knuepfer's aloofness and see the wisdom of many of his programs.

His abilities to crunch numbers and lobby officials have been described as "genius."

Lahner's personal style made it hard not to like him. A permanent smile, a friendly pat on the back and a gravelly "Howya doin, guy" was a daily greeting. His ruffled "Det. Columbo" look of someone always with too much to do and never enough time is a sharp contrast to the pressed, urbane professional look of the modern politician.

As a county board member from 1978-82, Lahner was vice chairman of the influential finance committee and chaired the public works committee, helping to turn around the then-floundering department.

He was Knuepfer's floor whip and was labeled by the media as "Knuepfer's right-hand man." The assessment was accurate but politically fatal. He tried hard to repair the rift between the county and the DuPage Water Commission only to have Knuepfer lobby for legislation that dismantled the group.

He lost his county board seat by only 115 votes to Ray Soden, a county newcomer and Addison Township supervisor. Knuepfer rewarded Lahners loyalty and ability with the comptroller job, in effect making him the county administrator.

In whatever capacity for the county, he was on the job early, stayed late and was the only official one could count on finding at work late on Friday afternoons.

His ability and personal commitment to whatever job he tackles are unquestionable. He has earned thanks for his contributions and best wishes for personal success in his new direction.

SANFORD KANE—A LEADER IN THE SEMICONDUCTOR INDUSTRY

HON. J.J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 4, 1989

Mr. PICKLE. Mr. Speaker, it has been my good fortune to have had the opportunity to work closely over the past few years with a man who is truly a national leader in the development of this country's semiconductor industry—Sanford L. Kane.

I rise today to call the attention of my colleagues to the announcement that the Semiconductor Industry Association [SIA] recently named Sandy as the recipient of its annual Appreciation Award in recognition of his contributions to the semiconductor industry. I want to join SIA in recognizing Sandy's outstanding work in developing the industry's ability to compete with foreign semiconductor manufacturers.

My involvement with Sandy began during his tenure as director of SEMATECH, the semiconductor manufacturing consortium located in Austin, TX. Sandy has now moved on to an important new challenge as the president and chief executive officer of U.S. Memories, Inc., an industry-led, privately financed joint venture of semiconductor producers aimed at establishing our country as a leader in production of dynamic random access memories or "DRAM's" the primary memory for computers. In this venture, he is making even greater contributions to our semiconductor industry.

Mr. Speaker, I congratulate Sandy Kane on this well-deserved recognition of his invaluable contributions to the semiconductor industry, and I look forward to working with him in the future to make the U.S. Memories project a reality and to make our Nation a leader once again in the computer industry.

RON CHAPMAN HONORED BY NATIONAL ASSOCIATION OF BROADCASTERS

HON. MARTIN FROST

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 4, 1989

Mr. FROST. Mr. Speaker, I am delighted to inform the Congress that Mr. Ron Chapman, a long-time radio personality in the Dallas/Fort Worth/North Texas area, has been awarded the National Association of Broadcasters' First Annual Marconi Radio Award for "Personality of the Year."

The radio station for which Ron Chapman works, KVIL, has also been named "Station of the Year" in the medium market category, logically in great part because of Ron Chapman's great contribution to their programming.

Winners were selected from 119 nominees across the country, with the presentation being made at the Grand Finale Gala closing the National Association of Broadcasters' Radio '89 Convention in New Orleans, LA, on September 16.

The prestigious awards were given to the legendary station and radio personalities of the year by a special ballot vote of NAB radio members and associate members

Mr. Speaker, congratulations are certainly in order for KVIL AM/FM of Dallas, and to Ron Chapman for their years of service to our community and for the NAB's glowing recognition of their efforts.

AID TO THE NICARAGUAN OPPOSITION

HON. MIKE SYNAR

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 4, 1989

Mr. SYNAR. Mr. Speaker, today I voted against H.R. 3385, which provides \$9 million designed to support the electoral process in Nicaragua, including direct funds for the opposition parties. I support an amendment to the bill offered by Representative DICK DURBIN.

I voted against the bill because I believe that we set a bad precedent in choosing and funding one party in a sovereign nation's election. I am afraid that sending aid to the opposition in Nicaragua may be followed by similar intervention in Cambodia, Angola, and other nations whose governments are not to our liking. This should not be our policy.

More important, this funding package may in fact be counterproductive to our goals of ensuring a free and fair election in Nicaragua. Our support of the corrupt Somoza dynasty is still fresh in the minds of many Nicaraguans, not all of them Sandinista supporters. These Nicaraguans may be sympathetic to charges of "Yankee imperialism" if we provide direct support to the opposition in the election. The lack of details about exactly where the funds in this bill will be spent can only buttress such charges.

I realize that the purpose of this aid package is to ensure that the election in Nicaragua is fair. However, the great number of international observers who will be in Nicaragua next February should result in sufficient monitoring of the election. The election will be monitored by the United Nations, the Organization of American States, and a number of leaders of nations in the Western Hemisphere.

I supported the amendment offered by Representative DURBIN because it provides funds only for international monitoring by the Council of Freely Elected Heads of Government, of which former Presidents Jimmy Carter and Gerald Ford are delegates. This type of assistance cannot be construed as vote buying and is a legitimate way to support the democratic process in Nicaragua.

NAPLES PHILHARMONIC CENTER CREATES PUBLIC/PRIVATE PARTNERSHIP LEADING FLORIDA TO MAJOR CULTURAL ROLE

HON. TOM LEWIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 4, 1989

Mr. LEWIS of Florida. Mr. Speaker, one of the enduring issues of contemporary debate is whether or not America has lost its will for leadership. Has its zest for risk-taking, that intangible quality that focuses on the potential for accomplishment rather than the safety of accommodation, cooled? Do we expect rather than dream? Some Cassandras say our self-

indulgence and passivity has dulled our capacity for entrepreneurial initiatives.

Not so. I offer as substantive proof of the vitality of American enterprise the performing arts boom, in my State fueled by millions of dollars raised largely by private citizens willing to take the necessary risks. By 1992, Florida will have virtual chorus line of performing arts centers with a total price tag of nearly \$250 million. Although State funding for the arts, which was an anemic \$10,000 in 1966 has risen to \$61.2 million, ranking Florida third nationally in terms of arts funding, a substantial catalyst has been the private sector dollars—\$21.5 million in Tampa, \$10 million in Fort Lauderdale, \$20 million in West Palm Beach and \$14.5 million in Clearwater.

One of the more dramatic examples of this unique partnership between private and public sectors will premiere this fall in Naples where a magnificent \$17 million performing arts complex will open fully paid for, and able to achieve breakeven on a \$4.8 million operating budget at 70 percent of its capacity. All of this due to the leadership of an indefatigable lady chief executive, 25 dedicated community leaders, 450 volunteers—and 7,200 local residents, businesses and foundations.

