

EXTENSIONS OF REMARKS

WHAT FLAG DAY IS ALL ABOUT

HON. HELEN DELICH BENTLEY

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 1990

Mrs. BENTLEY. Mr. Speaker, last Saturday I had the pleasure of being present at the Flag Day celebration in the Bel Air Town Hall, in Bel Air, MD, where the speaker, Col. Louis Jackson, Commander USATHAMA, eloquently expressed what the flag and Flag Day are all about. Colonel Jackson's verbatim speech is included herein so that others can appreciate how much these symbols mean to those who served our country to preserve freedom and democracy for all of us.

FLAG DAY 1990

(Flag Day presentation by Colonel Jackson, Commander, USATHAMA, Bel Air Town Hall, June 9, 1990)

Our national holidays are an important and traditional part of our American heritage. Each year we set aside time to remember our war dead, to recognize the labor that built America, and to give thanks for all we have. Such holidays are a cause for ceremony and celebration across the land.

Today, however, is not one of those legal holidays. There is no time off from work, no closing of schools. But the importance of this date should not be overlooked. And the cause for celebration is just as great. On this day our nation commemorates two events which are so much a part of our tradition and so much a secret of our success. They are events which precede, and give meaning to, many of our other holidays.

And how appropriate it is that these two birthdays are celebrated on the same day. For throughout our long and proud history, the Army and the flag have constantly been together. Soldiers have long protected the flag from danger and destruction. The flag has long inspired soldiers to accomplish feats that might have seemed impossible. History gives ample testimony to that relationship.

When we began our fight for freedom, at Lexington, Massachusetts on April 19, 1775, America was simply a group of disorganized colonies. There was no Army. There was no national flag. There was no recognized leader.

What we did have was just a group of farmers, merchants, craftsmen, and others banded loosely together in local militias. Hardly a force that would instill fear in the British Army. Hardly a threat to the King's rule. After all, the British had the greatest Army in the world at that time.

But yet, this group of unorganized colonials would kindle a fire. At first just a little smoke, then a few flames. Soon a blaze of epic proportions would sweep the colonies and it would not be extinguished until freedom was achieved in America.

However, the fire would never have grown if an Army had not been created. Unity was needed the unity of an organized fighting

force led by a strong leader. Thus, on the 14th day of June 1775, the Second Continental Congress adopted the militia of New England as its "Continental Army" and appointed a committee to draft "Rules and Regulations for the Government of the Army."

On that same day, the Congress resolved to add citizens of other colonies to the Army. The resolution read in part:

"Resolved that six companies of expert riflemen be immediately raised in Pennsylvania, two in Maryland, and two in Virginia; * * * That each company, as soon as completed, shall march and join the Army near Boston, to be there employed as light infantry under the command of the Chief officer in the Army * * *"

The very next day, the chief of the Army was named. Congress appointed a Virginian by the name of George Washington. The newly created force had the leader it so desperately needed. The rest, as they say, is history.

It's the history of famous battles from Yorktown and Gettysburg, to Guadalcanal and Normandy. It's the history of strong and exceptional Army leaders such as Andrew Jackson, Ulysses S. Grant, John J. Pershing and Douglas MacArthur. It's the history of sacrifice and struggle by millions of American's who've worn the Army uniform in every decade of our existence.

And as those millions of Americans trained to be soldiers, as they endlessly drilled and marched on parade fields, they could always look up for inspiration when things got tough. They could look up to the nearest flagpole and see waving in the wind a vivid reminder of their country—the Stars and Stripes.

The Army was already two years old, and had been through a number of battles, when the American flag was born. The Continental Congress authorized the Stars and Stripes as our national flag on June 4, 1777. Thereafter, it quickly became a proud and visible symbol of our struggle for freedom.

When George Washington first saw the flag being flown above his Army he was struck by its beauty and symbolism. He is reported to have said: "We take the stars from heaven, the red from our mother country, separating it by white stripes, thus showing that we have separated from her, and the white stripes should go down to posterity representing liberty."

From then on, much as siblings do, the Army and flag grew up together. As the nation expanded its borders westward, the Army was at the forefront. So, too, was the flag. When a threat against America arose, the Army marched to the battlefield. So, too, did the flag. And when our country assumed a role as world power and defender of democracy, the Army was there. Again, so was the flag.

On this long march through history, the Army has been successful and the flag highly recognized. The Army's success has not been achieved simply because of its organization or its arsenal. People are the secret. Our citizen-soldiers have made the difference in peace and in war. Their spirit of freedom and their willingness to serve the nation are legendary.

Similarly, the recognition of the Stars and Stripes has not been due just to its design or its colors. As much as we might like the red, white, and blue, the flag is far more than a simple color combination. I recall the words of a minister who, during World War II, once described the flag in these terms:

"The flag is more than a brilliant banner; it is a prayer, a poem, and a prophecy. It is a prayer for the perpetuation of the principles of freedom; the poem of a people's history; a prophecy of greater and grander achievements."

Certainly, the prayer, the poem and the prophecy are alive and vibrant today. Those of us living in this age have been fortunate to see the prayer answered in our own time. The principles of freedom have recently spread where once there was no hope. In the process, an Iron Curtain is being torn asunder and an infamous wall has been opened in Berlin. Democracy is growing stronger across the world.

Our Army has played a great role in that prayer of freedom. It has deterred aggression and defended democracy for many, many years now. It continues to do so. The American soldiers who were sent to Panama during Operation Just Cause are proof of that.

Michael Christopher Sullivan of Bel Air was one of the soldiers to serve in Operation Just Cause. As part of the 3rd Ranger Battalion, he was in the first wave of American soldiers to land on Panama's soil.

"It was part of my job. I never expected to have to go into combat, but I was glad to serve my country, considering how much it has given me," Michael Sullivan said when he returned home. Michael did serve his country, and thankfully, lives to continue service.

A second soldier who served in Operation Just Cause was Private First Class James Markwell. Just like Michael Sullivan, he was an Army Ranger, just 20 years old, with the fullness of life still in front of him. The night before he left for Panama he wrote to his mother * * * just in case. Part of that letter contained these words:

"I have never been afraid of death, but now he is waiting at the corner * * * I am frightened to what lays beyond the fog, yet * * * Do not mourn for me * * *. Revel in the life that I have died to give you * * *. But most of all, don't forget that the Army was my choice. Remember that I joined the Army to serve my country and insure that you are free to do what you want and live your lives freely."

James Markwell never got the chance to write his mother again. He died in Panama—one of the 23 servicemen who lost their lives. For that we feel sad. But for his love of country and love of freedom we can, and should, feel proud. And although he is dead, his words speak of life, life and freedom for future generations.

Private Markwell and those like him will never truly leave us. They are now a part of the poem that is the story of America and its people. That is why we are here today. In celebrating the birthday of the Army and the flag, we are commemorating the people of America.

● 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.

But commemoration is not enough. The prayer and the poem are not enough. There is still the prophecy to consider. As much as a birthday is a look back, it's also a time to consider the future.

Will America continue to prosper? Will there be greater and grander achievements for this nation? Will we continue the legacy of freedom and democracy for our children and grandchildren?

The answers we want to give those questions may seem self evident. A resounding "yes" to all three is what we hope for. But hope is not enough by itself. Dedication, perseverance, hard work, and determination must be part of any formula for America's continued success. The recent Soviet-American Summit is a very positive step toward preserving our freedom and achieving world peace, but we must do more, we must be alert and vigilant.

The need for vigilance in today's changing world may seem unnecessary to some. The need to continue with a strong and decisive Army in the face of retreating communism may seem undesirable to others. But let's not rush to spend the so-called "peace dividend" too quickly. Danger in the world may have been reduced, but it has not been eliminated. If history at all repeats itself, let us not forget the lessons of Pearl Harbor.

President Bush, on a recent trip to an Army training site, emphasized the importance of not letting down our guard. In discussing the changing world situation, he said:

"It is important to let these encouraging things, political or military, lull us into a sense of complacency. Nor can we let down our guard against a worldwide threat. The Soviet Union still does maintain a formidable force. Military challenges to democracy persist in every hemisphere and America must always be prepared to fight for freedom and security."

To meet those continuing military challenges, and to safeguard our freedom, we must still maintain a strong and ready Army. That's the way it was 215 years ago. That's the way it is today. That's almost certainly the way it will be tomorrow.

We don't maintain that strength just for the sake of our own needs and desires. We also do it for the sake of world peace. Peace is what we all want, yet peace doesn't come easy. It takes work, effort, and above all, strength.

So, as we celebrate these birthdays, today, let us remember our past. It's filled with a heritage of achievement and honor that we all can be proud of. Our Army and our flag are certainly an undeniable part of that heritage.

And as we think of the past, let us hope that the future holds the same promise for us. The dreams that America are still to be fulfilled. Those dreams include a future of prosperity and freedom in a world safe at peace.

If those dreams come true, then we will do well as a nation and as a people. Our children and grandchildren will inherit the spirit of America and they will continue to see Old Glory fly high and true over "the home of the free and the land of the brave."

VISUAL ARTISTS RIGHTS ACT

HON. PAT WILLIAMS

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 1990

Mr. WILLIAMS. Mr. Speaker, I wish to clarify remarks I made on June 5, 1990, concerning the Visual Artists Rights Act, H.R. 2690. I understand this act, unfortunately, but perhaps understandably applies only to a distortion or mutilation of an original work of art, and not to reproductions of the work, even where the reproduction harms the artist's reputation.

The legislation provides visual artists with the right of attribution—but right to claim authorship of a work of art and to object to the false attribution of authorship. In addition, the act provides for a legal cause of action to allow an artist to prevent the destruction, distortion, mutilation, or modification of a work of visual art.

The Visual Artists Rights Act affords two main benefits. First, it would help prevent the destruction or mutilation of important works of art—art that is an invaluable part of American culture. Second, the legislation would give an artist legal recourse to prevent an individual from attributing his or her work to another and to prevent an individual from claiming that an artist was the creator of a work he or she did not create.

This bill is important to artists across the country, and I am pleased to support its passage. I had hoped that the bill would prevent the reproducing of works of art out of context. That practice is currently being used by some of those who are opposing the reauthorization of the National Endowment of the Arts.

A TRIBUTE TO DR. RAYMOND F. BOYER

HON. BILL SCHUETTE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 1990

Mr. SCHUETTE. Mr. Speaker, I have the privilege today of congratulating an outstanding citizen of the State of Michigan, Dr. Raymond F. Boyer, on the occasion of his 80th birthday. A banquet will be held in his honor on June 22, 1990, at the Great Hall in Midland, MI.

Dr. Boyer obtained a B.S. degree in 1933 and a M.S. degree in physics in 1935, both from Case Western University. He was employed by the Dow Chemical Co. from 1935-75, working primarily in the field of polymer research, development, and management. Dr. Boyer was director of plastics research and development from 1952 to 1969, becoming assistant director of corporate research in 1969. He was active for many years as an adviser to the Polymer Division, National Bureau of Standards, and to various committees of the National Research Council in the area of materials. Dr. Boyer is the author of nearly 200 publications. He had 21 patents granted in his field of expertise.

Dr. Boyer's 13 years in the laboratory were marked by a series of research accomplish-

ments in the fundamentals of plastics that were later recognized inside and outside of Dow. The Case Institute of Technology conferred the degree of doctor of science upon Dr. Boyer in 1955. In 1968 he was selected to receive the Gold Medal and International Award by the Society of Plastics Engineers. Two years later, he was the recipient of the Borden Silver Medal of the Chemical Society. In 1972 he was elected Dow's first research fellow. He was elected to the National Academy of Engineering in 1978. Dr. Boyer has also received awards from the Plastics Institute of Great Britain and the American Chemical Society for his pioneering research work in the field of polymers.

Dr. Boyer has lectured extensively in the U.S.S.R., and is recognized globally for his research and expertise in the field of polymers. His professional listings include: Who's Who in the World, Who's Who in America, American Men and Women of Science.

With his wife and friend of 23 years, Peggy, Dr. Boyer shared a love of ornithology. He provided her with his characteristic encouragement and support as she wrote and researched her book on the birds of Bonaire, their favorite winter vacation spot. They also shared the joys of eight children: James Boyer, Charles Boyer, Rima Carlson, Margi Yarrow, Erica Greenbaum, Carla Overberger, Charles Overberger, and Ellen McKelvey.

Dr. Boyer is also a warm, thoughtful, and attentive friend with a charming sense of humor. He is loved and respected by his colleagues, students, friends, and family. A willing mentor and advocate, Dr. Boyer has the ability to detect special qualities in people that others may not always see, and then encourage the development of those qualities. Though a world renowned scientist, Dr. Boyer is able to relate to people from every spectrum of society. Those whom he touches feel enriched for having known him.

Mr. Speaker, and my colleagues in the House, please join me in honoring Dr. Raymond F. Boyer with congratulations and best wishes on his 80th birthday. I applaud Dr. Boyer for his outstanding lifetime achievements in his profession and for serving as a role model, as scientist and friend, for his community and family.

HONG KONG REMEMBERS

HON. JOHN EDWARD PORTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 1990

Mr. PORTER. Mr. Speaker, nowhere in the world was the message of the Beijing massacre heard louder than in Hong Kong. The British crown colony is scheduled to revert to Chinese sovereignty on July 1, 1997. Last year while prodemocracy heroes marched in Tiananmen Square, over 1 million of Hong Kong's 5.7 million residents rallied behind them by conducting the largest demonstration in the colony's history.

When the butchers of Beijing turned tanks and guns against their own citizens, the people of Hong Kong watched in wretched horror and contemplated their own future.

While the colony's confidence level was already low, the events of June 4, 1989 cemented the fear and loathing that is now associated with 1997. The great people of Hong Kong, who have demonstrated to the world the reality and promise of free enterprise, are now leaving in droves—45,000 in 1989, 50,000 this year, and perhaps even more next year. As the people of the world enjoy a wave of democracy, human rights, and economic freedom, the people of Hong Kong are left wondering whether their future rulers will be of the same mind as those who stifled the democracy movement on the mainland.

The world must stand with Hong Kong and ensure that her residents are provided the freedoms and protections that all human beings on this planet are entitled. Mr. Martin Lee, the leader of the colony's democracy movement, is a man who is tirelessly working for this noble cause. He has formed the United Democrats, the colony's first major political party, and continues to speak out against Chinese and British unwillingness to provide Hong Kong the assurances necessary to survive.

To commemorate the 1-year anniversary of the Beijing massacre, over 130,000 colonial residents marched through the streets of Hong Kong. Martin Lee addressed the crowd and delivered a message of hope for Hong Kong freedom and democracy. I include his remarks in the *RECORD* and strongly commend them to my colleagues' attention:

REMARKS BY MARTIN LEE

Today, 4 June, marks the one-year anniversary of the violent suppression of China's democracy movement. We come here together to light candles and in the flickering light to mourn those Chinese students and citizens who sacrificed their lives in the pursuit of democracy. The light emanating from these candles bears witness to the fact that the people of Hong Kong and of the world have not forgotten June Fourth and that we are still determined to achieve the ideals of the students. It is our abiding hope that democracy one day will come to China.

When the people of the world remember June Fourth, what is it that they will remember? Will it be an image of Tiananmen Square covered with tanks? No, it will not. It will be the picture of the lone man who through his courage and the power of his belief stopped a row of tanks. To the people of the world, the symbol of June Fourth will never be a PLA soldier clutching a machine gun in his arms; the symbol will always be the Goddess of Democracy holding in both hands the flame of liberty.

Some people said that we ought to move forward rather than dwelling on the events of the past. While we indeed must continue to move forward, at the same time, we must never forget what has happened. For, if we fail to reflect on the lessons of the past, how can we ever establish our direction into the future?

The leaders of China all hope that the people will forget the past. They try to whitewash history and paint over the truth. Yet, we must tell them with certainty that the people will not forget. It is only through the memory and the knowledge of the May Fourth Movement, the Cultural Revolution, and the June Fourth tragedy that we avoid repeating the grave mistakes of the past. As the poster for today's event says: "We do not want to remember, but how can we ever

forget?" These words bespeak the feeling of the people of Hong Kong.

Some people have also said that democracy is not suitable for China, that China is some kind of exception, that democracy could never be put into practice in China. In truth, however, the Chinese people are no different from all the other peoples of the world. Last year's remarkable student movement demonstrated the thirst of the Chinese people for democracy. There now cannot be any question that the people of China have the ability and the right to establish a democratic system.

As we today remember the past, I would like to take a moment and look into the future. In my vision of the future, I see a springtime in Beijing in which 100 flowers are truly blooming. At every newsstand in Beijing, I see dozens of newspapers and magazines bursting forth with ideas from all across the political spectrum. As the people of Beijing cycle home from work, they stop at one of these newsstands and purchase the newspaper of their choice.

When I look into the future, I see a day that is a national election day throughout all of China. On that day, the hundreds of million Chinese who are old enough to vote cast hundreds of million ballots.

Throughout the country, people from dawn to dusk gather in public places to discuss those issues most important to China. The old and the young fervently debate how they will use their prized right to vote. Where lines to tanks once stood on Chang An Avenue in Beijing, I now see a row of voting stations stretching as far as the eye can see.

And that night, I look out on a Tiananmen Square, where a great assembly of students has gathered to hold a public forum on democracy. At that gathering on Tiananmen Square, the students lay wreaths at the base of the Monument to the People's Heroes, and they light candles, much as we are doing tonight, to remember their compatriots who gave their lives in pursuit of democracy. As those candles burn brightly in the night, inside the Great Hall of the People, the public officials are working tirelessly to tabulate the results of the hundreds of millions of ballots.

And the day of my vision—the national election day for all of China—is June 4.

It is my conviction that, if we all firmly adhere to our belief in democracy, that future day will no longer be a vision, but a reality.

TRIBUTE TO JAMES "JIM" DEFRANTZ

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 1990

Mr. MATSUI. Mr. Speaker, I rise today to pay tribute to an outstanding individual from my congressional district on the occasion of his retirement from the Albert Einstein Middle School. On the evening of June 8, 1990, the friends and family of James "Jim" DeFrantz will be gathered together to host a retirement celebration dubbed "Memories," for him. It is indeed an honor to share with you and my colleagues the inspiring career of this devoted public servant.

Mr. DeFrantz has spent the entire span of his career serving the citizens of California.

After graduating from the University of the Pacific in 1955, he went to work for the Stockton Unified School District as a teacher at the Montezuma Elementary School. During this time he also served as president of the PTA and established the first student study group. In 1960 he went to work for the Sacramento City Unified School District as a teacher at Stanford Junior High School. He transferred to Albert Einstein Middle School in 1964 where he has remained for the past 26 years. He was chairperson of the English department for 12 years, coordinator of the Einstein Pepsters and yearbook, taught gifted and talented students [GATE] and was a committee person for the Einstein International Heritage Program. He is a teacher extraordinaire in that he loves his work, his students, and his coworkers. His goal has always been to prepare his students to cope with the negatives through personal growth, positive attitudes and actions, and excellence in performance.

Coupled with Jim's devotion to public education in his dedication to his lovely wife, Roberta and church. He is a member of the Centennial United Methodist Church, the church's board of trustees, superintendent of Sunday School, a member of the Council of Ministries and Administrative Board, and chair of the Pastor-Parish Committee.

Mr. Speaker, I salute Jim's accomplishments and contributions to the public education and I ask that my fellow colleagues please join me in congratulating James DeFrantz for a job well done and extend our best wishes to him in all his future endeavors.

SUPPORT OF HOUSE RESOLUTION 384, CONCERNING THE FAMINE SITUATION IN ETHIOPIA

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 1990

Mr. BURTON of Indiana. Mr. Speaker, I rise in strong support of House Resolution 384, concerning the famine situation in Ethiopia. I commend my colleague, the gentleman from Michigan [Mr. WOLPE], for his hard work and diligence in bringing this resolution to the floor.

Mr. Speaker, this is an emergency situation, pure and simple. If we do not act, people in Ethiopia will die. Our responsibility is that heavy.

Two weeks ago, Mikhail Gorbachev came to town, and received a hero's welcome. He can only dream of such adulation back in the Soviet Union. Everybody wants to believe that Gorbachev is the apostle of peace, of the new Soviet attitude. But as we speak, Soviet bombers are killing and maiming innocent children in Eritrea. One billion dollars in military assistance continues unabated, this year alone, to Mengistu, the butcher of Addis.

I recently had a chance to view, along with several of my colleagues, a graphic videotape of the bombing of the Eritrean port of Massawa. Mr. Speaker, I cannot adequately convey the horrible images I saw on that film. But I can assure you that neither I, nor

anyone who has seen it will ever forget it. To see the effects of napalm and cluster bombs on completely innocent children—there are just no words that can describe the pain and heartbreak.

The blame clearly lies with the Soviet Union which supplies the weapons, and with the Communist dictatorship in Ethiopia which uses them. Let no one cloud the issue here by trying to assert that the rebels share equal blame. There is no moral equivalence here. The Eritrean People's Liberation Organization has become a legitimate, well-organized, moderate force. They have achieved a great deal for their people. Through the Eritrean Relief Association, they have kept the people of Eritrea fed and clothed, and have showed themselves to be a humane, compassionate group in their treatment of, not only their own people, but the Ethiopian POW's as well. They are certainly a force to be reckoned with, and their legitimate grievances must be addressed.

Mr. Speaker, Mengistu's war on the people of Eritrea, and indeed all of Ethiopia, has gone on far too long. The suffering has been enormous. We must make it clear to the Ethiopian regime, and to their sponsors in Moscow that we will not stand for it any longer. I urge the quick passage of this important legislation.

PLYMOUTH—AAA TROUBLESHOOTING CONTEST

HON. RONALD K. MACHTLEY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 1990

Mr. MACHTLEY. Mr. Speaker, I rise today to congratulate William Hickey and Brian Martin who are being recognized for their outstanding achievements in the Rhode Island Plymouth—AAA Troubleshooting Contest.

William Hickey and Brian Martin are both graduating from Cranston High School East. As a result of their placing first in the Rhode Island competition, both have received full scholarships to the New England Institute of Technology. Both will also participate in the national competition in Washington, DC.

It is with great pleasure that I salute both William Hickey and Brian Martin for their outstanding achievements. I wish them both continued success in the future.

WHY HEALTH CARE COSTS ARE CRAZY

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 1990

Mr. STARK. Mr. Speaker, I'd like to include in the RECORD an excellent article from the Wall Street Journal for June 5, 1990, entitled, "Competitive Anomaly: Consumers Pay More in Two-Hospital Towns."

The article helps explain why health care costs in our society are running two to three times the rate of general inflation. The article's description of waste and inefficiency in the health care system makes clear both why

we must, and why we can, make tough choices in health care.

I have one quarrel with the writer of the article. He says about half way through that "reimbursements from Medicaid and Medicare don't keep pace with costs." * * * Well, I agree Medicaid may need to reimburse better, but I think that the readers of the article will agree that it is insane for taxpayers to give this kind of economic black hole an open ticket to the Treasury.

Medicare payments should not keep pace with the kind of expenditure stupidity described in the article. When Members of Congress are lobbied by the health sector for more money, we should first remember that the situation in Kalamazoo is being repeated in hundreds of cities and towns across this Nation.

