EXTENSIONS OF REMARKS

MEASURING UP FOR 1992

HON. TIM VALENTINE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 1990

Mr. VALENTINE. Mr. Speaker, section 5164 of the Omnibus Trade and Competitiveness Act of 1988 sets a target date of December 31, 1992, for our Government to convert its grants, procurements, and business-related activities to the metric [SI] system of measurement. That is also the time when the European Community [EC] will become a unified market with common metric-based standards for goods traded within the EC. If our businesses want to sell to Europe after 1992, they will have to manufacture to metric standards, and the Federal Government must be in a position to help and encourage U.S. businesses to meet this competitive challenge.

Recently, an informative article on Federal metrication appeared in the May 1990 issue of Government Executive, which I commend to my colleagues' attention.

[From the Government Executive, May 1990]

MEASURING UP FOR 1992

(By Lorna Williams)

When the designer of a Navy destroyer showed his plan for the new vessel to the admiral supervising the project, he was asked, "Why is it such a teeny ship?" Told that the ship had been designed in metric units, the admiral sent the designer back to the drawing board with orders to redraw the plans in the customary inch-pound units, so that he could understand them.

Like the admiral, some high-level government managers still have no love for the metric system and don't understand its elegant simplicity. But their ranks are shrinking, and will have to shrink even further. Two provisions of the 1988 Omnibus Trade and Competitiveness Act have given new impetus to the move to the metric system. The first establishes the metric unit as the preferred measurement system for U.S. trade and commerce. The second requires federal agencies to use the metric system in their procurements and other business dealings by the end of 1992, except where impractical. Until they have fully implemented this provision, agencies are required to report on their progress as part of their annual budget submissions to Congresss.

Together, these provisions add up to "the strongest pro-metric legislation enacted in U.S. history," according to Rep. George Brown, D-Calif., a supporter of the bill. Indeed, the federal government's commitment to the metric system could well be the most significant influence in finally tipping the scale toward general acceptance of the metric system, after a false start in the 1970s.

The metric movement stalled at that time because the 1975 Metric Conversion Act called for voluntary use of the metric system and established no deadline for transtion from the inch-pound system. More importantly, the act did not distinguish between the urgent need for industrial metric change and the less urgent need for changes that affect consumers.

The switch to metric was perceived as hostile to consumers. "Arguments that we were losing our export markets in an increasingly metric world got mixed up with protests from people who didn't want to cook in metric," says Gerald T. Underwood, director of the Office of Metric Programs in the Department of Commerce.

The public objected loudly to road signs showing distances in kilometers, to temperatures in Celsius and to gasoline sold in liters. (On the other hand, millions of Americans went on buying soft drinks in liter and two liter bottles, taking photos with 35 millimeter film and driving cars whose parts are nearly all measured in metric.)

This time around, the law makes a clear distinction between the industrial need for switching to metric and the social. While Congress declared the metric system, "the preferred system of weights and measures for United States *trade and commerce*" [emphasis added] in the 1988 trade act, it permits the use of traditional weights and measures in non-business activities.

The deadline for federal agencies to begin using the metric system in "procurements, grants and other business-related activities," is the end of 1992. Coincidentally, by Dec. 31, 1992, the 12 nations of the European Community will become one market, accepting only metrically labeled imports.

The metric system, formally known as the *Système Internationale d'Unités* (International System of Units), was developed by the French in the 18th century and is used today in every country in the world except the United States, Burma and Liberia. The intent of the metric provision of the trade act is "to put American industry on equal footing with our foreign trading partners and encourage a conversion to metric as one way of achieving this end," says Rep. Brown. So government agencies are charged with helping industry, especially small business, make the transition to metric.

Laying down the law is one thing; implementing it—in purchasing goods and supplies worth some $90 billion annually for the vast federal bureaucracy—is another. The chief instrument for the transition to metric is the Interagency Committee for Metric Policy, whose members are senior-level policy-makers from 39 departments and agencies. The committee has a working arm, the Metrication Operating Committee, composed of managers from the same agencies.

Commerce's Office of Metric Programs does a heroic job of spearheading the metric transition, but with only three employees, its resources are stretched. Under Underwood's chairmanship, the operating committee meets once a quarter but, even so, 20 months after passage of the trade act, only a handful of agencies had drawn up to the required transition guidelines. The reasons? "Bureaucratic inertia," according to a Commerce Department source. "Lack of leadership at the highest level," was another reason cited by several agencies.

THE MILITARY GOES METRIC

Ironically, the best bureaucracy of them all, the Department of Defense, has been in the vanguard of the movement toward metric since the 1970s. Two major factors drive DoD's active metric policy: a commitment to providing weapons systems that are interchangeable with those of its NATO partners, all of whom use the metric system, and the likelihood of long-term savings. "Companies tend to reduce the number and variety of part sizes on going metric, standardization that could result in major savings in DoD's supply system," explains John Tascher, DoD metric coordinator, who works in the Defense Quality and Standardization Office.

The Army's decision in 1986 to build the Light Helicopter Experimental (LHX) with a metric engine and airframe has served as a catalyst for change in the defense industry. The LHX is the first entirely U.S.-designed large weapons program to specify the metric system. In 1987, DoD announced that all new weapons systems and development work on the Strategic Defense Initiative—the "Star Wars" space-based missile defense system—would be designed and built in metric units. In addition, the Army has nine more metric weapons systems in the production phase, the Navy, eight.

"Where we can call the shots as in new weapons systems, we're pushing metric," says Tascher. "In areas were we can't call the shots, we're working with industry to help them make the transition." Tascher cites as an example a data base of some 6,000 specifications and standards for metric weapons systems that DoD is compiling with the help of major defense contractors. The data base began operating in January and is available to government agencies, contractors and other interested parties.

The business-supported American National Metric Council, which works closely with government on metric matters affecting its members, is also developing a data base of suppliers of metric parts.

In January 1989, DoD became the first government department to publish a metric transition plan. Other federal agencies are using the 21-page plan as a model.

One reason for the success of DoD's gradual implementation of the metric system is that it has separated the social from the industrial applications from the start. "We're not weighing out potatoes in kilos at the commissary," says Tascher.

NASA: INCHING BACK

The metric system is still up in the air at NASA, which has pulled back from its one-time intention to use a metric baseline measurement system for the space station program. Citing cost and safety reasons, NASA now says the baseline system for the space station will be inch-pound with some metric components—principally the metric modules to be supplied by the European Space Agency and Japan.

"The space station was too far along to make another change in the base measurement system," says Richard Weinstein, NASA's metric coordinator and engineering standards manager. "But the future will

● 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.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

probably see NASA going in the direction of metric."

Weinstein expects NASA to announce its metric policy and guidelines for metric transition in the first half of 1990. "There'll be a lot of discussion along the lines of, 'if space programs go metric, will we be able to buy the parts?'" Weinstein predicts. "But there are manufacturers out there whose attitude is, "Give us a big enough order for metric parts, and we'll be happy to make them."

GSA'S METRIC PLAN

To policy advisor Lawrence Rizzi, who chairs the General Services Administration's metric steering group, the main obstacle to switching to the metric system is the sheer size of the operation.

As government's landlord, housekeeper and business manager, GSA spends more than $2 billion a year on procurement, and its shopping list includes office buildings as well as supplies and furniture, utilities, security and garbage collection.

"Transition to the metric system involves so many things and so many people," says Rizzi. "We have 18,000 employees, and we deal with thousands of vendors." He also notes that GSA will have to coordinate with the other agencies for which it orders supplies in order to ensure a uniform government-wide procurement system.

GSA announced its metric transition plan in the *Federal Register* last October. "Our plan accommodates the commercial market we deal in," says Rizzi. "Specs and standards for federal and GSA procurement will be developed in metric as metric becomes the accepted measurement system. The plan should not bend very many of our suppliers out of shape, especially since dual dimensioning may be used in the transition.

"Purists say dual dimensioning should not be allowed, but the reality is that it's all around us," Rizzi continues. "A lot of our suppliers use dual-dimensioning or hybrid systems already." With dual dimensioning, all measurements are expressed in both metric and inch-pound units; in a hybrid system, some measurements are expressed in metric and others aren't. As Rizzi notes, "My 'metric' car has 14-inch wheels."

All 18,000 GSA employees, beginning with top management, will receive some metric education, ranging from a brief orientation to extensive training. The agency will also assist small and medium-sized businesses who need help in making the transition. "The complexities are endless," notes Rizzi, "but I'm optimistic that we'll have our act together by the end of 1992."

METRIC: THE LANGUAGE OF SCIENCE

Several agencies have large numbers of employees—chiefly scientists and engineers—who have worked in metric for years because it is the worldwide language of science. These agencies include the National Institute of Standards and Technology, the National Oceanic and Atmospheric Administration, the Department of Energy, the National Institutes of Health, the Food and Drug Administration and the Nuclear Regulatory Commission.

Fear of metric is not an obstacle at such science-oriented agencies, but nonetheless, the metric transition is expected to take "several years," according to Frank Tooper, director of the Operational Standards and Analysis Division at Energy.

Even before it announces a transition plan sometime later this year, Energy is planning to build the multibillion-dollar superconducting supercollider, one of the largest and most complicated U.S. science projects ever conceived, partly in metric. At one time the idea of building the entire project in metric was discussed, but because of the need for compatibility with existing measurement systems such as the U.S. Geological Survey's national grid, all buildings, tunnels and surveying will be done in inch-pound units. However, the superconducting magnets, which represent one-quarter of the cost of the entire project, will be measured in metric, and other technical components may be metric as well.

Procurement in metric will go in tandem with Energy's first metric project. "When we reach that point we'll familiarize our non-scientific employees with the metric system," says Tooper. "We'll also help our contractors who are not already using metric make the switch." Tooper doesn't foresee any problems. "There is top-level awareness here of what the law requires and a commitment to addressing the issue," he says.

Such commitment is not universal. Some federal agencies have not addressed the metric issue because they assume it will fade away again as it did in the 1970s. Others are dragging their feet because they see no particular benefit in making the transition. Still others wonder about costs.

"Some agencies have asked if there is funding for the change, but we have to tell them to plan for it out of their existing budgets," says Commerce's Underwood. "In the area of procurement, however, it may be necessary to supply funding for small businesses to meet initial conversion costs." Underwood notes that the Small Business Administration grants loans for the purchase of metric tools and gauges.

At the Defense Department, the cost issue was addressed in a memo, dated Aug. 7, 1986, from then-undersecretary of the Army James R. Andrews, who was reviewing the status of the LHX engine program. Two teams of contractors reported that the cost of being required to go metric was "at most, 1 to 2 percent," wrote Andrews, adding: "I suspect that a proper accounting would show that there was really no added cost except the one-time training of personnel in what the metric system was."

To those agencies who have yet to start the meter running, Rep. Brown suggested a simple, three-point plan at a recent meeting of the Interagency Committee on Metric Policy: Develop a timetable for transition then follow it; provide assistance to companies that need it; and report agency progress to Congress once a year.

Says Al Navas, former president of the American National Metric Council, "One thing's for sure; this time metric isn't going to fade away."

DEMAND GOOD-FAITH PLANNING TO COMBAT OIL SPILL DISASTERS: ANOTHER "EXXON VALDEZ" CATASTROPHE LIKELY WITHOUT REALISTIC CIVIL, CRIMINAL PENALTIES

HON. RON WYDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 1990

Mr. WYDEN. Mr. Speaker, today I and two of my Oregon colleagues, Mr. AUCOIN and Mr. DEFAZIO, introduce the Oil Spill Disaster Act of 1990. This legislation provides much-needed muscle to mandated contingency planning focused on disastrous oilspills—a problem which now threatens virtually every major port and estuary in this Nation.

And despite the fact that colleagues in both Houses of Congress have done much good work producing strong omnibus oilspill bills, this is one area of preventive medicine that seems to have been overlooked. I hope that conference will measure this get-tough proposal and include it in the conference report.

Mr. Speaker, a year ago the tanker *Exxon Valdez* foundered in Alaska's Prince William Sound, creating the largest oilspill in U.S. history. The effects of that spill were considerably increased thanks to absence of onsite cleanup equipment to deal with the oil.

In April, the U.S. Coast Guard issued a report which stated that no Coast Guard district in this country has the equipment and people available to control a worst-case spill.

These are environmental tragedies waiting to happen. It is predictable that as long as we ship oil by sea, tankers will spill. But the effects of those spills will be needlessly intensified unless we change our laws to demand realistic planning that includes standby resources to combat these spills before they spread as they did in the Prince William Sound incident.

Our bill, which is endorsed by leading environmental organizations such as the National Audubon Society, the National Wildlife Federation, and the Natural Resources Defense Council, addresses a very primary fallacy in our current efforts to combat future spills. And it strikes at the heart of the problem reflected by the *Exxon Valdez* disaster.

We already demand that oil drillers and carriers make plans to control possible spills. But this law is toothless in its enforceability. Planners can promise anything, but deliver little. In the case of *Exxon Valdez,* for example, cleanup assets prescribed in the plan had been withdrawn from the Sound years prior to the spill. There was no hope of cleaning up the oil before its damaging spread to miles of Alaskan beach.

The Environmental Protection Agency is empowered to audit such plans, point out deficiencies, and demand improvements. But penalties which could have been doled out by planners in Alaska, for example, are limited to a one-time, $5,000 fine. This slap-on-the-wrist is not likely to get the attention of the multibillion-dollar, multinational corporation.

Proper spill planning, including provision of equipment and personnel, can decrease both costs of cleanup and the extent of damage likely to occur. And it is only reasonable that those who must plan for these problems—including companies making billions of dollars per year in petroleum profits—do so in good faith, providing the equipment and manpower needed to combat these environmental disasters.

Our bill makes several simple changes to current law. It gives EPA an administrative avenue to assess daily fines against companies and others who do bad-faith planning. It allows EPA to assess substantive fines, fines of up to $25,000 per day. And finally, it creates criminal penalties for planners who knowingly deceive EPA auditors.

Mr. Speaker, these are stern measures. But we are convinced that without such penalties, bad situations will be made worse. Spills which are already environmental tragedies will become environmental disasters.

This bill brings good faith back into the calculus of oilspill planning. It requires only that planners live up to their promises. In the words of Jay D. Hair, president of the National Wildlife Federation, "the bill provides EPA with badly needed enforcement authority and would substantially improve environmental protections by preventing disasters rather than waiting for them to happen and then penalizing them when it is too late."

In that sense, it is a modest proposal and we urge our colleagues to support it.

Mr. Speaker, I insert a copy of Mr. Hair's letter to me, regarding this legislation, in the RECORD:

NATIONAL WILDLIFE FEDERATION,
Washington, DC, May 18, 1990.

Hon. RON L. WYDEN,
Rayburn House Office Building, Washington, DC.

DEAR CONGRESSMAN WYDEN: The *Exxon Valdez* and *American Trader* oil spills tragically taught us that prevention must be the guiding principle of any legislation addressing oil spills, for once the oil reaches the water, it is too late. The National Wildlife Federation strongly supports your legislation to give the Environmental Protection Agency (EPA) the enforcement powers it needs to ensure that effective oil spill and hazardous substances contingency plans are in place before a spill occurs.

The bill enables EPA to issue compliance orders and penalties when its investigators find that a vessel, onshore facility, or offshore facility is in violation of its contingency plan. The agency can levy civil penalties of up to $25,000 per day on any person who fails or refuses to comply with the plan. If the violator is obstinate, EPA can go directly to court to get an injunction to force compliance. EPA also may require such a person to conduct an environmental audit of the affected or related facilities to ensure that further problems do not exist.

The National Wildlife Federation believes the bill provides EPA with badly-needed enforcement authority and would substantially improve environmental protections by preventing disasters rather than waiting for them to happen and then penalizing them when it is too late.

Sincerely, JAY D. HAIR.

YOUNG WRITERS HONORED IN NORTHERN ILLINOIS

HON. HENRY J. HYDE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 1990

Mr. HYDE. Mr. Speaker, it is my privilege annually to honor young writers from northern Illinois, representing both high school and junior high school age groups, who submit winning essays in a contest sponsored jointly by my office and schools in the Sixth Congressional District. This year's essays focused on the scourge of illegal drugs among our youth.

Addison, IL, resident Dennis J. Hearst, a graduating senior at Fenton High School in Bensenville, IL, won first place among high school participants for his essay entitled, "A Student's Perspective on the Problem of Drugs in Schools."

Eighth grader Jim Rohrich, a Villa Park, IL, resident and student at St. Alexander School in Villa Park, placed first in the junior division with his essay entitled, "What I Can Do To Combat the Scourge of Drugs in Our Schools."

Bensenville resident Soon Jae Hwang, a senior at Fenton High School, won second place among high school students with an essay also entitled, "A Student's Perspective on the Problem of Drugs in Schools." Two students tied for third place. Tracy Stephens of Chicago, a student at Addison Trail High School, wrote "The Battle Rages On" and Mary Lo Galbo, a student at Addison Trail High School, authored "Behind the Mask of Drugs."

In the junior division, Michelle Smolinski of Roselle, IL, an eighth grader at Spring Wood Junior High School in Roselle, placed second with her essay in the junior high school division; Cori Bradley and Trisha Stankiewicz, both of Park Ridge, who are students at Mary Seat of Wisdom School in Park Ridge tied for third place. All junior winners used the same essay title.

I congratulate these and other participants who took the time to research, write, and edit their papers. It is through programs such as this one that students strengthen their communication skills, and learn the tragic perils of drug use and addiction.

A special note of thanks also to Mrs. Vivian Turner, former principal of Blackhawk Junior High School, who coordinates this annual event.

I commend the following winning essays to my colleagues for their study:

A STUDENT'S PERSPECTIVE ON THE PROBLEM OF DRUGS IN SCHOOLS

(By Dennis J. Hearst)

When I was approached by my high school principal to speak to junior high school students about drug awareness, my first thoughts was how great this would look on my college applications. It was not until I spoke with a D.A.R.E. [Drug Abuse Resistance Education] officer that I realized the importance of my job. D.A.R.E. is an actual class that every sixth grader in the area is required to take. It is taught by a police officer rather than a teacher and deals solely with the importance of staying away from drugs.

I was amazed that a drug awareness program would begin at such an early age, but the officer explained to me that this is the age at which many kids are first approached by drug dealers, and that by the eighth grade, a large percentage of these kids will already have tried drugs. He went on to explain that the results from a recent survey of sixth grade students showed that they saw high school as a place where "everyone" did drugs. As a result of this alarming survey, he was looking for a high school student who could act as a role model, someone who was good in sports, had good grades, and could speak well in front of people. Part of my job was to introduce myself as a student of Fenton High School, inform the kids about my accomplishments in school, my plans for college and my aspirations for later life. I was to be a living example that not "everyone" in high school does drugs, and that you can be successful, and still be "cool", as a non-drug user.

While the sixth graders' ideas about drugs in high school surprised me, it was the misconceptions of the police officer whose job it was to educate the children that alarmed me the most. Each of the officers that I worked with, as my involvement in D.A.R.E. continued, told the students that drug users were a shady group of long haired "hippie" types that could be spotted a mile away. The typical drug user, in the eyes of most police officers, is a dirty kid with ripped jeans who listens to heavy metal music. While it is true that many drug users fit this description, the problem as I see it lies with a whole different group of drug abusers, the kind that you would let your daughter go out with.

My high school experience has been an enjoyable and drug-free one, and I say that with a great deal of pride. I am proud of this fact because I, like most high school students, have been offered, exposed to, and tempted by drugs. As a senior awaiting letters of acceptance or rejection from several of the nation's top universities, I often wish that I had spent the last four years of my life with my face buried in a book as several of my classmates with superior G.P.A.'s have done. However, aside from my athletic endeavors, I lived the life of an average American teen-ager. I went to the parties, dated the girls and can now offer some interesting insight into the drug problem that faces America's teens. My biggest concern with the police officer's idea of a drug user was that he was not preparing these sixth graders to go to their first high school party and see the captain of the wrestling team smoking marijuana in the corner. I have found that the stereotypes of yesterday do not apply to the teen-agers of today. I do not believe that any administration, local, statewide, or nationwide really has its finger on the pulse of today's youth.

The following Friday morning I stood before the sixth grade class at Junior High with a pile of note cards, ready to do my thing. Then, I looked out at the class and I realized who I was talking to. They were eleven year old children, and I could not believe I was going to talk to them about drug abuse. I put the cards back into my pocket and began speaking. I dispelled a lot of misconceptions they had about high school and about how only the sleezy kids do drugs. I tried to be honest and optimistic at the same time. I told them that most of them would be offered or pressured to do drugs by the time they graduated from high school. I did my best to tell them that drugs are a problem among football players, baseball players, and honor roll students alike, but that it is possible to lead a "normal" life through your teen years and stay drug free. I just hope I was telling the truth.

When the period was over, the class, in unison, gave me a big Thank You! and I walked out of the building feeling as good as I ever have. Since that Friday morning I have worked with various D.A.R.E. officers and spoken to several classes. I feel that if I can inspire one kid to do anything which may keep him away from drugs, it will be my greatest accomplishment.

WHAT I CAN DO TO COMBAT THE SCOURGE OF DRUGS IN OUR SCHOOLS

(By Jim Rohrich)

"Just Say No!" to drugs may be a fabulous slogan but slogans are only words and words alone do not produce results. We, as young

people, are faced with endless lists of do's and don'ts from parents and teachers and this slogan can easily become another item on this list. Saying "No to Drugs" cannot be something we view as another demand made on us by adults. We must assume personal responsibility for our stand on drugs. If we are going to wage war on drugs, we need ideas and not just words. These ideas need to be implemented in elementary school and carried on through high school. We must enlist the help of parents and the school in carrying out our ideas but we still must assume the responsibility as ours and not our parents' or the school's.

We, as young people, should not be spared from the real and horrible effects of all drugs. Drugs, at best, impair judgment and at worst can kill. Movies should be shown in the schools showing the horror of drugs and the lasting effects they have on users. Films depicting a heroin addict's death, the damage caused to the nose from extended cocaine usage or an addict's withdrawal symptoms can leave a lasting impression on the young.

At school, we can form drug awareness organizations. If our school does not already have classes on drugs and their effects, we should request them. These programs should enable us to learn exactly how to respond when situations involving drugs arise. We should learn how to say, "No!"