This Philharmonic Center for the Arts was described by the chairman of the National Endowment for the Arts as a "unique achievement" and was, he said, "especially remarkable * * * that it will open debt-free." The State's contributions were a modest \$3.5 million.

The current performing arts boom in my State, of which the Naples complex is the most current example, reflects not only the maturation of our State but also the realization of the pivotal role culture has in a State's economic development. Not only do these centers bring new jobs and new business for suppliers and stimulate tourism but, as in the case of Naples, FL, it can anchor major real estate development. The Naples Philharmonic Center is the centerpiece of a \$1.6 million planned community of 15,000 by Westinghouse Communities (of Naples). The discreet integration of villas, shops, restaurants—and culture—is expected to have minimally, a \$40 million plus impact on the local economy, creating some 7,000 new jobs.

The Naples arts complex represents another dimension to this cultural boom—survival. It is a product of modern business and marketing techniques rather than amateur enthusiasm and boosterism—which tends to fade over time. It all began, with a no-nonsense feasibility study, which led to a strategic plan and, ultimately, to the setting of 5-year objectives. This new breed of arts center also differs from conventional centers in that it sees as its primary mission to provide a varied arts schedule that can sustain its appeal to the community, and is educational as well. Many of the earlier arts centers functioned solely as rental halls.

Let me illustrate this point with a concise inventory of what the Naples Philharmonic Center embraces.

It features a 1,221-seat concert hall fronted by a giant stage larger than Carnegie Hall's or the New York State Theater's. Its orchestra pit can easily accommodate a full-scale orchestra. There is also a 300-seat theater with

moveable stage, two domed, balconied art galleries and a courtyard sculpture garden. In addition to the usual arts amenities of dressing rooms, conference rooms, etc., there are seven teaching studios for master classes in music in collaboration with the University of Miami and a music library.

The cultural fare is as varied as the entertainment pages in any major newspaper. There's the Warsaw Philharmonic and The Academy of St. Martins-in-the-Fields; such Broadway hits as "Me and My Girl"; oldies like "Mame," "The Wiz" and "West Side Story"; concert artists like Andre Watts and Itzhak Pearlman; chamber music from the Lincoln Center ensemble; opera from the New York City Opera's national company; the heralded Miami City Ballet; international flavor via the Vienna Boys Choir; the Don Cossacks of the U.S.S.R. and the Hungarian State Folk Ensemble; singers Mel Torme, Shirley Jones and Helen Reddy; Pops via The Big Band Festival; jazz by Marian McPartland and New Orleans' Preservation Hall Jazz Band; family oriented features such as "A Christmas Carol"; Broadway on Ice; lectures by E.G. Marshall, Pearl Bailey, Sid Caesar and individual performances by Carol Channing and Rudolph Nureyev.

Typically, ticket sales cover about half the operating budget costs of an arts center. The Naples complex, because of its diversified programs—which can be produced autonomously one from another—expects ticket sales to cover 70 percent of the operating budget, the rest to be generated through a variety of properly conceived concessions, art gallery admissions, program income, contract fees with hotels and airlines and a host of special functions, from cooking seminars and film festivals to fashion shows.

The Naples center opens its inaugural season on November 6 with a modest endowment and a balanced budget—an accomplishment of some significance.

Thus, it will mark yet another major step in the emergence, I believe, of Florida as a major cultural State.

GERMAN-AMERICAN DAY, OCTOBER 5, 1989: A CELEBRATION OF FREINDSHIP

HON. E. THOMAS COLEMAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 4, 1989

Mr. COLEMAN of Missouri. Mr. Speaker, tomorrow October 5, 1989 we celebrate German-American Day here in Washington and in communities across the United States. And while the day has special meaning to millions of German-American citizens it also signifies the importance of the strong ties between America and the Federal Republic of Germany.

The role of German-Americans in our Nation's history began in fact before we were a nation. German people came early to the New World; their values and culture helped shape those early settlements that first would become the Colonies and then the United States of America. Their energy and enter-

prise were driving forces in the westward expansion of the Nation and in our development as an industrial and financial leader of the world.

Today nearly every community in the United States reflects the contribution of its German-American citizens.

As we celebrate German-American Day this year we also celebrate the 40th anniversary of the Federal Republic of Germany which was forged from the ruins of World War II. In the four decades since, the people of West Germany have reclaimed their tradition of freedom and self-determination, rebuilt their economy and taken their place among the leaders of the free world. West Germany has opened its doors to thousands of people to give them the opportunity to fulfill their hopes for a better life both for themselves and their children.

Within NATO, the ties between America and West Germany form a linchpin of Western security. Today, 50 percent of NATO's active land forces in central Europe, 50 percent of the ground-based air defense system, and 30 percent of all combat aircraft are German; including 250,000 U.S. troops, the FRG hosts a total of 400,000 allied personnel. Most of NATO's nuclear weapons are located on German soil.

I would note that earlier this year a number of security issues threatened NATO unity. Yet the strong allied ties forged over the past 40 years sustained the alliance and led to agreements on such sensitive issues as short-range nuclear weapons modernization and the number of low-flying aircraft exercises.

In addition to its security role, and perhaps as important in today's rapidly changing political climate in Eastern Europe, is West Germany's economic leadership. It has been a major factor in efforts to achieve European economic integration and an open, expanding world economy.

The economic ties between America and Germany are critical to both nations, with trade between them in 1988 valued at more than \$40 billion. While there have been and continue to be differences between us on tariff and trade issues, our record of cooperation is good and that record supports the hope that we can resolve many of the economic issues of concern to each nation.

Mr. Speaker, we have enjoyed 45 years of peace in Europe. At the heart of this peace has been a free, democratic, and stable Federal Republic of Germany. This enormous achievement alone would justify our celebration tomorrow; combined with the historic contribution of German-Americans in our own country we have much indeed to celebrate.

THE GLOBAL ENVIRONMENTAL STANDARDS REPORTING ACT

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 4, 1989

Mr. VISCLOSKY. Mr. Speaker, I am pleased to introduce a bill today to greatly enhance our understanding of various environmental protection initiatives throughout the world—

particularly those of our major trading partners.

My legislation, the Global Environmental Standards Reporting Act, would require the Environmental Protection Agency [EPA] to report to Congress annually on the environmental standards of our trading partners, particularly member nations of the Organization for Economic Cooperation and Development, Mexico, Brazil, South Korea and Taiwan. The annual reports will focus on three specific questions—What environmental standards do these nations have? To what degree are these standards enforced? And, how much governmental assistance do foreign industries receive to meet their respective environmental obligations?