The article follows:

**RIVAL OPERATIONS—COMPETITIVE ANOMALY:
CONSUMERS PAY MORE IN TWO-HOSPITAL
TOWNS**

(By Ron Winslow)

KALAMAZOO, MI.—When the two archrival hospitals here found out that both planned to launch helicopter ambulance services, they flew into action. Borgess Medical Center quickly found a copter, called photographers and was first to get pictures in the local paper.

But Bronson Methodist Hospital struck back, getting its chopper into the air first and proudly proclaiming a nurse aboard every flight.

Borgess retaliated three months later, boasting a doctor on every trip. Within a year, each hospital had upgraded to twin-engine choppers—making the announcement the same week. There are only 90 helicopter ambulances in the whole country," an exasperated executive of Upjohn Co., the city's largest employer, said at the time, "and two of them are here."

Not to mention two heart programs, two maternity wards, two state-of-the-art emergency rooms, and two radiology services. There were even two billboard campaigns. Robert Fabi, a respected neurologist who has practiced here for more than 20 years, describes the situation in verse: "Given the history of Kalamazoo, if there is one, there will be two."

NATIONAL MICROCOSM

In most businesses, competition cuts prices. But hospital bills in Kalamazoo, a metropolitan area of 200,000 between Detroit and Chicago, are the second highest in Michigan and among the highest in the nation. In general, hospital costs in two-hospital towns like Kalamazoo are 30% higher than in one-hospital communities, according to a survey by Booz-Allen & Hamilton, Chicago consultants. "Kalamazoo is a microcosm of the national environment," says Gary Alquist, a Booz-Allen vice president and health-care specialist.

Charges per admission in 1988 averaged \$6,112, 55% higher than in nearby Grand Rapids and 34% above the national average for metropolitan areas. Health costs at James River Corp.'s Kalamazoo paper packaging operations rank in the top three of the company's 15 similar units nationwide. When it comes to further expansion, health costs put the area "at a competitive disadvantage versus some of the other communities we do business in," says Norman Ryan, a James River executive.

The costs are a threat to both corporate profits and the region's economic growth.

Total medical costs here rose nearly 15% last year at Upjohn, a pharmaceutical concern, and 20% at both Stryker Corp., a medical equipment company, and Fabrikal, a plastic products maker. First of America Corp., bank holding company, budgeted a 45% increase in costs this year from 1989. "We have good medical care," says Theodore Cooper, chairman, president and chief executive of Upjohn. "We need it to be priced right."

As a result, Upjohn and other major businesses here have tried to get the hospitals to cooperate. But nearly all the efforts have failed. Last fall, the most ambitious—a two-year effort to merge the hospitals, one Catholic and one Methodist—collapsed over the issue of abortion.

Bronson and Borgess haven't gotten along since the turn of the century, when a group of doctors left Borgess, which had been founded by the Sisters of St. Joseph, to start their own hospital. Each hospital, of course, has its own version of that.

Borgess says the doctors were kicked out in a philosophical tiff with a nun about, among other things, religious influence over medical care. Bronson says the physicians left after the nuns refused to shorten their habits, which the doctors believed swept up germ-laden dust as they swished along the floor.

Over the next several decades, the hospitals divided up patients along religious and ethnic lines. "If your name was Kelly, you went to Borgess," says Dan Ryan, retired editor of the Kalamazoo Gazette, himself a Borgess baby.

In the 1950s, Bronson was the first to add a wing and lease space to physicians, drawing first blood in the war for supremacy. "You began having guys who were Bronson doctors and Borgess doctors," says Mr. Ryan.

In the 1960s and 1970s, Borgess was particularly successful at recruiting physicians highly trained in such emerging areas as heart surgery and neurology. With the help of an infusion of Medicare and other federal health funds, both institutions established centers for a variety of medical specialties.

Bronson has a burn unit, a neonatal intensive care ward and strong pediatric and women's services. Borgess stresses cardiology and neurosurgery and does kidney transplants.

Bronson is a sprawling 442-bed facility crammed into a downtown city block. Borgess is a 458-bed hospital on 40 acres just two miles away. Both reported revenues of about \$140 million in 1988; both offer comprehensive services for the treatment of critically ill patients.

Between 1970 and 1980, the number of physicians in Kalamazoo doubled, intensifying the use of medical resources—and competition. Doctors, with power to refer and admit patients, are catalysts in hospital battles. When Bronson refused to purchase expensive surgical tables for some orthopedic surgeons a few years ago, "they picked up their scalpels and went accross town," says Russell Kneen, former chief executive at Bronson.

Regulation plays a crucial role as well. In the early 1980s, the U.S. instituted a program to control Medicare and Medicaid costs by reducing hospital admissions and shortening stays. Meantime, Michigan was one of many states that enacted so-called certificate-of-need laws that require hospitals to prove the need for expensive new technology and services.

The result: Between 1984 and 1988, the Kalamazoo in-patient market shrank by 10%. But certificate-of-need rules meant that being second with new technology necessary to compete for the dwindling supply of patients could mean not getting the technology at all. Competition, already fierce, turned nasty.

BATTLE OVER A MACHINE

One early battle was over a \$2 million magnetic resonance imaging machine, the state of the art in diagnostic technology. At first, the hospitals planned to acquire one jointly. But when a group of doctors allied with Borgess (and unaffected by certificate-of-need requirements) bought their own MRI, Borgess acquired a half interest in the doctors's machine instead.

Despite agreements to assure Bronson doctors access to the MRI, "it's turned out that we've been at a disadvantage," says Patric E. Ludwig, Bronson's chief executive officer. Now Bronson intends to acquire its own MRI, a mobile version that can be hauled from hospital to hospital. But the Borgess physicians recently won approval for a mobile unit of their own.

Bronson added open-heart surgery to its fledgling cardiology service in 1987. That nettled Borgess, which has done 7,000 open-heart operations.

LAST-MINUTE TRANSFER

State health officials ordered Bronson to shut down the service, on the ground that it lacked a permit. Bronson says Borgess provoked the action, something Borgess denies. In any event, Bronson says the order forced one patient, on the eve of his scheduled surgery, to be transferred—to Borgess—for the operation.

Then the state decided it lacked authority to stop Bronson from doing open-heart surgery and permitted the procedures to resume. But Borgess challenged that decision with a pending lawsuit.

"You have a hard time convincing me that you need two heart programs in this town," says R. Timothy Stack, president of Borgess.

"They wanted to maintain a monopoly on that service," replies Mr. Ludwig.

BUSINESSES GET INVOLVED

Finally, local businesses just couldn't take it anymore—and not only because of increased costs resulting from duplicated services. Because reimbursements from Medicaid and Medicare don't keep pace with costs, both Borgess and Bronson (as well as hospitals around the country) shift a portion of those costs to their paying customers, effectively charging them extra.

Upjohn and other leading companies, many of which have executives on the boards of both hospitals, began demanding some sort of cooperation. In mid-1987, the chief executives of the two hospitals began merger talks. That led to the formation of First Health Development Corp., a company comprising board members and doctors from both institutions.

"The joke in town is that they took the guns off the helicopters during merger negotiations," says Kevin Fickenschner, an assistant dean at Michigan State.

First Health's plan wasn't to eliminate competition but to redefine it so the combined hospital would compete with other hospitals in the region. In October 1988, after over a year of courtship, Bronson and Borgess announced intentions to consolidate.

Almost immediately, the romance turned rocky. In December, Bronson won its fight

to resume open-heart surgery and refused to delay the service until negotiations were completed. In January, First Health decided to name a chief executive. The candidates: Borgess's Mr. Stack and Bronson's Mr. Ludwig. The result: a 4-4 vote, deadlocked along loyalty lines. First Health decided to leave the decision up to the board of the combined hospital.

CANON LAW

Then came the religious issues. Bronson's Methodist affiliation is little more than a formality, but at Borgess, each day begins with a prayer over the hospital intercom. While neither side retained counsel who specialized in mergers and acquisitions for the talks, Borgess hired a canon lawyer to protect its religious interests.

Borgess insisted Bronson agree to bar abortion. Bronson said abortions had to be available, even though the hospital had performed just four in 1988. Finally, Bronson agreed to do no abortions except in cases of anencephaly, in which the brain fails to develop, or other rare instances when the prognosis for the fetus is hopeless.

That wasn't good enough. Last October, talks collapsed. And this spring, a new front in the war opened: laser surgery.

Borgess announced in March it intended to triple its annual volume of 500 laser procedures. In April, Bronson, which says it already does 1,500 a year, trumped the plans by performing the region's first laser gall-bladder surgery—and trumpeting the feat in newspaper ads.

"They're trying a pre-emptive thing to minimize the impact of our program," charges J. Patrick Dyson, a Borgess senior vice president. "One of the surgeons flew in from out of town," he adds. "It's what we call itinerant surgery." Bronson concedes the out-of-town surgeon trained the Bronson doctors in the procedure, but he merely watched "to make sure everything went fine," says James B. Falahee Jr., Bronson's general counsel.

In this environment, businesses are looking at other ways to keep costs down. Upjohn and other companies are considering negotiating discount rates in return for a guaranteed flow of patients. "We've never tried to bid one against the other," says Upjohn's Dr. Cooper. "But we do have other responsibilities," including assuring "a fair return to shareholders."

SOME COOPERATION

The pressure is having some effect. Since 1985, Bronson has trimmed staff by 9%. It didn't raise rates last year, and last month announced a 5% across-the-board price cut. It pledges to cut the difference between Bronson and Grand Rapids hospitals by half this year. Borgess has reduced its work force as well and plans package rates for cardiology and other specialties.

One important cooperative effort is making headway. In February, the hospitals announced plans to build a joint \$10 million outpatient cancer treatment center downtown. Among other things, it would mean the purchase of just one million-dollar linear accelerator (used in radiation treatment) instead of two.

A group of local executives called the CEO Council is prodding the hospitals to consolidate other services. One prime candidate: the helicopters. The hospitals say each chopper makes more than 600 flights a year, enough to justify two. They often back each other up, and it isn't unusual to see the Bronson helicopter deliver a patient to Borgess and vice versa.

Operating both units costs a total of \$5 million a year, says Dave Kovacs, medical director of Borgess Inflight Medical Services, and combining their operations would save at least \$1 million, even while keeping both choppers running.

But the helicopters are objects of intense pride. "We feel ours has been successful because we are the major trauma center," Bronson's Mr. Ludwig says. It plays an important role in Bronson's emergency service, which generates 30% of patient admissions, he adds.

Borgess, on the other hand, even distributes postcards and calendars with pictures of its chopper in flight. And Borgess proudly says that its was the first to rack up 3,000 trips. Told that Bronson considers its own service the leader, will. Mr. Stack shrugs and says: "It's a popular misconception on their part."

TRIBALLY CONTROLLED COMMUNITY ASSISTANCE ACT

HON. PAT WILLIAMS

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 1990

Mr. WILLIAMS. Mr. Speaker, today, Representative COLEMAN, ranking minority member on the Education and Labor Committee's Subcommittee on Postsecondary Education joins me in introducing reauthorizing legislation for the Tribally Controlled Community Assistance Act of 1978 and the Navajo Community College Act.

This bill, extends at current levels of authorization for appropriations, these two acts for 1990, 1991, and 1992. This legislation will serve as a vehicle for some potential minor changes this year, with a more thorough reauthorization planned for 1993 in conjunction with the higher education reauthorization. The Subcommittee on Postsecondary Education will work closely with the Senate Select Committee on Indian Affairs to develop a consensus bill.

Tribal colleges are, we believe, responsible for tribes turning the corner toward a better life for Indian people. The first college started in 1968; now there are 24 tribal colleges with several more tribes exploring starting their own colleges. In 1981, there were 1,689 students attending tribal colleges. Before the advent of tribal colleges, there was a 90-percent dropout rate by Indians by the end of their freshman year. The schools' current enrollment is about 4,200; with approximately 7,000 students graduating in the past 5 years and more than 25 percent transferring to 4-year institutions.

We welcome cosponsors for this reauthorization.

HAIL THE WORLD CHAMPIONS!

HON. BILL SCHUETTE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 1990

Mr. SCHUETTE. Mr. Speaker, it is my privilege today to congratulate the Traverse City

High School of Traverse City, MI for its world championship performance in the "Odyssey of the Mind" competition.

Coached by Sharon Dionne, the team of 6 junior girls emerged from 8,000 teams that started competing at the regional level and 49 that made it to the world finals last weekend in Ames, IA. They received their award before a cheering crowd of 11,000 people.

Like debate squads, bands, orchestras, and other groups involved in school extracurricular activities, the Odyssey of the Mind teams receive little public attention. This does not make their achievement any less significant. The world trophy this team earned represents countless hours of hard work by people with outstanding intellectual, dramatic, and creative talents. All the girls on the team—Amy Wegner, Amy Wheaton, Ame Windover, Leslie Mesch, Sarah Jaquish, and Anna Fidler—are top-notch competitors.

Mr. Speaker, and my colleagues in the House, join me today in congratulating the Traverse City High School Odyssey of the Mind team on their world championship. I hope their achievement, along with the achievements of all extracurricular groups sponsored by schools throughout the Grand Traverse area, will inspire younger students to explore and develop their emerging talents.

HONG KONG'S BASIC LAW: BASICALLY FLAWED

HON. JOHN EDWARD PORTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 1990

Mr. PORTER. Mr. Speaker, the Sino-British Joint Declaration on the Future of Hong Kong, signed on December 19, 1984, sets forth at great length the terms under which China will resume sovereignty over Hong Kong. Article 3, clause 12 of the Declaration states that the provisions of the agreement "will be stipulated" in the Basic Law, which will serve as Hong Kong's post-1997 constitution. Hence, all provisions of the Basic Law must fully accord with the Joint Declaration.

China's National People's "Congress" passed the final version of the Basic Law on April 4. It should be noted that on that same day the Hong Kong Legislative Council overwhelmingly passed a motion which urged China to amend the Basic Law along the lines of a report written by the Office of Members of the Executive and Legislative Councils [OMELCO]. This is significant because the OMELCO report included extensive and far-reaching amendments. Tiananmen Square and the repression that followed has done irreparable harm to confidence in Hong Kong. A good Basic Law could have gone a long way toward restoring that confidence. Unfortunately, several aspects of the final Basic Law are in contravention of the Joint Declaration and the document as a whole provides the people of Hong Kong little hope that there future rulers will be benevolent ones.

Mr. Martin Lee, a legislative council member in Hong Kong has prepared a summary of the Basic Law's basic flaws. I commend them to my colleagues' attention.

THE HONG KONG BASIC LAW AND ITS BREACHES OF THE 1984 SINO-BRITISH JOINT DECLARATION ON THE FUTURE OF HONG KONG

(Summary by Mr. Martin Lee)

1. CONSTITUTION OF LEGISLATURE

Despite the Joint Declaration's promise that the Hong Kong legislature "shall be constituted by elections," only one third of the 1997 legislature is to be democratically elected. The rest is to be "elected" through "functional constituencies" and an "Election Committee." In 2007—seventeen years from now—only one half of the legislature will be democratically elected, and there is no promise that there will ever be a majority of the legislature that is democratically elected.

2. EXECUTIVE ACCOUNTABILITY TO THE LEGISLATURE

The Joint Declaration provides that the executive authorities "shall be accountable to the legislature." Under the Basic Law, however:

(a) The Chief Executive can unilaterally dissolve the legislature if it fails to pass an "important" bill. (Article 50)

(b) The Legislature has no power to pass a vote of no confidence in the Chief Executive.

(c) The Chief Executive must give his/her consent in writing if any member of the legislature wishes to introduce any bill "relating to government policies"—a potentially all-encompassing prohibition. (Article 74)

(d) Any Government-proposed bill need be approved by a simple majority of the Legislature. If a member of the legislature introduces any bill or any amendment to a Government bill, however, the bill/amendment must be approved by separate majorities of democratically elected legislators and indirectly elected legislators. (Annex II)

(e) The Chief Executive will not be democratically elected; rather he/she will be selected by an "Election Committee" and appointed by Beijing. Similarly, though the Legislative Council may pass a motion of impeachment against the Chief Executive, only Beijing—and not the Legislative Council—has the power to remove him/her. (Article 73.9)

3. POWER OF INTERPRETATION

Joint Declaration Annex I, Clause III promises that Hong Kong courts will have the "power of final adjudication" and that the "judicial system previously practised in Hong Kong shall be maintained". Currently, Hong Kong courts have the power to interpret any aspect of the law, including the Letters Patent and the Royal Instruction—the constitutional documents that set out the powers of the Hong Kong Government. Under Article 158, however, the final power of interpretation of the Basic Law rests not in Hong Kong's courts but in the Standing Committee of the National People's Congress.

4. POWER OF AMENDMENT

The Joint Declaration is silent on the question of who has the power to amend the Basic Law. Article 159 of the Basic Law gives the National People's Congress the power to amend unilaterally any aspect of the Basic Law without reference to Hong Kong.

5. SUBVERSION

The Joint Declaration Annex I, Clause II promises that "the laws previously in force in Hong Kong (i.e., the common law, rules of equity, ordinances, subordinate legislation and customary law) shall be main-

tained. . . ." Yet, Article 23 of the Basic Law prohibits any act of "subversion against the Central People's Government". Subversion is a concept unknown to the common law, which is supposed to remain in force in Hong Kong; subversion, rather, is a political offense. The insertion of this prohibition—especially in light of the harsh post-Beijing Massacre crackdown against pro-democracy advocates in China—is both contrary to the Joint Declaration and frightening to the people of Hong Kong.

6. STATE OF EMERGENCY

The Joint Declaration does not discuss who should have the power to declare a state of emergency in Hong Kong. Currently, it is the Hong Kong Governor who has this power. Article 18 of the Basic Law, however, gives Beijing the power to "apply the relevant national laws" (i.e., martial law) in Hong Kong if Beijing declares that the territory is in a state of "turmoil".

7. VIOLATION OF THE LETTER OF THE JOINT DECLARATION

In addition, there are four aspects of the Basic Law that clearly violate the letter of the Joint Declaration. Three of these concern questions of nationality.

(a) The Joint Declaration carefully considered many aspects of the question of nationality for future Hong Kong residents and public servants. Joint Declaration, Annex I, Clause IV says that only Chinese nationals shall be able to serve as "heads of major government departments" in the future HKSAR. This is the only nationality restriction on public officials in the Joint Declaration.

The Basic Law, however, states that at least 80% of the future HKSAR legislators must be "Chinese citizens with no right of abode in any foreign country." (Article 67) Such restrictions on legislators, in addition to being unworkable in practice, violate the Joint Declaration, which placed no nationality restrictions on legislators.

(b) The Basic Law also states that the Chief Executive (Article 44), members of the Executive Council (Article 55), principal officials of the HKSAR (Article 61), the President of the Legislative Council (Article 71), and the Chief Justice of the Final Court of Appeal (Article 90), shall be "Chinese citizens with no right of abode in any foreign country." Yet, according to Chinese nationality law, any ethnic Chinese born in Hong Kong (being a part of China) is a Chinese national; hence, the addition of "no right of abode in any foreign country" (which Beijing has not announced how it will interpret) for senior officials adds a restriction above and beyond those in the Joint Declaration.

(c) Article 24 of the Basic Law details who will be permanent residents of the future HKSAR. Subclause (4) includes "Persons not of Chinese nationality who have entered Hong Kong with valid travel documents, [who have] have ordinarily resided in Hong Kong for a continuous period of not less than seven years. . . ." [emphasis added].

The clause derives from the Joint Declaration's Annex I, Clause XIV, which explicitly set forth who the permanent residents of the future HKSAR would be. For the most part, Article 24 of the Basic Law copies the Joint Declaration word for word. Article 24, however, breaches the Joint Declaration by adding the phrase "who have entered Hong Kong with valid travel documents." This formulation could strip permanent residency status from certain non-Chinese nation-

als who were born in Hong Kong and thus "did not enter Hong Kong with valid travel documents".

(d) Article 107 of the Basic Law states, among other things, that the future Hong Kong Government shall "avoid deficits and keep the budget commensurate with the growth rate of its domestic product." There is nothing in the Joint Declaration that justifies the insertion of this Article into the Basic Law. The policy directives contained in the Article, moreover, have no place in a constitutional document.

RESPONSE OF BRITISH GOVERNMENT

The British Government, as a party to the Joint Declaration, has an obligation to seek that the Basic Law fully accords with the 1984 agreement. Though officials admit privately to the breaches of the letter of the Joint Declaration set out above, the British Government has refused to publicly criticise any aspect of the Basic Law. In fact, the official British position, as set forward in the Annual White Paper Report on Hong Kong, is that the Basic Law is a "remarkable document." The White Paper makes no reference to the fact that on 4 April 1990—the same day that the Basic Law was promulgated in Beijing—the Hong Kong Legislative Council overwhelmingly passed a motion calling for extensive amendments to the Basic Law.

HOLY SPIRIT PARISH SACRAMENTO, CA

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 1990

Mr. MATSUI. Mr. Speaker, I rise today to invite my colleagues to join me in celebrating the 50th anniversary of the Holy Spirit Parish of Sacramento, CA.

Holy Spirit Parish was built to meet the spiritual needs of a large number of Catholic families who had moved to the city's southside. Upon its ground breaking on July 26, 1940, it became the fifth Catholic parish in Sacramento. In 1948, the church was able to raise the funds necessary to build a school for young Catholic children. Administered by the church, the school implemented a novel tuition policy in which parishioners who used the Sunday contribution envelopes regularly, and contributed according to their means, were not required to pay tuition. This policy was designed to prevent impoverished Catholic children from receiving a Catholic education. Unfortunately, due to the increasing costs of education, the no tuition policy is no longer in effect.

As Sacramento experienced rapid post-World War II growth, the small church was unable to accommodate all the parishioners within its official parish boundaries. By the midfifties the population within the church's boundaries nearly tripled to over 12,000 parishioners. The conditions were such that parishioners at midmorning masses were forced to crowd into the vestibule and, on occasions, out onto the front steps. By Christmas 1957, a new wing was added to the church.

While Holy Spirit Parish's development has paralleled that of the surrounding community, its commitment to tradition and strong sense of the past are ever present. Since its founding in 1940, Holy Spirit Parish has been a

source of support and guidance for the residents of Sacramento, and has played a significant role in the city's development. I wish the parish a long and successful future.

GEJDENSON AMENDMENT TO H.R. 2567, THE RECLAMATION PROJECTS AUTHORIZATION AND ADJUSTMENTS ACT OF 1989

HON. JOHN J. RHODES III

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 1990

Mr. RHODES. Mr. Speaker, I would like to include at this point in the RECORD copies of a recent exchange of letters between me and Mr. Ed Osann of the National Wildlife Federation, regarding the nonapplication of the Gejdenson amendment provisions to irrigation district contracts which may be required to be amended as a result of participation in an Indian water claims settlement.

The following is the text of those two letters:

WASHINGTON, DC, June 12, 1990.

Mr. EDWARD R. OSANN,
National Wildlife Federation,
Washington, DC.

DEAR MR. OSANN: This is to solicit your understanding regarding the impact of the most recent draft of the amendment proposed to be offered by Congressman Sam Gejdenson to H.R. 2567, the Reclamation Projects Authorization and Adjustment Act of 1989.

Specifically, is it your expectation and intent that irrigation districts which would not otherwise be subject to the provisions of the Gejdenson Amendment, should not be subject to the application of the Gejdenson Amendment as a result of being part of any Indian water settlement that as a condition of such a settlement requires the irrigation district to have its contract(s) amended?