Even though we are young, we have more "clout" in fighting the drug war than people imagine. Working through our school organizations, we can set up student/parent "hot lines" that can be called by kids having drug problems. We can have flyers printed with the names and numbers of organizations that can help our peers already involved with drugs. We could also encourage parents to come to meetings with the teachers, to learn now to confront their children and be able to talk more openly about drugs and their usage.

We should also find ways to establish negative viewpoints about drug usage in the different mediums used by the children of today. For instance, we could discuss the danger of drugs in short paragraphs on fast food containers, in baseball card packets and on the labels of cassette tapes. We could even incorporate a warning about drugs into different television shows, comic books, and cartoon strips in the newspaper. We can enlist our peers in actively boycotting rock groups that glorify drugs in their music.

Hopefully, these ideas might help. In addition, however, we must show our drug-using peers love and compassion when they need it while still letting them know that we will not condone their drug usage. I think after making the fight on drugs our fight, we would find our slogan to be, "Saying No to Drugs Is Saying Yes to Life!"

TOBACCO VERY GOOD AT KILLING PEOPLE

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 1990

Mr. JACOBS. Mr. Speaker, the actor, Charlton Heston, seems to have a strange affinity for the Firearms and Tobacco Section of the U.S. Treasury Department.

Mr. Heston's fascination with guns is well known.

With this advertisement for the Philip Morris Co., Mr. Heston has added tobacco or money from the sale of it as another object of his affection.

You will note that his concluding quotation here is " 'It's powerful stuff.' " So is tobacco. Like handguns, it is very good at killing people.

Following the text of the advertisement, I also insert brilliant Colman McCarthy's Washington Post column for May 19, 1990.

"When it comes to the Bill of Rights, I'm proud to play a supporting role."—Charlton Heston, actor.

"Regretfully, one of the things I didn't learn until after I had finished school was that history is not only the most important subject, in a certain sense it's the only subject. I kind of make up for it now by speaking out on the Bill of Rights every chance I get.

"I see the Bill of Rights as one of the cornerstones of this country. It's one of several acts of genius created by our founding fathers.

"You could say that the Bill of Rights constitutes their considered thoughts and feelings about the absolute protections necessary for the individual citizens.

"It's powerful stuff."

Philip Morris Companies Inc., Kraft General Foods, Miller Brewing Company, Philip Morris USA.

THEODORE HESBURGH, MARLBORO MAN

(By Colman McCarthy)

A new Marlboro Man, Theodore Hesburgh, president emeritus of Notre Dame, rides the cancer range. He is appearing in full-page ads that are part of a $30 million national campaign sponsored by Philip Morris, the nation's largest tobacco company. Hesburgh isn't atop a bronco in Marlboro country, nor is he puffing a cigarette while roping dogies. Instead, he's in the promotional saddle with Philip Morris and its advertising fantasies to celebrate the coming 200th anniversary of the Bill of Rights.

A close-up photo of photogenic Hesburgh—square jaw, silver hair and Roman collar—runs next to his sermonette on the Bill of Rights: the document "did not automatically guarantee life, liberty and the pursuit of happiness for all Americans. We have had to enlarge our freedoms, promote human dignity and eliminate injustice during all 200 years of the Bill of Rights. The ideal is there, but the reality has always needed enlarging. It still does."

Philip Morris's game is figurable. A company prowling for profits through sales of the addictive and lethal nicotine drug needs a cover of respectability. What do do? Buy it. Who's as respectable as good Father Ted of Notre Dame? Maybe only Benjamin Hooks, executive director of the NAACP, whose visage appears in similar Philip Morris Bill of Rights ads. Or Charlton Heston, last seen shilling for the National Rifle Association and National Review, and now on board for Philip Morris. Or Judith Jamison of the Alvin Ailey American Dance Theater, who says for Philip Morris that "we must keep a watchful eye" to protect the Bill of Rights.

This is a corporation, with $4.6 billion in tobacco revenues worldwide, that deserves to be treated as a social and moral pariah. Nearly 1,000 smokers and ex-smokers die every day of tobacco diseases. That cigarettes are legal is a side issue to the main one: the absence of marketplace ethics as Philip Morris advertises its Marlboros, Virginia Slims, Merits, Parliaments and Benson & Hedges as life-enhancing products when, by medical fact, they are death-inducing.

What kind of naivete overtook Hesburgh? Is the lure—or need—of full-page publicity and money so powerful that he couldn't resist selling his name to Philip Morris' low-grade hucksters? Hesburgh, long a letterhead liberal who routinely lends his name to advisory boards of noble-cause groups, has been in enough corporate boardrooms raising money for his university to know what Philip Morris is up to. The sellers of cancer are laying out $30 million as an investment in public approval for the company's seeming civic idealism. Hesburgh, whose university has taken money from Philip Morris, aligns himself with the cigarette makers.

In a Los Angeles Times interview, the priest stresses that his appearance in the ad was not an endorsement of tobacco products: "Nobody could think that without having a wild imagination," he said. "I figured any way I can get a good word in for the Bill of Rights, that's fine."

Hesburgh's willingness to join Philip Morris as fellow lovers of liberty raises the question of who else he would appear with in his "any way I can" zeal for the Bill of Rights. What about the Playboy Foundation, run by Hugh Hefner, another Bill of Rights buff who awards First Amendment prizes to stalwarts of free speech?

The Philip Morris ads, with the subtlety of a smoker's cough, hawk the notion that the Bill of Rights is in peril. What's actually under siege is the Bill of Smokers' Rights. Cigarettes are now banned by airlines on nearly all domestic flights. Restrictions in restaurants, work sites and public places abound, with more limits ahead. Federal legislation—the Tobacco Education and Control Act—is being introduced. It would prohibit vending-machine sales (a mother lode of the youth market), eliminate pictures in ads and stop the dispensing of free samples.

Philip Morris has been a power in the smokers' rights cause, a big loser in the 1980s. Three years ago it came up with "American Voices: Prize Winning Essays on Freedom of Speech, Censorship and Advertising Bans." The self-published, self-serving 444-page book, heavier than a carton of Marlboros and twice as fumy, was presented, according to the president of Philip Morris, as "a refutation of censorship." Proposed advertising bans against cigarettes are a threat to free speech, he believed. With tens of millions of Americans dead, dying or gasping from cigarette smoking—what C. Everett Koop called the most documented cause of disease in history—here is Philip Morris huckstering the bizarre notion that it is a victim.

In a companion crusade to that lunacy, the company now suckers Hesburgh, Hooks and crew into spouting cliches on the Bill of Rights. They aren't in bed with Philip Morris, only with its ashtray.

PUERTO RICO—A SOVEREIGN PEOPLE?

HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 1990

Mr. DELLUMS. Mr. Speaker, I would like to call the attention of the membership to an astute analysis of the situation in Puerto Rico, written by Mr. Ruben Berrios-Martinez, the president of the Puerto Rican Independence Party. This article, which I am entering into the body of the RECORD, appeared in the Washington Post on Wednesday, May 23, 1990.

PUERTO RICO—LITHUANIA IN REVERSE?

(By Ruben Berrios-Martinez)

The Senate Energy and Natural Resources Committee has favorably recommended a bill, S. 712, to authorize a referendum of Puerto Rico's political status. The full Senate is expected to approve it shortly. Then it will be up to the House, which has already held extensive hearings on the matter, to act accordingly. It is urgent that Congress act soon. Puerto Rico's unresolved status constitutes a potentially explosive and disruptive national problem in the United States.

Puerto Rico, a U.S. possession as a consequence of the Spanish-American War of 1898, has been known since 1952 by the ambiguous if more respectable term "Commonwealth." Profound changes have taken place since, but the colonial relationship remains unaltered. More than one third of the Puerto Rican population has migrated to the United States. Puerto Rico's economy has become an appendage of the United States. Federal transfer payments have increased from negligible amounts to around $6 billion annually, and more than 40 percent of the families receive federal nutritional assistance.

As federal power has expanded, the already limited local authority of the Commonwealth has shrunk steadily, for U.S. laws and regulations apply to Puerto Rico, even though the island has no voting representation in Congress. Support for Commonwealth has declined substantially, and the United States is likely to soon be faced with an embarrassing statehood petition.

Is this a case of Lithuania in reverse? Over the years, economic integration, coupled with persecution of independentistas, overwhelming Americanization campaigns and massive federal subsidies have managed to divert Puerto Ricans from their natural path toward independence—a path once favored by a majority—and toward statehood.

So what is wrong with statehood, the traditional solution for dealing with territories peopled with settlers moving west, or with ethnic minorities coalescing around the American way of life?

Just this: Puerto Rico, a distinct Latin American nationality 60 percent of whose people do not speak English, presents a radically different situation. We Puerto Rican independentistas will never give up our inalienable right to struggle for independence, even under statehood. Minorities and majorities come and go; but nationalites remain. The United States is a unitary, not a multinational, country, and statehood was made for Americans, not for Puerto Ricans or other distinct nationalities.

Moreover, under statehood, Puerto Rico would lack fiscal, trade, and other powers to protect and develop its economy. We would be condemned to be a permanently underdeveloped region of the United States.

Puerto Rico's basic problem is dependence—not only juridical and political but also economic, cultural, social, and psychological. Although statehood might juridically appear as a solution to the colonial problem, in reality, for Puerto Rico it is just another form of subordination and dependence, colonialism in another guise. For statehood would only make economic, social, cultural and psychological dependence more acute, and its political power would serve primarily to press for increased federal subsidies.

A recent study by the Congressional Budget Office has calculated the additional cost to the American taxpayer of Puerto Rico as a state at $25.6 billion in the first nine years. That is why the Puerto Rican statehooders' battle cry is "Statehood is for the poor"—a far cry from "Give me liberty or give me death!" Not to be outdone, Commonwealth leaders have petitioned the U.S. Senate for parity with the states in federal funding, but without Puerto Ricans' paying federal taxes.

The way out for the United States and Puerto Rico is to start moving away from dependence and statehood toward independence.

There is still time. After 92 years of colonialism, the basic constituent element of independence—primary loyalty to one's own national identity—is unanimously postulated by Puerto Ricans, including statehooders, as a nonnegotiable value. The president of the statehood party recently told a House subcommittee that he is, and feels, first Puerto Rican and then American. Independentistas, of course, are nothing but Puerto Rican.

The seed of independent nationhood is present. How can it be helped to blossom?

First, the United States must face the Puerto Rican status problem immediately. A plebiscite should be held in 1991 as proposed in S. 712 (and in a recently introduced House bill). To postpone the plebiscite would be a shortsighted tactic based on the false premise that the statehood petition can be wished away. But such a course can only relinquish the initiative to statehooders, who, with time, will gain more strength. The tough decisions concerning statehood cannot be avoided.

But the U.S. Congress should spell out now the conditions it deems necessary to consider statehood, or it should eliminate the statehood alternative altogether. Congress should specify what Puerto Ricans can expect, whichever way they vote.

Congress should stipulate what it knows—that it will not seriously consider statehood until Puerto Rico at least reaches the per-capita level of the poorest state (Mississippi) and is thus no longer considered an unacceptable drain on the U.S. Treasury. Congress should also articulate the unexpressed position of the immense majority of its members—that from the perspective of national loyalty, in order to be accepted as a state Puerto Rico must abide by the U.S. motto of "E Pluribus Unum," not by "E Pluribus Duum."

The United States should also discard colonial alternatives such as Commonwealth, "enhanced" or not. Commonwealth is the problem. It cannot therefore be the solution. Its continuation will only serve to multiply dependence and therefore continue to broaden support for statehood.

After 92 years of promoting colonialism, Congress has an obligation to exercise affirmative action as regards independence. This can be done directly through an independence option with fair and generous economic terms and indirectly by also offering an associated republic or sovereign free association option as defined by international law.

Only by relinquishing its sovereignty over the island—by fulfilling its duty to decolonize—will the United States solve its colonial problem in Puerto Rico. Only by assuming our full responsibility as a mature nationality can Puerto Ricans break the vicious circle of dependence and hopelessness.

THE ADVERSE IMPACT OF THE CLEAN AIR ACT AMENDMENTS ON THE STEEL INDUSTRY AND INTERNATIONAL COMPETITIVENESS AND INVESTMENT

HON. RICHARD T. SCHULZE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 1990

Mr. SCHULZE. Mr. Speaker, I would like to raise an issue that is vital to the future of the United States. The issue is how certain Clean Air Act amendments could impose severe, and possibly devastating, limitations on America's manufacturing base and our Nation's ability to compete in the global marketplace. I'd like to first mention steel as one example.

Because of the way some proposals for pending clean air legislation would deal with coke oven emissions in the bill's section on air toxics, the American steel industry faces at a minimum, very negative impacts on its international competitiveness and in the worst case, the potential shutdown of substantial integrated production. Having substantially improved its international competitive position in recent years through massive and costly investments in new plants and equipment, our domestic steel industry could see these competitive gains eliminated and its competitive momentum reversed if these proposals were to become law.

The United States, in my view, cannot afford to enact domestic regulations without first considering their impact on international competitiveness. In fact, the Omnibus Trade and Competitiveness Act of 1988 requires that such an impact be considered in cases of proposed new environmental regulations. Accordingly, here are a few observations on how the pending clean air bill could affect steel's competitiveness and investments.

First, in terms of the House clean air bill, Mr. Speaker, I am very gratified that the Energy and Commerce Committee unanimously approved the amendment on competitiveness that was offered by Congressman MCMILLAN. This amendment is a good first step. It simply asks the President, within 18 months of the bill's passage: First to report back to Congress on the significant differences between this act's standards and controls and those of our major trading partners; and second, to develop a strategy for addressing any significant differences in economic effects by encouraging our trading partners, through bilateral and multilateral negotiations, to adopt and enforce substantially

equivalent environmental standards or, as an alternative, negotiating trade adjustment measures to offset competitive vulnerabilities.

This last point specifically brings steel to mind. The executive branch has provided the Congress with clear evidence that many of the domestic steel industry's foreign competitors receive enormous government subsidies both to modernize and to control pollution. Our steel producers, in contrast, continue to oppose such subsidies. Our firms must absorb all costs in both areas.

Still, the American steel industry remains committed to further essential modernization and to a cleaner environment. It has already spent $4 billion to control air pollution. And having eliminated about 90 percent of coke oven emissions, it is fully prepared to do more.

For example, the domestic steel industry has not objected to the application of reasonable standards of Maximum Achievable Control Technology or [MACT] to coke ovens within a reasonable period to time. It took this position at a time when EPA was estimating that a stringent interpretation of MACT alone could cost America's steel producers up to an additional $5 billion to control coke oven emissions. Mr. Speaker, this is like adding another $15 per ton to the cost of raw steel produced in the United States. And any additional amounts spent on air toxics pollution control will inevitably only take away from what is available for essential steel industry modernization.

Let's put the anti-competitiveness impact of MACT alone into perspective. As required by VRA legislation, our steel industry has been committing back into steel reinvestment substantially all of its net cash flow from steel. In recent years, steel capital expenditures have averaged around $2 billion a year. That's roughly two-thirds of what is needed to keep up with the industry's major foreign competitors. But of this amount, approximately half—or about $1 billion—has gone into nondiscretionary items—such as the relining of blast furnaces or legislated compliance with environmental regulations. That leaves only $1 billion a year for essential modernization. This is less than what is needed to maintain the industry's present competitive position. And yet now, our steelmakers face billions of dollars in additional expenses under MACT over the next 5 years—costs which could virtually wipe out steel's available resources for modernization.

Yet, pending legislation does not stop at requiring installation of costly MACT. Both the House and Senate bills also aim to control the "residual risk" from air toxics.

Mr. Speaker, if we decide that, as a nation, it is essential to move up from the MACT level of, say 96-percent elimination of coke oven emissions to some higher level of pollution control, I believe that—if we want to have a steel industry in the United States—we need to ask ourselves three questions.

First, will U.S. steelmakers still be able to compete with foreign steel producers?

Second, if there are automatic shutdown standards of the kind that still exist in the revised Senate bill, will our steel producers even be able to continue operations? And third, what will the adverse impacts be on steel industry investments in continuing modernization?

On the positive side, both the House and the Senate bill ask for a study of risk assessment methodology. This step is essential if we're to make public policy recommendations based on science. Unfortunately, both bills have a default mechanism that would allow Congress simply to ignore the results of good science.

In the House bill, if Congress doesn't act, EPA has the authority and flexibility to apply current law to ensure that an ample margin of safety is provided to the exposed population. But in the Senate bill, arbitrary numerical residual risk standards would be automatically imposed in the event Congress does not act on the recommendations of the scientific study.

Mr. Speaker, I applaud my colleagues in the Energy and Commerce Committee for having the wisdom not to impose a single bright line standard for air toxics residual risks on coke ovens. However, automatic shutdown, standards still remain in the Senate bill, and those standards would cause many domestic coke ovens to close within 10 years. They would do this without any scientific basis. And that is why I hope such standards will not be part of the bill that is finaly enacted.

In fact, the mere threat of coke oven shutdowns will have a major adverse impact on domestic steel industry investment. Coke will remain an essential ingredient in integrated steelmaking well into the next century. Our integrated steelmakers account for some 65 percent of total U.S. production, and there is no current or near term technology available anywhere in the world to replace coke. Given that reality, why would steel company boards—who are responsible to their shareholders for bottom-line results—be willing to make major new investments in steel in the face of such a quantum increase in the level of risks and uncertainty?

In my view, steel boards would have trouble justifying any major new investments in steel modernization if they're looking at: (1) Up to $5 billion in additional costs to rebuild coke ovens, under MACT; (2) rebuilt ovens, that could then be shutdown (under an arbitrary residual risk standard); and (3) a final outcome where they'd be totally dependent on foreign competitors for both the price and availability of an essential steelmaking input.

That, in essence is the dilemma we face as a nation. In our pursuit of cleaner air, we must not ignore the adverse impacts that certain Clean Air Act amendments will have on U.S. competitiveness and investment. We must move instead toward scientific and balanced amendments in the area of air toxics that would ensure both a viable domestic manufacturing base and a cleaner environment. We must ensure that the final bill rejects any proposed standards that would result in the automatic shutdown of domestic coke ovens. Such proposals are based on unsound science. And they threaten the future viability of integrated steel production in the United States.

Mr. Speaker, I urge my colleagues in the upcoming Conference Committee to support only changes in existing legislation that would produce both cleaner air and a healthier U.S. manufacturing base.

INTRODUCTION OF FAIR EMPLOYMENT REFORM AND CONSOLIDATION ACT

HON. STEVE BARTLETT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 1990

Mr. BARTLETT. Mr. Speaker, today I am introducing the Fair Employment Reform and Consolidation Act of 1990, which will unify the diverse array of employment antidiscrimination laws into a single, unified law with streamlined resolution of disputes.

Under the current system, people who have been discriminated against in the workplace have been too often forced to wait several years before their cases are resolved. Employment discrimination cases in the Federal courts alone have increased over 2,000 percent over the past 20 years. This means that employees who have suffered discrimination and employers who have been wrongly accused of discrimination have to expend considerable time, effort, and money before receiving justice. This legislation is intended to provide all parties with an efficient mechanism for resolution of employment discrimination charges.

A quarter of a century ago, the country correctly decided that employment discrimination against individuals on the basis of factors which are extraneous to their own individual abilities—race, color, religion, sex, national origin—is an injustice both to the individual and to society as a whole. For that reason we enacted title VII of the Civil Rights Act to protect against employment discrimination based on any of those factors.

In the ensuing years, we realized we had failed to fully define the entire field of intolerable discrimination. Hence, additional antidiscrimination statutes were enacted. In 1967, we enacted the Age Discrimination in Employment Act [ADEA], and amended it in 1978 and 1986. In 1973, we enacted the Rehabilitation Act prohibiting discrimination based on disability where the employer is under a Federal grant or contract. In 1978, we enacted the Pregnancy Discrimination Act. And yesterday the House passed the Americans With Disabilities Act, which will shortly become law.

During the same 25 years, the States have been active as well. Currently, 51 States and Federal jurisdictions have laws prohibiting discrimination in employment based on race, religion, sex, age, or disability. Many cities and counties have their own fair employment laws, and a large number of States and localities have fair employment commissions to administer antidiscrimination laws. Federal and State laws alone total 264, and these explicit laws do not include available tort action or city or county ordinances.

Congress should no longer ignore this patchwork system. We should not continue shoving discrimination cases into the State and Federal courts and expect wrongs to be remedied in a timely fashion. We must recognize the limits on the judiciary's capacity to solve workplace disputes. And we must establish a single set of rules governing antidiscrimination for all to abide by.

Such unification is a proven concept. In 1935, we decided uniformity is essential to the protection of collective bargaining activities. Hence, the National Labor Relations Act provides a single national approach in that area and the States have generally been preempted from interfering with the collective-bargaining process.

In reforming the administration of fair employment laws in this country, my bill basically adopts the same approach as exists under the National Labor Relations Act. That law has worked relatively smoothly, primarily because of two of its fundamental precepts: Near-absolute national uniformity and exclusivity of procedures and remedies. Over 60 percent of all cases filed with the NLRB are resolved quickly—they are either withdrawn because of changed circumstances or are dismissed because they are without merit. Of the cases with merit, 80 to 90 percent are settled by the NLRB with the parties without going through an administrative hearing. Only the remaining cases, roughly 5 percent of all claims filed, proceed further through the process and, more often than not, these involve complicated or uncertain factual or legal issues. In short, 95 percent of the claims filed with the NLRB are resolved expeditiously.

By patterning the EEOC after the NLRB this legislation will expedite justice in employment discrimination cases. The legislation also strengthens the role of alternative dispute resolution [ADR] mechanisms established by the parties. According to the Administrative Conference of the United States, these mechanisms have yielded decisions that are "faster, cheaper, more accurate or otherwise more acceptable, and less contentious."

While alternative dispute resolution mechanisms have grown and become more sophisticated, there is still one major drawback. They are not always conclusive. A party who is dissatisfied with the resolution of the ADR is still allowed to file a complaint with an agency or in Federal court. This bill will make those determinations final and binding on both parties, so long as ADR was voluntary for both parties.

In addition, the legislation ensures that the focus of our antidiscrimination laws is to eliminate discriminatory practices and restore victims to the same position they would have been in had those practices never existed. Unfortunately, this goal has become perverted by the availability of huge sums of money for "pain and suffering" or punitive damages under State laws or, more significantly, section 1981, a law enacted right after the Civil War and which was not applied to employment cases until 100 years after it was enacted.