Industry in the United States incurs great costs to comply with our anti-pollution regulations. Stringent environmental standards do have a price tag. That price is paid for by our society, our workers and our economy. Furthermore, that cost impairs the ability of our domestic industries to achieve and maintain international competitiveness.

There is little doubt that our domestic industry will have to deal with new and costly emission standards established by the Clean Air Act amendments now being considered in Congress. These standards will further influence our long-term competitiveness. Many of our trading partners do not subject their industries to rigorous environmental standards. Thus, they have a great competitive advantage. Of those that do have similar regulations, many do not enforce them. Because there is no repository of information regarding the environmental regulations of our trading partners, it is impossible to gauge their economic advantage. What data we do have is scattered and incomplete.

The report required by this legislation would evaluate environmental regulations on an industry-specific basis. While an annual report is required, I would expect the EPA to phase in this evaluation, starting with the industrial categories which are subject to new regulatory requirements in the United States. This would mean, for example, that the EPA would start with those industrial categories for which air toxics emission standards are first being promulgated under a revised section 112 of the Clean Air Act.

I would like to stress that the information derived from the required report is essential for environmental reasons as well as economic. As we compete in a global economy, so must we live in a global environment. Toxic air and polluted water know no international boundaries. It does not matter where the pollution is released, if the quantity is high enough it will eventually find its way to our nation's shores. The safety of our citizens and our world depends upon the maintenance of our global environment.

I am not advocating tariffs or trade barriers for the purpose of forcing other nations to bring their standards up to ours. Rather, that we initiate a process to encourage or assist others to do so at an accelerated pace. The compilation of sound, comprehensive information is a crucial first step that must be taken if we are to make a change for the better.

I believe that the bill I am introducing today takes a significant step toward building the in-

formation base we need to assess the effects of different environmental policies throughout the world. It will provide the information we need to rationally consider the arguments that we hear from various industries and their workers. In addition, it will expose those who have not joined the United States in making our Earth a more livable place so that we can take positive steps to encourage them to do so.

My bill would not trim any existing law or proposed environmental standard that is currently being discussed. Rather, it provides a way for the administration and Congress to effectively compare environmental efforts of other nations in what is being called a "global economy."

THE 250TH ANNIVERSARY OF THE COMMUNITY OF POINT PLEASANT

HON. PETER H. KOSTMAYER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 4, 1989

Mr. KOSTMAYER. Mr. Speaker, today, I rise to honor the community of Point Pleasant, Bucks County, PA, as it celebrates its 250th anniversary. Point Pleasant has retained its special character as a village. It still looks much as it did in the 19th century.

The beauty of this river village is a tribute to the efforts and concern of its citizens. I am pleased to share with my colleagues a brief history of Point Pleasant by residents Barbara and Don Morris with assistance from Jeff Marshall of the Bucks County Conservancy:

A BRIEF HISTORY OF POINT PLEASANT

Point Pleasant traces its modern day origins to the grant of a charter to Enoch Pearson, on June 23, 1739, to operate a ferry service across the Delaware River at the mouth of the Tohickon Creek. For many years, the part of Point Pleasant lying north of the Tohickon was known as Pearson's Ferry or Pearson's Landing. The part of the village south of the Tohickon was known as Black's Eddy, and later as Lower Black's Eddy, named after a prominent local family and the large and powerful eddy in the river that occurs at the south end of the village.

Lower Black's Eddy developed faster than did Pearson's Landing for several reasons, among them that the Indians remained active and hostile north of the Tohickon much after the area south of the creek had become relatively safe for settlers. A number of industries grew up in the area: Taverns, hotels, and stores to serve river commerce; a sawmill on the Tohickon in 1748; and at least one large fishery.

On February 29, 1828, the post office was transferred from Lower Black's Eddy to a location north of the Tohickon in Pearson's Ferry; and Joseph Hough, the postmaster, changed the name of the entire village to Point Pleasant.

The opening of the Delaware Canal in 1831 was one of the most important events in Point Pleasant's history, bringing unprecedented economic development and prosperity. By the mid-1860's four large hotels were operating in

the village, and Point Pleasant had become the largest and one of the most important canal towns north of New Hope. Another major spur to development came with the opening of the five-span covered bridge over the Delaware River in 1855.

The covered bridge over the Delaware burned in 1892, and was rebuilt of steel. That bridge was taken out in the famous flood of August 1955, and has never been replaced. Point Pleasant thus had a bridge over the Delaware for exactly 100 years. The Delaware Canal continued in operation for exactly 100 years, ceasing commercial operations in 1931.

After the decline of canal traffic in the later 1800's, Point Pleasant became a vacation and resort center, with many people coming from Doylestown and Philadelphia to stay in one of the lovely hotels located there. Two U.S. Presidents, Grover Cleveland and William McKinley, came to Point Pleasant frequently to fish for shade.

Point Pleasant has five prehistoric archaeological sites, including one that was excavated as part of the pumping station. These sites have revealed materials from the Late Archaic Period—c. 4000-1500 B.C.

ANNUAL GERMAN-AMERICAN FRIENDSHIP DAY

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 4, 1989

Mr. BEREUTER. Mr. Speaker, in October 1683, 13 families from Krefeld set foot in the New World somewhere near Philadelphia. In the years since then the German ethnic presence in America has continued and grown. Looking for farmland in which to sink their roots, Germans-Americans were among the largest group in the move to America and westward, including my home State of Nebraska where they constitute the largest ethnic group. Almost one in four Americans can now claim some German ancestry.

German-American Friendship Day also gives us an opportunity to note the very special relationship we enjoy with the Federal Republic of Germany. The FRG is indeed a unique nation. Created during the chaotic years immediately following the Second World War, West Germany immediately found itself the focus of cold war tensions. We should recall that the FRG was created at a time when the Berlin airlift was in effect. At that time it was far from certain that a viable government could be formed in Bonn. It was a nation in ruins, a people divided, and a country at risk from Soviet aggression.

With massive American assistance from the Marshall plan, Germany was able to rebuild. Later they created the German Marshall Fund to help repay American generosity and good will. Their trust fund continues to benefit Americans. We can point with justifiable pride to the great achievements of our West German friends. West Germany has faced the obstacles that all youthful nations must face, and it has overcome those obstacles magnificently. In 40 years Germany has emerged from a devastating war and has become one

of the leading nations in the free world. It has turned former adversaries into steadfast friends by its actions.

While the United States and Germany may occasionally differ on minor details of day-to-day policy, we enjoy a stable friendship because of our shared values. We are now bound inextricably together in a basic recognition of the dignity of man and respect of democratic principles. And, because we share a common vision of the world, we can expect the United States and the Federal Republic of Germany and our people to remain good friends and allies.