Is it also your position that in the context of any such Indian water settlement, specific language should be included in the legislation affirming that settlement, stating the exemption from the application of the Gejdenson Amendment for the irrigation district(s), such as the Roosevelt Water Conservation District (RWCD) in Arizona, involved in the Indian water settlement?

We would appreciate your response prior to House floor consideration of the Gejdenson Amendment, expected Wednesday or Thursday of this week.

Thank you for your consideration.

Sincerely,

JOHN J. RHODES III,
Member of Congress.
MORRIS K. UDALL,
Member of Congress.

NATIONAL WILDLIFE FEDERATION,
Washington, DC, June 13, 1990.

HON. MORRIS UDALL,
Chairman, Committee on Interior and Insular Affairs, House of Representatives,
Washington, DC.

HON. JOHN J. RHODES III,
House of Representatives,
Washington, DC.

DEAR MR. CHAIRMAN AND REPRESENTATIVE RHODES: I am pleased to respond to your inquiry regarding the understanding of the National Wildlife Federation on certain as-

pects of the Gejdenson Amendment to H.R. 2567, the Reclamation Projects Authorization and Adjustment Act.

I understand that the participation of various irrigation districts may be desirable or even essential in future Indian water rights settlements, and that such participation may involve amendments to existing contracts with the Secretary of the Interior. It is my expectation that contract amendments solely to facilitate Indian water rights settlements—not conferring new or additional benefits to such districts—would be appropriate to exempt from the requirements of the Gejdenson Amendment when the failure to do so would preclude a negotiated settlement.

Recognizing that the action of the 101st Congress cannot bind the actions of future Congresses, it is my further expectation that any legislation necessary to affirm an Indian water rights settlement that requires the participation of an irrigation district holding an existing contract with the Secretary would carry specific language exempting such district from the application of the Gejdenson Amendment, whenever the failure to provide such an exemption would frustrate the underlying Congressional objective of effectuating a negotiated settlement of Indian water rights.

Sincerely,

EDWARD R. OSANN,
Director, Water Resources Program, National Wildlife Federation.

OPEN LETTER FROM ELENA BONNER ON LITHUANIA

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 1990

Mr. Frank. Mr. Speaker, 4 years ago I had the great privilege, along with our former colleague from California Mr. Lungren, to accompany Elena Bonner on her return to Moscow. Ms. Bonner had been in the United States for medical treatment while her husband, the late Andrei Sakharov remained in internal exile. Shortly after she returned to Moscow, the internal exile decree was lifted and she and her husband were allowed to return to Moscow, where he was subsequently elected to the Russian Parliament.

While we have been deprived of Andrei Sakharov's brilliant advocacy for human rights by his death, Elena Bonner continues the important work which was their joint effort. She was recently in this country and I was pleased to be able to meet her again at a meeting held by Armenian-Americans in Massachusetts at which she was recognized for her staunch defense of the rights of the people of Armenia. At that time, I had the chance to discuss with her the situation in Lithuania, an opportunity I sought because I have an enormous amount of respect for her expertise about Soviet politics as well as her commitment to human rights. She mentioned to me at that time an open letter she sent to President Bush sometime earlier in which she strongly urged strong American support for Lithuanian independence.

Her letter is a powerful statement of behalf of American support for the brave people of

Lithuania and their right to the independence which was brutally and illegally taken from them by the Hitler-Stalin pact. Because of Elena Bonner's impeccable credentials as a supporter of democratic reform in the Soviet Union, I ask that her letter to President Bush be printed here as an example of the powerful case that exists for strong American support for the people of Lithuania.

AN OPEN LETTER TO PRESIDENT BUSH

MARCH 26, 1990.

MR. PRESIDENT. The lawful Lithuanian government, acting on the will of the great majority of its population, has proclaimed the independence of the Lithuania.

The statements by your government express hopes for the peaceful resolution of the situation. But in Lithuania the tension is growing, fed by the increasing Soviet military presence, the psychological atmosphere is such that at any moment the incidents of violence can be provoked. That can endanger President Gorbachev's position and drastically slow-down or completely stop the process of democratization in the Soviet Union.

For half a century the government of your country considered unlawful and refused to recognize the incorporation of the Baltic states into the Soviet Union. That was in line with the U.S. democratic traditions. It was a moral statement of the Molotov-Ribbentrop pact, or, to be exact, on the bargain struck between Stalin and Hitler. Was such U.S. position just empty words, that deceived American people and the whole world? Only actions can answer this question—by immediate recognition of the Republic of Lithuania and the establishment of the diplomatic ties with it. The U.S., because of its unique role in the world, and you, Mr. President, have a grave historical responsibility.

I am addressing you because I know that Andrei Sakharov would have done it. Back in 1988 he wrote that one should not fight the separatist tendencies but try to treat the problems that are causing them. The government of the USSR had failed to act timely. But its mistakes must not be paid for with the blood of the Lithuanian people, who, at the hands of Stalin, have lost almost a third in the concentration camps and in the Siberian deportation.

I call on you to immediately recognize the Republic of Lithuania.

Sincerely,

ELENA BONNER.

PAINTBRUSH DIPLOMATS VISIT WASHINGTON

HON. BUTLER DERRICK

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 1990

MR. DERRICK. Mr. Speaker, our Nation's capital this week is playing host to approximately 20 paintbrush diplomats from Anderson County, SC. Their artworks have been chosen to travel nationwide as part of "Paintbrush Diplomacy," a global artistic exchange program. The outstanding talents of these young men and women from the Third Congressional District merit the attention of my House colleagues, so I would like to insert for the RECORD the following article, which appeared in the June 11 edition of the Anderson Independent-Mail:

[From the Anderson Independent-Mail, June 11, 1990]

PAINTBRUSH DIPLOMATS' CHOSEN

(By Joanne Thrift)

Anderson County is sending diplomats to Washington. Through the Anderson County Arts Council and the Paintbrush Diplomacy program, approximately 20 young people will accompany their art work to the nation's capital.

"Paintbrush Diplomacy" is a program which involves the exchange of children's artwork with other countries. In an effort to recognize the art and talent of local students, the Arts Center has implemented a variation on the theme of "Paintbrush Diplomacy."

The first year, 15 pieces of artwork are chosen to travel statewide and to be recognized on the State Senate and House floors. The second year, 15 additional pieces are chosen to travel nationwide. In the third year, another 15 pieces will be added, making a total of 45 framed, permanent pieces. These pieces then will travel overseas. As a finale to the celebration of youth and their artwork, the gallery will feature a national exhibit from the Smithsonian Institution. Traveling Exhibition Services that is a collection of children's artwork worldwide.

Since it is the second year of the program, these young artists will visit Washington, D.C., June 13 through 16. While there, the artists will be recognized by U.S. Rep. Butler Derrick. The students also will visit many Washington attractions including the Kennedy Center and several major art museums. The art work will be displayed in the Mott Mansion throughout the month of June.

This program is funded in-part by the S.C. Arts Commission, the National Endowment for the Arts, and the City and County Accommodations Tax Fund.

The first year paintbrush diplomats are:

Marc Harper, McDuffie High School; Meredith Brissett, Matt Watson, T.L. Hanna High; Nicholas Walker, Westside High; Elizabeth Garrison, Janice Kendrick, Pendleton High; Kevin Merlo, Chris Bowen, Riverside Middle School; Tien Le, McCants Middle; Chris Ching, Calhoun Elementary; Michelle Aldrich, New Prospect Elementary; Jeff Burdette, West Franklin Elementary; and Melissa Gurley, Pendleton Elementary.

Second year students:

Dawn Rector, McDuffie High; Alyssa Cheek, T.L. Hanna High; Chris Nelder, Westside High; Kelly Hall, Palmetto High; David Hall, Chris Usher, Wren High; Kelley Vickery, Lakeside Middle; Allison Finch, Sam McGinnis, Southwood Middle; Donald Strickland, Honea Path Middle; Rachel Burdette, Homeland Park Elementary; Joel Anderson, New Prospect Elementary; Jeremie Garacci, Townville Elementary; Marcus Scotland, Varennes Elementary; and Kirsten Epstein, Montessori.

A TRIBUTE TO MARGUERITE STITT CHURCH

HON. JOHN EDWARD PORTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 1990

MR. PORTER. Mr. Speaker, our hearts are at half-staff today in tribute to a great, gracious and most noble lady, Marguerite Stitt Church.

We join with her wonderful and large family, who have come here from all across the United States, to celebrate the spirit of her long and extraordinarily productive life, and to share with them in the grief that all of us feel at the loss of our mother, or grandmother or great-grandmother, even, and perhaps, particularly, in a family so much in the public eye and expected always to put on a public face.

Oh, what a lady she was and, oh, what a life she had!

Marguerite Stitt was born in New York City in 1892 and grew up there. She graduated from Wellesley College Phi Beta Kappa in 1914 with a degree in political economy. She was president of her sorority, an intercollegiate debater, president of the Debating Society and a member of the Intersociety Council, all portents of her life to come. She earned a Master's degree in Political Science at Columbia in 1917, and in 1918 came to Chicago to visit a college friend. She went out on a blind date with Ralph Church, a Chicago lawyer and State legislator 9 years her senior, and they were married that December.

He served 14 more years in Springfield and 14 in the U.S. House of Representatives. She was his political and legislative partner in every sense of the word. She was the wind beneath his wings. She greeted visitors from home and took them on tours of the Capitol and White House, worked with him on legislation, and served as president of the Congressional Club, an organization of the wives of Members of Congress.

In 1950 Ralph Church died unexpectedly in the middle of a congressional hearing, and in the fall, Republican leaders persuaded Mrs. Church to run for his seat. It was, as Fred Schwengel, a House colleague, said on her retirement, "a logical, a justifiable, a natural, almost an inevitable sequence."

She won that election handily and five more in a row. She loved her constituents of the 13th district, stretching from the 43rd ward in Chicago to the Wisconsin line, and they loved her. She received support not only from Republicans, but from many Democrats and Independents, and twice won elections with the largest number of votes of any congressional district in the United States.

There was no more effective campaigner. Her integrity, her brilliance, her sense of justice and fairness all showed through. Her intensity, too. Once, she moved through Lake County campaigning at such a furious pace that suddenly she found herself making a speech in Lawrence Smith's district in southern Wisconsin.

She served in six Congresses, from 1950 through 1962, and under three Presidents: Truman, Eisenhower, and Kennedy. She was among the first 50 women ever elected to the Congress, the fifth from Illinois, and the first from our State to serve more than 10 years.

When she was elected to the House in 1950, Tim Sheehan of Chicago was, too, and Everett McKinley Dirksen was elected that year also, replacing Scott Lucas in the Senate. Sam Rayburn was Speaker of the House during her first term, but in her second, the Republicans won control of the House for only the second time since 1932, and Joe Martin of Massachusetts became Speaker.

That 2-year period from 1953 to 1955 was the last time her party controlled the House to this day, and Rayburn and later John McCormack served as Speaker during her last four terms in Washington, while Martin and later Charlie Halleck of Indiana led the minority Republicans. She served in the Illinois delegation with DAN ROSTENKOWSKI and BOB MICHEL when they had no seniority, and by the time she retired, Ed Derwinski, Harold Collier, Roman Pucinski, and John Anderson had joined the Illinois delegation.

Her time in Washington was the time of the Korean war and the Cold War, of the Marshall Plan and the dawning of the nuclear age. Early on, it was the McCarthy era, too. The Internal Revenue Code was completely rewritten in 1954. The Interstate Highway System was begun, the St. Lawrence Seaway created, Hawaii admitted to the Union, and the first Civil Rights Act passed into law. It was the time of the Suez crisis, U.S. Marines landing in Lebanon, Quemoy, and Matsu, the Berlin crisis and the building of the Wall, and, at the end, of Cuba and the Bay of Pigs.

And the people of the 13th District of Illinois could not have been better served in Washington. She said that Congress was her entire life for those 12 years, and she lived Congress 24 hours a day. Mrs. Church officed in her last 8 years in Congress, beginning in 1955, in room 1530 in the Longworth House Office Building, an office I had the honor to occupy exactly 30 years later. She liked to tell visitors that her high-backed leather desk chair was "good for the congressional spine," a comment, perhaps, not so much about its physical effects, but about the kind of courage—political courage—needed in Washington, the kind she exhibited in abundance. We could use a good deal more of those chairs and people of Mrs. Church's courage and leadership in Washington today.

When Ralph Church was in Congress, they would rent a Washington house, put the entire family on the train at the beginning of the year, arrive and settle the children in school in Washington and stay until the end of June when Congress adjourned for the year. This was BAC—before air-conditioning—now, with air-conditioning, government can go year round. It has been truly said that the advent of air-conditioning was the advent of big government in Washington.

Later the Churches lived in an apartment in the Shoreham up on Connecticut Avenue overlooking Rock Creek. Jimmy Byrne, then a Senator from South Carolina, and later Secretary of State and a Justice of the Supreme Court, lived next door.

Mrs. Church was appointed to the Government Operations and Foreign Affairs Committees in the Congress. On Foreign Affairs, she was a member of the Foreign Economic Policy and the Far East and Pacific Affairs subcommittees and visited almost half the countries in the world. Her long legislative experience and investigative skills led her to question scores of foreign economic and political leaders about the effectiveness of U.S. foreign aid. "I like to think that my district and my country are safer because I went," she said. A colleague said on her retirement "she gave the image of the United States—on her travels—the impressive and enlightened as-

pects of a portrait that wins us respect, admiration, even love in the far corners of the earth." When I was elected she advised me very strongly to seek a seat on Foreign Affairs and to visit foreign countries. "You simply cannot make rational judgments without understanding other people and their cultures and how their political and economic systems work, and you can't gain that understanding without seeing them firsthand," she said. I took her advice, and have never regretted it.

On Government Operations, she sponsored legislation implementing the Second Hoover Commission on Governmental Organization. A strong fiscal conservative, she fought against extravagant and reckless government spending. But she was also deeply concerned with child and social welfare and served as a delegate to the 1960 White House Conference on Children and Youth and later as a delegate to the United Nations General Assembly.

At a time when it was not popular to support such causes, she was a strong advocate of civil and women's rights. She was very aware of the double standard toward women, and in accepting the Republican nomination in 1950 said: "If a man had been nominated and made a mistake, you would have said he was stupid. If I make a mistake, you will say she is a woman. I shall try never to give you a reason to say that. I make no apologies for being a woman, nor would I ever seek office on the basis of being a woman."

Nevertheless, she urged women to get into politics. "You have to stop thinking like a woman when you enter public life, although you realize you have feminine superiority," she said in addressing college women.

On the floor of the House of Representatives and at home in speeches to her constituents she was eloquent and inspiring. She could make a better speech with no preparation than many could with weeks of it. One contemporary said, "I rate her in the top flight of effective public speakers that I have known in a period of half a century." She seemed to have total recall of events, her face lighting up and her eyes beaming at the recollection and recounting of a past moment.

If a constituent wrote to her, they would very likely receive a handwritten response from their Congresswoman, who made it a point of pride to read every letter that came into her office, just as she made it a point of pride to cast her vote on every rollcall, missing only 4 in her 12 years in Congress.

In 1954 she was on the floor in the House when gunfire erupted. Puerto Rican nationalists fired into the crowded Chamber from the gallery. There she stood, she recalled, in the midst of it all, not recognizing the sound of gunfire and bewildered by the sight of strong men suddenly diving to the floor and crawling under desks and chairs. Congressmen standing behind Mrs. Church who knew the sound jumped on her and forced her down to the floor, and she wasn't hit, although a number of Members were. Bullet holes can still be seen in the desk on the Republican side of the Chamber.

Mrs. Church served in the House of Representatives with John Kennedy. Though she was a strong Republican, she might have been inclined to attend his inauguration in 1960 as President, but Washington was struck

with a terrible snowstorm and everything came to a halt. Into her Connecticut Avenue apartment came Leonard Bernstein and Betty Davis, Leonard in need of a razor so he could shave, Betty in need of stockings since hers had a run in them. Mrs. Church provided the razor and the stockings. Bernstein sent her a dozen roses, but she never heard from Miss Davis.

Throughout her career and long after, people sought her advice. There was a regular pilgrimage to 300 Church Street, a street, incidentally, that many people thought was named for the illustrious family that lived at its foot by Lake Michigan. A visit to her study, with all the pictures and memorabilia of Washington, was itself an experience to be savored and remembered. Don Rumsfeld and Joyce, PHIL CRANE and Arlene, Sam Young and Bonnie, and Kathryn and I and dozens of others from all levels of government would seek her out, ask her what we should do, and listen to her counsel and to her wonderful memories and stories. We were her disciples, and she never failed to help us or inspire us. I visited during my first campaign in 1978, concerned about a letter to the editor misrepresenting a position I had taken. "Ralph Church," she said—she often spoke of her late husband as "Ralph Church"—"would tell you, 'Don't answer it.' Chances are nine out of ten people didn't read the letter in the first place, and half of those who did, didn't believe it." "If you answer," she would say, "you have to repeat the false allegation, and it will be made known to many who would never have heard about it in the first place." In her own campaigns, she followed this philosophy precisely. She never referred to her opponents by name or otherwise and never answered their criticisms. "Why advertise the opposition?" she would say.

Though the seniority system in the House was not challenged during her time in the Congress, if asked, she would have "thought kindly" about mandatory retirement at age 70. "We would lose some who have much still to give," she said, "but the danger as regards many who stay in beyond that age is that they stay too long. Finally, they reach the stage when it is difficult, if not impossible, for them to face life anywhere else."

She retired voluntarily from Congress at the end of 1962, precisely at age 70. In the redistricting which followed, the old 13th district was carved into three new districts and many of her friends said, "It took three men to fill the place that Marguerite left."

In retirement she, in her own words, "avidly seized and filled new responsibilities." She served on the board of directors of the Girl Scouts of America and of the Northwestern Memorial Hospital. She worked on the Presidential campaigns of her friends Barry Goldwater and Richard Nixon and others at the State and local level and often spoke to Republican groups in the area. She frequently traveled to Washington to attend meetings of former Members of Congress, the annual First Lady's luncheon of the Congressional Club, and to work on the U.S. Capitol Historical Society, the active custodian of the Congress, which she helped to found.

But mostly, she was able to enjoy the love and warmth of her family, of Ralph and Marjory, and of 9 grandchildren and 10 great grandchildren, all of whom she adored. And, of course, to be helped about the Church house by Jimmie Carr, who has been with her since she retired in 1962.

The pace remained, even in retirement, vibrant. When Don Rumsfeld was nominated to succeed her in 1962, Mrs. Church offered to drive Joyce to Washington to look for a place for the Rumsfelds to live. They drove straight through, 750 miles without stopping, because Mrs. Church "always did it that way." It wore out Joyce, but not Mrs. Church, even though she was in her seventies at the time.

The same drive and spirit dominated everything she did. In 1975, Marjory moved into a new home and, though not fully settled, invited family and friends over for a Christmas open house. Mrs. Church, arriving, saw boxes of books that the Barnums had not yet had time to unpack sitting on the floor. "We can't have these books looking this way," Mrs. Church said, and proceeded to unpack and put all the books in the bookcases. She was then 83.

The next year, when she was 84, she was vacationing in Puerto Vallarta with the family and wanted to go to a particular restaurant known for its good food. When they got there, they found there were 78 steps up the side of the mountain to reach the restaurant. Up she went.

It was this indomitable spirit, her brilliance and eloquence and grace that moved people and inspired them. She possessed not a grain of guile, not a touch of arrogance, not a shred of cynicism. She was above all a consummate lady who uplifted our souls, and who directly and subtly, through leadership and example, moved a man's world of politics toward a higher, more noble plane.

When I think of Marguerite Stitt Church, the "Ode to Joy" from Beethoven's Ninth Symphony and passages from Handel's Royal Fireworks Music fill my mind.

Her energy, dignity, and personal charm captured the imagination of everyone who knew or met her. Her sense of justice, of what is right, her integrity, courage, and commitment to values—to God and family and country—give all of us an example to live by. At a time when our institutions are under siege, her life—lived to the very fullest—sends a message that renews our faith in service to others—public service—and in the human spirit.

A BOOST FOR OUR CHILD WELFARE SYSTEM

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 1990

Mr. MATSUI. Mr. Speaker, our Nation's child welfare and foster care systems are in need of a boost. Today I am joining with Representative TOM DOWNEY in introducing the Family Preservation Act of 1990—a bill that would provide the shot in the arm the child welfare system needs.

American families are presented with more challenges now than ever before. Over the past 20 years, the face of the American family has changed dramatically. No longer are two-parent families with the father in the work force and the mother at home caring for the children the norm. Increasingly families are headed by a single parent and many of these families are living in poverty. Living in poverty brings with it many other problems, such as poor health and nutrition, child abuse or neglect, inadequate housing, and exposure to illegal drugs.

All of these factors come together to mean a greater burden on the Nation's child welfare programs. Over the last decade there has been an explosion of vulnerable youth needing child welfare and foster care services. In 1976, there were 669,000 child abuse and neglect cases reported. By 1986 the number had more than doubled to over 2 million cases.

The plight of boarder babies—infants born to substance addicted women who remain in hospitals because they have no where else to go—is in the news every day. These children start life off at a tremendous disadvantage. Drug-exposed infants have more physical and developmental difficulties than infants born to women who receive proper prenatal care do not experience. These children have special needs, and the current child welfare system is ill-equipped to meet. The legislation being introduced today begins to provide the child welfare system with increased funding and added services and protection for these children.

America's future rests in the success of our children. It is our responsibility to provide them with the necessary services and attention they need in order to grow up healthy and strong. The needs of children in the child welfare system cannot be ignored. This legislation listens, before it is too late, to the voices of these children.

CY AND CHARLOTTE KAPLAN

HON. TOM SAWYER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 1990

Mr. SAWYER. Mr. Speaker, I rise today to recognize two of my constituents, Cy and Charlotte Kaplan, for their enormous contributions to the Akron Community.

Mr. and Mrs. Kaplan have devoted their lives to educating and helping others. On June 18, 1990, the Akron Jewish Community Federation will honor Cy and Charlotte Kaplan for their outstanding community service. That service is well documented in this article in the Akron Jewish News that I would like to share with my colleagues.

[From the Akron Jewish News, June 1, 1990]

CY AND CHARLOTTE KAPLAN

(By Marcia Hughes)

Mentor. A word not used often in our fast-paced, instant modern society because of its very meaning. A mentor is a "wise and trusted counselor", and no one earns that title unless he/she puts in the time to become wise and trusted by others.

Time—that is what is in short supply today. Our world is filled with computer milliseconds, microwave minutes, fast-paced and fast-tracked jobs, computer chip video games, fast and even faster cars, and hour relationships. Who takes the time to become wise and trusted? Who serves as role models for others; who takes the time to listen, observe, and teach the next generation? Who cares about weaving a thread between yesterday, today and tomorrow? Mentors care, and Cy and Charlotte Kaplan understood that concept a long time ago. In the Jewish community of Akron, Ohio, they accepted this role and understood its importance.