The Fair Employment Reform and Consolidated Act puts all of the various fair employment laws—the Equal Pay Act, title VII, the Rehabilitation Act, the Americans With Disabilities Act, the Age Discrimination in Employment Act—into a single forum. In doing so, the role of the EEOC is strengthened in a way that will facilitate its conciliation function.

In addition to establishing a uniform Federal antidiscrimination law, the legislation will:

Facilitate mediation by requiring parties to submit statements to the EEOC describing their positions;

Eliminate litigation over meritless claims by patterning EEOC enforcement after the NLRB, with a strong general counsel;

Clarify the statute of limitations by establishing a uniform 180-day limit and precluding untimely claims from being "piggy-backed" onto timely claims;

Provide coverage for congressional employees under the same civil rights laws that protect other employees;

Provide mandatory attorney's fees standard for the prevailing parties regardless of whether it is the plaintiff or defendant; and

Strengthen confidentiality protections involving nondisclosure of information by EEOC and State officials to third parties.

Title VII has only been open for amendment in Congress—once in 1964 and again in 1972. H.R. 4000 gives Congress the opportunity and the responsibility to examine the process and improve it for all parties.

A SPECIAL REPORT, "TRIBAL COLLEGES: SHAPING THE FUTURE OF NATIVE AMERICA"

HON. BEN NIGHTHORSE CAMPBELL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 1990

Mr. CAMPBELL of Colorado. Mr. Speaker, a very important report on the status of tribally controlled community colleges was recently released by the Carnegie Foundation for the Advancement of Teaching. This report confirmed what many of us already knew: These small grassrooted colleges, numbering 24 across Indian country, are playing a significant role in the development of Indian people, tribes, reservations, and reservation economies. For the benefit of my colleagues, I request that the foreword and chapter 1 from that report be reprinted immediately following my remarks. I'd like to also publicly acknowledge the unfailing dedication and hard work of the tribally controlled college presidents and the American Indian Higher Education Consortium.

TRIBAL COLLEGES—SHAPING THE FUTURE OF NATIVE AMERICA

FOREWORD BY ERNEST L. BOYER

Twenty years ago in Arizona, Native Americans created a new institution—the first tribally controlled college. Today twenty-four higher learning institutions, founded and controlled by Indians, are serving Native communities from Michigan to Washington State. While most of these colleges are no more than a decade old—a blink in time for higher education—they have undergone dramatic growth, expanding and gaining recognition in spite of conditions others would regard as impossible.

Researchers from The Carnegie Foundation for the Advancement of Teaching spent two years studying these remarkable institutions. We reviewed the federal government's past attempts to "educate" the Indians and discovered how, in the desert left by a long history of failed policies, the Navajos in 1968 created Navajo Community College, inspiring a movement that now offers to Native Americans a door of hope.

Viewed by the numbers alone, tribal colleges add up to only a small fraction of the total higher education picture—the equivalent perhaps of a small branch of a single state university. But using conventional yardsticks to measure these colleges misses the significance of their work. Tribally controlled colleges can be understood only in the historical context of Indian education and in the spiritual role they play in bringing renewal to their people. When viewed from these perspectives, tribal colleges assume a mission of great consequence to Native Americans and to the nation.

During the conduct of this study, we were struck by the capacity of tribal colleges to cope with resources that are painfully restricted. At almost all of the institutions, salaries are far too low, libraries are shockingly underfunded, and administrators struggle to operate with day-to-day budget constraints that other higher learning institutions would totally reject. Although a few of the colleges have accommodating campuses, many are getting by with mismatched trailers or unsuitable buildings converted from other uses. Still, faced with difficult conditions, tribal colleges have managed not only to stay alive, but also to expand their services and creatively serve their students and their communities.

These young, vital colleges, primarily two-year institutions, offer first a conventional collegiate curriculum for students who can not only complete formal degrees but also prepare themselves for transfer to four-year institutions. They enroll, as well, older students who cannot leave their home, and serve as re-entering institutions for those who may have dropped out. Tribal colleges also provide enrichment for the secondary schools that surround them.

Tribal colleges are truly community institutions. After years of brutal physical hardship and disorienting cultural loss, Native Americans—through the tribal college movement—are building new communities based on shared traditions. They are challenging the conditions that plague their societies and continue to threaten their survival.

For many decades American Indian reservations have been demoralized by the seemingly permanent condition of extreme poverty. In some tribal communities, unemployment reaches 80 percent. The disease of alcoholism has taken a severe toll on Indians since its introduction into their culture, and today requires the most serious immediate attention. Health care is of the most critical concern. Infant mortality rates on some of the reservations are at shocking levels—as high as double the national average. The tragedy of early death from illness or suicide has touched all members of these family-oriented communities. These crises require urgent attention, and tribal colleges are working to provide the leadership, programs, and resources to meet the challenge.

At the heart of the tribal college movement is a commitment by Native Americans to reclaim their cultural heritage. The commitment to reaffirm traditions is a driving force fed by a spirit based on shared history passed down through generations, and on common goals. Some tribes have lost much of their tradition, and feel, with a sense of urgency, that they must reclaim all they can from the past even as they confront problems of the present. The obstacles in this endeavor are enormous but, again, Indians are determined to reaffirm their heritage, and tribal colleges, through their curriculum and campus climate, are places of great promise.

As we completed our study we were forced to reflect on how the tribal college move-

ment relates to our history, to the rest of higher education—and to the future of our country.

Well-intentioned people from the earliest white "settlers" have sought to share white civilization, through education, with the natives of this land and attempts have repeatedly been made to separate young Indian students from their culture "for their own good." The boarding school approach described in this report continues, in some places, to this very day. Throughout the years Indians have been blamed for their resistance to these efforts at assimilation, which many whites believed was essential if Native Americans were to make "progress."

But if we have learned anything from our relationship with the American Indian, it is that people cannot be torn from their cultural roots without harm. To the extent that we fail to assist Native Americans, through their own institutions, to reclaim their past and secure their future, we are compounding the costly errors of the past.

No one can reasonably deny that the United States has accumulated over the years large moral and legal obligations to the Indians. But past policy disasters have occurred, and continue to occur, largely because the prevailing white population for the most part can only see the relationship as a one-way street. If we would like the American Indian to benefit from what we have to give, we might begin by learning to appreciate and benefit from what the Indian has to give us.

We believe that a good place to start learning from American Indians is the tribal college, where we can learn about survival, about hope and determination in the face of extreme adversity, about renewal of community, about reclaiming the individual and the society from dependencies of all sorts, and about creatively connecting education to the larger world. Clearly American society as a whole has a great deal to gain by supporting the tribal college movement—and learning from the first Americans.

It is in this spirit that we make our recommendations. The need of the colleges for more financial support is a vital part of what we found, but it is only a part. Equally important is the need for more connections between the larger American society and the Native American communities through support of the tribal colleges. Native Americans have laid the groundwork by dint of sheer determination and conviction. They are on the threshold of a new era. Building on this remarkable beginning will serve us all.

TRIBAL COLLEGES: A NEW ERA

The story of the Native American experience has been described, almost always, in the language of despair. Indian life is filled with images of poverty, and government policy has consistently been called a failure. We often speak of "the plight of the Indians" and conclude with resignation that little can be done. But there is in fact a lot that can be done. We report here on some of the great beginnings that have been accomplished by Indians for themselves, and offer recommendations for support that should be offered to help assure their continued growth.

At the heart of the spirit of renewal among Indians is a network of Native American colleges providing education and community service in a climate of self-determination. Although the oldest "tribal college" was started just two decades ago, these fledgling institutions are creatively changing the educational and social landscape of the reservations.

Learning is the key. Native Americans are now being educated in large numbers—and they are being heard. They are challenging the economic stagnation in reservation communities, and they are aggressively confronting the devastating impact of alcoholism and drug abuse. Of equal importance, they are reaffirming tribal traditions that were slipping away.

The general population's perception is rooted in some reality. Indian reservations are isolated, chronically neglected places that have benefited little from the nation's wealth. Unemployment and alcoholism are depressingly persistent problems in these forgotten regions, and statistics on life expectancy, infant mortality, family income and educational opportunities among Native Americans parallel those of Third World countries.

But after years of physical hardship and cultural neglect, Indians themselves are again gaining the confidence and skills needed to lead their nations. A new mood of optimism and self-respect among native people is beginning to emerge.

The first tribal college opened in 1968 on the Navajo Reservation in northern Arizona. As Navajos began to assert their rights more aggressively, there was frustration that few tribal members had the skills needed to provide leadership for an Indian nation of more than a hundred thousand people. Leaders recognized higher education as a key to self-determination.

Twenty years later, Navajo Community College has over one thousand students enrolled on a sprawling modern campus on the high desert plateau west of Gallup, New Mexico. Located in the geographic center of the reservation, the college also remains at the heart of the Navajo people's efforts to control their own destinies.

Today, there are twenty-four tribally controlled colleges scattered in eleven Western and Midwestern states—from California to Michigan, and from Arizona to North Dakota. Together these institutions have a full-time equivalent enrollment of more than 4,400 students and serve over 10,000 Native American individuals.

The Carnegie Foundation spent two years studying these colleges and the ideas they represent. During our visits, we were greatly impressed by the educational opportunities tribal colleges provide and by the pride these institutions inspire in both students and tribal members. In their cultural rootedness and powerfully considered purposes, tribal colleges are unparalleled.

At the same time, the challenges these institutions confront cannot be overstated. A typical tribal college necessarily charges low tuition but lacks a tax base to support the full education costs. Meanwhile, the limited federal support these colleges receive—the backbone of their funding—fails to keep pace with their enrollment growth.

Classes at tribal colleges frequently are held in shabby buldings, even trailers, and students often use books and laboratory equipment that are embarrassingly obsolete. At the same time, the colleges are educating many first-generation students who usually have important but competing obligations to their families and local communities.

Tribal colleges also offer vital community services—family counseling, alcohol abuse programs and job training—with little financial or administrative support. Successful programs frequently end abruptly because of budget cuts.

Considering the enormously difficult conditions tribal colleges endure, with resources most collegiate institutions would find unacceptably restrictive, their impact is remarkable. It became unmistakably clear during tour visits that, even as they struggle to fulfill their urgent mandates, tribal colleges are crucial to the future of Native Americans, and our nation.

First, tribal colleges establish a learning environment that encourages participation by and builds self-confidence in students who have come to view failure as the norm. The attrition rate among Indian students, at both the school and college levels, greatly exceeds the rate for white students.[1] Isolated by distance and culture, many have come to accept that they cannot complete school. College seems to many Native Americans an impossible dream. Tribal colleges offer hope in this climate of despair.

Most of these colleges offer tutoring programs that build basic skills and have active counseling programs for their students. At one tribal college, for example, the president even takes time to go to the homes of students who start missing classes. Education is viewed as a door of opportunity, not a cul-de-sac for failure.

Second, tribal colleges celebrate and help sustain the rich Native American traditions. For many Americans, Indian culture is little more than images of teepees, peace pipes, and brightly colored rugs. But in many reservation communities, traditional cultural values remain a vital part of the social fabric. Tribal languages are still spoken, and traditional arts and craft and spiritual beliefs are respected.

While non-Indian schools and colleges have long ignored Indian culture, tribal colleges view it as their curricular center. They argue that it is through a reconnection to these long-standing cultural skills and beliefs that Indians can build a strong self-image and participate, with confidence, in the dominant society. Each of the tribal colleges offers courses, sometimes taught by tribal elders, in native language, story-telling history, and arts.

Beyond the classroom, traditional values also are embedded in the very spirit of these institutions. Cooperation is valued, for example. Respect for elders is encouraged. Differing ideas about how time should be managed and how people should interact with each other are understood and accepted. In mainstream, institutions, Indians find their own values undermined; tribal colleges reinforce the values of the Indian culture.

Third, tribal colleges provide essential services that enrich the communities surrounding them. These colleges are, in the truest sense, community institutions. Located on reservations, nearly all colleges offer social and economic programs for tribal advancement. Some offer adult education, including literacy tutoring, high school equivalency programs, and vocational training. Others work cooperatively with local business and industries to build a stronger economic base. At one college, seminars for tribal leaders have been held to address a variety of leadership and management issues. Administrators of this college have also successfully challenged, in court, discrimination against tribal members by the state in drawing voting district lines and by the country in its hiring practices.

Fourth, the colleges are often centers for research and scholarship. Several have established cooperative programs with state universities to conduct scientific research,

while others sponsor seminars and studies about economic development needs.

To cite just one measure of achievement, twelve of the colleges are now fully accredited and eight others are now candidates for accreditation, a remarkable feat considering how young the colleges are and how thoroughly they have been scrutinized by the regional accrediting agencies, as well as by federal administrators and auditors. Within a three-year period, all the colleges are audited by the General Accounting Office and, at one point, one fully accredited college had more outside evaluators than staff on campus. Clearly, tribal colleges are not marginal institutions that have been "given a break."

These institutions have taken on a breathtaking array of responsibilities. As they move beyond their infancy, successes are now clearly visible; their value is well documented. But recognition and acceptance happened despite the federal government's benign neglect and a lack of national awareness of their merits.

Relative to enrollment, federal support to tribal colleges has, in fact, declined for nearly a decade. Private support, while expanding, cannot fill the gap. Even with a twenty-year history, the tribal colleges are known to only a few Americans, and they continue to be ignored by much of the higher education community.

Tribal colleges have moved through a painful period in which they have struggled to secure even minimum support. We believe, however, that a decade of unprecedented opportunity is emerging, one in which tribally controlled colleges can achieve maturity and bring vitality to the reservations. America must affirm and aggressively support these institutions as they prepare to meet, in a new century, the needs of their communities.

THE AMERICANS WITH DISABILITIES ACT

HON. RON MARLENEE

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 1990

Mr. MARLENEE. Mr. Speaker, the Americans With Disabilities Act [ADA] is one of the most emotional pieces of legislation to hit the House floor this session. This legislation hits a very personal note for me because I have pushed a wheelchair for many miles, and I understand the obstacles of architecture and misunderstanding these people must face.

Most peole with disabilities are just as qualified, intelligent, and capable as the nondisabled. I agree that it is time we allow them an equal place in the American work force. I strongly believe it is time that the nondisabled American public is educated on how to eliminate barriers of discrimination against the handicapped. Disability does not mean inability.

But I do not believe the Americans With Disabilities Act is the solution. While the intention behind this legislation is good, the technicalities of this bill are horribly misguided. Good intentions do not necessarily translate into good public policy.

It is simply wrong to believe that one legislative remedy can be a panacea for the problems faced by such a diverse group including every disability from dyslexia and obesity to quadraplegia, tuberculosis and AIDS. Astonishingly, anyone who has "a relationship or association with someone who has a physical or mental impairment" is also granted Federal disability status under the ADA. The vague and far-reaching language grants an AIDS victim's mother, sister, and neighbor the ability to sue for discrimination by association. This is not included in any other civil rights legislation, and I believe it goes far beyond the scope of logic and reality.

This legislation has been touted as a civil rights bill for the disabled, but it will impose excessive rules, regulations, and costs. The Congressional Budget Office has estimated that the establishment of regulations and the implementation of this legislation will cost $92 million in its first 5 years. This amount will add to our Nation's deficit and tax our productivity and competitive ability.

The original ADA bill contained a provision that allowed the disabled to seek compensatory and punitive damages for discrimination up to $100,000. Fortunately, this language was struck from the bill in committee, and the normal remedies in title VII of the Civil Rights Act of 1964 are referenced. Title VII stresses mediation, conciliation, and prompt resolution of disputes. This type of remedy is appropriate for a major law like the ADA because it would not unduly punish employers as they learn of and attempt to comply with its provisions. But, the threat of punitive and compensatory damages remains.

Recently, another bill, the Civil Rights Act of 1990 (H.R. 4000) would greatly expand the remedies in title VII. Many civil rights leaders have pressured President Bush to support this bill, which is expected to pass Congress this summer. If this legislation passes, the referenced section will be amended to include the punitive and compensatory damages for all discrimination lawsuits, including cases resulting from the ADA bill. This will violate the intention of Congress to limit the damage awards under these lawsuits.

My good friend, Representative F. JAMES SENSENBRENNER of Wisconsin introduced an amendment to the ADA that would cite title VII specifically, rather than reference it. In other words, if this amendment had been successful, the remedies in title VII would remain regardless of action on H.R. 4000. Unfortunately, the Sensenbrenner amendment failed 192 to 227 on the House floor.

The ADA is also different from any other civil rights legislation because the entire burden of proof is placed on the business, employer, and private school administration to demonstrate they are not guilty of discrimination. In other words, under the ADA, the employers and business owners must show that they are innocent. What ever happened to "innocent until proven guilty?" The avalanche of costly legal expenses and litigation would crush small- and medium-sized businesses, and private schools.

The Equal Employment Opportunities Commission, the Attorney General, the Secretary of Transportation, the Architectural and Transportation Barriers Compliance Board, and the Federal Communications Commission are all required to develop and issue nationwide regulations and standards for implementation and enforcement of this act.

Under the ADA, each community must provide accessible public transportation for the disabled. The cost of a new transit bus is approximately $150,000 to $175,000. For a transit agency to equip that bus with a wheelchair lift will require another $12,000 to $15,000. The total cost to implement the lift mandate will amount to approximately $30 million a year. While many Montana towns cannot afford public transportation now, this added expense threatens the existence of the ones we do have because transit agencies must cope with the onerous financial burdens imposed upon them by the ADA. This will also create increased costs for all transit riders for equipment and facilities that will be used rarely or not at all.

Another amendment offered by Representative BUD SHUSTER of Pennsylvania would have permitted greater flexibility to local transit authorities to cities with a population less than 200,000 regarding bus lift purchase requirements. In other words, the Shuster amendment would have allowed all cities in Montana to select which transit system is best for the disabled in their community. It may be more cost effective to provide on-call door-to-door service in handicapped accessible minibuses for the disabled in small towns rather than spending funds on placing lifts on every city bus. Unfortunately, this commonsense amendment was defeated by a vote of 148 to 266.

In the area of communications, telephone companies and television stations must provide relay services so speech- and hearing-impaired people can use their systems. What about the small rural telephone co-op, which may not be able to afford this service? What about the impact on small independent television stations and cable companies? Will Congress divert money from urban areas to help offset the burdensome costs to these industries? I doubt these funds will be forthcoming. Once again, Congress did not look before it leaped. Everyone must pay for the benefits of a few, and I ask you, "who is being discriminated against?"

The ADA also mandates job accommodation financed by employers. Employers will be forced to restructure existing facilities, restructure jobs, hire readers, signers, and assistants in order to accommodate over 900 physical and mental impairments. This converts a civil rights measure into a mandated benefits program for the disabled. It is time we ask ourselves what "reasonable accommodation" means for American businesses. The real cost to the Nation would be higher costs of production, fewer jobs, lower real wage rates, lower levels of output and income, and a weaker competitive position for the U.S. business in the world market place.

I must admit that I was pleased that so many of the flaws in the original bill have been addressed, but not all have been corrected. For example, the House passed an amendment, by only 12 votes, allowing food services to discriminate against workers with contagious diseases. But all other types of employers, including hospitals, must make ac-

commodations to keep the infected on the job.

Sloppy legislative work will only come back to haunt us, just like the Medicare Catastrophic Coverage Act. Local communities must be able to decide what method of accessibility works best for them. A Federal mandate requiring one solution for Scobey, MT and another for Washington, DC, is long on theory and short on reality.

I believe disabilities should elicit compassion and courtesy, but they do not entitle victims to special treatment that negates others property rights.

The idea behind this legislation is admirable, but the scope and applicability is unreasonable and inappropriate. There were many positive changes made in committee and on the House floor, but they did not go far enough. I regret that I was left with no other option than to vote against this well-intended, but flawed bill.

INTRODUCING THE NINTH CIRCUIT COURT OF APPEALS REORGANIZATION ACT OF 1990

HON. SID MORRISON

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 1990

Mr. MORRISON of Washington. Mr. Speaker, I am proud today to introduce the Ninth Circuit Court of Appeals Reorganization Act of 1990. This bill would create a U.S. Court of Appeals for the Twelfth Circuit, consisting of the States of Alaska, Idaho, Montana, Oregon, and Washington. The new ninth circuit would be comprised of Arizona, California, Hawaii, Nevada, as well as Guam and the Northern Mariana Islands.

Whether measured by geography, population, number of judges or caseload, the existing ninth circuit is by far the largest circuit in the country. Its sheer size and the resulting management difficulties argue eloquently for the division called for by this bill. The circuit contains nine States and two territories covering approximately 1.4 million square miles. This huge expanse forces judges to spend much of their time traveling and increases costs to both taxpayers and litigants. Travel expenses for the ninth circuit judges are the highest in the Federal court system.

According to 1988 Census Bureau estimates, the ninth circuit contains over 43 million people. The next largest circuit—the sixth—serves fewer than 29 million. No other circuit serves more than 24 million. Furthermore, the population of the area contained within the ninth circuit is growing rapidly and this disparity will only get worse as time goes on.

The vast size of the circuit gives rise to serious caseload and management problems. Of the 37,963 cases filed in the regional courts of appeals last year, 6,305 were filed in the ninth circuit—1 out of every 6 appeals filed nationwide. To handle this enormous caseload, 28 judges have been appointed. The average number of judges in the other 10 circuits is 12.

All of the above factors contribute to serious problems in management and ensuring judicial consistency. The size and diversity of the circuit to some extent limits a judge's knowledge of the circumstances and legal practice in various areas of the circuit. The large number of decisions, especially unpublished decisions, makes it difficult for attorneys and judges alike to remain current on the development of the law. This problem is exacerbated by the increasing inconsistency between panels within the circuit. As the law becomes less clear, it becomes more difficult for citizens to know how to conform to the law.

The ever-increasing caseload has led to procedural changes designed to expedite cases while not necessarily preserving safeguards crucial to preserving the rights of litigants or the integrity of the judicial process. Notwithstanding these improvisations, the ninth circuit is fighting a constant battle to keep a case backlog from forming. Last year, it took an average of over 15 months to dispose of a case from filing notice of appeal to final decision on its merits in the ninth circuit. This filing time is the longest in the Nation.

I believe that this legislation will help solve the above problems. Creating two manageable circuits will improve the administration and efficiency of the court, promote uniformity in circuit law, and provide citizens with the strong court system to which they are entitled.

Mr. Speaker, I included the bill in the RECORD.