**EDWARD DOYLE RECEIVING
THE SAVINO FERRANTO HUMANITARIAN AWARD**

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 4, 1989

Mr. ENGEL. Mr. Speaker, I rise today to honor Edward Doyle who will be receiving the Savino Ferranto Humanitarian Award, which is given every year to a person who is active in his or her community and works to improve it. This year, Mr. Doyle's fine work in the city of Yonkers is being rewarded by the Yonkers Christopher Columbus Day Committee.

Edward Doyle, life long a resident of the city of Yonkers, has always been active in civic affairs. Mr. Doyle serves on the board of directors of the Angel Guardian for the Elderly and on the board of directors of A Brighter Tomorrow, a shelter for abused and battered women. He is also active in the March of Dimes and United Cerebral Palsy Association.

Since 1958, Mr. Doyle has worked at Castle Block Co. in Tarrytown and has been a member of Teamsters Local 456. In 1961, he was elected a vice president of local 456 and has held a number of other elected offices in this union. Since 1985, Mr. Doyle has served as secretary-treasurer and business manager of Teamsters Local 456. Mr. Doyle's late father was also active in local 456, serving as president for 10 years.

Mr. Doyle has a loving family, which includes his wife, Linda, and his three children Eddie, Jr., Carol Cassanelli, and Kim Doyle. They have always supported him in his efforts to improve the lot of others and I am sure that they are pleased that his endeavors are being rewarded.

I am proud of all the work Edward Doyle does in the city of Yonkers and am glad he is one of my constituents. I offer my sincere congratulations to Mr. Doyle for receiving this great honor.

**VIOLETA CHAMORRO APPEALS
TO EXPATRIATES**

HON. ROBERT J. LAGOMARSINO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 4, 1989

Mr. LAGOMARSINO. Mr. Speaker, I wish to call to the attention of my colleagues a speech recently given by Violeta Barrios Cha-

morro in Miami. Speaking on her first trip outside of Nicaragua as the presidential candidate of the National Opposition Union [UNO], Mrs. Chamorro urged Nicaraguans in exile to join their fellow countrymen in the long, hard struggle against the Sandinista dictatorship. As you will recall, 10 years ago the Sandinistas betrayed the people's revolution. They created an atmosphere of repression and hostility, and wreaked havoc on the Nicaraguan economy, ultimately destroying the hopes of its citizens for liberty. As the presidential candidate of UNO, Mrs. Chamorro represents the hope for the establishment of a democratic, free government in Nicaragua.

We in the United States have been awaiting a Nicaraguan Government that would respect the rights of its people. I urge my colleagues to carefully consider the remarks of Mrs. Chamorro in the text that follows:

VIOLETA CHAMORRO APPEALS TO EXPATRIATES
[Speech by Violeta Barrios Chamorro, presidential candidate of the National Opposition Unity, in Miami—date not given]

I have come with great pride today to this city—a city that became great thanks to the drive of a people that preferred freedom and exile to dictatorship. A city that became great thanks to the drive of the Cuban people, a courageous and rebellious but also progressive and hardworking people. The Cubans proved how much men are worth when they decide to be free. Using the trail blazed by the Cubans, another rebellious people came here and are also making this city great. I am referring to my people, and I have brought a message for them: The bell of freedom is ringing in Nicaragua! The time has come to make our small and long-suffering homeland great!

In my first trip outside the country as the presidential candidate of the National Opposition Union (UNO) and at my second big rally, I have come here to ask my compatriots to join me in the struggle that will free Nicaragua in February.

We believed in 1979 that it was worth fighting together to form a national government in which all would be represented and all would participate in the making of a new republic, which was what that historical moment demanded. However, the Sandinists never understood what Nicaragua wanted. They only understood what their masters, the Soviet Union and Cuba, were ordering them to do, and they spoiled that historical moment.

In the beginning, they had working for them a revolution supported by an entire nation, with a heroism that knew no bounds, and they used this to deceive others. However, they wasted this opportunity. In the beginning, when a Nicaraguan traveled abroad, everyone would look at him with respect. We were well-liked by the rest of the world. Ten years later, we have lost what we worked so hard for, and the current government is a beggar government that tours the world with an outstretched hand. It is a government that has made Nicaragua the poorest country on the continent. The Sandinists' international revolution ended up this way. Instead of leading and maintaining our national revolution, they put an end to everything. They declared themselves enemies of the United States, turned hostile to the democracies that had helped them, oppressed poor peasants until they were forced to take up arms, censored newspapers and radio stations, and expropriated property owned by businessmen and humble market vendors.

There was not a single Nicaraguan who was not directly or indirectly affected by the Marxist-Leninist dictatorship. We have had no respite: repression, war, the recruitment of the young, and the cordoba devaluations. Destruction and death, that is what the Sandinist revolution is.

But I think that the time has come to rise from the rubble and brandish the banner of hope. I think that was the banner that was stained with blood when my husband was murdered. It is the banner of Nicaraguan brotherhood. It is the banner of unity against the dictatorship. It is the banner of freedom and justice. It is the banner of democracy. It is the banner I have picked up at this critical hour. It is the banner of UNO, because we are once again one [word-play on the acronym UNO]. It is the banner under which Nicaragua will be a republic again.

It is a very big sacrifice to brandish this banner under the current conditions in Nicaragua because the Sandinists are using the most slanderous words, lies, vile deeds, and showing great disrespect. One feels that it is necessary to wade through mud to achieve freedom. However, it is also an honor. It is an honor to represent the heroic fighters who have maintained their opposition against all odds. It is an honor to represent those who have maintained their opposition to an ideology that goes against man and the history of Nicaragua. It is an honor to represent those who have fallen, who have been persecuted or incarcerated because they defended democracy. It is an honor to represent sons who were forced to die for an oppressing party and mothers who were forced to grieve because of a totalitarian party. It is an honor to be a symbol of the unity of all those who want a free nation and fatherland. It is an honor to represent the Nicaragua of mothers and widows who cry. It is an honor to unite all those who desire reconciliation among the Nicaraguan people so that Nicaragua can be a good home to return to, the home of the fraternal embrace, the home of peace.

We have a hard, perhaps heroic campaign ahead of us. We will win, and that victory will bring us a truly democratic, pluralist, and free government imbued with a deep human and Christian sentiment. In the UNO program, we guarantee—a guarantee backed by all the Nicaraguan democratic forces—a government with three separate branches: a democratic representative government that respects human rights, free enterprise, religion, and religious freedom. We do not want any one to leave Nicaragua because of poverty, persecution, or discrimination.

And I ask you, why were you forced to leave your country? For lack of freedom? The new government will work to guarantee forever the freedoms of all Nicaraguans. Did you leave your country because of the threat of militarism? The new government will work to reduce the Army to the minimum, to have an Army that will not be a burden to the people, that will not be a threat, that will not be a shame like the Sandinist Army that has served to threaten Central America. It has sacrificed a generation of 150,000 young men, who have lost their chances for an education or who were sent to die, instead of creating opportunities for them in life and exposing them to culture.