In the summer of 1943 Cy Kaplan was brought to Akron from New York by the University to work on creating synthetic rubber. The world was at war. New ways to make rubber products were desperately needed, a new industry was being born and chemists were working around the clock looking for answers, and Cy was one of them. After working a 48 hour shift on August 10, he went on a blind date with Charlotte Havre, and after several drinks, fell fast to sleep on the table. Not a very auspicious beginning to a new relationship.

She went off to college in New York and he pursued and persisted until she finally gave in and married him on June 18, 1944. True love does eventually win out.

Together they purchased a rubber company in Ravenna and began a Mom and Pop rubber business making nursing nipples. They did everything at the factory: cleaned the toilet, washed the floor, took care of the accounting and shipping, and sold the orders. After their two children were born, it became a family business with everyone doing something.

After five years of living in Ravenna the Kaplans moved back to Akron. They were part of the new young marrieds of the post war 1950 years. In the Jewish community things were beginning to happen. Nate Pinsky, who was Director of Jewish Family Service and the Jewish Welfare Fund, began a training course for young men under Norm Nobil, and recruited Cy.

If there are turning points in people's lives, then this relationship with Nate Pinsky was one for Cy Kaplan. Pinsky introduced these young men to Jewish responsibility and commitment. Pinsky became a mentor for this generation. He taught them about Israel and the need for the Joint Distribution Committee (JDC), the United Jewish Appeal (UJA), and their social responsibility to the local Jewish community.

In 1958 Cy and Charlotte joined ten other young people under the leadership of Pinsky in the first ever Akron Young Leadership Mission to Israel. As Cy says, "We saw Israel with a gun, camera and Johnny Walker."

They truly never slept for two weeks. They toured a new, raw and exciting country. They met people living in tin huts, toured Israel's first submarine, met the Governor of Jerusalem and were generally treated like royalty. They learned and absorbed everything they could and returned to Akron totally fired up about Israel and the need to keep her safe.

Back in Akron Charlotte joined forces with Belle Miller, who would serve as her mentor. Belle established a "Young Matron's Division" as part of JWF Women's Division. All women under 35 were invited to be part of this training group. Here Charlotte learned all about group dynamics and how to raise funds.

These young women concentrated on getting the message out to areas surrounding Akron; such as, Wooster, Steubenville, and Elyria. Jewish women in these areas had not been organized and did not have any concept of women giving money separately from their husbands.

According to Charlotte, "I would get the name of the wife of one of the big givers, call her up and explain who I was and what I wanted, and she would slam the phone down." Persistence won out and this group of dynamic young women was successful in raising the consciousness of these Jewish women and showed them how important their pledges were.

During this time, the 1960's, Cy spoke to any group within the Jewish and larger Akron community who wanted to know about Israel. He was on the Akron church "rubber chicken" circuit for years educating people about the Middle East. He served on any board that raised money for Jewish causes and spent the majority of his evenings at meetings.

A partial list of his leadership roles include: President of the Jewish Vocational Service, President of the Akron Area Adult Council, Chairman of the Jewish Welfare Fund, President of the Jewish Welfare Board, President of the Akron Jewish Community Federation, President of E.J. Thomas Performing Arts, on the National Joint Distribution Committee and United Jewish Appeal Boards and President of the Five Community Board which established Kent State Hillel in 1969.

Charlotte was also very busy during these years. She was raising two children, performing as an actress in local theatre, directing plays at the Center's camp, and educating women on all giving levels to understand their community responsibilities. She served as President of Women's Division in the mid 1960's and raised over \$72,000 when everyone told her it was impossible. She served with Belle Miller on the National UJA Women's Board (the only two women from Akron to do this) and was State Chairman of the Ohio Region for UJA.

In June, 1967 the biggest challenge of all hit the worldwide Jewish community: War in Israel. On June 7, 1967, Israel was at war with her neighbors and the American Jewish community held its breath. What would happen to this tiny nation?

In Akron the leaders went to work immediately to raise money. Charlotte helped to organize the big rally held at the Akron Civic Theatre and Cy organized the men. More money was given that night than had ever been pledged at any one time. The Akron Jewish community reacted as a whole, without hesitation. All the work which had been done to educate the community had paid off; Israel would be supported.

In recounting what Cy and Charlotte have done in their lives for the local and international Jewish communities, their dedication becomes crystal clear. As Charlotte said, "We argued about everything in our marriage, and I do mean everything, except the time we each spent working for the Jewish Welfare Fund. There were evenings one of us walked into the house from a meeting and the other was walking out going to another meeting. Times there was no food in the house because I was too busy to shop. Times we hardly slept because of troubles in Israel. But, none of it mattered. We had to help; it was our responsibility, our mission. It became the glue of our lives."

And this dedication they passed on. They took the time and effort to become mentors

to the next Jewish generation. They groomed people like Clifford and Judy Isroff, Mel Sacks, and Jimmy Nobil, all future presidents of Federation. They raised their Jewish consciousness and showed them how to be effective.

Cy and Charlotte Kaplan fulfilled their role as mentors. They took the time to be "wise and trusted counselors", and we all thank them for it.

DALLAS TIMES HERALD SAYS "SCRAP THE RUST BUCKETS"

HON. WM. S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 1990

Mr. BROOMFIELD. Mr. Speaker, Dallas, TX may be a landlocked city, but it has a newspaper that knows an old rust bucket when it sees one.

The Dallas Times Herald wants to know why the U.S. Navy and the Maritime Administration are charging the U.S. taxpayer \$6.7 million a year to maintain a World War II-vintage fleet of ships.

Congressman RON WYDEN and I held a hearing into the issue, and we plan to request a GAO audit and introduce legislation that would turn this aging fleet into scrap.

Americans don't drive 50-year old cars anymore, and I can't imagine we are going to win any battles in 50-year old ships.

I urge my colleagues to read the Dallas Times Herald editorial, "Scrap the Rust Buckets."

SCRAP THE RUST BUCKETS

Thomas Heggen wrote a very good book that became even more famous as a movie once screenwriter Joshua Logan got hold of it. It was called "Mister Roberts" and concerned the title player's long-running struggle during World War II to be transferred from a ship he not so fondly referred to as an old rust bucket. Mr. Heggen's book and Mr. Roberts' ship both came to mind during recent congressional debate in Washington, DC, about the future of the aging U.S. cargo fleet.

Frankly, Mr. Roberts' ship looked like the QE2 compared with some of the 331 National Defense Reserve Fleet ships. Grass is growing through the wooden decks of some of the vessels, paint is peeling off hulls, and rusted broken railings are common.

Yet, many Navy and maritime officials think the NDRF fleet, most of which is in mothballs, is a strategic asset and could be used to carry heavy equipment in a national emergency. After all, they point out, the ships' works are protected, as are their hulls.

Perhaps.

But we tend to side with those who believe the ships ought to be sold for scrap to U.S. salvage companies.

For one thing, 72 of the ships are of World War II vintage and none of them has been in service since the Vietnam War—which ended 15 years ago.

In addition, when someone like Navy Cmdr. John Polley says of the ships, "I wouldn't want to serve on one," we think Congress ought to listen. Cmdr. Polley examined the fleet last year for the inspector general's office of the Defense Department.

Rep. Ron Wyden, D-Ore., the chairman of the House Small Business Committee's sub-

committee on regulation, business opportunities and energy, and ranking Republican William Broomfield of Michigan are the two most vocal opponents of maintaining the fleet.

Mr. Wyden is especially critical of the Maritime Administration, the division of the Transportation Department that oversees the reserve fleet, because it has turned over outdated ships to foreign salvage yards. Mr. Broomfield cannot understand the rationalization for maintaining the fleet in the face of a huge budget deficit and the apparent end of the Cold War.

This fiscal year, the Maritime Administration is spending \$6.7 million to maintain the oldest part of the fleet and \$89 million to keep 96 ships in the fleet in Ready Reserve, a higher state of readiness.

Fleet administrators want \$225 million for Ready Reserve maintenance next year. They also want to increase the Ready Reserve fleet by 46 ships within four years.

Rep. Wyden told the fleet administrators they were living in "never-never land."

Which reminds us of another service screenplay we once read. It was called "Operation Mad Ball."

NATIONAL READ ALOUD DAY

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 1990

Mr. SKELTON. Mr. Speaker, in an effort to promote reading and literacy, the Read America Program designated June 8 as National Read Aloud Day. I joined community leaders and children across America in celebrating this event. The excerpt I read aloud will hopefully inspire others to read for enjoyment, information, and enlightenment. I chose the following passage from Bob Priddy's book "Across our Wide Missouri":

It wasn't until 1812 that this area acquired the formal name "Missouri." Or is it "Missoura?" And just what does the word of varying pronunciations really mean?

The situation didn't get unwieldy until the state of Louisiana was admitted to the Union. That caused confusion because Louisiana had been known as the Territory of Orleans, and the term "Louisiana" had been applied to an area to the north—what is now Missouri.

When Louisiana became a state in April 1812, Congress created the Territory of Missouri and made it a second class territory. It included all of the Louisiana Purchase except the state of Louisiana. Seven years later the Territory of Arkansas was laid out and Missouri assumed, generally, its well-known boundaries of today. In 1836 the Platte Purchase completed the northwest corner of Missouri, the area that is now Atchison, Nodaway, Holt, Andrew, Platte, and Buchanan counties.

How to pronounce the name of our state always has been a problem. The famous writer, Eugene Field, a Missourian, once wrote, "He lives in Mizzoura, where the people are so set in ante-bellum notions that they vote for Jackson yet." In the early 1930s Dr. Allen W. Read published a scholarly study of how to pronounce Missouri. He found that the majority of residents of the state pronounce it "Mizzourah." Those same people, however, were generally care-

less in other pronunciations, saying such things as "I have went," and "I seen your friend." Another source notes that the two s's in Missouri are not pronounced as they are in Mississippi, and that the last two letters, "ri," must certainly be pronounced "re." One wonders why the state name isn't pronounced "Missoury" instead of "Mizzourah." One person suggested it become Missouiro, so that using the abbreviation "Mo" can be justified. An 1897 study of 200 prominent residents of the state found 80 percent of them liked "Missoury," a compromise of sorts.

What does Missouri mean?

Floyd Shoemaker says it often has been thought to mean "muddy water." Back in 1673, he notes, Marquette and Joliet reached the mouth of the Missouri River. They called it the "Pe-kit-a-noui," an Indian name meaning "River of the Muddy Water." At the river mouth was an Indian village whose inhabitants used large log canoes. Marquette called the village, "Ou-Missouri," meaning "town of the large canoes," although some translate it as "people of the wooden canoes."

Explorers later referred to the river as being the river of the "Missouris," referring to the Indians who lived near it. The Missouris at one time were a tribe of Sioux Indians.

Robert Ramsey, who made a career of studying the way Missouri places were named, says the Indian tribe was called the Missouris by their bitterest enemies, the Algonquins, who eventually annihilated them. In the Fox Indian language (the Foxes were part of the Algonquins) it probably means "People with Big Canoes." The Missouris called themselves the Njutachi, meaning "People Who Dwell at the Mouth of the River." They called the river the "Nishodde," which in the Sioux language means "Muddy Water." Ramsey notes, therefore, the familiar nickname for the river, "The Big Muddy," might not be too far from wrong.

The entire problem might never have reached these proportions if Louisiana had been admitted to the Union as the State of Orleans and we were left with the name "Louisiana." Little did Congress realize what long-lasting arguments it started when it organized the Territory of Missouri (or is it Mizzourah) on June 4, 1812.

Read Aloud Day is just one of many local and national projects across the country addressing literacy issues. These programs share a common goal: To make the United States a nation of readers. Literacy and reading are essential components of our Nation's success. I encourage everyone to become involved in some aspect of these worthwhile literacy projects.

THE FAMILY PRESERVATION ACT

HON. THOMAS J. DOWNEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 1990

Mr. DOWNEY. Mr. Speaker, today I am introducing legislation designed to deal with America's crack cocaine epidemic. Two months ago, I visited the crack baby wards at two local hospitals. It was both a sad and sobering experience. What I witnessed were

babies without a future cared for by real American heroes—the dedicated doctors, nurses, and social workers—who are on the job every day of the week working against seemingly insurmountable odds. I was left with a mixture of despair and renewed determination to those children whose only light of hope is being snuffed out by substance abuse.

That's why I am introducing this legislation. The fact is that America's families are under attack from an enemy within; crack cocaine, drugs, and alcohol. Two Federal agencies estimate that over 100,000 babies were born exposed to cocaine in 1988, some of them suffering the permanent effects of premature birth and poor prenatal care. They are in the care of a child welfare system so overloaded by crack cocaine that is about to short circuit. In parts of this country, drug use is a significant factor in 70 percent of child welfare cases. Across the country, the number of kids placed in foster care is steadily increasing and deaths from child abuse surpassed 1,100 for the fourth year in a row last year.

Unfortunately, many families are not getting the help they need. There is a shortage of drug treatment facilities for pregnant women and women with children, and too few programs that provide intense crisis intervention services to families affected by drug use. There also aren't enough foster families who are willing to care for drug exposed, emotionally disturbed, and physically damaged children.

All of these trends are documented in a report I am releasing today entitled "The Enemy Within: Crack-Cocaine and America's Families." The report summarizes what we know about the use and abuse of cocaine and its derivative, crack cocaine. It also describes how our social service and public health systems interact with cocaine using parents and their drug exposed children. I conclude from this report that, armed with the fact, we can do more to help families who fall prey to drug and alcohol abuse. To do that we must attack the problem on two fronts: Invest in prevention and offer treatment and support to these families, starting with the children.

The Family Preservation Act is the first step in our battle to remove drugs and abuse from the lives of America's children. The bill invests in prevention, earmarks funds for services to substance abusing families, helps the courts do a better job, and makes foster care—the choice of last resort—a safer, saner alternative for children. It also requires all States to provide emergency assistance through AFDC, a step that will help prevent homelessness, and expands funding for the title XX social services block grant.

We cannot afford to lose a single one of today's children if we expect them to compete in tomorrow's world. Allowing thousands of American kids to grow up in dysfunctional families where physical and emotional abuse are common and addiction is the norm cannot be tolerated. Nor can we leave children for years in the limbo of foster care without offering them a permanent place to rest their heads. The Family Preservation Act is one important step in the right direction. Attached is an outline of the Family Preservation Act, and a brief summary of the crack cocaine report.

THE FAMILY PRESERVATION ACT OF 1990

(Introduced by Representatives Downey, Miller, Ford of Tennessee, Matsui, and Andrews)

I. IMPROVEMENTS IN CHILD WELFARE SERVICES

Converts the title IV-B child welfare services program from an authorization to a capped entitlement.

Mandates the following statewide services to children and families: preplacement preventive, family preservation, reunification and aftercare services.

Reserves 30 percent of the title IV-B funds for incentive grants to serve families in crisis due to substance abuse and sets aside a portion of title IV-B funds for grants to State courts to improve child welfare procedures.

II. IMPROVEMENTS IN FOSTER CARE AND ADOPTION ASSISTANCE

Requires States to reevaluate their foster care benefit levels every three years.

Requires that the dispositional hearing to determine the final status of the child occur within 12 months of placement, rather than the current 18 months.

Sorts out foster care administrative costs, identifying those expenses related to child placement services and limiting increases in true administrative costs to inflation.

Authorizes respite care for foster parents, extends title IV-E foster care eligibility to abandoned children and children who experience disrupted adoptions, and limits out-of-state foster care placements.

III. OTHER SERVICE IMPROVEMENTS AND DEMONSTRATIONS

Mandates the AFDC emergency assistance program in all States, requiring services to prevent homelessness.

Increases funding for the title XX social services block grant to \$3.1 billion by fiscal year 1993.

Encourages State demonstration projects that reduce foster care placements by providing preventive services, develop innovative staff recruitment and training activities, reduce the number of boarder babies, and expedite permanent placement decisions for children. Also evaluates the effect of family preservation services and foster parent retention and training efforts.

THE ENEMY WITHIN: CRACK-COCAINE AND AMERICA'S FAMILIES

SUMMARY OF MAJOR POINTS

Crack-cocaine is a highly addictive drug. A crack user can become addicted in as little as 6 to 10 weeks and 50 percent of crack users are likely to become addicts. (Chapter I) Crack use is blamed for most of the 90 percent increase in admissions to drug treatment programs between 1985 and 1988. (Chapter VIII)

An increasing number of infants are born drug-exposed. In 1988, more than 50 percent of woman admitted to Washington D.C.'s General Hospital for prenatal care tested positive for drug use. At Highland Hospital in Oakland, California, the proportion of newborns exposed to crack jumped from 5 to 20 percent between 1984 and 1988. (Chapter IV)

About 375,000 children are born suffering from prenatal drug exposure every year. Over 100,000 cocaine-exposed babies were born in 1988, and by the year 2000 that number could rise to between 500,000 and 4 million. (Chapter IV)

Prenatal drug exposure can have serious effects on an infant's health. It can cause

strokes or brain damage in the womb, fetal death, prematurity, low birthweight or withdrawal symptoms at birth. Learning disabilities and other damage caused by prenatal cocaine-exposure may not appear until the child is between the ages of 2 and 5. (Chapter V)

Active intervention can lessen the effects of prenatal drug exposure. A structured environment and intensive parental nurturing may reduce the severity of developmental problems. However, many of these children will require special attention from the educational and social service system as they grow. (Chapter V)

Drug abuse has become the dominant characteristic of child protection caseloads in 22 States, affecting over 70 percent of child welfare cases in some areas. About 700,000 children are abused or neglected each year by a caretaker who abuses alcohol or drugs. (Chapter VII)

The number of children placed in foster care is also on the rise. About 360,000 children were placed in care in 1989, a 29 percent increase from 1986. The largest increases are found in cities that are hardest hit by crack. (Chapter VII)

Access to drug treatment is limited for pregnant women and women with children. Only 16 percent of New York City's drug treatment programs serve pregnant women addicted to crack. Few programs provide child care or allow children to remain with their mothers during treatment. (Chapter VIII)

The best drug treatment programs for pregnant women and women with children involve the entire family. There are only a handful of programs that provide comprehensive treatment, (including outreach and prevention, treatment and rehabilitation), that coordinate services among agencies or offer intensive crisis intervention services for at-risk families. Even fewer provide supports to foster parents who accept the challenge of caring for drug-exposed children (Part Three)

TAX EQUITY

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 1990

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for Wednesday, June 13, 1990, into the CONGRESSIONAL RECORD:

Tax Equity

Recent polls indicate an increased dissatisfaction with the current tax system. Many of my Ninth District constituents tell me that they believe the system is more unfair and more burdensome than ever before.

Their concerns are well founded. There is mounting evidence that our tax system is growing more inequitable. Over the last decade, the rich grew richer and their tax rate declined. Meanwhile, the poor grew poorer and their tax rate rose. The overall tax burden—federal, state, and local—has become more regressive, shifting to those taxpayers least able to pay. Today, rich and poor now give about the same percentage of their income to tax collectors.

FEDERAL TAX POLICY

Federal tax legislation has in part contributed to this trend. Changes in the federal tax code during the 1980s provided most

Americans with a reduction in their income tax liability, but some taxpayers benefited far more than others. The 1981 tax cuts are mostly responsible; the 1986 tax reform made the tax burden more fair, but did not fully offset the 1981 changes. The poorest fifth of households will pay \$85 less in federal income tax in 1990 than they would have had to pay at 1980 tax rates. The savings are more dramatic for wealthier taxpayers. The richest fifth of households will enjoy a tax break of \$1,578; the top 1% will have to pay \$13,175 less.

Some argue that lower rates boosted growth, which explains why wealthier Americans now pay a greater share of all federal taxes than they did ten years ago. However, this is not a very good measure of progressivity in the tax system. The affluent paid a somewhat bigger share of the taxes over the 1980s because they received a much bigger share of the income. The richest fifth of families saw their incomes rise by 31.7%, while the poorest fifth's income dropped by 3.2%. The average income for households in the top 1% grew from \$313,000 to almost \$550,000 during the decade—an astounding 75% increase. This disparity in income shares is the largest since these statistics were first compiled in 1947. Affluent people's share of the taxes went up a lot less than their share of the income, and thus their tax burden went down.

PAYROLL TAXES

Low-income taxpayers received a small income tax cut over the 1980s, but their payroll taxes—primarily for Social Security—increased by more. Today, federal payroll taxes generate almost three quarters as much revenue as produced by the income tax, and that share is projected to rise over the next five years.

Payroll taxes cause concern for three basic reasons. First, they are regressive. Social Security payroll taxes are levied at a flat percentage rate, and apply only up to certain income levels (currently, \$51,300). Second, payroll taxes are levied only on income from employment, and not on other forms of income such as interest, dividends, and capital gains that are likely to be far more important to wealthier taxpayers. And third, they have continued to increase in recent years, from 12.26% (split between employee and employer) in 1980 to the present level of 15.3%. Counting the employer share, nearly three quarters of Americans pay more Social Security taxes than they do income taxes.

STATE AND LOCAL TAXES

A third influence on tax equity has been the growth in state and local taxes. Over the last decade, states and localities have had to raise their own taxes and fees in order to offset declining contributions and transfers of responsibility from the federal government. State and local general revenues from non-federal sources increased from 11.4% of Gross National Product in 1980 to 13.5% in 1988. That increase converts roughly into \$95 billion in added tax payments in 1988, or \$1,000 for every American household.

These revenues are needed to help pay for basic services, including road and sewer repair, public education, and anti-crime efforts. The concern is not just how these revenues are spent, but how they are raised. State and local taxes tend to be more regressive than federal taxes, due to a heavy reliance on flat-rate sales taxes and other fee charges. There is also concern that local

property taxes are often passed on to renters and customers.

TAX PROGRESSIVITY

These trends have not been lost on U.S. taxpayers. One possible indication of taxpayer disgust with the current system is a growing rate of noncompliance. Another indication is that many taxpayers support grassroots efforts to lower local property tax rates.

My view is that more of the tax burden should be lifted from low- and middle-income Americans and shifted to wealthier Americans. This could be achieved in many different ways. A new tax bracket for higher-income Americans could be created. Corporate tax rates, which dropped off sharply in the 1980s, could be raised. Social Security payroll taxes could be reduced. Or, they could be made more equitable by applying them to higher income levels or increasing an offsetting tax credit for low-income Americans. State and local officials could also consider drawing more revenues from income taxes, rather than sales and property taxes.

At the same time, we should try to avoid tax changes that would worsen the progressivity of the tax system. For example, President Bush's proposal to reduce the capital gains tax would be a windfall for wealthy Americans. By one estimate, 83% of the tax-cut dollars would go to taxpayers with annual incomes of at least \$100,000; two-thirds would accrue to those with \$200,000 or more in annual income. Those families would receive an average annual tax reduction of \$15,900 each. By contrast, families with annual incomes of \$10,000 to \$20,000 would get an average cut of \$10.

OUTLOOK

A variety of Tax proposals will be considered this year. It is important that more prominence be given to the issue of tax equity. Over the last decade, government has shifted the cost of governing to the less well-off. At a time when income inequality continues to rise, a main objective of tax policy should be to increase progressivity, not the opposite.

PROTECTING OUR FLAG

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 1990

Mr. BEREUTER. Mr. Speaker, this Member believes the majority leadership of the House could have expected that the 1989 flag desecration law would be held unconstitutional by the Supreme Court. This Member specifically predicted that decision on the House floor on September 12, 1989, when he said that he would vote for that flag desecration law as a temporary, if constitutionally flawed, effort to deter the burning or desecration of the flag until a constitutional amendment to protect the flag is adopted.