H.R. 4900

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Ninth Circuit Court of Appeals Reorganization Act of 1990".

SEC. 2. DIVISION OF NINTH JUDICIAL CIRCUIT.

Section 41 of title 28, United States Code, is amended—

(1) in the text before the table, by striking "thirteen" and inserting "fourteen"; and

(2) in the table—

(A) by striking the item relating to the ninth circuit and inserting the following:

"Ninth.....Arizona, California, Nevada, Hawaii, Guam, Northern Mariana Islands.";

and

(B) by inserting after the item relating to the eleventh circuit the following new item:

"Twelfth.....Alaska, Idaho, Montana, Oregon, Washington.".

SEC. 3. APPOINTMENT OF JUDGES.

The table contained in section 44(a) of title 28, United States Code, is amended—

(1) by striking the item relating to the ninth circuit and inserting the following:

"Ninth..... 19";

and

(2) by inserting after the item relating to the eleventh circuit the following new item:

"Twelfth..... 9".

SEC. 4. PLACES FOR THE HOLDING COURT.

The table contained in section 48(a) of title 28, United States Code, is amended—

(1) by striking the item relating to the ninth circuit and inserting the following:

"Ninth.....San Francisco, Los Angeles.";

and

(2) by inserting after the item relating to the eleventh circuit the following new item:

"Twelfth.....Portland, Seattle.".

SEC. 5 ALLOCATION OF INCUMBENT JUDGES.

Each circuit judge in regular active service of the former ninth circuit whose official station on the day before the effective date of this Act—

(1) is in Arizona, California, Nevada, Hawaii, Guam, or the Northern Mariana Islands is assigned as a circuit judge of the new ninth circuit as of such effective date; and

(2) is in Alaska, Idaho, Montana, Oregon, Washington, is assigned as a circuit judge of the twelfth circuit as of such effective date.

SEC. 6. ASSIGNMENT OF SENIOR JUDGES.

Each judge who is a senior judge of the former ninth circuit on the day before the effective date of this Act may elect to be assigned on or after such date to the new ninth circuit or to the twelfth circuit, and shall notify the Director of the Administrative Office of the United States Courts of such election.

SEC. 7. SENIORITY OF JUDGES.

The seniority of each judge—

(1) who is assigned under section 5; or

(2) who elects to be assigned under section 6;

shall run from the date of commission of such judge as a judge of the former ninth circuit.

SEC. 8. TREATMENT OF PENDING CASES.

The provisions of the following paragraphs of this section apply to any case in which, on the day before the effective date of this Act, an appeal or other proceeding has been filed with the former ninth circuit:

(1) If the matter has been submitted for decision, further proceedings with respect to the matter shall be had in the same manner and with the same effect as if this Act had not been enacted.

(2) If the matter has not been submitted for decision, the appeal or proceeding, together with the original papers, printed records, and record entries duly certified, shall, by appropriate orders, be transferred to the court to which it would have gone had this Act been in full force and effect at the time such appeal was taken or other proceeding commenced, and further proceedings with respect to the case shall be had in the same manner and with the same effect as if the appeal or other proceeding had been filed in such court.

(3) A petition for rehearing or a petition for rehearing en banc in a matter decided before the effective date of this Act, or submitted before the effective date of this Act and decided on or after the effective date as provided in paragraph (1), shall be treated in the same manner and with the same effect as if this Act had not been enacted. If a petition for rehearing en banc is granted, the matter shall be reheard by a court comprised as if this Act had not been enacted.

SEC. 9. DEFINITIONS.

As used in sections 5, 6, 7, and 8, the term—

(1) "former ninth circuit" means the ninth judicial circuit of the United States as in existence on the day before the effective date of this Act;

(2) the term "new ninth circuit" means the ninth judicial circuit of the United States established by the amendment made by section 2(2) of this Act; and

(3) the term "twelfth circuit" means the twelfth judicial circuit of the United States established by the amendment made by section 2(3) of this Act.

SEC. 10. ADMINISTRATIVE ACTIONS OF FORMER NINTH CIRCUIT.

The court of appeals for the ninth circuit as constituted on the day before the effective date of this Act may take such administrative action as may be required to carry out this Act. Such court shall cease to exist for such administrative purposes on July 1, 1991.

SEC. 11. EFFECTIVE DATE.

This Act and the amendments made by this Act shall take effect on October 1, 1990.

NINTH CIRCUIT COURT OF APPEALS REORGANIZATION ACT

HON. LARRY E. CRAIG

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 1990

Mr. CRAIG. Mr. Speaker, I rise today to join my Northwest colleagues in introducing a much needed and overdue piece of legislation, the Ninth Circuit Court of Appeals Reorganization Act. The bill would divide the Nation's largest Federal appellate court into two separate circuits.

There are currently 28 judges sitting on the ninth circuit. It encompasses a vast geographic area including California, Nevada, Arizona, Oregon, Washington, Idaho, Montana, Alaska, Hawaii, Guam, and the Northern Marianas Islands. These factors combine to make it difficult for all judges to meet to decide cases and results in inconsistent decisions. The circuit is simply too large to guarantee any legal uniformity or judicial stability.

That is why I have joined in introducing this legislation. It would create a new Twelfth Circuit Court of Appeals composed of Idaho, Montana, Washington, Oregon, and Alaska. The other areas would remain in the ninth circuit.

What will result is a smaller and more manageable caseload for judges, less travel, and the development of a concentrated area of law upon which to draw for future decisions. These are all great advantages enjoyed by all Federal circuits outside of the ninth circuit. It is high time to fix this inequity.

It is worth noting that dividing the ninth circuit is an action supported by chambers of commerce, community development associations, and local governments throughout Idaho. In addition, members of the Northwest delegation, including Idaho Senators MCCLURE and SYMMS, have introduced similar legislation in the U.S. Senate.

Mr. Speaker, the people of Idaho and the Northwest have a right to fair hearings, conducted by a court which is equal to the those of the rest of the Nation. I urge my colleagues to recognize this fact and help correct the current problem by cosponsoring the Ninth Circuit Court of Appeals Reorganization Act.

LEGAL REMEDIES FOR VICTIMS OF COPYRIGHT INFRINGEMENTS

HON. DOUG WALGREN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 1990

Mr. WALGREN. Mr. Speaker, I want to share with my colleagues a letter from a constituent of mine, William Byham, which I have reproduced below. Mr. Byham's experiences with the unauthorized reproduction of his copyrighted training films have convinced me to join Congressman BERMAN as a cosponsor of H.R. 671. We should do all we can to protect the product of our thought process, our intellectual property, for it represents some of the most important economic interests we have. I urge my colleagues to join me in support of this important legislation.

DEAR CONGRESSMAN WALGREN: There is a bill (H.R. 671) pending before the House Subcommittee on Courts, Intellectual Property and the Administration of Justice that is very important to my company and to the entire training media industry. I am writing to ask you to cosponsor this bill.

Development Dimensions International produces and distributes copyrighted audiovisual training materials which are generally distributed on videocassette. These materials (known as "training media") are used by business and industry, government institutions, and others to provide cost-effective training to employees in important skills.

Most of the 500 or so U.S. companies that produce and distribute training media are small business. My company is one of the largest with 350 employees.

The training media industry provides a valuable service to American business and government. But our financial viability is jeopardized by rampant unauthorized copying of our copyrighted materials.

It is so easy and inexpensive to duplicate a prerecorded videocassette. Many companies and agencies that purchase a copy of a training cassette will succumb to the temptation to run off additional "free" copies rather than pay the market value for a legitimate copy. Every time an unauthorized copy is made, it hurts us right in the pocketbook. Recent studies indicate that our industry loses as much as one-third of potential sales to unauthorized copying. Our industry cannot long survive this kind of loss.

The training media industry has done everything we can to stop such copying. We conduct public education on copyright laws. Our trade association has instituted a reward program to encourage disclosure of unauthorized copying. We have experimented with various technologies to foil copying. But all of our best efforts have not succeeded. We need the help of the Congress.

We need to deter the destructive practice of unauthorized copying, and to improve our ability to enforce our rights against infringers. That is why we support H.R. 671, which will require that courts award reasonable attorney's fees when small businesses like ours prevail in suits against those who make illegal copies of our works.

WILLIAM BYHAM,
Mt. Lebanon, PA.

HUMAN RIGHTS AND PERESTROIKA

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 1990

Mr. GILMAN. Mr. Speaker, I wish to call to the attention of my colleagues a speech on Human Rights and Perestroika, recently delivered by the State Department's Assistant Secretary of Human Rights and Humanitarian Affairs, Richard Schifter. His remarks provide a timely overview of the astonishing progress achieved in the international human rights field over the past few years. But it is equally remarkable and significant that Ambassador Schifter's speech was delivered in Moscow, at a seminar sponsored by the Helsinki Commission of the Soviet Friendship Societies.

This year, 1990, is the 15th anniversary of the signing of the Helsinki Final Act. As Ambassador Schifter emphasizes in his speech, the fact that such a meeting could take place in Moscow speaks volumes regarding the key role played by human rights in improving our relations with the Soviet Union and Eastern Europe, and in advancing the cause of world peace. Secretary Schifter congratulates the Helsinki Commission of the Soviet Friendship Societies for organizing the Moscow meeting. I second those commendations and I invite my colleagues to read this speech, which I request be inserted at this point in the RECORD.

HUMAN RIGHTS AND PERESTROIKA

(Remarks by Assistant Secretary of State for Human Rights and Humanitarian Affairs Richard Schifter)

This is the year in which we shall mark the 15th anniversary of the signing of the Helsinki Final Act. It is a document which has played an extraordinarily important role in the changes which have occurred all around us in recent years. And it can make a critically important positive contribution to the future relations between the participating states. That is why this meeting, on the role of public opinion in the context of the human dimension of the Helsinki process, is of special significance and the organizers, the Helsinki Commission of the Union of Friendship Societies and Madame Tereshkova, do indeed deserve to be congratulated.

It is not only the fact of the meeting and the timing which are significant. It is also the place. Would such a meeting have been called in Moscow in the year of the 10th anniversary of the Helsinki Final Act? If it had been called, would anyone have taken it seriously? I leave it to you to answer these questions. But times have changed, changed significantly for the better, and this meeting, as we can see, is taking place and it is being taken seriously.

There was a time when it was argued that we have differing ideas about the human dimension, that we have differing notions as to what the words "human rights" mean. What many have come to recognize and acknowledge is that we are all part of the same civilization, that our notions about the ideal relationship between governments and the people are quite similar, even though they may not be identical.

We should not be surprised by this similarity. Cultural exchange is not a new invention. Even though it was in the past not run

by government agencies, it did take place. It has taken place for centuries. Irrespective of the religious label which we affix to ourselves, including the label "atheist", we draw our ethical values from the same religious tradition. We read each other's literature. We benefit from each other's contributions to science and technology. And we have also exchanged political ideas. Ideas, as they say, do not know any borders.

As I have earlier suggested, a meeting such as this one would not have taken place in Moscow five years ago. But that does not mean that the principles on which this meeting is based were then foreign to this soil. To be sure, there were those who concluded that the ideas of freedom propagated by the Enlightenment of the 18th Century were inappropriate for what was called the Soviet social system. These defenders of the old order, I submit, were betraying the heritage of this country's great exponents of freedom, such as Pushkin and Tolstoy, and denying to the Soviet people a role among those nations of the world which were committed to social progress. What they desired for the Soviet Union was the perpetuation of the social philosophy of Ivan the Terrible.

I have mentioned Pushkin and Tolstoy because not only their names but also their writings are part of the heritage of the civilization to which we belong. But they did not stand alone in their affirmation of a belief in a free and open society. There are many others who kept the spark of a belief in liberty alive even under the most adverse circumstances. It is, therefore, appropriate on this occasion to pay tribute to those courageous people, both in Czarist Russia and the Soviet Union, who risked imprisonment and exile, who sacrificed their careers, sometimes even their lives, to stand up for the principles of liberty and against the rule of autocrats, both of the pre-1917 and the post-1917 variety.

And I also want to pay tribute to those who hold high office in this country today, beginning with the man who has captured the world's imagination, the Chairman of the Presidium of the Supreme Soviet. Perhaps some historians will be able to point out a similar set of circumstances. I, for one, do not know of any other example in history in which a leadership group in which absolute power and a capability of total repression was vested, voluntarily relinquished its power and instead of governing by coercion resorted to use of the power of persuasion.

It is probably fair to say that Kim Il Soong and Fidel Castro cannot be counted among the most fervent admirers of Perestroika. There may even be a few other persons outside the Soviet Union who hold similar views. But with these few exceptions, the world outside your country fervently wishes for the success of Perestroika. This, too, is a historic first. I cannot recall another situation in which the world was so unanimous in applauding the leadership of a country as it tries to effect domestic change. One of the revolutions of recent times has been the revolution in attitudes toward the Soviet Union. You now have friends in many places.

One factor in this revolution of attitudes has been the personality of Mikhail Gorbachev. But another factor has been the policy change which he has effected. The Soviet Union is recognized in the world as a powerful military force. That is why the world has responded so enthusiastically to Soviet domestic changes which have logically gone hand in hand with changes in foreign policy and which have thus caused the threat of international conflict to recede significantly. As has often been said, a government which is not a threat to its own people is not likely to be a threat to its neighbors. But the opposite is true as well. A country which mistreats its own citizens is likely to be a threat to international peace.

Yet, we all must recognize that a basic change in approach at the highest level of government is only the first step. It is necessary for the "new thinking" at the highest level to permeate the bureaucracy and for institutions to be created that guarantee the operation of government on the basis of "new thinking". Bringing the bureaucracy along is a challenge to any government in any country and the Soviet Union is no exception. It takes time. So does the creation of new institutions.

And that is not all. We have come to know the term "command economy". We should also recognize that there can exist a mind set of what we can term a "command society". What is critically important is to help the average citizen move from his role in a command society to the assumption of a role in a voluntary society, in which he asserts his rights but also voluntarily recognizes and discharges his responsibilities.

In all these undertakings, calling attention to the problems of bureaucracy, building institutions to protect individual rights, educating citizens as to their rights and their moral responsibilities in a free society, nongovernmental organizations can play an invaluable role.

I said at the outset that the people of the Soviet Union have the world's good wishes for the success of Perestroika. Good wishes, you might say, are insufficient in these difficult times and you are undoubtedly right. Let me, therefore, say that you also have the sincere willingess of others to cooperate so as to help Perestroika succeed. President Bush has pledged the cooperation of the Government of the United States. But it is not only the Government that is willing to cooperate. Over and over again do I receive inquiries from private groups and individuals who want to know how they can be of assistance. You would be truly amazed at how many people are interested in giving tangible expression to their attitude of good will toward the new Soviet Union, the Soviet Union led by Gorbachev. Here, too, nongovernmental organizations can be of help by finding ways for such volunteers to play a useful role.

But, as we all know, the success of Perestroika will ultimately depend not on outsiders but on the energies and the spirit of the people of the Soviet Union themselves. As a veteran of World War II, I am well aware of the fact that you have triumphed in times of adversity before. I am confident that in this peaceful struggle for a better life you will triumph again. Your goal, as the goal of all of us, is in Pushkin's words,

Narodnov vol'nost i pokoy.

[People's liberty and peace.]

A TRIBUTE TO ARTHUR S. ROBBINS

SPEECH OF

HON. RONALD K. MACHTLEY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 1990

Mr. MACHTLEY. Mr. Speaker, I rise today to honor a member of my community who is being recognized for his exemplary community leadership in Rhode Island.

Arthur S. Robbins, of Providence, RI, is this year's recipient of the Rhode Island Distinguished Citizen Award given by the Rotary Club of Providence. Mr. Robbins is a well-known and respected businessman in the Providence and Worcester, MA, areas. His activities within these communities are equally impresssive and respected. He presently serves as the chairman of the Greater Providence Convention Authority and is a member of the board of directors for the Jewish Federation of Rhode Island, the Old Stone Business Development Council, and the Worcester Business Development Corp. He is also a member of the board of trustees of the Providence Foundation.

Mr. Robbins is especially committed to education in Rhode Island. He has served as secondary school chairman of the University of Pennsylvania in the Rhode Island area and as director for the Rhode Island Council on Economic Education. He is currently the treasurer of the Providence Hebrew Day School, chairman of the Schools to Work Program for the Greater Providence Chamber of Commerce, and a member of the board of trustees for the Community College of Rhode island.

Besides his involvement in education, Mr. Robbins has numerous directorships on many civic organizations. They include the Big Brothers of Rhode Island, from whom he has received the Big Brother of the Year Award for 1975 and the Humanitarian of the Year for 1988. In addition, he is a director for the Providence Chamber and the Convention and Visitors Bureau, the Leukemia Society of Rhode Island, the Jewish Community Center of Rhode Island, Hospice Care of Rhode Island, Inc., the John Hope Settlement House, and Miriam Hospital.

During his lifetime, Mr. Robbins has received many awards and accolades for his community service. Among these are the National Jewish Hospital of Denver Humanitarian Award, the Shalom Peace Award by State of Israel Bonds, the Amudim Award by the Providence Hebrew Day School, and Businessperson of the Year, Worcester, for 1982. In addition, he has received an honorary doctor of business administration from Johnson and Wales University in May 1987.

Mr. Robbins is also a wonderful father and husband. He has shared his success and good fortune with his wife Judy, three children, and one grandson.

It is with great pleasure that I congratulate Arthur Robbins for his years of dedicated and outstanding community service. His commitment to helping others is a tribute to his love for his community. I wish him and his family all the best and continued success in the future.

A TRIBUTE TO ELIZABETH HAVEN LINEN

HON. RONALD K. MACHTLEY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 1990

Mr. MACHTLEY. Mr. Speaker, it is my distinct pleasure to congratulate Elizabeth Haven Linen, of Summit, NJ, this year's recipient of the Congressman Ronald K. Machtley Academic and Leadership Excellence Award for St. George's School in Middletown, RI.

This award is presented to the student, chosen by St. George's School, who demonstrates a mature blend of academic achievement, community involvement, and leadership qualities.

Elizabeth has certainly met these criteria while at St. George's. She has made the honor roll every semester while at St. George's. Elizabeth was inducted into the Cum Laude Society during her junior year as one of the top 15 scholars at St. George's. Elizabeth also spends many hours at the Martin Luther King Center as a volunteer performing community service.

I commend Elizabeth for her outstanding achievements and wish her all the best in her future endeavors.

A TRIBUTE TO SHIRLEY HERSEY

HON. RONALD K. MACHTLEY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 1990

Mr. MACHTLEY. Mr. Speaker, I rise to pay tribute to Shirley Hersey, who has been named as the "1990 Middletown Teacher of the Year."

Ms. Hersey was chosen by her colleagues for her innovative teaching techniques and her special way of dealing with her students. She has taught in Middletown, RI, since 1966 and has taught first through fourth graders. Her favorite grade, however, is the second grade. In her own words, "in second grade the students will make you feel wonderful everyday."

Ms. Hersey's innovative techniques help her students get excited about education. She uses hands-on education with her students such as daily experiments to help them understand their world. She assures her students that it is all right to think about things and that they do not have the right answer to answer a question.

I would like to thank Shirley Hersey for her devotion to her job. Her love for her work and her students transcends the classroom and challenges her students to learn the world around them. At a time when education is so vital to our Nation's future, it is reassuring to know teachers like Shirley are guiding and educating our Nation's youth.

A TRIBUTE TO CAPT. ROGER D. GRADY

HON. RONALD K. MACHTLEY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 1990

Mr. MACHTLEY. Mr. Speaker, I rise today to congratulate Capt. Roger D. Grady, U.S. Navy (retired), for his exceptional leadership and exemplary efforts in his community.

Captain Grady, of Newport, RI, has been selected as the 1990 Civilian Volunteer of the Year by the Armed Services YMCA of the United States of America. He has been instrumental in the planning of a new Armed Services YMCA to provide programs and services to young military personnel and their families. As the chairman of the branch board of management, he has been involved in all aspects of this project, from negotiating a memorandum of agreement with the Navy to developing and implementing a capital fundraising campaign. In addition, he has greatly expanded the volunteer program and its services. Captain Grady has clearly demonstrated a tremendous devotion and commitment to this project and under his dynamic leadership, this project is certain to be a success.

I would Ike to thank Captain Grady for his exemplary community service. I wish him all the best and continued success in the future.

A TRIBUTE TO CYNTHIA OVIEDO

HON. RONALD K. MACHTLEY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 1990

Mr. MACHTLEY. Mr. Speaker, it is my distinct pleasure to congratulate Cynthia Oviedo, of Central Falls, RI, this year's recipient of the Congressman Ronald K. Machtley Academic and Leadership Excellence Award for Central Falls Jr./Sr. High School, in Central Falls, RI.

This award is presented to the student, chosen by Central Falls Jr./Sr. High School, who demonstrates a mature blend of academic achievement, community involvement, and leadership qualities.

Cynthia has certainly had an outstanding career and has overcome a language barrier while at Central Falls Jr./Sr. High School. Cynthia is Columbian by birth and Spanish is her native language. Despite the difficulties of learning another language, Cynthia has shown the drive and determination to be the best student she can be. She has a C plus average in college preparatory courses and participates in the Upward Bound Program at Rhode Island College. Cynthia is a member of the executive committee on the student council, the racial discussions panel, and the senior buddy mentor project. In addition, she is a member of her school's and her church's chorus and is very active in drama. Cynthia also played an integral part in the drama club's community-based intergenerational Hispanic video project.

I commend Cynthia for her outstanding achievements and wish her all the best in her future endeavors.

TRIBUTE TO THE ROCKPORT FULTON JUNIOR AND SENIOR HIGH SCHOOL CHOIR FOR RECEIVING "BEST IN CLASS" HONORS AT THE ADJUDICATOR NATIONAL INVITATIONAL FESTIVAL OF MUSIC AT THE JOHN F. KENNEDY CENTER FOR PERFORMING ARTS

HON. GREG LAUGHLIN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 1990

Mr. LAUGHLIN. Mr. Speaker, it is with great pride that I come before you to announce that a high school choir in the 14th District has attained national recognition in an exclusive musical competition.

The Rockport Fulton Junior and Senior High School Choir received "best in class" honors in the small school category of the Adjudicators National Invitational Festival of Music at the John F. Kennedy Center for Performing Arts. The Educational Tour Consultants sponsors this festival each year, and the Adjudicators Committee nominates and invites the groups to participate in this national competition.