Did you leave your country because there were no opportunities, or because the CDS [Sandinist Defense Committee] was making life impossible for you, or because the com-

munist commissars did not give you a chance to work? All that will be over when the people hand the new government its victory.

We will offer our friendship to the United States and to the democracies of the free world. We will regain our ability to obtain credit. There will be a free market for the merchant, for the industrialist, for anyone who has an enterprising spirit, and the cordoba will overcome inflation. We shall recover the good salaries and the justice the workers are demanding. We are not going to carry out a "world revolution" but a humble revolution for a people to recover their liberty and their capacity to produce, to work. That is why I come to ask my brothers for their encouragement and solidarity.

Brothers, I have come with a message of unity. It is a time when the fatherland asks as a first duty for everyone's support to achieve liberty in the fatherland. We are struggling to obtain the voters of the exiles. We shall exert pressure with all the might of the free world to obtain them. Those who are able to return to Nicaragua, return. Each of you add your little grain of sand so that Nicaragua can become a republic. While I ask you for this help, I also ask the United States for two things: to truly understand the sufferings of those in exile by granting Nicaraguans a legal provisional status and a permit to allow them to work until they return voluntarily to help rebuild Nicaragua; and to provide a great deal of political support and material aid so that February's elections will be clean and fair.

Nicaraguan friends, the die is cast! We are going to face the threat of a new, lying, and deceitful Sandinism. A Sandinism that does not live up to its agreements; that talks of socialism but has set up big personal businesses; that recruits youths to defend it and instead brainwashes them. The die is cast. In the face of this adversary, which has forced into exile a tremendous number of people like never before in our history; in the face of this adversary that produces war, exiles, and repression, democracy has raised its flag. It has raised its flag in Miami, among thousands of banished Nicaraguans, offering to open the fatherlands' doors to seek reconciliation for those who want to return. With all the generous aid from all the Nicaraguan, Cuban, and Hispanic communities in Miami, we shall open the doors to peace. We will open the doors to peace in the way that I feel today—with a fully open heart hoping for our liberation; hoping for a free and democratic Nicaragua that will hug to its breast all its children.

Long live Nicaragua! Thank you.

THEIR LIVES, FORTUNES, AND SACRED HONOR

HON. BOB McEWEN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 4, 1989

Mr. McEWEN. Mr. Speaker, Caesar Rodney was weary when he reached his plantation near Dover on the night of July 1, 1776. An outspoken advocate of American independence, Rodney was exhausted from many months of battling Delaware's Tories while building up and drilling the colony's militia. The 47-year-old son of a plantation owner, he was first elected to the colonial legislature in 1761, and sent to the First and Second Conti-

mental Congresses. Caesar Rodney was also afflicted with a painful and unsightly facial cancer. So terribly was he ravaged by the disease that he wore a green silk scarf over part of his face, and was described by one colleague as "an animated skeleton, with a bandaged head."

Tonight there was to be no rest for this weary patriot. An urgent message from his colleague, Thomas McKean, now demanded his presence in Philadelphia "at the earliest possible moment." McKean and George Read, the other two representatives from Delaware, were split on the issue of independence and Caesar Rodney's vote was needed if Delaware was to join the United States of America.

But Philadelphia was 80 miles away and a torrential rainstorm was swamping the region between the two cities. Exhausted, wracked by cancer, Rodney set out after dusk and rode all night through the pouring rain and the crashing thunder, stopping only long enough to change horses. As he raced through the stormy darkness, it must have occurred to Caesar Rodney that a political storm was rising out of Philadelphia that would change the course of history. It was a storm which had been building for more than a decade as the British Parliament and King George III imposed one oppressive measure after another on the colonies, increasing their taxes and decreasing their freedoms.

THE GRIEVANCES

The passage of the Stamp Act in 1765 had infuriated many wealthy and influential colonists, and was responsible for beginning the storm that settled over that historic assembly in Philadelphia in July 1776. These Americans had become angry not so much at the amount of taxes exacted as at the realization that this was only the opening move in a program of confiscatory taxation. If Parliament "may take from me one shilling in the pound," argues Richard Henry Lee of Virginia, "what security have I for the other nineteen?"

Although the Stamp Act was subsequently repealed, it had been followed by the Townshend Acts and the Writs of Assistance in 1767, the Boston Massacre in 1770, increasing interference in colonial governments, the Boston port bill in 1774, and other "injuries and usurpations, all having, in direct object, the establishment of an absolute tyranny over these states."

The tyrannical actions of the Crown were quickly followed by measured and sometimes violent reactions from the colonists. They had held a Stamp Act Congress in New York during September 1765, and that same year formed the Sons of Liberty, which one observer called a mob of gentlemen. Committees of Correspondence were organized in 1772 to exchange information among the colonies and mold public opinion in the developing struggle. And Continental Congresses were convened at Philadelphia in 1774 to deal with Britain's passage of the Intolerable Acts and in 1775 shortly after the Battles of Lexington and Concord.

The Second Continental Congress had constituted itself a provisional government and began making preparations for war with Britain, including the creation of a Continental Army under the command of George Wash-

ington. But even as late as January 6, 1774, the Congress adopted a resolution stating that the colonies "had no design to set up as an independent nation." Many men of influence were opposed to independence, preferring a return to the relationship of a dozen years earlier.

In January, however, a sensational pamphlet appeared in Philadelphia and stirred more revolutionary fervor than anything that had been written to that time. Entitled "Common Sense," the 25,000-word tract by Thomas Paine challenged British authority over the Colonies and bluntly stated that "the period of debate is closed; arms, as a last resort, must decide the contest."

In the months that followed, impassioned speeches were delivered from New Hampshire to Georgia, and the political tension became almost unbearable. Then, on June 7, Richard Henry Lee put this resolution before the Congress:

Resolved. That these United Colonies are, and of right ought to be, free and independent States, that they are absolved from all allegiance to the British Crown, and that all political connection between them and the State of Great Britain is, and ought to be, totally dissolved.

After several days of heated debate, final action on Lee's resolution was deferred until July 1, and men on both sides of the issue used the intervening weeks to lobby their own position. On July 1 the Colonies, balloting according to a majority of each delegation, approved the Lee resolution by a vote of 9 to 2, with South Carolina and Pennsylvania opposed, Delaware deadlocked, and New York abstaining. Unanimity was essential, so Edward Rutledge of South Carolina moved that a final vote be postponed until the following day.

THE GREAT DECISION

Thus had the stage been set as Caesar Rodney galloped up Chestnut Street to the statehouse in Philadelphia on the morning of July 2. The exhausted rider was enthusiastically greeted by Thomas McDean and escorted into the brick building where some 50 to 60 men were about to decide the fate of a continent.