I call to my colleagues' attention the thoughtful and commendable editorial on this subject which appeared in today's edition of the Omaha World Herald.

[From the Omaha World-Herald, June 13, 1990]

FLAG-BURNING ISN'T AN 'IDEA'—INVALIDATION OF 1989 LAW AN UNFORTUNATE DECISION

How regrettable it is that one more U.S. Supreme Court justice couldn't be found to uphold the 1989 flag desecration law. One more vote would have saved the law and denied constitutional protection for the contemptible act of flag-burning.

Now, instead, the door is open for more headline-seeking geeks to claim that they are making a political statement when they deface a symbol that most Americans hold sacred.

Now Congress is about to be forced into a potentially bitter battle over a constitutional amendment to protect the flag at the very time its members should be devoting themselves to restoring fiscal responsibility in Washington.

And now more weight has been given the questionable proposition that a wordless gesture has much the same constitutional standing as political speech.

The deterioration of political discourse into street theater continues.

There was a time when the purpose of political speech was to persuade. A person with an idea to sell was judged on the logic of his reasoning and the clarity of his presentation. The First Amendment provided a foundation for robust political discourse by prohibiting government from abridging unpopular ideas. Ideas rose or fell on their merits.

Dramatics have now replaced ideas in some of what passes for political discourse. Certainly flag-burning is not an idea. It is an act, the principal purpose of which is to shock and offend. It rips at the shared values of loyalty and mutual understanding that hold the country together. It showers contempt upon the sacrifice of veterans, the pride of immigrants and the hard work of millions of other law-abiding citizens. It ridicules the very system of government that permits it to happen.

To clothe that act in the protective garments of constitutionally protected speech exceeds any reasonable requirement of free and unfettered political debate.

The four protesters whose case the Supreme Court decided had contended that the flag desecration law unconstitutionally restricted their freedom to dissent. They had been charged in connection with a demonstration against the law in Seattle last October. They called it a "festival of defiance"—they hauled down an American flag belonging to the U.S. Postal Service and set it afire.

Now, as Flag Day approaches, they and their supporters celebrate by saying that the freedom to dissent has been preserved in time for them to observe "flag desecration day."

Their freedom to dissent was never called into question. The only freedom abridged by the flag law was the "freedom" to burn the flag without being arrested. As Justice John Paul Stevens, writing for the four-member minority, said, prohibiting flag-burning "does not entail any interference with the speaker's freedom to express his or her ideas by other means."

The flag is so important to so many people as a symbol of shared national values, Justice Stevens wrote, that government should protect it. It is unfortunate that he and his colleagues could not assemble a majority that would do so.

KLINGHOFFER STATEMENT

HON. VIN WEBER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 1990

Mr. WEBER. Mr. Speaker, the recent assault on the shores of Israel by the PLO-affiliated Palestine Liberation Front reminds us of why we must not pursue negotiations with a movement committed to terrorism. The PLO's refusal to specifically condemn the actions of PLF leader Abu Abbas comes as no surprise to those whose lives have been struck personally by that organization's brutality.

Ilsa and Lisa Klinghoffer's father was murdered in cold blood by members of the same faction that planned the abortive attack off the coast of Tel Aviv. I think they are entitled to express their sentiments on the wisdom of dealing with the PLO, and so I submit this statement on their behalf:

KLINGHOFFER STATEMENT

When an Administration official told Congress on May 24 that the numerous PLO cross-border infiltration attempts into Israel were not violations of the PLO's renunciation of terrorism, he cited the lack of substantive evidence implicating the senior leadership of the PLO—the Executive Committee—and skepticism regarding the intended targets of the raids. Last week's aborted massacre of civilians on the shores of Tel Aviv by Abu Abbas and his PLO faction, the Palestine Liberation Front, clearly indicate the continuing policy of terrorism by PLO leadership.

Abu Abbas is no stranger to our family. He masterminded the cold-blooded murder of our wheelchair-bound father Leon Klinghoffer, aboard the cruise ship the *Achille Lauro* in October 1985. Making a mockery of our father's death at the November 1988 Algiers Palestine National Council meeting, Abu Abbas said "Maybe he was trying to swim for it." Whereas the Italian government tried, convicted and sentenced Abbas to life imprisonment in absentia, the PLO rewarded our father's murder by electing him to the PLO's Executive Committee.

But that was then. Things, we have been told, are different now. In the name of the PLO, Yasir Arafat renounced terrorism "absolutely" at a Geneva press conference in December 1988. He pledged an end to the bloodshed. An end to the carnage.

Yet, last week, twelve terrorists from the PLO's Palestine Liberation Front tried to commit a brutal massacre in Tel Aviv. Immediately following the attempted attack, Abu Abbas' faction zealously claimed responsibility. A full member of the PLO, the Palestine Liberation Front is financially supported by the PLO and shares office space with PLO central headquarters in Tunis. Abu Abbas is a member of the PLO Executive Committee.

The aim of the operations, according to one of the captured terrorists, "... was to murder civilians ... They asked me to enter the Sheraton Hotel, to kill everyone inside ... We were asked not to have mercy on anyone and to kill any patron we encountered."

One need not search far for evidence implicating Abbas himself in the planning of the attack. While undergoing training for the operation under the command of Abbas' deputy, according to the captured terrorist,

they were regularly visited by Abbas himself. He came to see them the night before they went out to sea. He blessed them and cautioned them to be careful. Even senior PLO leaders admit to Abbas' culpability.

When U.S.-PLO contacts were first forged, the U.S. said it expected the PLO to condemn ensuring acts of terrorism and to discipline those responsible should they be members of the PLO. Nothing of the sort has occurred. The PLO continues to refuse to unequivocally condemn the attack and expel Abbas from its Executive Committee. Recognizing the gross violation of the PLO's pledge to renounce terrorism, Members of Congress have introduced legislation calling for a suspension of the U.S.-PLO dialogue.

Yet, for some reason, the American administration continues to equivocate on whether the aborted massacre technically constitutes a violation of Arafat's Geneva pledge. Last week, innocent families were fortunately spared the pain which we continually carry with us. Others might not be so lucky.

SENATOR ROSENTHAL'S LEADERSHIP ON ALTERNATIVE FUELS

HON. MEL LEVINE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 1990

Mr. LEVINE of California. Mr. Speaker, I rise today to share with my colleagues an enlightening speech made by California State Senator Herschel Rosenthal at the Alternative Fuels Workshop of the NCSL State-Federal Assembly last month. Senator Rosenthal describes not only the State's innovative programs to develop alternative fuels, but also its efforts to build a sustainable market for the use of clean fuels. As we all know, an enduring shift toward less polluting fuels can only be achieved when consumer demand for these products makes their distribution on a national basis economically feasible.

The State of California, largely through the legislature's forward-looking initiatives, has taken the lead in the Nation's development of alternative energy sources and low-emission vehicles. Its program should serve as models for other States as they seek to alleviate the growing air pollution problem. I urge my colleagues to read Senator Rosenthal's comments.

REMARKS OF SENATOR HERSCHEL ROSENTHAL

Good afternoon. I am pleased to be here to share with my colleagues information on the status of alternative fuel development in California. I want to commend the NCSL Energy, Environment, Transportation and Agriculture Committees for joining together to explore this important issue.

For many years, the California legislature has promoted the use of alternative fuels as a means to (1) reduce our dependence on petroleum-based fuels and (2) insulate our state from fuel price shocks and supply disruptions.

We in California are mindful of our vulnerability. California is the third largest consumer of gasoline in the world, following the U.S. as a whole and the U.S.S.R. My state uses an average of more than one billion gallons per month, and its transporta-

tion system is 99% dependent on petroleum-based fuels.

The 1989 Exxon Valdez oil spill caused only a brief disruption of Alaska crude oil to California—yet California prices at the gas pump skyrocketed across the state. (By the way, the California legislature passed a resolution I authored asking our attorney general and energy commission to investigate allegations of oil industry price gouging following the spill).

In the last few years, California has discovered that alternative fuels also provide a remarkable opportunity to overcome what seem to be insurmountable air quality problems. Even with the nation's most aggressive program to combat air pollution, California's major urban areas, including the south coast air basin which I represent, do not meet Federal air quality standards.

I believe that alternative fuel diversity is the insurance policy we need to combat both hazardous air pollution and dangerous petroleum dependence. In California we have active clean fuel demonstrations programs in three major areas: (1) methanol, (2) compressed natural gas and (3) electricity.

Before I continue with my remarks, I would like to show you seven slides which display methanol, natural gas and electric vehicles which I will be mentioning in my comments.

Slide number one is a flexible fuel GM Corsica, which can run on methanol, ethanol, gasoline or a blend of these fuels.

Slide number two is a flexible fuel Ford Crown Victoria, which can also run on alcohol fuels or gasoline, or a blend.

Slide number three is a Nissan flexible fuel car.

Slide number four is a methanol-fueled truck.

Slide number five is a methanol transit bus.

Slide number six is a "G-Van" electric vehicle.

And slide number seven is a compressed natural gas van.

For near-term, widespread market acceptance, the California Energy Commission believes that methanol fuel offers the simplest, most cost-effective option to petroleum fuel because (1) it is a clean burning, cost-competitive liquid alternative that can substitute for both gasoline and diesel; (2) it is the least disruptive alternative for consumers, automotive companies and the fuel distribution industry, and (3) it provides equal or superior overall vehicle performance.

The California Methanol Fuels Program started in about 1978 with field tests of relatively small volumes of alcohol fuels by blended with gasoline. Both ethanol and methanol fuel technologies were demonstrated. Methanol became our preferred alternative.

Most ethanol production facilities are concentrated in the midwest grain-producing states. Due to the current Federal subsidy, equivalent to about 60 cents per gallon, ethanol has been and will likely continue to be economically competitive as a gasoline blending agent. But without the subsidy, ethanol faces a serious cost problem. In addition, California air quality agencies have expressed concern regarding the higher emissions that come from ethanol-based gasoline. Since the clean fuel vehicles in California can run on ethanol, we are continuing to evaluate ethanol fuels, but this option may turn out to be best in other parts of the country.

By 1983, more than 500 factory-produced Ford Escorts were placed in methanol fleets throughout California. These fleets have accumulated over 23 million miles, with most vehicles still in service. We discovered, not surprisingly, that the limited number of methanol fueling facilities reduced driver acceptance.

So in the last two years, the California Energy Commission has begun demonstrating flexible fuel vehicles manufactured by Ford and General Motors that are capable of operating on methanol, ethanol, gasoline, or any blend of these fuels. They are totally automatic in operation—no switches, no adjustments whatsoever from the drivers perspective. With flexible fuel cars, the fear of running out of fuel or having a restricted driving range is no longer a factor.

For example, these vehicles could be required in a polluted non-attainment area like Los Angeles, where methanol could be widely distributed. Drivers could leave the area with the comfort of knowing they could still fuel up with gasoline. Flexible fuel vehicles offer us a true 50-state car—one which operates on gasoline where cleaner fuels are not available, and yet one which operates as well on clean alcohol fuels, such as methanol and ethanol.

California is implementing a flexible fuel demonstration program with the goal of operating at least 5,000 vehicles in the state by 1993. Agreements have been signed with Ford and General Motors to deliver a portion of these vehicles, and we are seeking additional participation by Toyota and Nissan.

With the aid of federal funds, California is also demonstrating the use of heavy-duty methanol fueled transit buses at the golden gate transit district in San Francisco and the Southern California rapid transit district. We also have underway a \$60 million dollar clean fuels school bus program that will retire obsolete, unsafe school buses with clean fuel buses. This year we expect the delivery of 50 methanol school buses. Emissions testing on these buses have indicated that methanol fueled heavy-duty vehicles have significantly lower emissions than their diesel counterparts.

Vehicle demonstrations alone will not create a self-sustaining market for clean burning alternative fuels. We also need to build a supply and distribution system. A few years ago, I introduced legislation that would have required oil companies to install methanol compatible storage tanks in gas stations at the time old, leading storage tanks were removed to comply with toxic pollution requirements. At the urging of the oil industry the governor vetoed the bill. Thereafter, however, ARCO and Chevron volunteered to place methanol fueling facilities across the state, and Shell and Exxon have recently joined the program. Up to 50 methanol fueling facilities will soon be operational.

I want to move away from methanol and return to my earlier theme of diversity. In 1987, the legislature established the blue ribbon California advisory board on air quality and fuels, composed of 17 members representing the automotive and oil industries, state agencies, local air quality districts, the business community, environmental groups and the public at large. The advisory board was directed to make recommendations on the need for and benefit of using mandates and incentives to facilitate the introduction of a variety of clean fuels.

The board completed its efforts in 1989 and concluded that the use of methanol,

ethanol, propane, compressed natural gas, hydrogen, electricity and reformulated gasoline would all result in improvements in air quality and improve energy security.

The board recommended that the state's air resources board adopt emission based performance standards to prompt the development and sale of clean fuels. I can report that our air resources board has held public workshops on clean fuels and produced a proposed program which permits all fuels to compete—no particular fuel is mandated. The emission based standards would allow methanol, ethanol, compressed natural gas, electricity and reformulated gasoline to be sold in the California marketplace so long as they meet the State's stringent emission standards.

I'd like to comment on the advent of reformulated gasoline, which I believe was first introduced by ARCO in southern California. I don't think that the oil industry would have come up with this cleaner gasoline had not California in its clean fuels initiatives, and the president and congress in their debate over the clean air act amendments, threatened to replace gasoline with alternative fuels. Reformulated gasoline, in my judgment, is not the best clean fuel. But I welcome the oil industry competing in this area so long as it does not convince the Bush administration and congress to discriminate against other clean fuels such as methanol, natural gas and electricity.

In contrast to petroleum based gasoline, natural gas is comparatively inexpensive and plentiful in north america. Because of its clean burning characteristics and attractive cost, natural gas is increasingly being viewed in California as the fuel of choice for stationary power generation. We are now beginning to look at natural gas as a clean transportation fuel.

Because of the increased efforts to seek air quality improvements, the gas utilities in California have begun an aggressive effort to initiate compressed natural gas vehicle demonstrations, which I strongly support. Due to the expense of purchasing gas compressor fueling systems and vehicle range limitations, compressed natural gas vehicles in California will likely initially be used in metropolitan areas for commercial van fleets with central fueling facilities.

Electric vehicles hold the promise of virtually eliminating mobile source emissions. Battery-powered electric vehicles are currently being demonstrated in commercial fleet applications in California. General Motors, Chrysler and Ford are supporting the production of electric vans. Also this year five California electric utilities in cooperation with the California energy commission will begin an on-road demonstration of 38 electric vehicles.

A preliminary assessment of California's electricity supply system suggests that the State could comfortably accommodate the off-peak charging requirements for a considerable number of electric vehicles. However, limited driving range and battery life appear to be the key impediments to wider use of electric vehicles. It is my hope that the recent announcement by General Motors of the introduction of the "impact"—a passenger-size commuter electric vehicle—may represent a technological breakthrough in this area.

I have provided NCSL with a handout describing a number of California energy commission alternative fuel programs. I would like to also briefly mention three bills that I have authored in recent years which direct other California government agencies

to participate in clean fuels programs. These bills are included in your handout.

In 1988, I authored a bill directing the south coast air quality management district—which is responsible for cleaning up the air in Los Angeles—to establish a clean fuels program paid for by a \$1 motor vehicle registration surcharge on south coast district motorists. There are about 9 million drivers in the air district—so that gives you some idea of how much money you can raise. The south coast air quality district now has one of the most ambitious clean fuels programs in the Nation.

Last year I authored a bill requiring the State's department of general services to ensure that at least 25% of the vehicles purchased by the State are low-emission vehicles—in other words new State cars, vans, and trucks that run on clean burning fuels. Thus, the State of California is helping to build a market for these alternative fuel vehicles. The bill also required our public utilities commission to provide incentive, off-peak rates for electric and natural gas vehicles.

This year I have a bill pending that would direct our public utilities commission to allow electric and gas utilities to develop for sale electric and natural gas vehicles and equipment such as batteries for electric vehicles and compressor stations for natural gas vehicles. I believe California energy utilities have the resources and expertise of give the automotive and oil industries a run for their money when it comes to clean fuels.

California has over 20 State agencies and commissions that share responsibility for energy and environmental functions. In the area of clean burning fuels, programs are being undertaken by our State's energy commission, public utilities commission, air resources board, Department of Transportation, Department of Food and Agriculture, and Department of General Services.

One of the goals of our joint committee on energy regulation and the environment, which I chair, is to provide the next governor, who will take office in 1991, with options for reorganizing energy regulatory activities to promote environmentally sound energy programs, including a comprehensive clean fuels program.

In conclusion, I want to emphasize California's commitment to a national energy strategy which includes an effective and diverse clean fuels component. I believe that California has led the Nation in demonstrating the viability of alternative fuels, particularly methanol. We hope our efforts to commercialize clean fuel technologies will provide helpful guidance to other States and the Federal Government as we all move forward in this critically important area.

Thank you for inviting me to speak.

TEMPORARY RESTRAINING ORDER DENIED

HON. MERVYN M. DYMALLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 1990

Mr. DYMALLY. Mr. Speaker, last month the Rainbow Lobby, Nancy Ross, director, and Probe magazine filed a \$2 million lawsuit against me, in the Federal Court and sought a temporary order to restrain me from "copying or distributing" certain documents in my possession.

Judge Harold H. Greene denied the temporary restraining order. I submit for Members' review Judge Greene's decision:

The COURT. Well, it's quite obvious that the plaintiffs feel very strongly about this, judging from the argument we've heard and judging from the papers that I have read. But, of course, strong feelings and emotions don't exempt parties from making their points in accordance with law and showing some likelihood of success in accordance with law; and we don't proceed in a courtroom as if it were a political issue or political meeting.

Let me say a few things about what has been said here in the court in terms of likelihood of success. First let's look at the complaint. Rule 8 of the Federal rules of civil procedure, as certainly Ms. Kraut knows, requires a "short and plain statement of the claim showing that the pleader is entitled to relief."

Instead of a short and plain statement of the claim showing that the pleader is entitled to relief, we have 34 pages of relatively rambling charges. Just to give a little bit of the flavor of what's in the complaint, statements such as "Mobuto has lots of money from corruption and is guilty of human rights violations; some Congressmen support Mobuto, others oppose him; some private organization has demanded an ethics probe of Mr. Dymally."

Is it "Dymally" or "Dymally"?

Mr. Ross. Dymally.

The COURT. Something or other is "perceived by many knowledgeable observers as a victory for the anti-Mobuto lobby and especially for the rainbow lobby." I don't know what kind of a statement or assertion that is in a legal pleading. In short, the complaint does not comply with rule 8, and essentially is nothing more than a press release.

As to the specific claims for relief, counts three and four claim unfair competition and disclosure of trade secrets. These kinds of lawsuits may be brought in the business competition area. They have no application whatsoever to political or ideological disputes, which are covered by the first amendment. The plaintiffs' attempt to silence the congressman is somewhat ironic since the plaintiffs themselves rely on the first amendment for some of their other claims.

Some of the other claims in the complaint talk about invasion of privacy interests and the tort of conversion from the receipt by the defendant of allegedly confidential documents. There is no case that has been cited showing that the passive receipt of information is an invasion of privacy or conversion. NAACP against Alabama—

Ms. FRAZIER. Your honor, I would like to object at this point.

The COURT. You are not interrupting.

Ms. FRAZIER. There is no motion to dismiss before the court.

The COURT. You are not interrupting me; otherwise, I'll have to have the marshal remove you.

Ms. FRAZIER. I have an objection for the record, your honor. I would state an objection for the record.

The COURT. Will you please sit down.

Ms. FRAZIER. Well, there is no motion to dismiss before the court.

The COURT. After this hearing is over, Ms. Kraut, I will rescind my order admitting this particular person pro hac vice to practice in this court.

NAACP against Alabama, a case which I am very well familiar with. In there, the supreme court held that the State requiring

the NAACP provide membership lists was illegal. There is, of course, nothing remotely comparable to that.

Even less substance is that the plaintiffs claim that they are the third-party beneficiaries of an implied contract between the Congressman and the House of Representatives. Apparently, this contract is supposed to arise because he took the oath of office and because he is subject to a code of ethics. Enforcement of the code of ethics, of course, is for the House of Representatives and the Congress—and not for the court—to make.

So far as relative injury and injury to the public interest is concerned, plaintiffs fail in several respects. It is not the public interest for the plaintiffs to be able to attack the Congressman and have the court silence him.

CERTIFICATE OF REPORTER

This record is certified by the undersigned reporter to be the official transcript of the above-entitled matter.

LAURA M. BEASLEY,
Official Court Reporter.

Listed below is an excerpt from an article written by Phyllis Goldberg in their National Alliance newspaper of May 24, 1990:

Green—who could have simply denied the IPLI motion on strictly legal grounds—took the occasion of this afternoon's hearing to launch a bullying attack against the plaintiffs and their representatives. In a decision that bore the odor of political collusion the federal judge ignored the substance of the IPLI arguments, echoing the Dymally lawyers' charge that they amounted to nothing more than "political rhetoric" and snidely informing IPLI executive director Alvaader Frazier that if she wanted to hold a political rally she should do it elsewhere.

Green's abdication of judicial independence—his refusal to tell a US Congressman that he couldn't slander and threaten and endanger his political opponents with impunity—was only to be expected (few people past the eighth grade believe in the mythical "separation of powers" that we are all taught is the cornerstone of American democracy).

CHEMICAL WEAPONS BAN A TRIBUTE TO CLEM ZABLOCKI

HON. DAVID R. OBEY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 1990

Mr. OBEY. Mr. Speaker, the agreement between the United States and the Soviet Union to ban the production of new chemical weapons and to start getting rid of those now in the stockpiles of both countries could not have happened without the leadership of the late Wisconsin Congressman Clem Zablocki, chairman of the House Foreign Affairs Committee.

Along with former Congressman Jim Sycamington of Missouri, I was privileged to work with Clem in trying to eliminate these terrible weapons. Clem realized that the Reagan administration's plans to produce a new generation of chemical weapons would be folly. And in following up his work, Congressman DANTE FASCELL of Florida, Clem's successor as chairman of the Foreign Affairs Committee, countered the Reagan administration's argu-

ment that new chemical weapons would somehow add to U.S. interests by declaring: "The only thing this multibillion dollar program adds to is the Federal deficit!"

I thought my colleagues might enjoy a recent column on Zablocki's role by Ivo Spalatin, staff director of House Arms Control Subcommittee for the last 12 years under the chairmanships of both the Clem Zablocki and DANTE FASCELL.

[From the Milwaukee Journal, June 4, 1990]

ZABLOCKI ROLE IN CHEMICAL PACT LAUDED

(By Ivo Spalatin)

As far back as 1977, Rep. Clement J. Zablocki (D-Wis.) was calling for the elimination of chemical weapons. It finally happened at the super-power summit over the weekend.

President Bush and President Mikhail Gorbachev signed an arms control agreement to cease the production of new chemical weapons and to begin the destruction of all old chemical weapons. Milwaukeeans again saw the extraordinary influence of Clem Zablocki.

The fulfillment of Zablocki's steadfast commitment to this goal can be added to other memorials recognizing Zablocki's prowess, such as the Zablocki VA Hospital and Zablocki Ambulatory Children's Care Center in Krakow, Poland.