Any group chosen to participate may consider the invitation alone a pinnacle of achievement, and groups who become "best in class" winners at the Adjudicators National Invitational Festival may consider themselves to have won the super bowl of music festivals. Of the 50 participants in this choir, 39 were freshmen and sophomore students who were commended by the judges on their tone quality and showmanship.

I congratulate Ms. Martha Luigi, director of choral activities, and her assistant Ms. Yvonne Jaggard, for having such an outstanding group of students whose hard work and dedication has brought a prestigious honor to their school. The students achieving this honor are: Rebekah Ballou, Shannon Bennett, Harry Bowers, Shannon Brandenburg, Marsha Brasher, William Buckley, Stephanie Casterline, Michelle Cessac, William Childers, Lisa Chupe, Robert Hattenbach, Roland Herrera, Ronald Hewes, Tracy Hicklin, Jody James, Staci Keller, Christine Kelly, Shannon Kennedy, Regina Lawerence, Tasha Lyman, Tonya Mason, Elizabeth McMillan, Melanie Mills, Tina Monroe, Amy Moore, Sherrie Mundine, Sherry Naquin, Serenity Naylor, Tam Nguyen, Samuel Padilla, Robert Patteson, Lisa Pina, Kimberly Rivera, Eva Rollins, John Roth, Charles Ruhman, Michelle Schibi, Sara Schmidt, Eric Scott, Scott Seawright, Yvetta Segovia, Robert Solis, Samuel Spears, Saundra Stephens, Kimberly Terry, Nicola Thomas, Angela Trehern, Shane White, Janet Wolfe, and Thomas Woodman,

I urge you to join me in congratulating these fine students and their instructors for this accomplishment, which is most impressive and deserves recognition.

H.R. 4888, A BILL TO REQUIRE BURIAL OF UNDERWATER PIPELINES IN THE NAVIGABLE WATERS OF OUR NATION

HON. W.J. (BILLY) TAUZIN

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 1990

Mr. TAUZIN. Mr. Speaker, today I introduce a bill that will require oil and natural gas pipelines in shallow navigable waters to be properly buried in an effort to secure safety for our maritime and fishing industries and marine environment.

On October 3 of last year, 11 men were killed when their fishing vessel struck an exposed natural gas pipeline in shallow waters off the coast of Texas. Three years earlier, two additional lives were lost in an identical accident south of New Orleans. More recently, our Nation suffered tragic environmental damage involving an Exxon underwater pipeline in the New Jersey and New York areas. All of these accidents stemmed from aged hazardous liquid pipelines and the lack of inspection requirements.

There now exists no requirement by the Department of Transportation, the Department of the Interior, or the U.S. Army Corps of Engineers which call for underwater inspections by pipeline owners or operators.

We have presently in the Gulf of Mexico and elsewhere, pipelines which are 15 and 20 years old and older which lie exposed in waters commonly navigated. These pipelines are not inspected and are allowed to sit waiting for a navigating vessel to hit it, explode, and lose lives because the industry has not been called upon to take action.

The oil and gas industry, like any industry using public waters for the transportation of goods must provide that their transportation does not, in any way, present a danger to others utilizing the same waterways.

Had routine underwater inspections been a requirement prior to these recent tragedies and had the pipeline industry been required to rebury exposed pipelines, there is no doubt that these 13 lives would not have been lost and the fear that exists in our maritime and fishing industries would not be so prevalent.

I urge my colleagues to support this bill and require that underwater pipelines carrying hazardous substances be routinely inspected.

TRIBUTE TO ROBERT (BOB) ALAN RICHEY

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 1990

Mr. CONTE. Mr. Speaker, I want to pay tribute today to a dedicated friend of Alaska and its wildlife resources. Robert (Bob) Alan Richey will retire from the U.S. Fish and Wildlife Service on June 1, 1990, after serving 26 years at the Kenai National Wildlife Refuge. More than just a great wildlife biologist, Bob was also one of Alaska's and the Service's premier pilots. During his career he introduced so many to the great beauty and the bountiful wildlife resources of this magnificent refuge.

Bob began his career in 1948, working summers with the National Forest Service in California. After a tour with the U.S. Navy from 1954 to 1956, Bob's strong interest in the outdoors and wildlife led him to get a degree in wildlife biology. In 1961, he began summer work in Alaska with the National Park Service, as a naturalist in McKinley National Park.

Bob's career with the Service began as a seasonal wildlife aide at the Kenai National Moose Range in 1964. The Service quickly recognized Bob's knowledge and enthusiasm, and offered him full-time employment as a recreational specialist. His true career had started. He advanced quickly through the system, being appointed a refuge biologist and then assistant refuge manager, and pilot, within a year. With his love of wildlife and flying, he was in a perfect position.

During his early career, Bob was instrumental in development of the refuge canoe trail system, considered one of the best in the country. After passage of the Alaska National Interest Lands Conservation Act in 1980, the Kenai Moose Range was renamed the Kenai National Wildlife Refuge and Bob assumed the responsibility of monitoring the oil and gas development on the refuge. Thanks to his efforts, oil and gas development, the public, and the natural habitat have been able to coexist.

Bob was invaluable in planning and monitoring a PCB cleanup operation in the oilfield that continues to this time. His efforts were recognized with the Service awarding him a special achievement award in 1988.

Bob Richey has accomplished a great deal during his distinguished career, but above all, he will be remembered as Bob, the pilot who escorted people around the refuge and made the tour more interesting because of his knowledge, interest, and enthusiasm for the refuge. Bob was routinely requested as the tour guide by many officials that visited the refuge and his love for his work never failed to rub off on his guests and passengers. That's how I met Bob, as I was privileged to have flown with him several times.

Bob flew a Grumman "Goose" for many years and showed the same affection for that plane as any parent would a favorite pet. Every passenger, regardless of their stature, was also expected to show that plane proper respect. His attention to the Goose was typical of the approach Bob took to his work. Each flight was a memorable experience and I returned with renewed conviction to help conserve America's great natural resources. Bob Richey is a great friend and a dedicated public servant. His institutional knowledge, his personality, and his hard work are going to be sorely missed after his retirement. I wish him the best.

THE HUBBLE SPACE TELESCOPE

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 1990

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for Wednesday, May 23, 1990, into the CONGRESSIONAL RECORD:

THE HUBBLE SPACE TELESCOPE

As the National Aeronautics and Space Administration (NASA) fine tunes the operations of the Hubble Space Telescope, Americans are eagerly awaiting its first pictures. Launched by the space shuttle Discovery in late April, the Space Telescope is the single most expensive scientific instrument ever made. Yet supporters say it will provide the biggest advance in our ability to see the stars since Galileo first peered through his telescope almost 400 years ago.

CAPABILITIES

The Hubble Space Telescope should significantly expand our ability to survey and understand the universe. The 12½ ton, 43-foot-long telescope was put into orbit 380 miles above the Earth's surface in order to get it above the distorting effect of the atmosphere. Ground-based telescopes are limited by atmospheric turbulence and "light pollution" that distorts their view of the stars. The Space Telescope should allow us to see known objects 10-30 times sharper than before. Moreover, while the human eye can glimpse at best some 6,000 stars and other objects in the sky at night, and while the best ground-based telescope can view as many as 40 billion, the Space Telescope will bring into focus 5-10 trillion objects.

The telescope is a marvel of modern engineering. Its mirror is so precise that it could pick out the writing on a dime located 100 miles away. It has a sophisticated guidance system pointing the telescope and keeping it fixed on a target. Its computer software, which schedules and records the telescope's observations, is one of the most complex created for civilian purposes. Signals from the telescope will be transferred by communications satellites and ground links to the Space Telescope Science Institute located in Baltimore. The Institute will process the flood of data—up to a million bits per second—and relay it to researchers. Instruments in the Space Telescope will be serviced and upgraded by astronauts every 3-5 years over the anticipated 15-year span of the mission.

The telescope is named after American astronomer Edwin Hubble, best known for his discovery in 1929 that the universe is expanding at a very rapid rate. In his younger days, Hubble was a teacher and basketball coach at New Albany High School.

HISTORY OF THE PROJECT

Originally scheduled for launch in 1983, technical problems and the 1986 explosion of the space shuttle Challenger delayed the project. Major problems have included upgrading the computer software, crafting the mirror, and fixing inadequacies in the power system. Some feel that many of the delays were caused by making the telescope more complex than necessary and by poor coordination between engineers and astronomers and among various NASA branches.

While initial estimates put the project cost at $600 million, the cost through launch, spread over 13 years, turned out to be $2 billion. Operating the telescope in space will take about $200 million per year. Although large, such sums represent only a fraction of one percent of what is spent each year on social security, and are far less than we spend on military uses of space and on various defense systems. The Strategic Defense Initiative, for example, could cost up to $25 billion over the next five years.

WHAT WE WILL LEARN

The Space Telescope will not only bring into sharper focus other planets in our solar system and allow astronomers to study them for extended periods of time, it will look toward the edge of the universe and observe distant stars, galaxies, and quasars, the brightest objects known. The telescope should help answer questions about the age of the universe, the processes by which galaxies evolve, and whether the universe will continue to expand or ultimatley collapse back. It should help determine the life cycle of stars like our own sun. Scientists will also look for evidence of black holes, regions where gravity is so strong that not even light can escape, and will search for evidence of planets around other stars, a key to the search for extraterrestrial life.

Yet many people feel that the greatest achievements of the Space Telescope will lie not in answering today's questions but in discovering entirely new phenomena. The Space Telescope will likely introduce us to a variety of objects not even imagined by scientists today.

WHAT'S NEXT

The Hubble Space Telescope is the first of the four "Great Observatories" that NASA plans to put in orbit during the 1990s. The telescopes will be making observations at different wavelengths of light, with the next one, the Gamma Ray Observatory, scheduled for launch later this year.

Despite its technical sophistication, the Space Telescope is by no means the last word in optical telescopes. Because of the production and launch delays, the Space Telescope uses a large amount of 1970s technology. In recent years, various advances in optics and design have led to increasingly sensitive ground-based telescopes. Some will be several times larger than the Space Telescope, though they will not be as good in discerning the structure of the faintest objects. One ground-based system being researched would use complex feedback mechanisms to adjust the telescope's mirrors to help offset fluctuations in the Earth's atmosphere. And for the next leap in telescope capabilities, NASA is developing plans to locate a major observatory on the far side of the Moon, because of its quiet and dark surroundings.

It will be years before we can fully gauge the value of the Hubble Space Telescope. It has already shown us some of the pitfalls of complex "big science" undertakings, and it has seen more than its share of compromises and disappointments. Yet, if it lives up to its promise, the Space Telescope has the potential to vastly expand our understanding of the universe, while lifting our spirits and broadening our perspective.

SALUTE TO THE MONTCLAIR, NJ-GRAZ SISTER CITY PROGRAM

HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 1990

Mr. ROE. Mr. Speaker, it is with the greatest pride that I rise today to salute an outstanding municipality in my Eighth Congressional District which, for more than four decades, has participated in a program that has been critical to world peace and understanding.

I am speaking of the township of Montclair, which in 1990 is celebating the 40th anniversary of its participation in the Overseas Neighbors Program and its role as a sister city with the city of Graz, Austria. This important anniversary is being celebrated during the week of May 28 when the township of Montclair will host a 30-member delegation from Graz in recognition of the long-running, close-knit relationship between these two cities on two different continents.

I know that hosting these dignitaries from Graz will be a great source of pride to the township of Montclair, its distinguished mayor, the Honorable Clifford J. Lindholm, to the State of New Jersey and to our Nation because of all that this program stands for. I know that the township of Montclair is eager to welcome Graz Burgermeister Alfred Stingl and his delegation of city officials and share with them the many unique things that Montclair, the State of New Jersey and our Nation have to offer.

Mr. Speaker, for the RECORD, I would like to insert historical information about the Overseas Neighbor Program and the Montclair-Graz sister city relationship. I know it will be of great interest to you and our colleagues:

The Montclair-Graz Sister City bond of friendship was formed in 1949, under the world peace efforts pioneered by former U.S. President Dwight D. Eisenhower. He created the world wide "People-to-People" program, and we, the cities of Montclair and Graz, were among the first to participate.

Later President Eisenhower called us the "cornerstone of the people-to-people diplomacy." He said: "If people by the millions can reach out their hands in friendship and communicate directly, the warmth of personal interest and mutual respect is the real and true bond between people for world peace."

Montclair-Graz has done just that. Over the years, hundreds of people from the USA have visited Graz and several hundreds from Austria have visited us in Montclair. In fact, it was agreed from the beginning that not only do we visit each others' country to sponosr diverse programs and foster better cultural understanding, but we also exchange official delegations every ten years on an alternating basis. This means that every five years a delegation of about 35 to 40 people from Montclair travel to Graz, while five years later a similar delegation from Graz arrives in Montclair.

The relationship has resulted in the still active exchange of students, prominent business people, government officials, academics, scientists, engineers and representatives of almost all facets of the vast cultural field, from individual singers to huge orchestras. Many Austrian physicians have interned at Mountainside Hospital. On the other hand, directly after the war, Mountainside Hospital sent to the bombed-out hospital in Graz a much needed X-ray machine and an incubator. Many professionals from Montclair, and from New Jersey in general, have visited Graz.

Graz is Austria's second largest city, with just over 350,000 inhabitants. It is about an hour and a half's drive south of Vienna. Graz is some 900 years old.

Overseas neighbors sponsors yearly two students from Montclair State College to study in Graz. Conversely, the University of Graz sends two Austrian students to study at Montclair State. Over a hundred young adults have thus been educated, have had a very fruitful, international experience, and have had the opportunity to broaden their world perspective, to gain a much better understanding of the other country's culture and people. Many have gone on to become prominent leaders in their countries and recall today that their year as exchange student has given them a lasting, unforgettable experience.

The Montclair-Graz Sister-city union has many "firsts" to its credit. For instance, when the TELSTAR satellite became functional, the two mayors' voices were the first to be transmitted with "Hello America" and "Hello Austria".

Mr. Speaker, I appreciate this opportunity to present a brief profile of the participation of Montclair, NJ, in the Overseas Neighbor Program, and to extend my most sincere best wishes to Graz Burgermeister Alfred Stingl and his distinguished delegation as they join their American counterparts in celebrating 40 years as sister cities.

COUNTING OVERSEAS MILITARY IN THE 1990 CENSUS

HON. TOM SAWYER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 1990

Mr. SAWYER. Mr. Speaker, I am pleased to join my colleague on the Subcommittee on Census and Population, Mr. RIDGE, in introducing legislation to ensure that members of the Armed Forces and their dependents stationed overseas during the 1990 census are included in the population of their home State for apportionment purposes.

Last summer, the Department of Commerce decided to include overseas military personnel in the State population totals used for apportionment purposes. That decision was based, in part, on the assumption that the Department of Defense would conduct an actual enumeration on overseas military bases, thereby facilitating the collection of information relating to personnel.

In December of 1989, however, the Defense Department determined that it could not carry out the overseas enumeration, as originally planned. Therefore, the method for collecting the information necessary to place overseas personnel in an appropriate State was not available.

At that juncture, Congressman RIDGE and I, along with the distinguished chairman and ranking minority member of the Committee on Post Office and Civil Service, Mr. FORD and Mr. GILMAN, advised the Commerce Department that the most equitable allocation of overseas military personnel to a State would be according to home of record. That term refers to the location at which a member of the Armed Forces enlisted in the service. It most closely approximates the home State of individuals who are highly mobile not by choice, but by virtue of their service to our Nation.

Last week, the Commerce Department decided that overseas military personnel and their dependents would be counted for the purpose of apportionment in the State where they last resided for 6 consecutive months or

longer before being stationed abroad. That decision appears to ignore previous direction by Congress on this issue. In the 100th Congress, the House overwhelmingly defeated legislation that would have required the inclusion of overseas military personnel in the State in which they last resided for 6 months.

Congressional intent should be an important factor in this decision. It is Congress that is charged with the responsibility for taking a census under the Constitution.

Furthermore, in 1970, the only census in which military personnel stationed overseas were included in the apportionment counts, home of record served as the basis for allocating those individuals to a State.

I applaud the Commerce Department for its decision to include military personnel and their dependents stationed abroad in the census counts used for apportionment. These men and women are temporarily absent from the United States in the service of their country. We can recognize their sacrifices by making them a part of the population fabric that forms the basis for the fair distribution of political representation in our democracy.

But the decision should have been made in consultation with Congress. It is Congress that has the authority to take the census. It is Congress that is affected by the process of apportionment, the only constitutional purpose of the decennial census.

Despite the clear expressions of support for home of record by many Members of both the House and Senate, including key members of the oversight committees, the Commerce Department did not consult with us in making its decision. In fact, the Director of the Census Bureau informed us of the decision last week, even though the decision was not made by the Bureau, but by the Department.

The Department believes that the 6-month rule approximates the Census Bureau's concept of usual place of residence, the basis for determining where people residing in the United States are counted. I am a strong supporter of consistent application of the usual-place-of-residence concept.

However, military personnel stationed overseas are not residing in the United States during the census. Their inclusion in the population base used for apportionment is the result of a policy decision by the Secretary of Commerce, exercising the authority delegated to him by Congress to take the census. The consistent application of usual place of residence is not undermined by using home of record because we are dealing with a unique situation involving individuals who are not living here at the time of the census.

The Commerce Department also believes that the information relating to last 6 months of residency is superior to that of home of record. We are not convinced on this point. The Congressional Research Service advised us that the Defense Department must take several steps to ensure that data on last 6 months of residency does not contain errors. Similar steps could be taken to ensure the validity of data on home of record, which is available on current personnel records for every member of the Armed Forces.

I regret that the Commerce Department made its decision without carefully considering the wishes of Congress. But that oversight makes our legislation necessary.

The use of home of record information to place overseas military personnel and their dependents in the proper State for apportionment purposes is not inconsistent with the Constitution and does not undermine well-established census rules. It will result in the most equitable distribution of this population group for apportionment purposes.

I urge my colleagues to support our effort.

THE SENIOR CITIZENS' TAX FAIRNESS ACT OF 1990

HON. DON RITTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 1990

Mr. RITTER. Mr. Speaker, today, I introduced the Senior Citizens' Tax Fairness Act of 1990 [SCTF]. The SCTF addresses several inequities in current law that result in an unfair tax rate for seniors, oftentimes causing seniors to pay an astronomically high percentage of their income in taxes. For instance, a working senior who earns as little as $10,000 in addition to social security benefits can end up paying 56 percent of his or her earnings in taxes. With added earned income or pension income, the marginal tax rates can climb as high as an astronomical 90 percent. No one else in America pays such tax rates.

Perhaps the most inequitable and antiquated law that disadvantages seniors is the earnings test. Seniors between the ages of 65 and 70 are allowed to earn only $9,360 of income outside their Social Security benefits before the unfair seniors tax burden is triggered. They must pay back Social Security $1 for every $3 they earn over that amount. Many seniors, capable of entering the work force and being productive, are prevented from doing so because of the devastating tax burden. This law was enacted during the depression to make sure older workers retired so that younger workers would have jobs. We do not face the same types of job shortages today. There are help wanted signs on almost every street corner. The withdrawal of the elderly from the work force is coming at a time when the Department of Labor predicts a future labor shortage in the United States.

In order to reduce this burden, the SCTF raises the earning limit to $39,360 from the current level of $9,360. This would give many seniors the incentive to work, creating more net taxes. The National Center for Policy Analysis estimates that there will be a new revenue gain to the Federal Treasury of $3.2 billion—net work-related taxes minus additional Social Security benefits.

As a sponsor of Representative HASTERT's Older Americans' Freedom to Work Act, H.R. 2460, I still believe that the earnings test should be repealed in its entirety. However, my compromise, capping the earnings limit at $39,360, has the dual benefit of leaving the Social Security penalty in place for those who earn more than $39,360 and really do not need to rely on Social Security at this time, and maximizing the benefit to the Federal Government. Although I still support total repeal of the earnings test, my solution is a good compromise.

The SCTF also brings down the senior's tax rate by eliminating the marriage penalty for seniors two places in the Tax Code. Currently, an individual taxpayer is allowed a standard deduction of $3,100. A married couple, filing jointly, is allowed a standard deduction of $5,200 and a married person filing separately is allowed a deduction of $2,600. This essentially amounts to a $1,000 penalty for couples. Under the SCTF, if a married couple is filing jointly and one spouse is over age 65, the couple will be allowed a standard deduction of $5,700. If both spouses are over 65, the couple will be allowed a standard deduction of $6,200, equal to that amount of two unmarried individuals filing separately.

Additionally, the SCTF also eliminates the marriage penalty in determining how much Social Security or equivalent railroad retirement benefits are taxable. Generally, a single taxpayer's retirement benefits are not taxable if that taxpayer earned less than $25,000—including retirement benefits. For a married couple, filing jointly, that amount is $32,000. Under the SCTF, the marriage penallty is repealed for seniors. If one spouse is over 65, the couple is allowed to earn $41,000 before retirement benefits are taxable. If both spouses are over 65, the figure will be $50,000.

Senior citizens currently have an economic disincentive to get married. That is not the kind of example we wish to set for the rest of society. When we hear senior citizen couples tell us that they will not get married because they can not afford the change in tax status, we should all be saddened. We in Congress, by not changing this law, continue to provide disincentives for seniors to marry.

Before the Social Security System and its earnings limit were enacted in 1930, 54 percent of men 65 and over were in the labor force. We don't want to go back to a system where seniors, across the board, were forced to work until they dropped Today, however, only about 16 percent of our seniors work—something particularly disturbing when you realize that the average life expectancy for a male was 58.1 years in 1930 and has risen to almost 72 years today. Americans today are living longer and healthier, we face severe labor shortages in key skill areas, yet we have not adjusted our Social Security and tax systems to encompass those facts. While age discrimination in the workplace is outlawed, discrimination against seniors still exists in our tax system.

It is about time Congress recognizes that we are wasting a valuable resource. Our seniors are our most experienced workers. They can bring real skill, wisdom, and professionalism to the workplace. It is bad policy to force our most experienced workers out of the work force when they still desire to work and society needs them.

TOTALITARIANISM AS A POLITICAL MOVEMENT

HON. MERVYN M. DYMALLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 1990

Mr. DYMALLY. Mr. Speaker, I bring to the Members' attention an article on "totalitarianism as a political movement."