There was no debate or discussion. The time had come to vote again on Richard Henry Lee's resolution. New England was unanimously for independence. New York still abstained, but New Jersey and Pennsylvania voted in the affirmative. The Pennsylvania delegation had been 4 to 3 against independence, but Robert Morris and John Dickinson deliberately stayed away from the statehouse during the balloting, allowing Pennsylvania, under the unit rule, to support independence despite instructions by which the two men felt themselves personally bound.

Delaware was called next by Charles Thomson, the Clerk of Congress, and Caesar Rodney, in a tired but clear voice, responded: "As I believe the voice of my constituents and of all sensible and honest men is in favor of independence, and my own judgment concurs with them, I vote for independence." Rodney knew very well that, now unable to go to England for treatment of his terrible cancer, he would die an early and horrible death.

There were no negative votes among the 5 southernmost Colonies—South Carolina went along for the sake of unity—and when the roll had been completed 12 Colonies had voted in favor of separation from Britain, and only New York had abstained. A monumental decision had been made, and now it would have to be implemented.

DECLARING THEMSELVES

The man chosen formally to declare the reasons for independence was Thomas Jefferson, a 33-year-old lawyer and plantation owner from Virginia. A member of the five-man drafting committee created immediately after the Lee resolution was introduced, Jefferson had proposed that John Adams of Massachusetts undertake the actual writing of the statement, but Adams declined. He said that the task should fall to his rival, Jefferson, on three counts: "Reason first, you are a Virginian, and Virginia ought to appear at the head of this business. Reason second, I am obnoxious, suspected, and unpopular; you are very much otherwise. Reason third, you can write ten times better than I can."

"Well," said Jefferson, "if you are decided, I will do as well as I can."

That he did his job well is obvious to anyone who has read the Declaration of Independence, particularly his statement of the self-evident truths that "all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness. That, to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed."

On July 3, Jefferson's draft of the Declaration was submitted to the delegates from the 13 Colonies, and he suffered the pain of all authors at the hands of editors—in this case, half a hundred of them. The debate continued into the 4th of July and, in Jefferson's own words, "seemed as though it would run on interminable. The weather was oppressively warm and the room occupied by the delegates was hard by a livery stable * * * The horseflies swarmed thick and fierce, alighting on the legs of the members and biting hard through their thin silk stockings. Handkerchief in hand they lashed at the hungry pests to no avail."

The revisions were completed on the evening of July 4, the document was adopted without dissent, and the Declaration of Independence was ordered proclaimed throughout the United States. Only John Hancock signed the Declaration that day, and a formal signing by all the delegates was scheduled for August 2.

In the days that followed, copies of the Declaration of Independence were posted throughout the 13 States and read in public places. General Washington ordered that the document be read to each Army brigade on July 9, and he reported afterward to Congress on "the expressions and behavior of officers and men testifying their warmest approbation of it." Parades and demonstrations, patriotic observances and celebrations, were held across the States. Exuberant citizens of Bowling Green, NY, hauled down a large equestrian statue of George III and carried it to the Connecticut home of Gen. Oliver Wolcott, a Delegate to Congress. Wolcott's wife and chil-

dren, and other ladies of the town, melted down the statue into 42,088 bullets for the American Army.

Meanwhile, the New York State Convention had finally voted to allow its delegates to approve the Declaration, and on July 15 New York became the 13th Colony to affirm independence.

THE SIGNING

Two weeks later, August 2, 1776, the Congress met again at the statehouse in Philadelphia to formalize with their signatures what they had adopted a month before. Not all of those who had voted for independence on July 2 were present in August. Some had left Congress; others were away and had to sign later; and, several new Delegates had since been elected.

Whatever their status that August, the 56 men who eventually signed the Declaration of Independence were under no illusions. They knew they were committing an act of high treason against the Crown and that the penalty for doing so was death by hanging. They understood quite clearly that they were indeed pledging "to each other our lives, our fortunes, and our sacred honor."

William Ellery, of Rhode Island, deliberately moved close to the signing table "to see how they all looked as they signed what might be their death warrants." He said that "undaunted resolution was displayed on every countenance."

John Hancock, of Massachusetts, the President of the Congress, had been the first to sign. "There!" he had said after writing his name in large, bold letters. "His Majesty can now read my name without spectacles, and can now double his reward of 500 pounds for my head. That is my defiance."

Hancock is also reported to have said that "we must be unanimous. There must be no pulling different ways; we must all hang together." To which the witty Benjamin Franklin, of Pennsylvania, reportedly replied: "Yes, we must all hang together, or most assuredly we shall all hang separately."

Stephen Hopkins, of Rhode Island, the second-oldest signer, was afflicted with palsy. "My hand trembles," he said as he handed the quill to William Ellery, "but my heart does not." And Charles Carroll, a new Delegate from Maryland and one of the wealthiest men in America, replied as he was asked by Hancock if he would sign: "Most willingly." When he had backed away from the table, one Delegate whispered, "There go a few millions!"

And so it went through the rest of the States, with George Walton, of Georgia, the last to affix his name to the historic document that day. Even George Read, of Delaware, who had voted against the Declaration on July 2, signed it; as did Robert Morris, of Pennsylvania, who had stayed away from the session rather than vote no as he was formally instructed to do.

It took only a few minutes to complete the signing, and it was agreed not to make the signatures public for 6 months to give the signers and their families as much time as possible to secure themselves against certain reprisals. Despite this precaution, it is probable that the British Government and their Tory allies knew the names of every signer long before they were released to the public.

MEN OF CHARACTER

These 56 men who spoke for some 2½ million American freemen were a spectacular group of individuals. That such men were present at the moment of America's birth strongly suggests that the same Divine Providence they invoked in the Declaration of Independence had indeed planned it that way.

The signers were public-spirited and patriotic citizens who had for years been important in the affairs of their local communities and governments. Ranging in age from 26—Edward Rutledge—to 70—Benjamin Franklin—they were for the most part materially well off in colonial society. Eleven Delegates were prosperous merchants, 9 were wealthy farmers or landowners, and 24 were lawyers or judges. The Colonies' most respected doctors, educators, and clergymen were numbered among their ranks.

Here were the elite of 18th century America, but few were elitist. They were moral men, mostly religious, and all men of integrity who had been welded together in a common purpose. They had a great deal to lose—life, liberty, and property—but they were convinced that the cause was worth the risk. That risk was not only substantial, it was imminent. On the day of the signing, the British fleet—an armada of dozens of ships with 42,000 sailors and soldiers—was waiting off the coast to crush these patriots and make an example of them. Behind that fleet was all the wealth and power of the British Empire.