In a major speech on the House Floor in 1982, in his capacity as chairman of the House Foreign Affairs Committee and its Subcommittee on Arms Control, Zablocki announced his opposition to Reagan administration plans to produce a new generation of chemical weapons. He said: "The United States should be pursuing a policy that preserves the distinctive humanitarian and moral character of the American people . . . by eliminating the threat of chemical weapons rather than adding new ones."

Clem knew that such a weapons system would make arms control and world peace less, not more, likely. He therefore organized and successfully led a bipartisan coalition in the Congress against the production of new chemical weapons.

Upon Clem's death in 1983, Rep. Dante B. Fascell of Florida, Zablocki's successor as chairman of the Foreign Affairs Committee, assumed Zablocki's anti-chemical weapons leadership position.

As a result of Zablocki's and then Fascell's steadfast position, we have an unprecedented and unique arms control agreement—unprecedented in US-Soviet cooperation to destroy chemical stocks and unique in eliminating chemical weapons for all time.

At Clem's funeral, he was described as "a small person with big influence" and the little giant in international affairs.

As the world praises Bush and Gorbachev for their agreement last weekend to eliminate all chemical weapons, we should remember that it was Milwaukee's son, Clem Zablocki, who made it possible.

POLISH CENTER FOR RECONCILIATION TO SPONSOR MORAL RE-ARMAMENT ACTIVITIES

HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 1990

Mr. BENNETT. Mr. Speaker, some people and some organizations just seem to be

always working for goals that are constructive and positive for the betterment of mankind. I recently read in the magazine, "For a Change," an article about the positive life that former Jimmy Carter is living with his great spouse, our former First Lady, Roslyn Carter. The article stresses the work that is being done to provide housing for needy people, which the former President is fulfilling with his own hammer. The title to the lead story in that magazine is about this and it is: "If I Had a Hammer."

The work that President Carter has been carrying on like this reminded me of what I recently heard from some of my friends in Moral Re-Armament in connection with the establishment of a center for reconciliation in an ancient convent in Poland. That antique building faces many challenges, but volunteers are apparently available in Poland to bring about this center, and I expect it to have a very progressive thrust for improvement in human attitudes, not only for that area but for mankind in general.

Bishop Ignacy Tokarczuk of the Polish diocese of Przemyśl has made available a former Benedictine convent in the nearby town of Jaroslaw as a center for the work of Moral Re-Armament. Jaroslaw lies in the southeastern part of Poland, bordering the Ukraine.

Przemyśl, only 20 miles from Jaroslaw, has a seminary for priests with over 400 students. More than 300 churches have been built in the diocese over the past two decades, despite the Communist authorities' ban. After hearing from a delegation he had sent to the Moral Re-Armament Conference in Caux, Switzerland, in 1989, the bishop decided to reclaim the former Benedictine convent of Jaroslaw, which had been in the hands of the state for 200 years, in order to put it at MRA's disposal. He feels the need for an international center of reconciliation in this part of the world which has suffered so much in the last 50 years. He challenged Mr. Wieslaw Kecik, one of the initiators of Rural Solidarity, to assemble a group capable of taking on such a task.

The convent needs much work. It lacks basic facilities. Electrical, heating, drainage and gas systems have to be either installed or replaced. But there is a growing number of people who have committed themselves to live in the center and take on the task of running it.

There has been a good response to these developments in Poland by the Scandinavian countries. It was in Sweden that Mr. Kecik met Moral Re-Armament in 1985. And friends in Stockholm have encouraged and supported the Poles in many ways. In Norway, a 2-week seminar for young Polish leaders was held in April in the MRA center in Oslo. Among the group were four members of the Parliament (SEJM) and three who worked full time with Solidarity. Mr. and Mrs. Kecik also visited Copenhagen and the daily Kristeligt Dagblad carried a major story on the Jaroslaw center with a picture of the Keciks on the front page.

The West can do much to encourage democracy and the free market in the countries of Central and Eastern Europe. But we must beware of foisting on them a purely consumer oriented society with extravagances and deprivations. Moral and spiritual values must go

hand in hand with freedom and economic development. Moreover, people like the Poles, whose faith has endured through repression and suffering, may have something to teach the West and East alike. I think so.

HEROIC RESCUE

HON. GEORGE J. HOCHBRUECKNER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 1990

Mr. HOCHBRUECKNER. Mr. Speaker, today I am honored to address my colleagues in recognition of the heroic efforts of 6 of my constituents whose courageous rescue of 10 passengers of a sinking boat helped to successfully resolve a life-threatening situation.

These individuals, who are employed by the U.S. Department of Agriculture's [USDA] Animal Disease Research Center on Plum Island, NY, are in Washington, DC, today to be honored by the USDA. Capt. Michael J. Norkelun will accept a heroic action award from Secretary of Agriculture Clayton Yeutter. Alfred Parks, able seaman; Edward Hassildine, USRO general foreman; Carol House, microbiologist; and James House, veterinary medical officer, will also receive awards for their rescue efforts.

Mr. Speaker, together with the USDA and the entire Long Island community, I commend these individuals for their courageous actions. For the RECORD, I hereby submit the U.S. Department of Agriculture's report which depicts their heroic efforts.

On Friday, September 1, 1989, USDA's boat, the "J.J. Callis," was making a routine run between Plum Island (ARS research facility) and Orient Point, New York, when they observed the charter boat "Tuna" sinking in choppy seas. Captain Michael J. Norkelun acted quickly and decisively in turning the boat around, making the necessary radio communications, and preparing for the rescue. The sinking vessel was a short, one-half mile in distance, yet when the "J.J. Callis" arrived on the scene, the "Tuna" had completely disappeared and all ten people aboard were in the water.

In adverse sea conditions, Captain Norkelun demonstrated a high degree of competence in maneuvering and maintaining the "J.J. Callis" in proper position to affect the rescue. Choppy seas, windy conditions, and periodically losing sight of the people in the water made it an extremely difficult rescue.

Crew member Alfred Parks exhibited great courage when, without regard for personal safety, he climbed down the side of the "J.J. Callis" to rescue a young, five-month-pregnant woman.

Passengers Edward Hassildine and Drs. James and Carol House were also instrumental in fishing out the victims one at a time and providing care, comfort, and reassurance that all passengers were being rescued. Without the help of these passengers the outcome of this rescue effort could certainly have been different.

Also, assisting in the rescue was the private skiff "Froggy" which arrived after the "J.J. Callis" had already taken on six people. The "Froggy" maneuvered in and rescued the remaining four people. Plum Is-

land's other vessel, the "M.S. Shanan," and its crew, were also pressed into service but were not needed in completing the rescue. The crew's effort are, however, applauded in their quick response in putting a boat out to sea in such a short time frame.

The victims were transported to Eastern Long Island Hospital via the Orient Fire Department Rescue and subsequently released in good health.

**ALLAN WILLIAMS, GRANVILLE,
NY'S MOST DEDICATED PUBLIC
SERVANT**

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 1990

Mr. SOLOMON. Mr. Speaker, I'd like to bring to your attention a man whose record of public service we could all envy.

But before placing a local editorial in today's RECORD, let me tell you something from the heart about Allan Williams of Granville, NY.

This month, Mr. Williams will step down after working in the Granville Town Hall for 52 years, the last 33 as town clerk. That is an incredible record of longevity. And as you might all imagine, you don't last that long in public life unless you're doing something right.

But that hardly describes Allan Williams. He's a soft-spoken man, not given to boasting about his solid record.

Mr. Speaker, I, like many of you, got my start in local politics, and I know the pressures the public can put on a town clerk. But it never occurred to Mr. Williams in 52 years to take a vacation.

But let me stop here and read the Granville Sentinel editorial.

A GUY NAMED AL

Well, what do you think of an elected official who has worked for 52 years and so dedicated to his job he's had no interest in taking vacations. During his years of service he's always received an "A" rating from auditors as well as the public he serves. And there is no greater challenge to a civil servant than meeting taxpayers who, more time than one, have a tale of woe, a sad experience, an axe to grind or maybe a favor to ask. The average man facing these issues would have fallen by the wayside early in his career. Not so with Granville's town clerk Allan Williams who, come June, turns in his saddle and spurs to join the Valhalla of town clerks where tranquility predominates and nobody asks stupid questions.

Certainly the supervisor and members of the town board are planning an appropriate acknowledgment of Mr. Williams' service to the town. It should be a glorious occasion and evidence we here in Granville appreciate people in public life who accept responsibility and perform their duties admirably.

The supervisor anticipates Mr. Williams' successor, currently in a status of on-the-job-training, may need some guidance on occasion. Surely she will. Jumping into a town clerk's job has its hazards and opportunities. Thankfully, Mr. Williams will make himself available. It will ease pain that things like Aspirin and Advil can't control.

As for this newspaper's view of the situation we're sending Mr. Williams' name to the nationally recognized Guinness Book of

Records—who else in the world would work for 52 years, not take a vacation, satisfy his customers and come out smelling like a rose. Only the retired town clerk of the town of Granville!

And that pretty much sums it up, Mr. Speaker. No wonder the town of Granville is calling Mr. Williams' retirement "the end of an era."

But that era shouldn't end without appropriate recognition. And so, Mr. Speaker, I ask everyone to join me in saluting Allan Williams of Granville, NY, one of the finest, most dedicated public servants I've ever known.

**PENNSYLVANIA NEWSPAPER
WINS PULITZER**

HON. PETER H. KOSTMAYER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 1990

Mr. KOSTMAYER. Mr. Speaker, I call to the attention of my colleagues the fourth of 10 editorials written by Tom Hylton of the Pottstown Mercury in Pottstown, PA.

These editorials on the subject of farmland preservation won this year's Pulitzer Prize for editorial writing, and I commend them to my colleagues.

**SPRAWLING GROWTH WILL ERODE CHESTER
COUNTY'S QUALITY OF LIFE**

[By Tom Hylton]

From the days of William Penn to those of Dwight D. Eisenhower, Chester County remained much the same. The rolling landscape dotted by stone farmhouses, the small villages, and the forested hills looked just as they did 300 years before.

In the late 1950s, America's love affair with the automobile introduced the first conspicuous development. The next two decades brought moderate but significant growth.

Now development is absolutely exploding. Construction projects yielding 35,000 housing units have been proposed in just the last three years. At this rate, megalopolis will sprawl unchecked from border to border by the year 2000.

When Hough/Loew Associates built the first industrial park in Exton nine years ago, "... people were saying, 'Where's Exton?'" said developer Jack Loew. Today there are nine industrial parks in Exton, 40 in Chester County.

Three corridors of development are thrusting across Chester County from east to west: In the north is the Schuylkill River corridor from King of Prussia to Pottstown. In the center is the Route 202 corridor from King of Prussia to Coatesville via Exton. In the south is the Route 1 corridor from the Delaware state line to Lancaster County.

Exton promises to supplant King of Prussia as the center of commercial development in suburban Philadelphia. If all the office, retail, and light industrial buildings proposed are actually constructed, Exton will have as much commercial space as the rest of the county combined.

Immediately to the east of Exton, developer Willard Rouse III has proposed a 1,500-acre mixed-use community called Churchill. It will contain 2,000 residential units and 7 million square feet of office space—as much as currently exists in the entire King of Prussia area.

Churchill will introduce 5,000 more residents, 30,000 more workers, and 100,000

more daily car trips to a region that is already one of the most congested in southeastern Pennsylvania.

For more than a decade, Chester County officials have lobbied the state and federal governments to build the Exton bypass, a 5.6-mile limited access highway to connect Route 202 east of Exton with four-lane Route 30 west of Exton.

Major developers, including Rouse, are seeking a new interchange from the Pennsylvania Turnpike to Route 29 and the widening of Route 202.

But such new arteries inevitably generate more traffic.

"Most communities are trying to overcome the traffic crisis in ways that actually perpetuate it," said Douglas Porter of the Urban Land Institute in a recent transportation journal article. "Most projects being planned in fast-growing areas build in automobile dependency, which leads to congested highway arteries, which results in cries to reduce densities of development, which in turn creates greater dependency on automobiles."

Welcome to Chester County, where two-thirds of the households own at least two cars, and less than 4 percent of the people use public transportation.

Unless land-use policies are changed, the future of Chester County is as grim as the smog that covers Los Angeles, the city that pioneered sprawling development.

"In the Los Angeles area, we cannot, in our wildest dreams, solve the traffic problem," a California transportation planner recently told the New York Times. "No matter how many freeways we build, it's only going to get worse."

Things have deteriorated to the point where a Los Angeles Times poll this summer showed that half the residents have considered moving out within the past year.

Chester County's proliferating development presages major changes in its residents' way of life:

Because the area will be far more crowded, people will spend more of their lives sitting in traffic on the way to work, school, or shopping.

Air quality will diminish. Last year, Chester County failed to meet federal ozone standards for 17 days. It was the highest number on record and only four days fewer than Philadelphia.

To curb air pollution in southern California, draconian measures such as limiting the number of cars per household and banning gasoline-powered lawn mowers are being implemented. Similar restrictions may eventually be needed in Chester County.

The county is headed for severe water problems, warns Bill Sellers of the Brandywine Conservancy. More than 60 percent of the county's population depends on groundwater, and soon more water will be taken from the ground than nature can replenish.

That's happening in New Jersey. In a 1986 study, the New Jersey Department of Environmental Protection concluded that because of overdevelopment, wells in southern New Jersey were being overpumped. The Department ordered a 35-percent reduction in pumping and recommended that a reservoir, fed by the Delaware River, be built to increase the area's water supply.

In southeastern Pennsylvania, though supplies have not grown, water consumption has spurted from 5 billion to 7 billion gallons of water a day during the last decade.

This rise in consumption is caused more by changing lifestyles than population growth. Suburbanites use far more water

than city dwellers because of their large lawns, pools, shrubs, and gardens. Meanwhile, Chester County has had five drought watches in the last eight years.

Septic systems—used by 60 percent of the county's residents—are failing in many areas. For example, the Chester County Health Department has pressured all three Coventry townships to provide public sewers because hundreds of on-site systems are failing. But township officials are resisting, both because of the high costs and because of the accelerated growth they know sewers will bring.

Ironically, the major benefit growth is supposed to bring to Chester County—economic prosperity—may be a chimera. Long Island, one of the most overdeveloped regions of the Northeast, is experiencing a severe downturn in its economy after a decade of explosive growth.

The Island's two suburban counties have lost 5,000 jobs in the first six months of this year, consumer spending has dropped, the inventory of unsold homes has swollen and new residential construction has plummeted.

High housing prices, labor shortages, and congested highways—all the problems facing Chester County—have been blamed for the bust.

"We should replace our frantic effort to expand with a careful effort to improve," said John O'Brien, chairman of Grumman Corp., the Island's largest private employer. "We don't have to make (the economy) bigger anymore. We just have to make it better."

Quality of life has become a major consideration of any business looking to expand. It would be tragic if Chester County destroyed its environment to gain prosperity and ended up losing both.

One way to control growth in Chester County is to tie up development rights on key lands. That's what the proposed \$50 million bond issue to preserve farmland and open space would enable the county to do. It's essential the bond issue be approved. Vote *yes* on Election Day.

A SALUTE TO THE SPANISH RADIO NETWORK

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 1990

Ms. ROS-LEHTINEN. Mr. Speaker, I wish to congratulate Tichenor Media System and Radio Wado Inc., for recently acquiring two Spanish language radio stations in Miami: WQBA-AM and Super Q FM Tichenor Media system owns and operates nine other Spanish radio stations across the country and in joining forces with Radio Wado Inc. forms Spanish Radio Network as the largest group of Spanish radio stations in the Nation which provide valuable up to the minute information on world affairs as well as domestic and local news plus exciting entertainment programming.

Warren Tichenor, Julio Mendez, and the entire staff of dedicated professionals are working hard to ensure that radio listeners will continue to enjoy the same high quality of programming, with on air quality led by AM

News/Program Director Tomas Garcia Fuste and FM Program Director Agustin Acosta, all highlighted last year by the stations being named "Spanish Radio Station of the Year" by the National Association of Broadcasters. WQBA-AM enjoys an illustrious history beginning in 1948 under the call letters of WMIE. When the Cuban freedom flights started, Jack Noble the general manager and Alex Fari as the first Cuban exile with a radio show, provided essential information in Spanish, under the name "Radio Continental." It became known as radio Cuba and in 1968 the call letters became WQBA.

Throughout the 1970's, with Julio Enrique Mendez as the Chief of productions and Herb Levin as the general manager, WQBA had many well-known radio personalities, including Eduardo Gonzalez Rubio, Maucha Gutierrez, Aleida Leal, Mario Martin, and Mario Ruiz. The station has an excellent team of reporters including Jose Alfonso Almora and Joel Gutierrez.

Advertisers quickly discovered that WQBA was an excellent way by which to reach the Hispanic audience and due to increased demand, in March 9, 1979 Super Q was born. This FM station reaches thousands of young Hispanic listeners who wish to maintain their Cuban roots while at the same time still enjoy modern music.

WQBA was the first Spanish language station to broadcast with 50,000 watt and it still a powerful force in south Florida. The radio personalities are legends on the air waves, Tomas Garcia Fuste's leadership and strong following ensures that the listeners will be up to date on all international news. With him on the WQBA team are political commentators Agustin Tamargo and Jaime de Aldeaseca. On air personalities and entertainment talent includes Dr. Manuel Rico Perez, Nestor Cabell, Fausto Miranda, Mario Martin, Antonio Gonzalez, Jose Lopez Lacau, Ricardo Valladares, Israel Capiro, Arnaldo Roza, and Raul Tapanes. Julio Mendez is still with WQBA as the station manager and Rita Perez has been a part of the team for many years.

With its 11 years on the air, Super Q also enjoys a long history of accomplishments. It was the first station to play compact discs in both languages. The station has a 10,000 foot antenna which reaches Monroe, Dade, Broward, and Palm Beach Counties, and it was a pioneer in the contemporary Spanish musical format.

The Spanish Radio Network should be justifiably proud of these fine additions. The network already has 12 stations in 8 markets, which in addition to WQBA and Super Q include Radio WADO, New York; KCOR, KGBT, KIWW, KLAT, KBNA, KUNO, all in Texas: WOJO and WIND, Chicago.

I would like to congratulate all of the professionals in WQBA and Super Q who are involved in bringing quality radio broadcasting to this area.

ALAN TISHMAN: A MODEL OF SERVICE TO THE COMMUNITY

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 1990

Mrs. LOWEY of New York. Mr. Speaker, I rise today to pay tribute to one of New York's most important civic leaders and philanthropists—Alan Tishman.

Alan and his wife, Peggy, were recently honored by the National Jewish Center for Learning and Leadership [CLAL] with the receipt of the CLAL Yisrael Award, which recognizes Jewish leaders who have a strong record of advancing Jewish unity.

The award was bestowed on the occasion of a program which was appropriately titled "In Concert for One People." This celebration paid tribute to those who have contributed most to the continued harmony of the Jewish people despite their individual differences.

"In Concert for One People" is an appropriate title for an event honoring Alan Tishman. He has worked in concert with his wife to bring hope and light to the less fortunate among us. And he has worked in concert with the entire community to improve the quality of life for all. The result has been to bring people together throughout the New York region.

In his many philanthropic endeavors, Alan Tishman has demonstrated an unflinching commitment to the ideals of charity and service to the community. In doing so, he has demonstrated for us all how the principles of Judaism can be successfully integrated into our daily lives. But his compassion and concern not only provide a model for Jewish Americans—they provide a model for all Americans. He has embodied universal values that all Americans honor and appreciate—values like hard work, the ability to solve difficult problems, and the ability to make a difference in the lives of others.

For all of these reasons, Alan Tishman deserves the gratitude and praise of the entire New York community. He has done what few citizens can ever hope to do—he has helped transform the community and make it a better place to live for all local residents.

Alan is president of Tishman Management and Leasing Corp., one of the country's largest real estate companies. Throughout this career, he has never hesitated to involve himself in civic affairs.

He has served as a trustee of New York's Mount Sinai Hospital for many years, and his support and guidance have contributed immeasurably to that hospital's fine reputation. As a former vice chairman of the board of the Jewish Child Care Association, he involved himself extensively in the urgent task of providing quality care for the next generation.

While serving on the executive committee of the association for a better New York, he was intimately involved in efforts to significantly improve the quality of life in the metropolitan New York area. He has also served in the essential role of vice president of UJA-Federation.

But a mere listing of his offices and accomplishments does not do full justice to the con-

tributions of Alan Tishman. He is a unique individual of enormous energy and enthusiasm for doing what is right and making progress on issues of importance. He is one who seizes every opportunity to advance the ideals we cherish as Jews and as Americans. He is one whose skill and wisdom are respected throughout the community.

In short, Alan Tishman, is an irreplaceable figure in New York. And on this occasion, I would like to pay tribute to his many accomplishments and to his indomitable spirit by calling them to the attention of the entire U.S. Congress.

Along with his wife, Peggy, Alan Tishman is fully deserving of the CLAL Yisrael Award, because their joint efforts have truly contributed to the unity of Jews and the unity of all peoples. But they are deserving of much more. They are deserving of the unending gratitude and the loving appreciation of all those who have been privileged to see them in action or to benefit from their many contributions to the community. In other words, Alan Tishman deserves the thanks and appreciation of the entire New York community.

Mr. Speaker, it is rare that we have an opportunity to pay tribute to private citizens who have made such an enormous contribution to the public good. On this occasion, I feel a sense of pride in honoring the accomplishments of these outstanding local citizens.

SOCIAL SECURITY NOTCH

HON. BILL SCHUETTE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 1990

Mr. SCHUETTE. Mr. Speaker, as a cosponsor of legislation to reform the flawed Notch Formula, I rise to express my views on this issue. Hundreds of my constituents are gravely concerned about their Social Security benefits. As you know, the "notch" identifies those born between the years 1917 and 1921 who are receiving transitional replacement rates for their Social Security benefits. This transition period was put in place by the 1977 Social Security amendments, in response to an error in the benefit formula begun in 1972. If the old benefit computation rules had been left unchanged, benefit levels for many individuals retiring in the future would have been higher than their earnings before retirement, causing a severe threat to the Social Security trust fund.

To correct this error and preserve Social Security, the 95th Congress enacted changes to reduce the replacement rate to that which had been originally intended. To protect the benefits of people already receiving or about to receive Social Security, Congress provided a special transitional computation for those persons reaching retirement age in the first several years after the new rules went into effect. This explains why those born between 1917 and 1921 may be receiving slightly higher benefits than those born after 1921. While those persons born in the notch years receive less in benefits than those born

before 1917, notch babies generally received more than those born after 1921.

During the 100th Congress I cosponsored two measures (H.R. 1721 and H.R. 1921) which would have lengthened the benefit transition period. However, neither of these was acted upon before adjournment. This legislation was reintroduced in the 101st Congress and no action has as yet been taken.

The Social Security notch is one of my constituents' biggest concerns. If there ever was an issue the senior citizens in Michigan were unhappy about, this is it. I receive more mail on this matter than any other single issue. Americans are frustrated with notch inequity and they are angry too. As their representatives, we have an obligation to address an issue that is of the utmost importance to them. Is that not what we are serving in Congress for? I have always been a strong supporter of Social Security benefits and services and I will continue to work hard for the elderly.