The article follows:

HANNAH ARENDT'S VIEW OF TOTALITARIANISM AS A POLITICAL MOVEMENT—HOW HER THEORY APPLIES TO THE POLITICAL CULTS OF LAROUCHE, NEWMAN AND PERENTE

(Memo by Chip Berlet)

The propaganda and organizing techniques used by the internally-authoritarian psychologically-manipulative cult groups run by Lyndon LaRouche, Fred Newman, and Geno Parente (and others) mirror a zealous form of political organization new to this century's mass society—totalitarianism. The style, strategies, tactics, and internal organizing practices of the totalitarian group were outlined by historian-philosopher Hannah Arendt in her book "The Origins of Totalitarianism."

In recent years there has been a revisionist interpretation of Arendt's work, linking nazism and communism as two sides of the same political coin, or claiming that all communist or Marxist movements are totalitarian, or that only Nazi and communist ideologies can become totalitarian. Arendt specifically repudiates this simplistic interpretation of her work when she writes ". . . ideologies of the nineteenth century are not in themselves totalitarian," and that although fascism and communism became "the decisive ideologies of the twentieth century they were not, in principle, any 'more totalitarian' than others." According to Arendt, the ideological victory of fascism and communism over other twentieth century belief structures was "decided before the totalitarian movements took hold of precisely these ideologies" as a vehicle for seizing and holding state power.

Totalitarian movements historically have shared a number of similarities:

A methodological link between the psychological and the political which forms both a theoretical world-view and a justification for indoctrinating members in an effort to create a new consciousness through a unique and exclusive technique understood only by the group's leaders.

Psychologically coercive techniques to manipulate members' views and actions.

Attempts to establish hegemonic relationships with other similar political groups, and, failing that, attempts to undermine the group and establish parallel organizations.

Virulent and unprincipled attacks on critics, including insults, agent-baiting, threats by attorneys and defamation lawsuits.

Re-writing of the group's political and organizational history to meet current needs.

A closed and covert hierarchical internal structure that is not necessary congruent with the public organizational structure.

Differentiation between internal in-group and external out-group reality, use of propaganda, and implementation of a "secret-society" style.

These similarities do not change the fact that the totalitarian LaRouchite philosophy is apparently neo-fascist while the totalitarian Newman and Parente philosophies are apparently left-progressive, but it does mean that internally, all these groups have an authoritarian hierarchy whose existence is denied, they rely on psychologically-manipulative practices to control core members. These political groups match a cult paradigm and are far from democratic, despite outward claims and appearances.

It is crucial to note the relationship of LaRouche, Parente, and Newman during the early 1970's in light of their subsequent activities. All three white male political leaders viewed Marxist revolution through an egocentric prism which pre-supposed the centrality of one special individual's will in shaping history. All three used psychologically manipulative techniques to enforce obedience in the institutions they have built—institutions which sought political hegemony over other groups. All three groups share many elements of the totalitarian movement which is correctly defined by its style, structure and methods not by its stated or apparent ideology.

Arendt's theories were first published in the 1950's, long before people like LaRouche, Newman and Parente arrived on the political scene, yet her analysis reads as if it were a study of the Executive Committee of the National Caucus of Labor Committees (the secret core leadership of the LaRouche network), the International Workers Party (the secret core leadership of the New Alliance Party, the Rainbow Lobby and the Institutes for Social Therapy), and the Communist Party (Provisional) (the secret core leadership of the National Labor Federation and its related fronts, the Eastern Service Workers, California Homemakers, etc).

Arendt discusses how totalitarian movements are built around a central fiction of a powerful conspiracy, (in the case of the Nazis, a conspiracy of Jews which dominates the world,) that requires a secretive counter-conspiracy be organized. Totalitarian groups organize the counter-compiracy in a hierarchical manner which mimics the levels of membership and rituals of social and religious secret societies.

According to Arendt, most people get their first glimpse of a totalitarian movement through its front organizations:

"Sympathisers, who are to all appearances still innocuous fellow citizens in a nontotalitarian society, can hardly be called single-minded fanatics; through them, the movements make their lies more generally acceptable, can spread their propaganda in milder, more respectable forms, until the whole atmosphere is poisoned with totalitarian elements which are hardly recognizable as such but appear to be normal political reactions or opinions." (p. 367)

LaRouche, Newman and Parente have spawned dozens of front organizations, each designed around some issue of mass appeal. For instance, LaRouche followers used the front device of Proposition 64 in California to take a generalized fear over the spread of AIDS and steer it towards an acceptance of authoritarian methods such as quarantine isolation of suspected carriers and job discrimination.

Arendt also explains that different constituencies react to propaganda messages from totalitarian groups in different ways:

"The whole hierarchical structure of totalitarian movements, from naive fellow-travellers to party members, elite formations, and the intimate circle around the Leader, and the Leader himself, could be described in terms of a curiously varying mixture of gullibility and cynicism with which each member, depending upon his rank and standing in the movement, is expected to react to the changing lying statements of the leaders and the central unchanging ideological fiction of the movement." (p. 382)

Arendt explains that average members of totalitarian groups need not believe all the statements made for public consumption, but they do believe "all the more fervently the standard cliches of ideological explanation." (p. 348) If a lie is detected by the mass of people or even the average member, it is dismissed as having been a tactical necessity which only further proves the cunning and wisdom of the leader.

For the elite members, even the basic ideological explanations of the group are not necessarily believed, but are seen as "fabricated to answer a quest for truth" among the lower ranking followers. For the elite, facts are immaterial. Their loyalty is to the leader who embodies truth, and they require neither demonstration nor explanation of the leader's assertions:

"Their superiority consists in their ability to dissolve every statement of fact into a declaration of purpose. In distinction to the mass membership which, for instance, needs some demonstration of the inferiority of the Jewish race before it can safely be asked to kill Jews, the elite formations understand that the statement, all Jews are inferior, means, all Jews should be killed." (p. 385)

At the top is "the initimate circle around the Leader" for whom all statements are "mere devices to organize the masses, and they feel no compunction about changing them according to the needs of circumstances." (p. 385)

The ultimate goal of a totalitarian movement, of course, is to propel the totalitarian leader toward total, ruthless, world domination. Political issues and positions are transitory tactical tools that move the organization and its leader toward power. Historically, when power is attained, the political allies and issues are betrayed.

THE NEW ALLIANCE PARTY/RAINBOW LOBBY

For U.S. Progressive activities, it sounded too good to be true. A dynamic Black woman runs for President on a progressive platform that calls for peace, social justice, multi-racial harmony, and an end to discrimination against gay men and lesbians.

It is, sadly, too good to be true Dr. Lenora Fulani deserves tremendous credit for gaining ballot status in all 50 states; and the issues she and her polticial party raises deserve more attention, not only across America but also in the American progressive movement where too often the reality fails to match the ideal when it comes to issues of gender, race, class, handicaps, and sexual identity.

But the type of political organization that Dr. Fulani represents has already left its mark on this century—and the vast majority of progressives around the world have learned an important lesson from the disasterous consequences, and have rejected the siren call of totalitarianism.

The core of people who control the New Alliance Party have evolved into a totalitarian organization that at this point mirrors the early stages of the European national socialist movement in the 1930's. The allure of undeniably efficient and expedient totalitarianism is what Stalin succumbed to in his rush to create a socialist society. Not totalitarianism as defined by cynical philosophical revisionists such as Jeane Kirkpatrick and Henry Kissinger, but totalitarianism in the original definition as an organizational form characterized by centralized control by

an autocratic leader or hierarchy. Under totalitarianism there is strict control of all aspects of the life of the individual through the use of physical and or emotional coercive measures.

There are two interlocking control mechanisms inside the core of the New Alliance Party: a secret cadre organization that enforces a distorted form of democratic centralism, and a manipulative type of psychological therapy in which all members of the core NAP hierarchy must participate. At the apex of the NAP hierarchy sits Dr. Fred Newman, chief theoretician for the New Alliance Party, campaign manager for Dr. Lenora Fulani, playwright, scholar, activist, and the person who invented the form of therapy practiced by those who have come to be known as the "Newmanites."

Wherever the New Alliance Party has a major organizing effort underway, there is a related "therapy" group reaching out to persons with progressive politics who are also seeking emotional or psychological counseling. The therapy groups use a technique they call "Social Therapy" or "Crisis Normalization"—the invention of Dr. Newman. According to former members, including several former therapists, the Social Therapy is consciously used as a recruitment tool for the NAP and Rainbow Lobby.

HONORING THE PEIRCE MIDDLE SCHOOL SCIENCE OLYMPIAD TEAM

HON. RICHARD T. SCHULZE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 1990

Mr. SCHULZE. Mr. Speaker, members of the Peirce Middle School Science Olympiad Team, of West Chester, PA, have a reason to be proud. In fact, the entire community is proud of the Olympiad Team's accomplishment: winning the Pennsylvania State championship. Even more impressive, the Pierce Science Olympiad Team won third place overall in the national competition, which had been entered by about 3,000 schools around the country.

The Science Olympiad is an international nonprofit organization devoted to improving the quality of science education, increasing interest in science, and providing recognition for outstanding achievement in science education by both students and teachers.

The members of the team are Matt Arrison, James Bewley, Karolyn Broody, Mark Borowski, Justin Carroll, Casey Frantz, Jesse Frantz, Thatcher Gearhart, Justin Ging, Eric Helble, Matt Feller, Cathy Kovaiesky, Ken Lidie, Jared Lillywhite, Luke Lorenz, Andrew Lonsberry, Peter Lu, Josh Rea, Michelle Romanoski, Willie Scott, Carly Silvesti, Gwen Staub-Leifeld, Mary Thorne, Phillip Thorne, Steve Whittam, and Mark Wiening. Special recognition must also go to the excellent job the coaches, Charlotte Knighten and Paul Wojcik, have done in helping the students to win.

I offer my congratulations to the team for a job well done. Excellence in education is thriving in West Chester, PA, and it is my pleasure to recognize such extraordinary efforts.

TRIBUTE TO JAMES C. HARRISON

HON. LEON E. PANETTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 1990

Mr. PANETTA. Mr. Speaker, I rise today to pay tribute to an outstanding citizen of the 16th Congressional District of California, Dr. James Harrison. I am pleased to take this opportunity to recognize the dedication which Jim has demonstrated to the education of our Nation's youth for over 45 years.

Jim has truly devoted his life to the enlightenmnent and advancement of the young. He began his career in education as a high school teacher in Springfield, MO. Jim came to California in 1958, where he commenced over four decades of service to our great State. He has served as superintendent of the Monterey Peninsula Unified School District since 1973, after having served 5 years as associate superintendent.

I have come to know and respect Jim for his commitment to the betterment of the young people of Monterey County. Throughout his life, Jim has furthered his knowledge of education and administration in order to make himself the best teacher and administrator he can be. He is a member of the Association of California School Administrators, the American Association of School Administrators, and has served as chairman of California City School Superintendents. Jim's community and civic involvement include membership in the Monterey Peninsula Sierra Club, Monterey Kiwanis Club, Executive Committee of the United Way, Monterey Diocese Vocations Commission, and St. Frances Xavier Parish Council, These are but a few examples of his efforts on behalf of the Monterey area community.

Jim will be retiring at the end of this school year. He is leaving a legacy of effective and compassionate leadership in the education of the youth of the Monterey Peninsula. Those who know and have worked with Jim will sorely miss his presence and leadership in the educational system.

Mr. Speaker, I ask my colleagues to join me now in congratulating a man who is leaving his mark in the most important of professions. It us with great pride and respect that I rise to pay tribute to Jim Harrision.

LEAD PAINT

HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 1990

Mr. SCHEUER. Mr. Speaker, there is a silent epidemic raging among our Nation's children. According to the Agency for Toxic Substances and Disease Registry, one out of five children suffers the effects of this insidious and totally preventable disease—lead poisoning.

Lead has no biological value. Very low levels in young children have been correlated with irreversible neurotoxic effects including a reduction in intelligence.

Today, I am introducing a bill which will eradicate the root cause of childhood lead poisoning—the ingestion of lead containing dust and paint chips—by promoting research into effective abatement methods.

Since the early 1970's, the Federal Government has taken a variety of steps to reduce sources of toxic lead pollution. The total amount of lead used as additives to gasoline and interior paint has been significantly decreased.

Unfortunately, there is still a tremendous amount of lead dust in the environment. The combustion of leaded-gasoline has left the soil in our cities highly contaminated with lead. Similarly, peeling and deteriorating paint in our housing stock provides a continued source of lead exposure for our Nation's children.

We lack readily available, effective ways to abate lead contamination in houses. In cases where, well intended but unskilled persons have attempted to remove lead-based paint by burning or sanding, the result has been to actually increase the lead dust in the environment.

Lead-poisoned children who have been treated in hospitals and returned to homes which have been subjected to ineffective lead removal techniques, actually puts these children at greater threat for increased neurological impairment.

The American Academy of Pediatrics has testified that even when other intelligence limiting factors are considered—such as malnutrition—low levels of lead exposure can dramatically effect a child's intelligence. While the reduction of one child's intelligence is tragic, the cumultive effect of lead exposure on our population is disastrous and may result in quadrupling the number of children scoring below the normal level. Adolescents who received low lead exposures some 11 years prior, showed a sevenfold greater high school dropout rate than their peers' and were six times more likely to have reading disabilities.

This is a matter of paramount importance to the future of our Nation.

The bill which I am introducing today, authorizes research and evaluation programs for monitoring, detecting, and abating lead based paint and other lead exposure hazards in housing. This research will advance our ability to deal with the totally preventable problem of childhood lead poisoning.

I urge my colleagues to support this measure.

COMMENDING THE ACTIVITIES OF THE SPINA BIFIDA ASSOCIATION OF TEXAS

HON. E de la GARZA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 1990

Mr. de la GARZA. Mr. Speaker, recently in Hebbronville, TX, a young girl died after fighting her whole life—12 years—to live. Her name was Maria Canales and she had spina bifida.

Spina bifida is a defect of the spinal column that results from the failure of the spine to close properly in the first weeks of pregnancy.

More commonly known as "open spine," spina bifida is the Nation's leading disabler of newborn infants and occurs in 1 out of every 1,000 live births nationwide. That makes the incidence of this birth defect greater than that of muscular dystrophy and cystic fibrosis combined.

Presently, medical researchers do not know exactly what causes this birth defect although it appears the condition results from a combination of environmental and genetic factors.

Medical technology developed in the last 20 years has made it possible for the vast majority of children born with spina bifida to grow to adulthood. However, longer life spans often create a new set of secondary physical disabilities or psychosociological difficulties for these individuals.

This year I have the honor of serving as the honorary chairman of the Spina Bifada Association of Texas [SBAT]. This volunteer organization is a leader in tackling the medical needs of the growing generation of adults with spina bifida. SBAT provides information, parent support, and advocacy for spina bifida families in Texas.

I would like to commend and thank all the organizations and the individuals that have provided volunteer time and financial support to the Spina Bifida Association of Texas and its president, Paul Day of Austin.

Mr. Speaker, we cannot bring little Maria Canales back to life. But through organizations like the Spina Bifida Association we can make life better for the thousands of other Americans who have spina bifida. These kind of organizations need and deserve our volunteer support. I am proud to be associated with this organization's exceptional activities.

LEGISLATION TO AMEND THE SECOND MORRILL ACT

HON. JOHN LEWIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 1990

Mr. LEWIS of Georgia. Mr. Speaker, during the 98th Congress, the late Congressman Mickey Leland introduced legislation to amend the Second Morrill Act. The Second Morrill Act enshrines the unconstitutional separate-but-equal doctrine and refers to institutions for colored students. It provides as follows:

[T]he establishment and maintenance of [agricultural] colleges separately for white and colored students shall be held to be a compliance with the provisions of this act if the funds received in such State or Territory be equitably divided as hereinafter set forth * * * for the education of colored students * * * one college for white students and one institution for colored students * * * separate colleges for white and colored students.

Congressman Leland's legislation would have gotten rid of the racist and the prosegregationist language in the Second Morrill Act.

Today, I am reintroducing this legislation.

This legislation would not harm historically black colleges and universities that receive funds under the Second Morrill Act or under any other law. It would not cost the Federal Government. It would simply put the Second Morrill Act in line with Brown against Board of Education, Bolling against Sharpe, and the Civil Rights Act of 1964.

Without this legislation, the United States Code will continue to contain unconstitutional language which slights the civil freedoms of the citizens of this Nation.

I urge my colleagues to join me in striking these offensive references from the United States Code.

LET US REMEMBER THOSE BRAVE CHINESE WHO REMAIN IMPRISONED IN CHINA

HON. EDWARD F. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 1990

Mr. FEIGHAN. Mr. Speaker, 1 year ago thousands of brave, youthful, Chinese peacefully demonstrated in Tiananmen Square in Beijing. Far from attempting to be disruptive, they wanted nothing more than to engage in dialog with those who claimed to rule in the name of the people. The demonstrators wanted to offer their input into solving the corruption that permeates the Chinese leadership; they wanted to offer their support for reformist elements in that leadership. They merely expressed their desire that the leadership of their country be more responsive to the expressed needs of the people.

As we are so painfully aware, their peaceful and reasonable demands were met with a brutal and unconscionable reaction by the Chinese leadership. Hundreds were slaughtered; many thousands more were hunted down and arrested. "Confessions" and self-incriminations were extracted and the "guilty" were executed or thrown into prison, where many languish to this day.

Last week, the Human Rights, Asia and Pacific and International Economic Policy and Trade Subcommittees of the Foreign Affairs Committee heard testimony from many reputable sources concerning the current human rights situation in China. All agreed that in the year since the crackdown in Tiananmen Square, the situation has gotten worse. To now, the Chinese leadership has been unresponsive to United States' efforts to encourage them to improve their human rights record. Now, Congress must increase the pressure on the leadership of China to do so.

To this end, I would like to draw attention to the case of Su Ding. Su is dean of the East-West Art Institute of the Sichuan Academy of Social Sciences and was arrested last August while trying to leave China to serve as a visiting scholar this year at Arizona State University. He was charged with having engaged in "anti-party" activities during the time of the Tiananmen Square demonstrations and with favorably recommending a book that was labeled "anti-party." Su is believed held incommunicado.

I became aware of this case through the efforts of my distinguished colleagues, Mr. TED WEISS and Mr. JOHN MILLER. They have initiated an "adopt-a-prisoner" crusade to draw attention to individual cases of repression in China. I commend the efforts of Mr. WEISS and Mr. MILLER and I encourage all my colleagues to join us in remembering those Chinese who remain imprisoned for expressing a desire for freedom in their country.

CONGRESSIONAL CALL TO CONSCIENCE VIGIL FOR SOVIET JEWS

HON. THOMAS A. LUKEN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 1990

Mr. THOMAS A. LUKEN. Mr. Speaker, I rise today in conjunction with the Congressional Call to Conscience Vigil for Soviet Jews to express my concern about the current atmosphere of rising anti-semitism in the Soviet Union and to bring the case of Vladimir Tsivkin to the attention of my colleagues.

With the President of the Soviet Union, Mikhail Gorbachev due to meet with President Bush on May 30, I believe the Congress should seize this opportunity to let Mr. Gorbachev know that we are deeply concerned about the rising tide of anti-semitism throughout the Soviet Union. Although the policy of glasnost has helped to introduce ideas of democracy into Soviet political discussion, it has also made it possible for blatantly anti-Semitic groups such as the ultranationalist group Pamyat to spread their hateful message. Pamyat has even publicly threatened to carry out pogroms against the Jewish people in Russia. With these developments in mind, it is incumbent upon the United States to urge the Soviet Government to allow all Jews who wish to emigrate out of the Soviet Union to do so without delay. Unfortunately, there has been much delay and many excuses waiting for Jews who wish to leave. The case of Vladimir Tsivkin is a prime example.

After originally being denied permission to leave because of secrecy status, he was later told that his secrecy was lifted and that he and his family could apply for permission to leave. He even received—in writing—his permission. One week later however, they were refused by the Supreme Soviet again, for secrecy. Since then they have been sent back and forth from the visas and registrations offices in Moscow and Leningrad. They continue to wait.

Mr. Speaker, I would also like to take this time to recognize the hard work done on behalf of Vladimir Tsivkin's family and others like his by the Cincinnati Council for Soviet Jews. Among other things, the council maintains regular phone contact with many refusnik families as they try to persuade the Soviet Government to let these people go to the country of their choice. The council's work is vital to the cause of Soviet Jews and deserves continued recognition.

I urge my colleagues to call on President Gorbachev as he visits our country shortly, to make the departure of Soviet Jews wishing to emigrate a truly free decision unrestrained by political or bureaucratic delays. Mr. Gorbachev should know that the treatment of the Jewish people in the Soviet Union is and will continue to be a deep concern to the American people and their Government.

SANTA MONICA'S TRUE LIFE NIGHTINGALE

HON. MEL LEVINE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 1990

Mr. LEVINE of California. Mr. Speaker, it is with distinct pleasure that I rise today to express my admiration, respect, and gratitude to a good friend and a devoted public citizen. Duane Nightingale is a thoughtful and caring person who labors tirelessly to improve the quality of life for the people of Santa Monica. On June 2, 1990, Duane Nightingale will conclude his term of office as president of Santa Monica's 1,400 member Chamber of Commerce at a gala installation dinner/dance at the Loews Santa Monica Beach Hotel.

In addition to Duane's numerous duties as Santa Monica district manager for General Telephone, he currently serves our community by working with countless volunteer organizations. Among his many important activities, Duane works doggedly on behalf of the United Way, Santa Monica College, Alternative Living for the Aged, the National Conference of Christians and Jews, and the Boys and Girls Clubs of Santa Monica. He has also served as president or chairman of many important groups including the Salvation Army Advisory Board, the Santa Monica Kiwanis, and the Santa Monica Family YMCA.

Duane Nightingale has been the recipient of numerous awards from the California Legislature, the city of Los Angeles, and the Los Angeles County Board of Supervisors. Not to be outdone by the public sector, private organizations have also lauded Duane by presenting him with various awards and honors. A winner of the Outstanding Service Award from Lions International, Duane was named Citizen of the Year by the Santa Monica Board of Realtors in 1989 and Navy Leaguer of the Year in 1983.

An avid skier and golfer, Duane ostensibly lives in Westlake Village although anyone who knows him would swear that he spends 25 hours a day in Santa Monica. A devoted husband, father of three, and grandfather of four, Duane manages to successfully juggle his family, personal hobbies, and the voluminous workload he carries for GTE and the Santa Monica Chamber.