Arrayed against such might was a Continental Army of 10,000 men; and a handful of poorly equipped and badly trained militia in the several States. Few with a knowledge of history would have predicted anything but disaster and ruin for those gathered in Philadelphia during the first week of August in 1776.

In point of fact, disaster and ruin was the lot of many of the signers. Nine died of wounds or hardship during the war. Five were jailed and brutally treated. One lost all 13 of his children; and the wives, sons, and daughters of others were killed, imprisoned, harassed, or deprived of all material possessions. Seventeen signers lost everything they owned, and all of them were hunted as traitors, with most separated from their homes and families.

But none of the signers ever betrayed his pledged word. There were no defectors. No one changed his mind. Lives and fortunes were lost, but their sacred honor was never sacrificed. Half continued to serve their country after the war—several as President, many as Members of Congress, Governors, and State legislators—and a number of them later played a role in drawing up the Constitution of the United States.

TRAGEDY AND TRIUMPH

The first signer to die, in 1777, was John Morton of Pennsylvania, a former crown officer who had been sent to Philadelphia to oppose independence. Once persuaded otherwise, however, Morton signed the Declaration and stood by his decision, though he was ostracized by his family and friends, many of whom were Tories. That reaction deeply hurt Morton, particularly when he was ignored even after he fell gravely ill early in 1777. On his deathbed, John Morton sent these final words to those who had rejected him: "Tell

them that they will live to see the hour when they shall acknowledge it [the signing] to have been the most glorious service that I ever rendered to my country."

The New York signers—William Floyd, Philip Livingston, Francis Lewis, and Lewis Morris—were particularly vulnerable to British retaliation. The ink was hardly dry on the Declaration of Independence when Gen. William Howe landed 25,000 British soldiers on Long Island and inflicted nearly 20-percent casualties on the Continental Army in a battle on August 27. Washington ordered his forces to withdraw and the Redcoats laid waste to most of the countryside, destroying in the process the homes and lands of the four who signed for New York.

The wife of William Floyd escaped with her children by boat across Long Island Sound into Connecticut and died in 1781 without ever again seeing her home.

Philip Livingston lost two homes and much of his business property; but was able to sell some of his remaining holdings to help maintain the credit of the United States. He died in 1778 while separated from his family by the war.

Francis Lewis was away when the British ransacked his home, so they seized his wife, treated her brutally, and threw her into prison under foul conditions. Her health broke during captivity and Mrs. Lewis died shortly after being released in a 1778 prisoner exchange.

The other New York signer, Lewis Morris, lost his magnificent estate, "Morrisania," which was sacked and burned. He lived in poverty for years before he was able to restore his property. Yet he so conducted himself that Benjamin Rush of Pennsylvania said of Morris that "every attachment of his heart yielded to his love of his country."

Great hardships and suffering were also inflicted upon three signers from neighboring New Jersey; John Hart, at the insistence of his dying wife, finally left her bedside to flee as a party of Hessians approached his farm. He was hunted by soldiers and dogs and was forced to hide in the woods and caves of the Sourland Mountains during icy December weather. When he was at last able to return to his home, John Hart found that his wife had died and his 13 children were scattered throughout the countryside or in captivity. His own health began to deteriorate and he was dead by the third anniversary of the signing of the Declaration.

Richard Stockton was betrayed by a loyalist and seized by the British, who subjected him to frequent beatings and starvation. When he was finally freed in a prisoner exchange, Stockton was an invalid who died a short time later at the age of 51.

Abraham Clark, the New Jersey signer who was known as the "Poor Man's Counsellor," had two sons—both Army officers—who were captured and accorded barbarous treatment on the hellship *Jersey*. The British offered freedom for his boys if he would abandon the American cause, but Abraham Clark refused. When other Members of Congress heard of the plight of the Clark sons they ordered George Washington to take a British prisoner, preferably an officer, and starve him to death in a dark hole. The mere communication of that congressional order to General Howe

was enough to end the persecution of the Clark brothers and they survived their imprisonment.

During the siege of Yorktown in 1781, the British forces were under heavy attack from some 16,000 American troops, 3,000 Virginia militia, and the French fleet. The militia commander was signer Thomas Nelson, Jr., who noticed that the artillery gunners were shelling everything in the vicinity except his own stately brick mansion, which was being used as British headquarters. "Why do you spare my house?" Nelson demanded of the gunners. "Sir, out of respect to you," an artilleryman replied. "Give me the cannon," Nelson shouted. The next round from the gun went through the mansion, killing the British officers inside and destroying the Nelson home.

Thomas Nelson, Jr., who died in poverty after paying off his wartime debts "like an honest man," said he was only honoring a pledge he had made 6 years before. "I am a merchant of Yorktown, but I am a Virginian first," he declared in the House of Burgesses. "Let my trade perish, I call to God to witness that if any British troops are landed in the County of York, of which I am Lieutenant, I will wait no orders, but will summon the militia and drive the invaders into the sea!"

Joseph Hewes of North Carolina was a Quaker with a long pacifist heritage, and for many months he sided with those in Congress who were opposed to independence. After much soul-searching, Hewes decided that his belief in liberty outweighed his pacifist convictions, and he joined those urging separation from England. During the war he devoted a superhuman effort to outfitting the Continental Navy, activity which alienated him from his fellow Quakers. "My country is entitled to my services, and I shall not shrink from the cause, even though it should cost me my life," he declared. Joseph Hewes died in 1779, literally from overwork, a lonely man separated by principle from his Quaker friends and family.

During the British assault on South Carolina in 1780, three of that State's signers—Thomas Heyward, Jr., Arthur Middleton, and Edward Rutledge—distinguished themselves in the defense of Charleston. All three were captured, refused a British offer to amnesty if they would repudiate the American cause, and were shipped to the crown stockade at St. Augustine, FL. Heyward defied the guards by writing new words to "God Save the King" and teaching the other prisoners to sing, "God Save the States" to the old tune. The three South Carolinians were given their freedom in a prisoner exchange late in 1781. Thomas Heyward returned to find that his wife had died in hardship during his imprisonment.

Such was the caliber of the men who signed the Declaration of Independence, the men who risked their lives, their fortunes, and their sacred honor to establish the American Republic and guarantee our rights to life, liberty, and the pursuit of the happiness.

"These are the times that try men's souls," Thomas Paine wrote in "Common Sense". "The summer soldier and the sunshine patriot will, in this crisis, shrink from the service of his country; but he that stands it now deserves the thanks of man and woman. Tyranny, like Hell, is not easily conquered; yet we have this

consolation with us, that the harder the conflict, the more glorious the triumph."

We, too, live in times that try men's souls. Like the Founding Fathers, we find the right to life and liberty threatened in our own country. We are burdened by an oppressive Government that "has erected a multitude of new offices and sent hither swarms of officers to harass our people and eat out their substance," a government that has left us exposed and vulnerable to a foreign enemy bent upon our destruction.