NATIONAL BICENTENNIAL COMPETITION ON THE CONSTITUTION AND THE BILL OF RIGHTS

HON. MICHAEL G. OXLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 1990

Mr. OXLEY. Mr. Speaker, I rise today to pay tribute to students from Findlay High School, my alma mater, for their outstanding performance in the National Bicentennial Competition on the Constitution and the Bill of Rights. The team members from Findlay High School are: Jeff Brann, Steve Copeland, Robert de los Reyes, Erik Fenberg, Devon Harmon, Jason Kaple, Chris Kinsler, David Mertz, Michael Schroeder, Rachel Scidel, Cynthia Snyder, David Torborg, Eric Withrow, and Kirk Ziegler.

All are to be congratulated on their accomplishments. With help from their teacher, Alvin Bell, they won Ohio's competition in Columbus and placed second in the national competition. These exemplary students have been fortunate to have a school curriculum which provided instruction on the basic principles of constitutional democracy and history of the U.S. Constitution. There is no better way to pay tribute to the bicentennial of the Constitution and the Bill of Rights than to pass its principles along to your young people. In addition to learning an important part of American history and appreciating the genius of our most important document, the students exercised and developed their logic and reasoning skills.

The team's performance shows that they are becoming knowledgeable citizens, and I am proud to represent them in the U.S. Congress.

H.R. 2567, THE RECLAMATION PROJECT REAUTHORIZATION AND ADJUSTMENTS ACT

HON. PAT ROBERTS

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 1990

Mr. ROBERTS. Mr. Speaker, today, I rise in strong support for H.R. 2567, the Reclamation Projects Authorization and Adjustment Act of 1989. Included in H.R. 2567 is much needed legislation regarding the future of the Cedar Bluff Reservoir in Trego County, KS.

This reservoir, built in west-central Kansas in 1951, was only able to provide irrigation water from 1963 to 1978. Since 1978 the reservoir has suffered from a depleted water table and has been unable to provide water for irrigation. It is doubtful that this unit would ever provide irrigation water again.

Simply, Cedar Bluffs is an exhausted and ailing irrigation project that the Federal Government continues to hold and maintain—a costly Federal liability of which the Government should be relieved.

However, included in H.R. 2567 is an agreement whereby the State of Kansas would purchase the Cedar Bluff Unit from the Federal Government at a cost of \$350,000. This agreement, if adopted, would allow the State of Kansas to reform and redevelop this project to enhance the wildlife, environmental, and recreational qualities of the remaining lake.

As well, this agreement will transfer property, structures and a share of operation and maintenance costs to the State of Kansas. This action will ease the Federal Government's financial burden for maintaining this project and also releases the United States of liability associated with this property.

I am pleased to say that this agreement has received praise not only within the Federal Government, but also from environmental and recreational enthusiasts from across the United States.

This forward-minded proposal has already been approved by the Senate, and I would hope that my colleagues would have it in mind when voting on H.R. 2567.

TRIBUTE TO LEONARD ZUBA

HON. JIM MOODY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 1990

Mr. MOODY. Mr. Speaker, I am privileged to honor Leonard Zuba on the occasion of his retirement and the closing of his restaurant, Gordon's Coffee Shop, for his dedication, hard work and selfless service to the working men and women of Milwaukee. Mr. Zuba's story, and the story of family businesses like Gordon's Coffee Shop, epitomizes the character that has helped to make our county great.

Mr. Zuba began working at Gordon's Coffee Shop in 1942 at the age of 14. Lenny learned the restaurant trade from his uncle, Alex Krymkowski, who founded the business in

1929. In the tradition of Gordon's, Mr. Zuba has continued to work an average of 16 hours a day, 5 days a week since then. This extraordinary example of high work ethic which Mr. Zuba has unflinchingly displayed merits our recognition.

Gordon's Coffee Shop has provided good quality traditional lunch counter food to its patrons for 61 years at extremely reasonable prices. Even today, in 1990, a bowl of soup costs 40 cents—a price which bears tribute to the frugality and skill with which Mr. Zuba has managed his business. The long line of working men and women who have come to its counter over the years for a solid, quick, and affordable meal are a solid testament to the value of the product that Gordon's provides.

Like any good business, Gordon's Coffee Shop's value extends beyond its doors and into its surrounding community. Lenny, and his uncle before him, have provided innumerable neighborhood kids with the opportunity to learn the ethics of hard work in a tough yet caring atmosphere. As Mr. Zuba's retirement approaches, they return, bringing their children, to bear witness to the man who taught them much about work and life.

Gordon's has been an integral part of the Riverwest neighborhood in Milwaukee, WI for over 61 years. During that time, Lenny and his family have been witnesses to many of the changes endemic to central cities all over our country. The closing of Gordon's Coffee Shop marks the continued struggle of a once proud business street, Center Street, to survive. I am sorry, Mr. Speaker, to see Gordon's Coffee Shop go.

Mr. Speaker, I rise to salute Mr. Leonard Zuba and his family, and all of the employees and patrons who have passed through the door of Gordon's Coffee Shop. The closing of Gordon's Coffee Shop and Mr. Zuba's retirement mark the successful end of one family's dedication to providing a good product at a good price. It is my sincere hope that the example of Gordon's Coffee Shop will provide inspiration to all those courageous and willing men and women who shall follow Mr. Zuba's example and enter into business on their own despite the long hours. I believe Mr. Speaker, that the greatness of our country is due in no small part to the individual greatness of men like Mr. Leonard Zuba.

OUR FLAG IS AN IMPORTANT NATIONAL ASSET

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 1990

Mr. PALLONE. Mr. Speaker, I supported passage of the flag protection law the Supreme Court overturned on Monday, but my first preference has always been a constitutional amendment. As the document that embodies and protects our most basic values, the Constitution is the logical place to look for protection of our national symbol, the American flag.

Freedom of expression is certainly uppermost among the basic values of which I am speaking. But this freedom, and the many

others we enjoy as Americans, can and should coexist with a sense of reverence for the American flag, which is itself the preeminent symbol of everything our Nation stands for.

I have been a cosponsor of the flag protection amendment since September 1989 because I believe the supreme law of the land should reflect the flag's value as "an important national asset," in the words of Justice John Paul Stevens.

I hope that we will have the opportunity to vote on this legislation as soon as possible so that we can put in place what I believe should already be in the Constitution: a specific prohibition on the wanton destruction of the American flag.

REMEMBERING MEMORIAL DAY 1990

HON. ROMANO L. MAZZOLI

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 1990

Mr. MAZZOLI. Mr. Speaker, I rise today to pay tribute to an important occasion—Memorial Day 1990—when Americans on the last Monday in May reflect and remember the brave men and women who have sacrificed so much for our country.

In my hometown of Louisville, KY, stirring ceremonies are always held at the Zachary Taylor National Cemetery—the resting place of our 12th President. And in the Nation's Capital, thousands come to visit Arlington National Cemetery and the Vietnam Veterans Memorial.

Mr. Speaker, we must never forget those who have made it possible for us in America to enjoy freedom and peace. As a veteran and public official, I salute the many men and women who have fought for and defended our democratic principles. They justly deserve our praise and thanks on Memorial Day and every day.

"JUST SAY NO TO DRUGS" WEEK

HON. GEORGE E. SANGMEISTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 1990

Mr. SANGMEISTER. Mr. Speaker, I rise today to give tribute to the "Just Say No" clubs of Aurora, IL, who recently celebrated "Just Say No to Drugs" week with a day of events on May 12, 1990. The theme for this year's rally was "We Were Meant To Be Drug Free." I want to commend the young people in Aurora for their continued effort to take a stand against drug use.

The "Just Say No to Drugs" clubs in Aurora boast well over 800 members. Nationwide, there are over 12,000 clubs. The club's philosophy is to prevent children from ever trying drugs by promoting self-confidence and self-determination at an early age. Educational activities, recreational activities, service projects, and a "Saying No to Peer Pressure" program

all foster a sense of belonging and well-being for the grade school children.

The activities that took place in Aurora for the "Just Say No" week included a banner designing contest, a parade, a rally and a fireworks display. The event was a huge success, in part because of the superior planning and ingenuity of almost 20 adults from the city on the "Just Say No" committee. But most importantly, the day was a success because of participation of the young people committed to taking a stand against the use of drugs.

I commend the committee and members of the "Just Say No" clubs in my district and all over the country and hope that their efforts will continue to inspire young people until the opportunity to use drugs will no longer be a deliberation for children, but a clear-cut decision to "just say no."

ENOUGH IS ENOUGH—LET'S GET TOUGH ON CAPITAL CRIME

HON. ROBERT K. DORNAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 1990

Mr. DORNAN of California. Mr. Speaker, on April 24, I introduced H.R. 4589 which would make the death penalty applicable in the Federal District of Columbia. In 1987 there were 223 murders in the district, or an average of more than 18 per month. In 1989 that number almost doubled reaching a total of 438 murders—roughly 60 per 100,000 population. 1990 is keeping pace. I believe it is time for the District of Columbia to reinstate the death penalty and I believe this view is held by the majority of our constituents.

My legislation was carefully drafted and is consistent with constitutional requirements as outlined by the Supreme Court. As the Court stated: "Capital punishment is an expression of society's moral outrage at particularly offensive conduct. * * * it is essential in an ordered society that asks its citizens to rely on legal processes rather than self-help to vindicate their wrongs."

I would like to share with my colleagues an analysis of H.R. 4589 which was prepared for me by the Republican Study Committee. I urge my colleagues to read this excellent brief and join with me as cosponsors to this timely legislation.

JUSTICE IN THE DRUG WAR: BRINGING THE DEATH PENALTY TO LIFE: H.R. 4589

(In part, capital punishment is an expression of society's moral outrage at particularly offensive conduct. This function may be unappealing to many, but it is essential in an ordered society that asks its citizens to rely on legal processes rather than self-help to vindicate their wrongs. Supreme Court, *Gregg v. Georgia*, 42 U.S. 153 (1976).)

SCOPE

This fact sheet briefly outlines the provisions of H.R. 4589, a bill to establish constitutional procedures for making the death penalty a sentencing option for certain serious crimes in the District of Columbia. It includes a brief discussion of why we need a viable death penalty on the books.

STATUS

H.R. 4589 was introduced by Rep. Dornan on 4/24/90 and it is referred to the Committee on the District of Columbia, subcommittee on the Judiciary and Education. The bill currently has 12 cosponsors.

INTRODUCTION

Over the past few years the District of Columbia has earned itself a reputation as the "murder capital" of the United States. Although some may dispute this monicker, few may dispute the facts: In 1987, there were 225 murders in the District, or an average of over 18 every month. Two years later, the number had almost doubled, reaching a total of 438 for the year, or over 36 a month. The rate has jumped also: from 36.2 per 100,000 inhabitants in 1987, to 72.5 per 100,000 inhabitants in 1989. And 1990 appears to be no better, with homicides averaging better than one a day.

While it may be difficult for those not personally affected by these homicides to comprehend the brutality behind these statistics, they are reason enough for the Congress, which has jurisdiction over the District through Article I, Sec. 8, Cl. 17 of the Constitution, to do what it can to protect the law abiding citizens of the District.

Making the death penalty available as one of several sentencing options for certain particularly heinous circumstances serves an important purpose for the citizens of the District of Columbia. While it may not bring the victim back, it is a legitimate expression of the moral outrage felt by a society whose moral fiber is based in law. Further, the legislature has a special duty to support the imposition of the death penalty in certain cases, for in so doing, it affirms a basic belief that society's primary duty is to protect its members so they might live in safety.

WHAT THE BILL DOES

This bill adds the death penalty as a sentencing option for certain serious crimes: murder in the first degree, murder of a law enforcement officer, or certain drug-related killings.

In the landmark case of *Furman v. Georgia*, 408 U.S. 238 (1972), the Supreme Court decried the unlimited discretion given to the judge and jury. The Court said that it was this unlimited discretion that resulted in decisions made in so arbitrary and capricious a manner as to be cruel and unreasonable punishment, thus violating the Eighth Amendment. It did not declare the death penalty itself unconstitutional.

In a series of 1976 decisions, the Supreme Court indicated support for procedures guarding against unlimited discretion, and for a system to assure flexibility to consider aggravating and mitigating circumstances in each case. Mandatory death penalty statutes were struck down.

In the wake of these decisions, a majority of the states have enacted new death penalty laws to meet death penalty requirements. The provisions of this legislation are similar to those of other states which have re-enacted their death penalty laws, with several criteria aimed to meet these standards:

The jury is never required to impose a death sentence and the bill requires that the jury be so instructed.

The penalty of death is discretionary rather than mandatory.

The jury must be unanimous in its decision to impose the death penalty.

In addition to the underlying crime of murder, the jury must also find aggravating factors, such as previous convictions of

homicide, commission of the crime for money, torture of the victim.

A separate hearing must be held to determine the sentence once a guilty verdict is reached for a capital crime.

The purpose here is to assure that while there are guidelines sufficient to guard against complete and undetected discretion in imposing a death sentence, there is also built-in assurance that each case will be considered individually.

SECTION-BY-SECTION SUMMARY

Sec. 1: In general, persons found guilty of the following crimes in the District of Columbia are subject to the death penalty:

(a) First degree murder as described in the DC Code, Sec. 22-2401. (b) Murder of a law enforcement officer (as defined in 42 USC 3796(b) while the officer was engaged in official duties, because of the nature of the officer's duties, or because he was a law enforcement officer.

(c) Knowingly causing the death of another while engaging in certain drug-related offenses under the Controlled Substances Act.

Sec. 2: This section sets out the procedures for hearings in cases in which the death penalty is sought. These procedures are designed to assure that the capital punishment decisions meet constitutional standards.

(a) Separate hearing must be held to determine sentence in instance where death penalty is sought.

(b) Notice by government is required whenever government intends to seek the death penalty. Notice must be given a "reasonable time" before trial or before acceptance of a guilty plea. Notice must include listing of aggravating factor(s) the government intends to prove as basis for death penalty.

(c) Sentencing hearing is to be conducted by judge, and shall be before a jury, or before the court alone if defendant and prosecution agree.

(d) Proof of aggravating and mitigating factors: information may be presented as to "any matter relevant to the sentence," and is to include matters relating to any of the aggravating or mitigating factors set forth in the legislation, or to any other mitigating factor.

The prosecution has the burden of proving the existence of any aggravating factor beyond a reasonable doubt; the defendant has the burden of establishing the existence of any mitigating factor by a "preponderance of the information."

(e) In describing return of findings, the legislation specifies instances where the death penalty shall not be imposed, depending on the combination of specified aggravating factors found.

The jury is also to decide whether aggravating factors sufficiently outweigh any mitigating factors, and in the absence of any mitigating factors, whether the aggravating factors themselves are sufficient to justify the punishment of death. The jury of the sentencing hearing must be unanimous in deciding for the death penalty.

(f) Death sentence shall not be carried out on a person who was under 18 years at the time of the crime; nor shall such sentence be carried out upon one who is mentally retarded. In addition, such sentence shall not be carried out on one who has a mental disability which results in his inability to understand the proceedings and other factors.

(g) Some of the mitigating factors set out by the legislation include:

Defendant was under unusual and substantial duress, although not such duress as to be a defense against the charge.

Defendant is punishable as a principal, although the offense was committed by another, but his participation was relatively minor, although not so minor as to be a defense against the charge.

The defendant was youthful, although not under the age of 18.

Another defendant, equally culpable, will not be punishable by death.

The victim consented to the criminal conduct that resulted in the victim's death.

(h) Aggravating factors include:

Defendant intentionally killed the victim, or intentionally inflicted serious bodily harm which resulted in victim's death.

Defendant committed the offense in an especially vicious, cruel or depraved manner in that it involved torture or serious physical abuse to the victim.

Defendant has been convicted of another state, District, or federal offense resulting in the death of a person, for which the sentence of life imprisonment was authorized by statute.

Defendant committed the offense after substantial planning and premeditation.

(i) No discrimination as to race, color, creed, sex, national origin is allowed to enter into the sentencing decision. The court so instructs the jury, and each member of the jury is to sign a certificate to that effect.

(j) If the penalty of death is not imposed, a sentence of life imprisonment without parole may be imposed.

(k) Appeal from death sentence is available to defendant; may be consolidated with appeal of conviction; and has priority over all other cases. The appeals court must consider trial evidence, information submitted during sentencing hearing, and procedures employed during sentencing hearing.

(l) In general, subject to certain provisions, no employee of the District of Columbia Department of Corrections or Federal Bureau of Prisons and no employee providing services under contract to such department of bureau shall be required to be in attendance or to participate in any execution under this bill.

BRIEF DISCUSSION OF THE DEATH PENALTY

What crimes are so wanton, so horrible as to justify the consideration of the death penalty? Both the late Senator John L. McClellan in debate in 1974, and Senator Strom Thurmond in a statement almost ten years later, listed some:

"What other punishment is 'just' for a man, found to be sane, who would stab, strangle and mutilate eight student nurses?"

"What other punishment is 'just' for men who would invade the home of members of a rival religious sect and shoot to death men, women and children, after forcing a mother to watch as her three young children were drowned before her eyes?"

"What other punishment is 'just' for a band of social misfits who would invade the homes of people they had never met and stab and hack to death a woman eight and a half months pregnant and her guests?"

"What other punishment is 'just' for people who would force a 24 year old woman to douse herself with gasoline so that they could turn her into a human torch and watch as she burned to death?"

"What other punishment is 'just' for a man with incredible history of violence, rape and murder, who caps his vicious

career by getting a young woman with her three children to stop in response to his pretext of a disabled car and who rapes and kills her and then drowns her three children in a creek?" (The perpetrator, by the way, committed his first (of over 10) rapes at 13 years of age, forcing his way into his victim's house, stabbing her over 40 times (breaking his knife), smashing her over her head several times with a hatchet. Miraculously, she survived.)

"What other punishment is 'just' for a man who would systematically carve up his tied nude wife and obliterate her features with sulphuric, hydrochloric and nitric acids until she was beyond recognition or saving?" (Her ears and eyelids were burned off, sight lost, private parts mutilated. She lived for a month thereafter in intense suffering, begging for the mercy of death.)

"What other punishment is 'just' for men who would tape record the rape, torture and sodomizing of a sixteen year old girl as they twisted her breasts with pliers and smashed her elbows and other joints 'to get her to scream' before they killed her?"

There is debate regarding the deterrent effect of capital punishment. However, the major focus of many supporters of the death penalty does not rest chiefly on deterrence, but rather on the belief that such a penalty is justified in some cases because it is just. Some crimes are "so grievous an affront to humanity that the only adequate response may be the penalty of death." (Counsel to Protect the Innocent, testimony before Senate Judiciary Committee, 4/10/81) As the Supreme Court stated in *Gregg v. Georgia*, 42 U.S. 153 (1976):

In part, capital punishment is an expression of society's moral outrage at particularly offensive conduct. This function may be unappealing to many, but it is essential in an ordered society that asks its citizens to rely on legal processes rather than self-help to vindicate their wrongs. . . . When people begin to believe that organized society is unwilling or unable to impose upon criminal offenders the punishment they "deserve," then there are sown the seeds of anarchy of self-help, vigilante justice, and lynch law.

George Will, in a 1/7/85 Newsweek article noted that without anger there is no justice. "A society incapable of sustained, focused anger in the form of controlled vengeance is decadent." Dr. Walter Berns, author of *For Capital Punishment—Crime and the Morality of the Death Penalty*, points out that without anger, we would be a society entirely of people like Kitty Genovese's neighbors. Anger aroused by a terrible crime committed against others is a sign of caring for others. Anger in such instances demonstrates a sense of and desire for justice. (5/1/81 before the Senate Judiciary Committee)

CONCLUSION

There are plenty of polls to show that the American public supports the option of a death penalty. For example, A CBS poll conducted April 1990 found that 72% favored the death penalty for persons convicted of murder. Over three quarters of those polled in California a month earlier on the same question agreed. A Time poll conducted in June of 1989 found that 75% of respondents favored the death penalty for serious crimes such as murder. A Gallup poll released in 12/88 found that 79% of the respondents favored execution of persons convicted for murder. In a 1989 NY Times poll, 75% felt there were circumstances under which the death penalty was justified.

This support is certainly reflected in the states, for currently 37 of the states provide for the death penalty as a sentencing option, chiefly for murder or felony murder. They are: Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Idaho, Illinois, Indiana, Kentucky, Louisiana, Maryland, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, North Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, S. Carolina, S. Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, and Wyoming.

In a 1981 article "The Only Possible Punishment," George Will makes this point: "A society practices self-indulgent humanitarianism when it spares the likes of (criminals such as those in examples in this paper) in order to spare itself the unpleasantness of contemplating and administering capital punishment. The visceral reaction most humane people have against capital punishment actually is relevant to the case for that punishment."

If human life is indeed precious, then the law which forbids the taking of human life must be a most awesome expression of society's revulsion for any violation of this tenet. This is a legitimate function of the death penalty, and it has been so supported by the Supreme Court.

Constitutionally sound legislation making the death penalty available as a sentencing option in certain circumstances makes the clearest statement that vicious, evil behavior will not be tolerated, and those who violate this precept will be dealt with surely, severely and justly.

At a time when the District is making a renewed effort at fueling the statehood debate, and when some see it as the murder capitol of the U.S., it would seem that making in order a death penalty option would indicate its readiness to join with the capital cities of a majority of the states in making a strong statement for morality and justice for all its citizens.

DAPHNE MARSELAS,
Senior Research Associate.

ALBUQUERQUE UNITED 76 FOOTBALL CLUB WINS STATE SOCCER CHAMPIONSHIP

HON. STEVEN SCHIFF

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 1990

Mr. SCHIFF. Mr. Speaker, I would like to recognize an outstanding youth soccer team from my home town of Albuquerque which has won the title of State champions in the under-14 age group at the New Mexico State Cup Soccer Tournament. The Albuquerque United 76 Football Club defeated eight opponents by a combined score of 47 to 3 to win this title. This team, coached by Dr. Larry Azavedo, now advances to the Western Regional Soccer Tournament in Bakersfield, CA, June 15 to 19, 1990. I want to wish them the very best in this prestigious tournament and to congratulate them for their fine victory last week.

The members of the team are: Keith Thompson, Jeff Byers, Matt Udell, Todd Trevino, Chester Goodson, Pancho Macias, Timothy Adler, Zack Cheney, Scott Coday, Heath

Driver, Matt Ellis, Jesse Harvey, Steven Kraemer, Matt McKinney and Jerry Winton.

The team's 1989-90 record was 30 wins, 10 losses and 2 ties, and included participation in tournaments in Houston, Phoenix, and Los Angeles.

CHICAGO WEEK—BURGENLAND, AUSTRIA

HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 1990

Mr. LIPINSKI. Mr. Speaker, commencing July 19, 1990, a Chicago Week—"Chicago Woche"—will be held in the town of Pinkafeld, Burgenland, Austria. This Chicago Week will commemorate the 100th anniversary of the emigration of Burgenlanders to Chicago; Burgenland is the easternmost Federal Province of Austria.