Beginning his long tenure at GTE as a lineman, Duane has been district manager in Santa Monica since 1983. An innovator who has been extremely effective at bridging the gap between public and private sectors, Duane Nightingale has been one of the most effective chamber presidents in memory. Mr. Speaker, it is for all of these reasons that I salute my good friend Duane Nightingale. I strongly urge my colleagues in the U.S. House of Representatives to join me in honoring one of Santa Monica's finest citizens for the many years he has selflessly devoted to our community.

CRISIS IN KASHMIR

HON. ENI F.H. FALEOMAVAEGA

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 1990

Mr. FALEOMAVAEGA. Mr. Speaker, I want to share with my House colleagues another well-written newspaper article that appeared in the editorial page of the Los Angeles Times, dated May 20, 1990, reference the crisis in Kashmir.

Mr. Speaker, the crisis in Kashmir is more acute than ever now, since it was just reported yesterday that the chief Kashmir leader, Mr. Moulvi Mohammed Farooq, was assassinated by two unknown assailants. It appears India and Pakistan will likely go to war again, and it is a sad commentary on the history and political relationship existing between these two countries.

[From the Los Angeles Times, May 20, 1990]

IN THE VALLEY OF KASHMIR, A STRUGGLE FOR FREEDOM AMID FEARS OF WAR

(By G.H. Jansen)

SRINAGAR, KASHMIR.—Anyone walking the streets of the capital of Kashmir cannot fail to notice, at this time of year, the still snow-capped hills surrounding the town—some just beyond its outskirts, some farther away. Those hills have helped produce the Kashmir problem.

And no one could fail to notice the presence on the streets of very large numbers of heavily armed men of the Indian army and paramilitary forces: In some places on guard every 100 or even every 50 yards, behind sandbagged bunkers, both stationary and in trucks. They are the Kashmir problem today, as India and Pakistan move ominously closer to war over this disputed area.

Over the centuries, the hills have cut off the already remote Valley of Kashmir from the rest of the Indian subcontinent—especially for the three or four months of winter when the passes across the hills are snowbound.

This isolation has helped produce what is called Kashmiriat—a close sense of a community, of a people—which has its own distinctive identity and culture and tradition. This goes back to the centuries before Christ; when the Kashmiri Hindus adopted Buddhism, they did so in masse, then returned to Hinduism en masse and later accepted Islam en masse: Now less than 5% of the Kashmiris are Hindus.

Today Kashmiriat solidarity is all too evident in the political sphere. The region was divided between Pakistan and India following fighting in 1947-48; their troops now face each other along a cease-fire line.

I have been meeting with Kashmiri journalists, lawyers, social workers and doctors, engineers, hoteliers and the inevitable taxi drivers. With one accord of heart and voice—an angry voice—they say they want nothing more to do with India. Finito. Unanimously, and only a little less vehemently, they say they want azadi—independence—with equally friendly relations with both India and Pakistan. When a people, even if only 3 million or 4 million strong, say with unanimity that they want to run their own affairs, the jinni is out of the bottle and it would be almost impossible to get it back in.

Kashmiriat is seen in action, peaceably, when a demonstration is called and hundreds of thousands of people turn out, sometimes half the population of Srinagar, and most significantly for this conservative society, with women in the vanguard. And it is seen in action, violently, in the guerrilla war being waged by the militants, the fish swimming freely in the water of their people. The Kashmir resistance has already settled into the pattern of the Palestinian intifada, ongoing violence with incidents of some sort every day: And the intifada has lasted for 2½ years now.

In short, however many troops India puts into the valley—20,000 so far—it will never be able to end the azadi movement. It may suppress it for a time, but only for a time. The firm Kashmiri determination to be free is now a fact that is, or should be, as obvious as the surrounding hills.

As in other struggles, repression only toughens the resistance. The Kashmiris I talked to all spoke with special bitterness of the 17-day-long, round-the-clock curfew imposed on the valley last month—the holy month of Ramadan—by Jagmohan, the appointed Hindu governor who uses a single name. During that period not even the seriously ill, women in labor (500 births a day), the starving who had run out of food—no one was allowed to leave the house: Only the dead and a few mourners were allowed out. Yet the Kashmiris say "We are thankful to Jagmohan; he toughened us and united us in hardship and suffering and he fully revealed the ugly face of the Indian government." In extremis they fall back on the inbred stoicism of Islam.

The ineptitude of the Indian regime's military doctrine, and its inability to cope with armed insurgency, is being displayed once again in Kashmir, as earlier in Sri Lanka. A typical incident: In the sprawling, congested and slum-filled area of the town, a couple of militants emerge from a narrow alley and snipe at a passing patrol, then dive back into cover. The patrol whistles up reinforcement, finds no one when it arrives and in frustration roams the locality, killing civilians of all ages. This is called "killed in cross-fire." Or a "combing" operation is mounted with house-to-house searches: It has been estimated that three out of every 10 houses searched are trashed. There are random arrests, followed by torture. I have seen gruesome color photographs of torture victims.

Since January, about 350 civilians have been confirmed as killed by the Indian forces; the number of casualties inflicted by the militants among the forces is never revealed, but range upward of 1,200; 100 civilians—40 Hindus, 60 Muslims, suspected of being traitors or informers—have been killed by the militants.

Those last figures, set against the routine assumption that the Muslims would, at the first opportunity, take it out on the much smaller Hindu community, emphasize an aspect of Kashmiriat of which the Kashmiris are particularly proud: Kashmiri secularism. The state has always been singularly free of what are called "communal incidents."

Kashmiris accuse Gov. Jagmohan of trying to drive a wedge between Muslims and Hindus who, though small in number, virtually monopolize the higher ranks of the bureaucracy in business and commercial life. Mysterious rumors were floated of a Hindu program, and the government then provided official transport to take the "refugees" to Hindu-majority Jammu, where facilities were generously provided for them. Individual Muslims and the militant groups, in advertisement and newspapers, pleaded

with the Hindus not to leave, because Hindus in fact had not been attacked. The houses they left behind, often looked after by Muslim neighbors, have not been sacked.

Only when the summer heat of Jammu became too much for the Kashmiri Hindus did the bureaucrats return to this capital city, leaving their families behind in Jammu. The bachelor returnees are now housed in government hostels and are ferried to the heavily guarded Secretariat in guarded buses along roads cleared of all other traffic—a visible symbol of the Jagmohan regime's total alienation from the Kashmiri man-in-the-street.

"Whatever the authorities say, this is a nationalist, not an Islamic, struggle," said the supreme spiritual head of the Kashmiri Muslim community. In an interview, he conceded that about half the militants are in groups with Islamic names and call for an Islamic state linked to Pakistan. But the other half are members of the Jammu and Kashmir Liberation Front, which is militantly secular.

Jagmohan's harsh policy is killing off any hope of a negotiated political settlement. This, the Kashmiris say, could be deliberate, because Jagmohan is receiving strong political support from a right-wing Hindu party in India, which has talked of changing the Kashmiri Muslim majority into a minority by bringing in Hindu settlers.

Jagmohan has seen to it that the news is doctored in his favor. Foreign correspondents have been banned from Kashmir, 11 local daily newspapers shut down, the two national news agencies of India frightened into moving their bureau from Srinagar to Jammu (akin to covering the Vietnam War from Bangkok). Radio and TV are government departments and consistently fudge the casualty figures. The Indian media are just beginning to assert their critical independence.

Here is one case where it might be a good thing for the United States to "interfere" in what India obdurately claims is a domestic matter—as blasphemous as that might seem coming from this Indian correspondent. It would be better still if the United States did so in conjunction with the Soviet Union. Because India and Pakistan have painted themselves into corners: Jagmohan, by arresting all the leading figures, has left him and India with no one to talk to.

What the Kashmiris want is a plebiscite on independence, leading to a tripartite confederation. It could lead to the partitioning of the present state of Jammu and Kashmir, because Hindu Jammu and Buddhist Ladakh would prefer to stay with India.

But even that would be much the lesser of two evils—less evil than the endless bickering over an issue that has led to two Indo-Pakistan wars and could lead to a third.

Washington should capitalize on the current fluidity in the Kashmir situation and try to save India and Pakistan from themselves. But the United States must grasp one reality—the Kashmiris will never settle for anything less than self-government. They plaintively ask "Why can't the two sides just leave us alone?"

Good question.

[From the New York Times, May 22, 1990]

MUSLIM LEADER OF KASHMIR SLAIN; 30 DIE AS POLICE FIRE ON MOURNERS

(By Barbara Crossette)

NEW DELHI, May 1.—A hereditary Islamic leader, the most senior and influential opponent of Indian rule in Kashmir, was assassinated in his home in the state's capital today. When 100,000 angry mourners followed his body through the streets of the city, security forces opened fire, killing at least 30 people and wounding some 200, according to hospital doctors.

The assassination of the 45-year-old leader, Maulvi Mohammed Farooq, and the shootings that followed inflamed an already tense and deteriorating political situation.

Since January, New Delhi has ordered increasing numbers of army and paramilitary troops into the state of Jammu and Kashmir to crush separatist protests and to enforce long periods of curfew. At the same time, in Pakistan, the Government of Prime Minister Benazir Bhutto has again raised slogans challenging New Delhi's control of the only Indian state that has a Muslim majority. Pakistan also controls an adjacent part of the Kashmir region.

Mr. Farooq, who was also known by the religious title Mirwaiz of Kashmir, was killed by three young men. According to police reports, they calmly signed the vistors' book before entering the leader's study in the city of Srinagar and firing many rounds. Doctors said Mr. Farooq was hit with 15 bullets. The killers fled, and the police did not give out the names they used to sign the vistors' book nor disclose their religious affiliation.

However, representatives of the Jammu-Kashmir Liberation Front, which is leading the fight for Kashmiri secession, charge that the Indian army had plotted Mr. Farooq's death in league with Hindu fundamentalists.

This afternoon, an Indian Government spokesman seemed to link the killing with Pakistani-inspired terrorism by saying that when this kind of militancy is encouraged, innocent people die. He recalled the recent murders of the head of Kashmir University, one of his aides and a local business leader, who were apparently targeted as Indian sympathizers.

But some Farooq family members are skeptical of blaming either Pakistan or local militants. At least one relateive of Mr. Farooq said he did not think the attackers were Kashmiris.

MOURNERS ARE FIRED ON

Despite the curfew that was in effect, tens of thousands of people assembled at the hospital. They formed a procession of wailing and breast-beating mourners that set out escorting the coffin back to the dead man's office six miles away.

Reports of the shooting that followed vary. According to some Muslim mourners, the procession had walked some six miles, gathering more people, when members of the Central Police force opened fire. These sources say that in the barrage, Mr. Farooq's coffin was hit and that the body fell out and incurred fresh wounds. It was reportedly placed back in the coffin and mourners ran with it down back alleys, bringing it to the office. This account could not be confirmed or dismissed.

Hospital doctors said 30 people were killed and at least 200 others wounded.

Some Government sources in New Delhi said the police had opened fire only after having been fired upon by militants among the mourners.

Mr. Farooq had been a moving force of Kashmiri secessionism since the late 1960's, when as a man in his 20s he headed the pro-Pakistani Awami Action Committee, which he founded as a Muslim self-defense group. At that time he was overshadowed in influence and stature by Sheik Abdullah, the secular nationalist figure known as the Lion of Kashmir. But for the last decade, since the death of the Sheik in 1982, Mr. Farooq was the best-known living link to an old struggle that has led to fighting between India and Pakistan in 1947, 1965 and 1971.

COMPLAINED OF RIGHTS VIOLATIONS

In recent months he often berated Western journalists for what he saw as a reluctance to report on human rights violations against Muslims.

"Tell the West," he said in his last interview with this reporter, "that a million people are being held hostage here by India." He was referring to the curfews that kept people bound to their homes for long periods.

The recently mounting tensions between Pakistan and India led President Bush last week to send a three-man mission led by Robert M. Gates, his deputy national security adviser, to urge India and Pakistan to settle their differences over Kashmir with dialogue.

Mr. Gates, who arrived here from Islamabad today, was told by Indian leaders before news of the killings had spread that there could be no dialogue with Islamabad until Pakistan stopped fomenting terrorism in Kashmir.

Mr. Farooq founded the Awami Action Committee in 1964 in the wake of the theft of a holy relic—a hair of the prophet Mohammed—from a local Muslim shrine, the Hazratbal. The next year, he was imprisoned without trial for two years.

[From the New York Times, Apr. 22, 1990]

AT THE BRINK IN KASHMIR

The most dangerous threat to world peace is boiling up between India and Pakistan.

Two countries capable of producing nuclear weapons are waging an escalating war of threats over an issue—Kashmir—that has twice before sparked all out war. Both the United States and the Soviet Union have good reason to attempt preventive diplomacy. Ideally, they would act in concert.

War could be a calamity for Pakistan, India and the region. Democratic experiments in both countries are directly at stake. So, too, are superpower efforts to contain nuclear proliferation. And neighborng countries have reason to fear heightened religious antagonism.

India and Pakistan first fought over Kashmir in 1947, after the subcontinent was partitioned along religious lines. A Hindu maharajah then ruled the Muslim-majority state. A cease-fire sponsored by the United Nations left India controlling part of Kashmir and called for a plebiscite to determine the inhabitants' will.

India never permitted that vote, citing Pakistani noncompliance with some cease-fire terms. Pakistan invaded again in 1965, and was driven back. After India defeated Pakistan for a third time in the 1971 Bangladesh war, both countries agreed to resolve future diferences by peaceful means and to avoid inflammatory rhetoric.

But that agreement did not bind Kashmir's inhabitants. Spurred on by a militant secessionist movement, they have again brought New Delhi and Islamabad to the brink. Neither government appears to want a conflict. But both are being pushed by passions and politics toward a point of no return.

Law and order have all but broken down. Indian troops have killed hundreds of Kashmiris, but have failed to re-establish control. Secessionist violence intimidates Kashmir's moderates. Neither Pakistan's Prime Minis-

ter, Benazir Bhutto, nor India's,V.P. Singh, has solid parliamentary support. Neither can afford to be outshouted by opposition parties. Washington and Moscow have some obligation to steer their strategic allies away from the abyss. Quietly, they have begun to try.

Representative Stephen Solarz of New York, one of Washington's wiser voices on Asia, suggests a joint U.S.-Soviet effort. The two powers might propose a series of tension-reducing steps. If either India or Pakistan proved recalcitrant, it would risk international isolation.

The effort might begin at this week's special U.N. session in New York, which will draw high-level diplomats from all relevant countries. It could continue next month at summit preparation talks between Secretary of State Baker and Soviet Foreign Minister Shevardnadze.

The dangers are great. So is the opportunity. A joint effort could deflate the dangers in this case—and set a valuable precedent for others.

[From the Washington Times, May 22, 1990]

KASHMIR CLASH INTENSIFIES FEARS

SRINAGAR, INDIA.—Months of violence in the disputed Indian state of Kashmir exploded in a bloodbath yesterday when Indian security forces opened fire on a crowd of 100,000 Moslems mourning a slain religious leader, killing at least 41 and wounding 300, according to official estimates.

The clash between Mosleum mourners and security forces of predominantly Hindu India heightened fears that the Kashmir issue could trigger a fourth war between India and Mosleum Pakistan.

Officials said the army had taken complete control of Srinagar last night and a curfew was being "strictly enforced" with shoot-on-sight orders.

The mourners were parading through the streets with the corpse of Maulvi Mohammad Farooq, 45, Kashmir's top Islamic religious leader, who was slain earlier yesterday by four unidentified gunmen who pumped 13 bullets from Chinese-made AK-47 rifles into his body.

The gunmen had broken into Mr. Farooq's fortresslike house in a fashionable Srinagar district.

Witnesses said members of the paramilitary Central Reserve Police Force opened fire without warning on the procession at about the five mile point.

Witnesses and doctors in Srinagar said 30 bodies and at least 300 people with bullet wounds were brought to Soura hospital. Official sources in Srinagar, speaking on condition of anonymity, said 41 were killed in the firing.

The witnesses said more bodies were still on the streets of the Hawal neighborhood of Srinagar where the shooting took place. The city was under curfew and the reports could not be confirmed immediately.

They said Mr. Farooq's coffin was hit with bullets and the body fell out. Some of the mourners put the body, with fresh bullet wounds, back into the coffin and ran with it into the narrow alleys to his office.

Before dying, Mr. Farooq blamed his assassination on the Hindu fundamentalist group Shiv Sena, or Shiva's Army, named for the Hindu god of destruction, Mr. Farooq's private secretary Mohammad Yaqub said.

Pakistani leaders strongly denounced the assassination and said the "martyrdom" would strengthen the hand of Kashmiri militants, who are fighting a majority Moslem state.

Prime Minister Benazir Bhutto, visiting Libya during a swing through Moslem Middle East states, denounced the "dastardly" act and predicted it will "strengthen the resolve of the people of . . . Kashmir to continue their heroic struggle for the right of self-determination."

Mrs. Bhutto's trip was designed to drum up support for Kashmiri Moslems.

Kashmir Gov. Jagmohan pledged that "no efforts will be spared to trace the killers," as did Indian Prime Minister Vishwanath Pratap Singh.

In New Delhi, Mr. Singh met two special envoys of President Bush yesterday in a bid to defuse tension between India and Pakistan over Kashmir.

Envoys Robert Gates, a member of the National Security Council, and John Kelly, assistant secretary of state for Near Eastern and South Asian affairs, met the Indian leader at his South Block office here and handed him a letter from Mr. Bush, the officials said.

The United States has said that it wants to help India and Pakistan avoid a conflict over Kashmir. India and Pakistan have fought two of their three wars over the state.

State government officials blamed the killing on Kashmiri militants, but several militant groups denied responsibility in phone calls to local reporters and repeated announcements over loudspeakers in mosques that the "freedom fighters" had no hand in the slaying.

Mr. Farooq had long urged a political settlement of the Kashmir dispute but saw his importance in the troubled valley eclipsed by Moslem militants.

He denounced the Indian military deployment in the region and joined the call for independence after a Jan. 20 crackdown.

The violence in Kashmir has led to a deterioration of relations between India and Pakistan.

India accuses Pakistan of arming and training the Moslem militants. Pakistan denies the charge and accuses India of violating human rights in a bid to quash what it says is a fight for self-determination. The status of Kashmir has been in dispute since the subcontinent was divided in 1947.

A TRIBUTE TO THE NATIONAL LEAGUE OF FAMILIES OF AMERICAN PRISONERS AND MISSING IN SOUTHEAST ASIA

HON. ROBERT J. LAGOMARSINO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 1990

Mr. LAGOMARSINO. Mr. Speaker, as chairman of the House POW-MIA task force, I rise today to pay tribute to the National League of Families, the only national organization comprised solely of family members of the 2,303 American servicemen still unaccounted for in Southeast Asia. I want my colleagues to be aware that May 28 marks the 20th anniversary of the founding of the league.

While I commend the league for the outstanding job it has done bringing national and international attention to this serious, pressing issue, it is unfortunate and sad that the need for the league in its present form continues today. Like the long suffering family members of the league, I wish the fullest possible accounting of these missing Americans had been satisfactorily resolved long ago.

Founded 20 years ago during a meeting in Constitution Hall, the league has been directly responsible for much of the progress made on the POW-MIA issue. In the mid to late 1970's, when we—the public and the Government—should have been doing the most, we were doing the least. The league steadfastly refused to let the POW-MIA issue fade away. The league provided support to those of us, like BEN GILMAN, JERRY SOLOMON, Tenny Guyer, BOB DORNAN, Lester Wolff, STEVE SOLARZ, me, and others who founded the bipartisan House POW-MIA task force. Like the league, we believed that the still too many unanswered questions and unresolved live sighting reports could indicate live American prisoners being held against their will. Along with the league, the task force pressured the Carter administration and rocked the boat here in Congress to return the POW-MIA issue to the front burner of attention and action, where it belonged.

I am absolutely, 100 percent convinced that the Vietnamese maintain—and I dislike using these terms but no others really describe the situation—a stockpile or warehouse of missing American servicemen's remains. While there is no concrete, verifiable evidence, I also personally believe that there are live, unaccounted for Americans in Southeast Aisa including American prisoners being held against their will. Unfortunately, though, as time goes on the chances of repatriating live Americans diminishes.

Fortunately, the Reagan-Bush administrations have taken the POW-MIA issue seriously. The fullest possible accounting of American POW-MIA's has been made a highest national priority. Under close congressional and league scrutiny the Reagan-Bush administrations have provided the resources and high-level attention the POW-MIA issue deserves. The appointment and subsequent missions by the President's Special POW-MIA Emissary to Hanoi, retired Gen. John Vessey, further underscore the seriousness associated with this pressing matter. Today, the real obstacles and real reasons the POW-MIA issue is still outstanding are to be found in Hanoi, not Washington.

Like many in the league, I am encouraged by the recent progress that has been made. However, it is important to recognize that an increased level of activity is not a substitute for results. Accountability can only be achieved on the basis of convincing evidence. The Vietnamese need to do more in a more expeditious and cooperative manner. For example, opening the warehouse I referred to would go a long way to resolving many cases. Vietnam's extensive reporting and collection of information and remains, both during the war and since, are well known. More serious Vietnamese cooperation, including the sharing of all historical documentation, would reveal the fates of many more Americans presently unaccounted for in Indochina.

Progress with Laos is better, though still not as comprehensive and complete as needed. I

am optimistic, though, that accounting results will expand this year.

The families of our missing servicemen, as well as the POW-MIA's themselves, have the most to lose should progress halt or become stalemated. Knowing this, I rely on the league's input significantly. For example, the league, having been a witness to many POW-MIA related government policies, recognizes that linking the humanitarian POW-MIA issue with other bilateral political concerns does not work. I very much agree. I believe our current policy based on agreements reached with Vietnam in 1983 to treat humanitarian concerns, like the POW-MIA issue, separately from political issues, like the normalization of relations, must be maintained. While the results of this policy have not been fully satisfactory, this policy has brought much greater success to date than anything else. Linkage has never worked.