And we have our own "summer soldiers and sunshine patriots" who shrink from the service of our country. But we also have many more courageous and dedicated men and women—some in the Congress, others in the State legislatures, still more in the cities and towns among people of all walks of life—who will not submit to tyranny, who are now vigorously defending our rights and fighting for less government, more individual responsibility, and, with God's help, a better world. This too is a time for patriots. And it is a time to remember that "the harder the conflict, the more glorious the triumph."

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Any changes in committee scheduling will be indicated by placement of an asterisk to the left of the name of the unit conducting such meetings.

Meetings scheduled for Thursday October 5, 1989, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

OCTOBER 6

9:30 a.m.

Joint Economic

To hold hearings on the employment-unemployment situation for September.

SD-562

10:00 a.m.

Foreign Relations

Closed business meeting, to consider S. 195, the Chemical and Biological Weapons Control Act.

SD-419

Judiciary

To hold hearings on S. 1631, to make a technical amendment to the Bank-

ruptcy Code (title II, United States Code), regarding railroad reorganization.

SD-226

1:00 p.m.

Armed Services

To hold hearings on the nominations of James R. Locher, III, of Virginia, to be Assistant Secretary of Defense for Special Operations and Low Intensity Conflict, and Terrence O'Donnell, of the District of Columbia, to be General Counsel of the Department of Defense.

SR-222

OCTOBER 17

9:00 a.m.

Environment and Public Works
Water Resources, Transportation, and Infrastructure Subcommittee

To hold hearings on S. 1007, to examine the reduction in apportionment of Federal-aid highway funds to certain states, relating to highway fatality and injury reduction.

SD-406

9:30 a.m.

Commerce, Science, and Transportation
Surface Transportation Subcommittee

To hold hearings on advanced transportation systems, focusing on magnetic levitation and high-speed rail.

SD-253

Energy and Natural Resources

To hold oversight hearings on the appropriate role of methanol as a potential alternative fuel in our future energy policy.

SD-366

Small Business

To hold hearings on the Regulatory Flexibility Act (Public Law 96-354) and its impact on small business.

SR-428A

1:00 p.m.

Agriculture, Nutrition, and Forestry
Agricultural Research and General Legislation Subcommittee

To hold joint hearings with the House Committee on Agriculture's Subcommittee on Department Operations, Research, and Foreign Agriculture on the national initiative for research on agriculture, food and environment.
1300 Longworth Building

OCTOBER 18

9:00 a.m.

Commerce, Science, and Transportation
Communications Subcommittee

To hold hearings on S. 952, to stimulate the design, development, and manufacture of high definition television technology.

SR-253

9:30 a.m.

Budget

To hold joint hearings with the Committee on Governmental Affairs on budget reform issues.

SH-216

Governmental Affairs

To hold joint hearings with the Committee on the Budget on budget reform issues.

SH-216

10:00 a.m.

Foreign Relations

To hold hearings on the Convention Against Torture and Other Cruel, In-

human, or Degrading Treatment or Punishment (Treaty Doc. 100-20).

SD-419

2:15 p.m.

Environment and Public Works

To hold hearings on the nominations of Forrest J. Remick, of Pennsylvania, to be a Member of the Nuclear Regulatory Commission, and David C. Williams, of Illinois, to be Inspector General, Nuclear Regulatory Commission.

SD-406

OCTOBER 19

9:30 a.m.

Energy and Natural Resources

To resume hearings on the Department of Energy's efforts to improve the operations and management of its atomic energy defense activities and its efforts to restore public credibility in the Department's ability to operate its facilities in a safe and environmentally sound manner, and on S. 972, S. 1304, and other related measures with respect to the environment, safety, and health aspects of operation of the Department of Energy's nuclear facilities.

SD-366

Governmental Affairs

Oversight of Government Management Subcommittee

To hold hearings on South Korean trade practices, focusing on the black market.

SD-342

Small Business

To hold hearings on the nomination of Kyo R. Jhin, of Maryland, to be Chief Counsel for Advocacy, Small Business Administration.

SR-428A

10:00 a.m.

Foreign Relations

Business meeting, to consider the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (Treaty Doc. 101-4).

SD-419

2:00 p.m.

Select on Indian Affairs

To hold hearings on S. 1289, to improve the management of forests and woodlands and the production of forest resources on Indian land.

SR-485

OCTOBER 24

9:00 a.m.

Agriculture, Nutrition, and Forestry
Conservation and Forestry Subcommittee

To hold hearings on the protection of water quality.

SR-332

2:30 p.m.

Agriculture, Nutrition, and Forestry
Communications Subcommittee

To hold hearings on proposed legislation to provide for the establishment of a Federal fish inspection program.

SR-332

OCTOBER 25

9:00 a.m.

Commerce, Science, and Transportation
Communications Subcommittee

To hold hearings on cable carriage of local broadcast signals.

SR-253

OCTOBER 26

10:00 a.m.

Agriculture, Nutrition, and Forestry
Agricultural Production and Stabilization of Prices Subcommittee

To hold hearings on proposed legislation to strengthen and improve U.S. agricultural programs, focusing on cotton.

SR-332

2:00 p.m.

Commerce, Science, and Transportation
Foreign Commerce and Tourism Subcommittee

To hold hearings on proposed legislation to promote and encourage travel in the U.S., and to review the National Tourism Policy Act (P.L. 97-63).

SR-253

OCTOBER 27

10:00 a.m.

Judiciary
Constitution Subcommittee

To hold hearings on S. 1236, to require a waiting period and certain documentation prior to the sale, delivery, or transfer of a handgun.

SD-226

NOVEMBER 1

9:00 a.m.

Commerce, Science, and Transportation
Communications Subcommittee

To hold hearings on proposed legislation authorizing funds for the National Telecommunications and Information Administration, Department of Commerce.

SD-562

10:00 a.m.

Commerce, Science, and Transportation
Foreign Commerce and Tourism Subcommittee

To hold oversight hearings on programs administered by the U.S. and Foreign Commercial Service.

SR-253

NOVEMBER 2

2:00 p.m.

Select on Indian Affairs

To hold oversight hearings on Indian health facilities.

SR-485

POSTPONEMENTS

OCTOBER 17

10:00 a.m.

Agriculture, Nutrition, and Forestry
Agricultural Production and Stabilization of Prices Subcommittee

To hold hearings on proposed legislation to strengthen and improve U.S. agricultural programs, focusing on wheat.

SR-332

OCTOBER 18

9:30 a.m.

Commerce, Science, and Transportation
Science, Technology, and Space Subcommittee

To hold hearings on the international decade of natural disaster reduction.

SR-253