The year 1980 marked the 90th anniversary of the first Austrian, John Wenzel, to leave then Austro-Hungarian Empire and travel to Chicago. During this 1980 Chicago Week celebration, a bronze plaque was mounted on the house of Wenzel's birth in Grodnau, Burgenland. This Chicago-Burgenland plaque was designed by metal artist, Kurt Mager, of Des Plaines, IL; it was unveiled by John Wenzel's grand daughter, Emma G. Wenzel. Also in attendance was Austrian consul general of Chicago, Eduard Adler.

John Wenzel, 1859-1917, became an agent for the North German Lloyd Steamship Co., and organized groups from various towns and led them to their new home in Chicago. The first group, numbering 45, left Burgenland in 1890, and sailed on the steamship *Kaiser Wilhelm*. This ship is referred to as the *Mayflower* of the immigrant Burgenlanders. John and Elizabeth Wenzel had four children, three of whom, Theresia, Joseph, and John settled in Chicago. Anna remained in Burgenland and raised her family at the Wenzel house in Grodnau.

Wenzel's son, John, 1888-1981, married Ida Jahrman, 1894-1982, from the town of Pinkafeld; they settled in Chicago and raised three children: Ida, Emma, and John. The Wenzel family lived in the area of Chicago known as West Kenwood which was also commonly referred to as Fuller Park. This area historically is recognized as the Little Burgenland since many of the first immigrants lived in this area.

It is estimated that there are approximately 30,000 persons of Burgenland ancestry living in the Chicago metropolitan area. Burgenlanders have served in many of Chicago industries, such as the railroad industry, meat packing and construction. They also established many small enterprises to serve the people of Chicago with guest houses, butcher shops, restaurants, and bakeries. For example, Joseph Urbauer, 1907-88, was well known for his authentic Austrian bakery in Chicago, and two others have published their autobiographies: "Fannerl" by Frances Panny, 1900-87, and "Twenty-five Years of My Life in My Homeland" by Robert Unger, 1898-1985. Musically, Anna Beilfuss and her husband pro-

vided Austrian-German entertainment for many years at the Brown Bear Restaurant in Chicago.

The 1990 Chicago Week celebration is under the direction of "Burgenlandische Gemeinschaft," and its president, Dr. Walter Dujmovits, is well known for his book "Die Amerika-Wanderung der Burgenlander" which chronicles immigration of Burgenlanders to Chicago and other cities of the United States of America. His book is in the library of the Chicago Historical Society and the American Museum of Immigration, Statue of Liberty, New York.

There is also a Burgenlandische Gemeinschaft organization located in Chicago. The group is composed of members who trace their ancestry back to Burgenland, and their purpose is to perpetuate Austrian customs and traditions. Once a year, a young lady is selected as Miss Burgenland and is presented with a trip to Burgenland as Chicago's representative to visit relatives and friend and discover her root. The current Miss Burgenland is Doris Spornberger. The officers of the "B-G" in Chicago are: President, John J. Radoschits; vice presidents, John Woppel and Karl Billitsits; secretary, Irene Varga; treasurer, Hubert Wirtitsch; and membership, Mary Woppel. Frank Volkovits, 1924-82, was one of the founding members of this group.

Member Emma G. Wenzel will travel to Burgenland to participate in the 1990 Chicago Week celebration. She will present to the town of Pinkafeld, her mother's birthplace, a St. Stephen Hungarian flag. This flag has been in the possession of her family since her parents' immigration from Austria and was flown during the reign of Franz Joseph, Emperor of the Austro-Hungarian Empire. The flag will be placed in a museum in Austria.

Attending the Chicago Week ceremonies will be many prominent Austrians, governmental officials, and clergymen. This event will recognize the contributions and achievements of the natives who left their homeland to enter into the mainstream of a new life in the United States of America, Chicago, IL.

The town of Pinkafeld extends its welcome to visitors of Chicago.

IT'S TIME FOR CONGRESS TO REASSERT ITS AUTHORITY IN THE MOU PROCESS

HON. ALBERT G. BUSTAMANTE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 1990

Mr. BUSTAMANTE. Mr. Speaker, I rise before you today with my dear friend and colleague the Honorable FRANK HORTON from New York to bring to your attention the inadequacies of the Defense Departments' memoranda of understanding [MOU's] process, and to propose legislation to address these problems. Currently, there are 19 deficient MOU's regarding defense procurement with foreign governments.

Under these agreements, the Secretary of Defense waives Buy American Act requirements in exchange for a pledge of reciprocal access to a foreign partner's defense procure-

ment market and for furthering the goal of standardizing defense hardware. These bilateral procurements are conducted outside the U.S. Government Procurement Code.

Trade in defense procurements is big business. Eighty percent of all competitive procurements in the United States are defense related. However, the defense procurement requirement of our foreign partners make up only 20 to 25 percent of their total government purchases. Obviously, an 80-20 defense trade relationship is hardly fair.

Additional problems include: First, defense MOU's do not provide a guarantee that our foreign partners will implement competitive and transparent procedures for covered procurements; second, present audit standards and practices for defense procurements are lacking; third, the reluctance of the DOD to use the leverage provided by these bilateral agreements to increase access to foreign government procurement markets for nondefense U.S. products; and fourth, even Congress has suffered from a deficient MOU process in that the Secretary of Defense can enter into these agreements and modify existing ones without the consent of Congress.

To remedy these deficiencies, Mr. HORTON of New York and I have introduced legislation that will allow for more congressional oversight over defense procurement MOU's. Specifically, any U.S. Government agency seeking to renegotiate, enter into, modify, renew, or extend a procurement agreement with a foreign government must receive congressional authorization to do so.

Furthermore, the legislation requires executive agencies to: First, establish audit standards and practices; second, put into place transparent, competitive and open procedures for procurements covered by bilateral agreements; third, increase access to foreign government procurement markets for U.S. product sectors; and fourth, a requirement that future bilateral agreements with foreign governments be established for a fixed term.

Basically this bill is designed for Congress to reassert its proper authority in setting Government procurement policies with foreign contractors. Hopefully, Mr. Speaker, my colleagues recognize the inadequacies of the defense MOU process, and I encourage them to join Mr. HORTON and I in supporting this measure.

MITCHELL "MICKEY" DORSEY

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 1990

Mr. HOYER. Mr. Speaker, on June 29, 1990, Mitchell "Mickey" Dorsey will retire from the Prince Georges County government after 19 years of service.

Mr. Dorsey began his career in the Prince Georges County Department of Human Resources and Community Development. Over his career he also worked with the Human Relations Commission and the Model Cities Program. But it is for his work with the police department's community relations division that he is most well known.

Mickey Dorsey has delighted thousands of children in our county in his role as "McGruff" the crime dog. Through this educational project, he taught children about crime prevention techniques.

It is not just through "McGruff" that Mickey Dorsey has contributed to our county's criminal prevention measures. He has helped to establish neighborhood programs across the county. In addition, he produced a handbook on crime prevention techniques for the handicapped. For his efforts, Mickey Dorsey was named Prince Georges County Crime Practitioner of the Year in both 1987 and 1988.

Mr. Speaker, we all know that the most effective way to fight crime is to have an involved citizenry. Mickey Dorsey has contributed mightily over many years to educating the children and adults of Prince Georges County on steps they can take to avoid being victims of crime and to fight crime. He has empowered and enhanced the protection of our citizens.

Mickey Dorsey deserves our thanks and best wishes on his retirement from public service.

YOUNG NEW MEXICANS WITH VISION

HON. BILL RICHARDSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 1990

Mr. RICHARDSON. Mr. Speaker, we have all read that American students are poorly educated in geography and science, compared to their peers in other countries. So I am particularly pleased to advise my colleagues that Brian Davis, a 16-year-old high school student from Grants, NM, has won a national geography essay contest sponsored by American Express, and Cameron Haight, 17, from Santa Fe High School won top honors at the recent International Science Fair in Tulsa, OK.

Brian's paper, entitled "How the Decline of the Uranium Industry Has Caused Economic Depression in the Grants-Milan, New Mexico Area" was among thousands submitted by students from 48 States. He chose the subject because he, like so many others in his northwestern New Mexico hometown, did not understand how such an economically prosperous area could decline so dramatically in such a short time.

The contest, in its first year, aims to encourage students to find answers to their own questions about how the world works and to learn how to apply geographic concepts to real-world issues. I would like to commend American Express for taking such a strong interest in the education of our young people.

Brian will receive a \$5,000 travel award from American Express.

Cameron Haight was singled out for his study of turbulence in water. Using a computer at Los Alamos National Laboratory, he designed a program for studying the basis of turbulence which has implications in many fields from medicine to airline safety.

Cameron will receive an expenses-paid trip to the Besie F. Lawrence International

Summer Science Institute at the Weizman Institute of Science in Israel. But he has said that his true reward is knowing that he has made a real contribution to science, noting that the more we can understand about the nature of turbulence, the more control we can have over things it affects.

Mr. Speaker, I'm sure my colleagues will join me in congratulating these two fine young men for their initiative and scholarship.

SMALL BUSINESS ADMINISTRATION'S MISMANAGEMENT

HON. BEN NIGHORSE CAMPBELL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 1990

Mr. CAMPBELL of Colorado. Mr. Speaker, not many people have heard of the Conquistador Ski Resort in Westcliffe, CO, and at the rate the U.S. Small Business Administration is going, not many people are likely to.

Over the past 8 years, the SBA has systematically run this struggling little ski resort into the ground, taking along with it the hopes and dreams of the people of Westcliffe, CO, whose livelihood is directly linked to the health of the ski resort.

It is hard to determine what the SBA is trying to prove by attempting to manage a ski resort in southern Colorado. It certainly can't be trying to prove that it can save the Government money. The resort, once valued at \$16 million, is now on the auction block for less than \$5 million. If it sells for this amount, these 8 years of SBA mismanagement will cost the taxpayers of this country \$15.3 million, including \$4.8 million in unverifiable expenditures made by the SBA.

While it is true that taxpayers are getting burned, the real victims of this scandal are the people of Westcliffe. The closure of Conquistador deprived Westcliffe of 130 jobs with an \$850,000 annual payroll, and cost Custer County \$52,000 in property tax receipts, nearly one-quarter of the county's tax base.

As far as I am concerned, the only thing the SBA has managed to prove with this little experiment is that the Government's inability to manage assets is by no means limited to the thrift bailout.

While I was initially heartened when the responsibility for sale of Conquistador was taken out of the hands of the people in Washington who ran the resort into the ground in the first place, I remain concerned that not enough is being done in Denver to actively market the resort. Rumors have circulated for months about potential purchasers for the resort, yet no deals have been signed.

There is little doubt in my mind that the SBA erred seriously in choosing to manage Conquistador, rather than sell it in a timely manner. By so doing, the SBA has imperiled the economy of the surrounding countryside, and I think SBA owes it to the people of Westcliffe to actively seek a purchaser for this resort.

STATE-SUPPORTED HOMES FOR VETERANS WEEK

HON. G.V. (SONNY) MONTGOMERY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 1990

Mr. MONTGOMERY. Mr. Speaker, President Bush has issued a proclamation which designates this week, June 10-16, as "State-Supported Homes for Veterans Week," in recognition of the service they provide to the Nation's veterans. The House and Senate had earlier approved a joint resolution which called for this action and noted the need for greater public awareness of the vital and significant contributions of State veterans' homes.

The first State home for veterans was established in Connecticut in 1864. The Federal Government began sharing the cost of care provided in State veterans' homes in 1888. Since then, State homes have grown from 11 homes in 11 States to the current 60 homes in 37 States, which provide domiciliary, nursing home, and hospital care to ineligible veterans.

The Department of Veterans Affairs [VA] has maintained a partnership with States operating veterans' homes since 1930. Recognized homes that meet VA standards are eligible to receive per diem payments from VA for each eligible veteran to help offset the cost of care. The Congress periodically increases these per diem rates to offset the effects of inflation.

VA also makes grants to States, paying up to 65 percent of the cost of construction, acquisition, and remodeling. VA has awarded more than \$341 million to States for matching construction grants since authorization by Congress in 1964.

Mr. Speaker, by the turn of the century, two-thirds of all males 65 and older in the United States will be veterans. Obviously, this will precipitate a greater demand for long-term health care in our veteran community. These Federal/State sharing projects are a practical, yet quality method of meeting this challenge.

State homes are also cost effective. Besides the benefits of sharing construction and care costs with the Federal Government, States with veterans' homes save hundreds of thousands of dollars annually in Medicaid. Further, construction and staffing of these facilities create hundreds of State jobs.

In September 1988, we dedicated a 150-bed State veterans' nursing home in Jackson, MS. It was a great day for the veterans of my home State. I hope the remaining States which currently don't have State-operated veterans' homes will look into establishing at least one. It begins with veterans and other concerned groups working with their State legislatures for an appropriation to match the Federal grant for construction.

We are proud of the splendid services rendered by our State veterans' homes; they play a strategic role in augmenting VA health care services.

As with all programs, people are the key to success, and in the case of our State veterans' homes, the staffs do remarkable work. I know my colleagues will want to join me during this special week in saluting these

dedicated individuals for the quality care they provide to our veterans and their families.

THE RETIREMENT OF ALICIA RAMIREZ

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 1990

Mr. MILLER of California. Mr. Speaker, in June of this year, Alicia Ramirez will be retiring after 23 years of public service with the Brentwood Union School District in California. On June 16, 1990, Alicia's family, friends, and colleagues will honor her with a dinner program to thank her for her dedication, love, and support, and for her 40 years of unrelenting community service. I would like to take a few moments to pay tribute to Mrs. Ramirez by highlighting her contributions to east Contra Costa County.

Alicia Ramirez has been a strong advocate of equal opportunities to education and health care services for children in the Spanish-speaking communities and farm labor camps of the east county. As Alicia is bilingual, she has been able to help those who are unable to speak English enjoy the benefits of the American system by assisting them through difficulties with schools, courts, businesses, and various government agencies.

To ensure that all Spanish-speaking children were enrolled in educational programs and were receiving adequate health care, Alicia would make countless trips to farm labor camps to provide transportation and interpretation services to newly arrived families.

In 1967, Mrs. Ramirez became the first bilingual teaching aide and community aide to be hired by the Brentwood Unified School District. Alicia was a driving force behind the establishment of the first east county Headstart project. She was active in the petition drives to set up the first east county health clinic in Brentwood, and served on the Delta Memorial Hospital Board of Directors. Alicia worked as community representative for the United Council of Spanish-Speaking Organizations in Oakley, and is a member of the Comite de Beneficencia de Brentwood. She was named "A Women of Distinction of the 90's" by the International Soroptomist Organization of East Contra Costa County.

In addition to these activities, Alicia is a loving and devoted mother, raising 10 children as a widow for the majority of the growing years. She has made sure that all her children graduated from high school and have had the opportunity to attend college.

Mr. Speaker, I ask that my colleagues in the House of Representatives join me in recognizing the accomplishments of this remarkable woman. Mrs. Alicia Ramirez has unselfishly given her time and her skills to Spanish-speaking people in my district and to the Brentwood Union School District. I would like to thank her for her dedication and hard work, and wish her the very best in her retirement.

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.

Meetings scheduled for Thursday, June 14, 1990, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JUNE 15

9:30 a.m.

Veterans' Affairs

To hold hearings on the nominations of Donald L. Ivers, of New Mexico, and Jonathan R. Steinberg, of Maryland, each to be an Associate Judge of the U.S. Court of Veterans Appeals.

SD-418

10:00 a.m.

Foreign Relations

To hold hearings to examine U.S. policy toward Iraq, focusing on human rights, weapons proliferation, and international law.

SD-419

Judiciary

To hold hearings on pending nominations for the U.S. Sentencing Commission.

SD-226

JUNE 18

10:00 a.m.

Finance

Social Security and Family Policy Subcommittee

To hold hearings to examine demonstration programs, focusing on the Wisconsin Learnfare program designed to instill in parents that they have a responsibility to not only financially support their children, but also to assure that they attend school.

SD-215

2:30 p.m.

Appropriations

Interior Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of the Interior.

S-128, Capitol

JUNE 19

9:30 a.m.

Energy and Natural Resources

Water and Power Subcommittee

To hold hearings on S. 1765, to authorize funds for the planning and construction of the Mid-Dakota Rural Water System, and S. 2710, to authorize the Secretary of the Interior to construct, operate, and maintain the Lake Andes-Wagner Unit and the

Marty II Unit, South Dakota Pumping Division in South Dakota.

SD-366

Veterans' Affairs

To hold hearings on the nominations of James W. Holsinger, Jr., of Virginia, to be Chief Medical Director, and Stephen A. Trodden, of Virginia, to be Inspector General, both of the Department of Veterans Affairs.

SR-418

10:00 a.m.

Foreign Relations

To hold hearings to review the results of the General Accounting Office study of Protocol 3 to Montreal Aviation Protocols (Ex. B, 95th Congress, 1st Session).

SD-419

Judiciary

Constitution Subcommittee

To hold hearings on S.J. Res. 295, to prohibit the Supreme Court or any inferior court of the United States from ordering the laying or increasing of taxes, and S. 34, to revise the Federal judicial code to deny to inferior Federal courts jurisdiction to issue any remedy, order, writ, or other judicial decree requiring the Federal government or any State or local government to impose any new tax or to increase any existing tax.

SD-226

10:30 a.m.

Environment and Public Works

Environmental Protection Subcommittee

To hold hearings on S. 2244, to prevent and control infestations of the coastal and inland waters of the United States by the zebra mussel and other nonindigenous aquatic nuisance species.

SD-406

2:30 p.m.

Appropriations

Foreign Operations Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1991 for foreign assistance, focusing on U.S. military assistance.

SD-138

JUNE 20

9:00 a.m.

Labor and Human Resources

Business meeting, to consider pending calendar business.

SD-430

9:30 a.m.

Commerce, Science, and Transportation

Communications Subcommittee

To hold hearings on S. 1974, to require new televisions to have built in decoder circuitry designed to display closed-captioned television transmissions.

SR-253

Governmental Affairs

Permanent Subcommittee on Investigations

To hold hearings to examine health care costs, focusing on revenue recovery firms.

SD-342

10:00 a.m.

Environment and Public Works

Toxic Substances, Environmental Oversight, Research and Development Subcommittee

To hold hearings on environmental issues relating to Avtex Fibers, Inc., in Front Royal, Virginia.

SD-406

Finance

To hold hearings to review the President's decision to renew most-favored-nation trade status to China.

SD-215

Judiciary

To hold hearings on proposed legislation designed to implement existing laws relative to violent crimes, from sexual to domestic offenses, against women.

SD-226

2:00 p.m.

Commerce, Science, and Transportation

Merchant Marine Subcommittee

To hold hearings on proposed legislation authorizing funds for the Federal Maritime Commission, and the Maritime Administration, Department of Transportation.

SR-253

Select on Intelligence

To resume hearings to review certain proposals to improve the counterintelligence posture of the United States by strengthening U.S. ability to detect, detect, and prosecute persons who turn to espionage.

SD-366

JUNE 21

9:30 a.m.

Environment and Public Works

Superfund, Ocean and Water Protection Subcommittee

To hold oversight hearings on the superfund remedy selection process.

SD-406

Rules and Administration

To hold hearings on S. Con. Res. 122, to establish an Albert Einstein Congressional Fellowship Program, and S. Res. 206, to establish a point of order against material that earmarks research moneys for designated institutions without competition.

SR-301

Small Business

To resume hearings to review the Small Business Administration's small business investment companies program.

SR-428A

10:00 a.m.

Foreign Relations

Business meeting, to mark up Montreal Aviation Protocols (Ex. B, 95th Congress, 1st Session).

SD-419

2:00 p.m.

Energy and Natural Resources

Public Lands, National Parks and Forests Subcommittee

To hold hearings on S. 2680, to provide for the relief of certain persons in Stone County, Arkansas deprived of property as a result of a 1973 dependent resurvey by the Bureau of Land Management.

SD-366

Judiciary

To hold hearings on proposed legislation to amend the U.S. Constitution to protect the American flag.

SD-226

Select on Indian Affairs

To hold oversight hearings on S. 2451, to establish in the Department of the Interior a Trust Counsel for Indian Assets.

SR-485

JUNE 22

10:00 a.m.
Judiciary
Immigration and Refugee Affairs Subcommittee
To hold hearings on S. 1629, to impose civil liability on anyone who, under the authority of a foreign nation, subjects any alien or United States citizen to torture or extrajudicial killing.
SD-226

JUNE 26

9:00 a.m.
Appropriations
Foreign Operations Subcommittee
To resume hearings on proposed budget estimates for fiscal year 1991 for foreign assistance programs.
Room to be announced

2:00 p.m.
Judiciary
Patents, Copyrights and Trademarks Subcommittee
To hold hearings on S. 1772, to prohibit State lotteries from misappropriating professional sports service marks.
SD-430

2:30 p.m.
Appropriations
Foreign Operations Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1991 for foreign assistance programs.
Room to be announced

JUNE 27

9:30 a.m.
Commerce, Science, and Transportation
Consumer Subcommittee
To hold hearings to examine the Federal Trade Commission's (FTC) international antitrust jurisdiction over foreign companies.
SR-253

Governmental Affairs

To resume hearings on S. 1978, to establish the Department of Industry and Technology as an executive department, to establish the Interagency Export Enhancement Committee within the Office of the President, and to transfer the National Oceanic and

Atmospheric Administration to the Environmental Protection Agency.
SD-342

2:00 p.m.
Finance
Energy and Agricultural Taxation Subcommittee
Taxation and Debt Management Subcommittee
To hold joint hearings on proposed legislation to prevent abuses in determining estate and gift tax values.
SD-215

JUNE 28

9:30 a.m.
Veterans' Affairs
Business meeting, to consider pending legislation relating to veterans compensation and health-care benefits.
SR-418

2:00 p.m.
Foreign Relations
Terrorism, Narcotics and International Operations Subcommittee
Western Hemisphere and Peace Corps Affairs Subcommittee
To hold joint hearings on proposed U.S. military training for Peru.
SD-419

JULY 11

10:00 a.m.
Judiciary
Constitution Subcommittee
To hold joint hearings with the House Committee on the Judiciary's Subcommittee on Courts, Intellectual Property, and the Administration of Justice on S. 2370, to revise Federal copyright law to apply the fair use doctrine to all copyrighted work, whether published or unpublished.
SD-226

2:00 p.m.
Energy and Natural Resources
Energy Research and Development Subcommittee
To hold hearings to review the status of the human genome project of the Department of Energy and the National Institute of Health.
SD-366

JULY 12

9:30 a.m.
Select on Indian Affairs
To hold hearings to examine protective services for Indian children, focusing on alcohol and substance abuse programs.
SR-485

2:00 p.m.
Agriculture, Nutrition, and Forestry
Agricultural Research and General Legislation Subcommittee
To hold hearings on the U.S.-Canada open boarder trade agreement, focusing on meat and poultry.
SR-328A

CANCELLATIONS

JUNE 19

2:00 p.m.
Select on Intelligence
To hold closed hearings on intelligence matters.
SH-219

POSTPONEMENTS

JUNE 21

9:30 a.m.
Governmental Affairs
Oversight of Government Management Subcommittee
To hold oversight hearings to review the effectiveness of the Program Fraud Civil Remedies Act.
SD-342

JUNE 22

2:00 p.m.
Agriculture, Nutrition, and Forestry
Agricultural Research and General Legislation Subcommittee
To hold hearings to review the U.S.-Canada open boarder agreement, focusing on meat and poultry.
SR-332