I strongly believe that the progress made thus far and prospects for further results continue to exist because of the actions of the league and, in particular, the league's very able and very responsible Executive Director Ann Mills Griffiths. A frequent visitor to my office and a frequent witness before both the House POW-MIA task force and the House Foreign Affairs Committee, Ann does an outstanding job representing the families. She understands the complexities of our relations with Southeast Asia and approaches these difficult issues in a responsible and reasonable way. The fact that Ann Griffiths—a private citizen representing a private organization—is an integral part of the Government's interagency group and missions to Indochina underscores both the Government's commitment to the families and the professional, respected nature of the league. I very much appreciate the assistance Ann Griffiths and the league staff have given to me and my office.

The league has also been instrumental in generating public interest and support for the satisfactory resolution of the POW-MIA issue. Based on the experiences of the Vietnam war and its aftermath, the Vietnamese are very cognizant of the ability of the American public to affect United States foreign policy. The league has been the leader in keeping the public informed with factual information and promoting constructive public efforts to pressure the Vietnamese to provide better cooperation and results. Led by Ann Griffiths, the league has made a real difference. I cannot begin to give it enough credit.

I have also had the opportunity to get to know other members of the league, like former Chairman George Brooks, current Chairman Sue Scott, George Shine, Coleen Shine—who accompanied me to the Vietnam War Memorial—Nancy Nystrom and many others too numerous to list here. I admire their steadfastness, faith and hope. From them, I have gained much resolve and many insights into the real concerns of the families. Because of them, I am committed to helping achieve the fullest possible accounting as soon as possible. The families that make up the league come from all walks of life and all parts of America. Bound by the determination to resolve the fate of their missing loved ones they are, indeed, a microcosm of the American public. Their needs and concerns are ours.

I hope that by marking this 20th year of the league's existence, we can further educate the public and bring additional attention and support to worthy, positive efforts to achieve the fullest possible accounting of American POW-MIA's. Unlike many Government agencies and programs, the league is committed to self-termination as soon as possible. I support that goal because it would signal achievement of the fullest possible accounting of these missing Americans.

I urge my colleagues to join me at this time in paying tribute to the families and their league. They have long carried a national burden for all of us and deserve our praise and continued strong support.

GRADUATE HONORED

HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 1990

Mr. LIPINSKI. Mr. Speaker, it gives me great pleasure to bring to the attention of my colleagues a newly graduated eighth grade girl, 13-year-old Becky Novak.

She has recently graduated from Roosevelt School in River Forest, IL, which recently received the prestigious honor of being named a U.S. National Exemplary School.

Among her achievements at Roosevelt was President Bush's Academic Fitness Award, an example of strength both mental and physical. I expect great things from Becky in the future.

THE EQUINE PROGRAM AT THE NORTH WIND UNDERSEA INSTITUTE

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 1990

Mr. ENGEL. Mr. Speaker, this week in my district, a group of wild American mustangs are being brought for the first time ever to New York City to become part of a unique program created by the North Wind Undersea Institute. For the past 2 years, the Equine Program at North Wind has been teaching youngsters about the role of the horse in the development of civilization. The program is one way in which North Wind successfully spreads its message of environmental conservation and awareness.

The interaction that will take place between the students and the wild mustangs is an example of the hands-on educational approach of North Wind. Through the Equine Program, inner city children learn about compassion and respect for all animals. They also learn about our responsibility to help preserve and protect our planet and all living things.

I have been working with North Wind since it came into existence over 10 years ago, and I was pleased to help secure a grant from the Department of Interior for this program. I know that in addition to making learning fun for our young people, North Wind takes its environmental work very seriously. For example, studies of the wild American mustangs as part of North Wind's Equine Heritage Conservancy Program will explore current environmental issues and multiple-use land management.

The fine work done by North Wind is a credit to the dedication of its executive director, Michael Sandlofer, and his staff. It is always a pleasure to work with people who care so much about the world in which we live.

HONORING CONFEDERATE AND UNION SOLDIERS WHO FOUGHT AND DIED AT PORT HUDSON, LA, BETWEEN MAY 23 AND JULY 9, 1863

HON. RICHARD H. BAKER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 1990

Mr. BAKER. Mr. Speaker, today is a very special day. In mid-May 1863, 127 years ago today, two Union armies numbering between 35 and 40,000 troops began converging on Port Hudson. The Confederate Army of 6,800 withdrew inside the 4½-mile line of fortifications, and here, for the next 48 days and nights from May 23 to July 9, the North and South engaged in the bloodiest and longest siege in American military history.

The assault on May 27 and June 14 were among the bloodiest. On May 27 the Federals launched seven major attacks at intervals against most of the Confederate line. Virtually the entire garrison of Mississippi, Louisiana, Alabama, Arkansas, and Tennessee troops fought on May 27. At least 2,000 Federals fell in the 12-hour action.

This 48-day period is known for many important and precedent setting events. It was the first time in U.S. military history that black troops were called in as combat soldiers. It was the first time in American military history that a mine field was used in battle. One of the survivors, a 17-year-old boy from Thibodaux went on to become Louisana's only Chief Justice of the U.S. Supreme Court—Douglas White. Direct descendants of Daniel Boone and Davey Crockett fought at Port Hudson; and a young naval officer of the Union, George Dewey, went on to become the hero of the War with Spain.

In 1986, the Smithsonian Institution along with Louisiana State University was excavating this historical site. As they were digging at Port Hudson, they found a U.S. Army officer and a Confederate States Army officer that were buried together. Finding both officers buried in this manner is extremely unusual. In fact this is the only known instance.

This Sunday, May 27, at Port Hudson, these officers will be reinterred with full military honors, in memory of the nearly 6,000 other men from 29 States who perished here in 1863. Due to the sacrifice of these 6,000 and the 640,000 others who died during the 4-year struggle, we remain the United States of America. These officers will be reinterred in a newly erected granite obelisk monument in a small grassy clearing on the Port Hudson battlefield.

Credit for inspiring the building of this monument along with arranging this somber and reverent reinternment can be given to John Kennedy from Zackary, LA. The moment these officers were found buried next to each other, Mr. Kennedy was struck by the fact that even during this hateful period of time, the act of burying these officers side by side demonstrated that brotherly love still survived. He was compelled to see that this act of brotherly love was properly rewarded.

I want to commend Mr. Kennedy for his foresight and his hard work is erecting this monument and for arranging the May 27 event to honor all those who died during the Civil War. Clearly, this monument will evoke great pride in all Civil War enthusiasts, as well as those who had family members who found themselves on different sides during this bloody period of our history.

GREATER HUDSON KIWANIS HELPS CHILDREN OF CHERNOBYL

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 1990

Mr. SOLOMON. Mr. Speaker, I know that I am one of many Members of this House to belong to the Kiwanis Club.

That's why I know that you'll all be interested in what a local Kiwanis Club in the 24th district of New York is doing.

The Kiwanis Club of Greater Hudson is helping secure medical supplies and financial aid for the 2 million children who are suffering as the result of the Chernobyl nuclear disaster.

Mr. Speaker, this is America at its best, giving its time and reaching deep into its pockets to help others.

The club makes me proud to be a New Yorker, proud to be a Kiwanian, and proud to be an American.

And so, please join me in saluting Very Rev. John I. Kulish, president and project chairman, and the entire Kiwanis Club of Greater Hudson.

CONGRATULATIONS TO JIM BALUKEVICH FOR 20 YEARS OF SERVICE

HON. CHUCK DOUGLAS

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 1990

Mr. DOUGLAS. Mr. Speaker, on May 16, 1990, Jim Balukevich was honored with a Service Award in recognition of his 20 years of Federal service. I see Jim every day, and he always greets me with a warm smile and hello. As an operator of one of the "Members Only" elevators in the House, Jim is an important part of our institution. If it was not for Jim, many of us would not make it to the floor to cast our vote on time.

Not only has Jim served the Federal Government well but also his community. He began his boxing career while serving in the U.S. Army and has never lost his passion for the sport. Jim's leadership in the sport has encouraged many young men to develop their skills and strengths in and out of the ring. His major contribution to his community was the founding of the Washington, DC, boxing league. For his achievements, Jim has been inducted into both the Washington, DC, and the New Jersey Boxing Hall of Fame.

To a man who serves Congress with cheerfulness, dignity, and loyalty, I congratulate Jim Balukevich for receiving the well-deserved Service Award.

IN RECOGNITION OF THE TRAVIS UNIFIED SCHOOL DISTRICT

HON. VIC FAZIO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 1990

Mr. FAZIO. Mr. Speaker, I rise today to honor the Travis Unified School District for its excellence in education. Located in my congressional district, the 7 schools of the Travis Unified School District serve 3,400 students from Travis Air Force Base and the cities of Vacaville and Fairfield. During the last 3 years, Scandia Elementary, Cambridge Elementary, Center Elementary, and Golden West Middle Schools have each received a distinguished school recognition award from the State of California. The school district is unique in the State in that nearly all of its schools have met the criteria for selection in the California Distinguished School Recognition Program, either through maintaining sufficiently high-academic performance or by demonstrating exceptional growth on measures of academic performance.

In addition to the four distinguished school recognition awards, the North Campus Continuation High School at Travis has also been granted State recognition. North Campus was 1 of the 10 schools selected from throughout the State to serve as a model school in a study to determine what practices make the schools exceptional. Subsequently, these practices may then be duplicated by other schools in the State.

The school district's staff members are to be commended for meeting the educational challenges so important for keeping our Nation competitive in a global economy. I know my colleagues join me today in congratulating all the staff members of the Travis Unified School District for their outstanding academic efforts.

PRINCESS WENONAH AWARD

HON. BOB TRAXLER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 1990

Mr. TRAXLER. Mr. Speaker, I am very proud to honor Lois Voisine, my Bay City staff aide who received the Princess Wenonah Award by the YMCA of Bay County on Monday, May 7. The Princess Wenonah Award is a significant honor given to women who have been successful in their field of endeavor and have exhibited leadership in their community. Lois has worked for me for 18 years as a valuable, professional member of my personal staff. In her spare time she is presently vice president of Allocations and Agency Relations for the Board of Directors of United Way of Bay County. She has served as the chair for the Task Force on Housing and Homeless, as a member of the nominating committee, and on numerous other United Way committees. She has also been an active member of the American Business Women's Association, of which she is past president and currently membership chairperson. In 1984–85 she was elected Woman of the Year by the Penta Star Chapter of the American Business Women's Association. Lois also received the Princess Wenonah Award for her excellent service to me even before my special election to the U.S. House of Representatives. Please join me as I express my congratulations to Lois for her selection as a recipient of the 1990 Princess Wenonah Award.

MOST-FAVORED-NATION STATUS FOR THE PEOPLE'S REPUBLIC OF CHINA

HON. GUS YATRON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 1990

Mr. YATRON. Mr. Speaker, the Bush administration will soon recommend extending most-favored-nation status for the People's Republic of China. This announcement will be made just prior to the 1-year anniversary of the Tiananmen Square massacre.

As chairman of the Subcommittee on Human Rights and International Organizations, I feel it goes against the grain of our human rights policy to extend MFN to China after the events of June 4, 1989, and the ongoing crackdown. The President has urged China to recognize the human rights of its citizens. But that message has not been heard in Beijing. Moreover, sending envoys to Beijing, lifting some sanctions, and sparing the Chinese leadership the kinds of diplomatic penalties and public criticisms that we have invoked on other human rights violators has simply failed to achieve the administration's objectives.

It is highly unlikely that legislation to revoke MFN for China will be enacted in the near future. Nevertheless, it is critical that the United States and the international community continue to speak out against repression in China at every opportunity. Therefore, today I have introduced a House joint resolution which requires the President to issue a report to Congress 6 months after enactment concerning China's human rights practices. If on the basis of this report, the President has determined that there has not been a significant improvement of internationally recognized human rights in China, he should then terminate most-favored-nation status.

Mr. Speaker, this approach accords the President sufficient flexibility to maintain pressure on the Beijing regime, while at the same time keeping our lines of communication open with those voices who seek democratic re-

forms in what is the world's most populated country.

THE SUCCESS OF HARBEL

HON. BENJAMIN L. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 1990

Mr. CARDIN. Mr. Speaker, this year, the HARBEL Community Organization in Maryland's Third Congressional District is celebrating its 20th anniversary. This event represents the cumulative efforts of volunteers and staff who have been working toward improving the HARBEL neighborhood. Its success is evident in the many factors which contribute to the area's pride and sense of community.

HARBEL has achieved so much over the past 20 years that perhaps there are too many accomplishments to catalog. Through its steadfast determination, HARBEL earned two United Way grants for new services just this year, following in its tradition of high-quality and well-lauded programs. During its two-decade history, the community organization initiated the Herring Run Stream Valley plan, HARBEL Youth Services—formerly Evolution—a well-baby clinic, a meals-on-wheels program at St. Anthony's parish, a mental health center, a mayor's station, a multipurpose center, the Mercy-HARBEL Medical Center, HARBEL substance abuse services and prevention programs, senior housing, child abuse services, community forums on local and national issues, improved ambulance services, and numerous other volunteer programs.

In addition to the many programs that HARBEL has fostered over the years, it has worked with community leaders and elected officials to develop and influence legislation which has had a profound effect on Baltimore's neighborhoods. I am frequently encouraged by the degree to which this organization has been successful in making its voice heard and in bringing groups together.

I invite my colleagues to join me in celebrating the success of HARBEL and its 92-member organizations. I hope that the HARBEL enthusiasm will take a moment to focus on its myriad of successes as it celebrates 20 years of outstanding service.

PLAINS JUNIOR HIGH SCHOOL NINTH GRADE BIOLOGY CLASS RECOGNIZES "EARTH DAY"

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 1990

Mr. KANJORSKI. Mr. Speaker, it is with pride and pleasure that I rise today to recognize the ninth grade biology class at Plains Junior High School in Plains, PA.

The freshmen class wrote, directed, and edited a 15-minute video entitled "For the Children of the Earth" in recognition of the 20th anniversary of Earth Day. The idea for the video began when the students' teacher, Ms. Charlotte Crawford Kordek, informed the class of a local Earth Day poster contest being held in conjunction with Earth Day festivities. The class was extremely enthusiastic and decided they wanted to do more than prepare a poster. They decided to produce a video.

The students took the project into their own hands and spent time after school filming for the video. When the filming was complete, Ms. Crawford Kordek offered her guidance and direction to help the class edit the video and add music. "For the Children of the Earth" focuses on environmental issues and the need for individual as well as community involvement. The students concluded that if we harm the Earth, we also harm the community in which we live. They also touched upon the role of the Environmental Protection Agency through Federal legislation.

The video, which concluded with a song that was written and sung by the students, has been recognized by the local media as an insightful and thought provoking project. On Friday, May 25, I will join with other elected officials, members of the board of education, and school administrators and supervisors in a ceremony to commend the ninth grade class of the Plains Junior High School on their outstanding achievement.

It is encouraging to know that our young people, with the support of teachers like Charlotte Crawford Kordek, are not only recognizing the urgency of the world's environmental situation, but are taking positive steps to encourage community cooperation to solve the problem. Mr. Speaker, I know my colleagues in the House of Representatives will join me in recognizing and congratulating Ms. Crawford Kordek and her freshman biology class for their dedication and commitment to protecting our environment.

THE FUTURE OF STEEL AND COKE

HON. C. THOMAS McMILLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 1990

Mr. McMILLEN of Maryland. Mr. Speaker, some proponents of overly stringent air toxics provisions claim that the concern over coke oven shutdowns is unfounded because in the future there will be less need for steel, less need for domestic steel, and no need for coke. These claims of a dying industry simply are not valid. Much of this rhetoric is based upon a fallacious report performed by an EPA economics consulting firm. The report is entitled "Impacts on Integrated Steel Producers Resulting from Regulation of Emissions from Wet-Coal Charged By-Product Coke Oven Batteries," and the conclusions drawn are based upon a number of assumptions that are without merit.

First of all, steel continues to be by far the dominant metal in the United States and world economy—it accounts for about 90 percent of all the metal consumed. Projections of a declining steel demand are based on a decrease in direct consumption of steel mill products in the 1980's. But that decade was marked by mandated auto fuel requirements, smaller cars, the end of government aid to shipbuilding, a severe economic recession, and two major OPEC oil price hikes. Even with these events, the decline was only 12.5 percent and was due in part because steel is getting lighter and stronger for the same square footage. More importantly, however, when one considers the added U.S. consumption of indirect steel imports, for example, steel contained in imports of cars and machines, the total demand for steel has held steady for more than a decade.

There is also no reason to believe that steel's use will decline markedly in the foreseeable future. In fact, most evidence suggests that steel will continue to be irreplaceable in the U.S. economy, Most forecasts project that U.S. consumption of steel will likely remain steady or increase at modest levels in the 1990's and beyond. While demand in some markets could decline, demand in other markets will increase or stabilize. For example, the increased use of plastics in cars has slowed, favoring steel. The steel industry is recovering lost shares of the beverage can market. Its use is increasing in some construction markets, and a recent study of the San Francisco earthquake shows clearly that more steel will be needed for earthquake-proof building designs.

While it is not possible to predict with certainty what the level of steel demand will be 15 to 20 years from now, independent forecasts of near term demand reinforce the view that steel is clearly not a dying industry. The Commerce Department has just released a report forecasting that direct steel demand will be relatively stable in the early 1990's, increasing from 90 million to 100 million tons. For this same period, Paine Webber predicts that domestic consumption of steel mill products will stay in the mid-to-high 90 million ton range. And most independent forecasters of steel demand, including DRI and WEFA, are predicting low to moderate growth in the 1990's. In addition, as we all know, America's steal-intensive infrastructure is badly in need of rebuilding. Work on railroads, bridges, highways, mass transit systems, airports, and seaports will all have a beneficial impact on steel demand.

A recent special analysis done for the American Iron and Steel Institute by the economics consulting firm of Putnam, Hayes and Bartlett [PHB] confirms that the conclusions of the EPA consultant on future steel demand are totally off-base. The PHB report says that the EPA consultant's demand forecast "lies totally outside the mainstream of accepted belief." It states that the EPA consultant's forecast is dead wrong, because: It "relies on a simplistic trend analysis * * * [that] fails to account correctly for major nonrecurring events * * * [it] fails to account for the uncertainty inherent in the forecast * * * [it] depends on the use of an arbitrary 20 years historical period * * * [and it] yields a biased conclusion."

To counter those who might be tempted to rely on the conclusion of the EPA consultant to justify environmental policies accepting shutdowns of coke plants, I commend this special PHB report on steel demand forecasts to my colleagues. It exposes the fatal flaws in

methodology used by EPA's consultant. In so doing, it shows why the forecasts of a steep decline in steel demand are not to be relied upon to make environmental policy.

Mr. Speaker, there's another problem in the EPA consultant's analysis. It's the suggestion that domestic steel capacity will decline in part based upon the inevitable growth of steel imports. The premise here, which also lacks validity, is that American steel companies cannot compete in the international marketplace and therefore cannot stem the tide of increasing imports.

Given an environment of sound public policy, the American steel industry has shown that it can complete with the best of its world class foreign competitors and that continuing steel import growth in the United States is not inevitable. Our Nation simply requires effective limits on unfairly traded imports, a realistic dollar exchange rate, and domestic regulations that do not disadvantage U.S. producers.

Over the past decade, U.S. steelmakers have themselves engaged in massive self-help efforts. They have spent well over $10 billion on new plant and equipment. As a result, they have cut costs substantially. This has made them cost-competitive in the U.S. market with most foreign firms in most product lines, and it's also led to sharply increased exports of steel. Great strides have been made in increasing product yields. Dramatic gains in labor productivity have given the United States the lowest manhours per ton rate of any steel industry in the world. At the same time, product qualty has significantly improved to the point that major customers say that reject rates are now often at or below those for imported steel.

Mr. Speaker, I would like to add a few further points about the future of cokemaking in steel. Coke is an absolutely essential ingredient in the production of steel by integrated producers. This form of production accounts for about 65 percent of the total domestic steel production. The shutdown of coke plants would therefore threaten the future viability of the integrated steel industry of the United States.

Some proponents of retaining a tight risk-based "shutdown" standard in this legislation claim that technology trends in the industry will drive the demand for coke to zero anyway by the year 2025 and that coke plant shutdowns can be tolerated. This view is based on several key assumptions that are simply wrong.

The first assumption is that electric furnace steel production, which does not require coke, will increase significantly. This assumption is based mainly on past trends, even though the rapid growth of electric furnace use over the past 20 years is not likely to be sustained for a number of reasons. These reasons include the cost reductions made by integrated producers, the fact that not all steel products can be made by electric furnace technology, the pending acid rain regulations that will drive up the cost of electricity for electric furnaces and, above all, the economic limits that flow from the availability and price of high quality scrap. In fact, based on the EPA consultant's projected increase in scrap demand, scrap prices would rise by well over $100 per gross ton—to some $200 per gross ton—and at that level, steel made by electric furnaces would largely cease to be a competitive material. This is not just theory. Due in large part to higher prices for scrap, electric furnace use as a percentage of total steel production has actually declined the past 2 years.

Another assumption used in the EPA Consultant's study is that coal injection in blast furnaces will be widely used and that it will have a major impact on the need for coke in blast furnaces. I am told by steel industry experts that coal injection is not economical to use in most blast furnaces, particularly older furnaces, and that in any event only a small percentage of coke consumption can be substituted with coal.

Mr. Speaker, the prediction of the demise of the coke industry presumes also that direct steelmaking, a research and development initiative only recently undertaken by the steel industry, will be certain to succeed and will be proven commercially feasible and widely applied in the next 10 to 20 years. While direct steelmaking is an important development for the industry, it remains a long term, high risk, commercially unproven technology. The bottom line is that even under the industry's most optimistic projections, coke ovens will be operating well into the middle of the next century. In sum, there simply is no substitute to replace coke, and that's true for both steelmaking today and for the foreseeable future.

IN MEMORY OF LINA DOLORES ALDRIDGE

HON. MERVYN M. DYMALLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 1990

Mr. DYMALLY. Mr. Speaker, it was with the most profound sorrow and deep sense of loss that word was received of the passing of Lina Dolores Aldridge, a student of Compton Community College.

I would like to express my deepest sympathy at her passing. We will remember her personal accomplishments, as well as the love and devotion she gave to her family and friends.

Ms. Aldridge was born on July 22, 1970, in Torrance and was raised by her grandparents, Leo and Katie Aldridge in Compton, CA.

She began her education at Park Western School in San Pedro and continued her education in Compton at Our Lady of Victory School, Robert F. Kennedy School, Willowbrook Junior High School, and graduated from St. Michael's High School.

In her 2 years at Compton Community College, Ms. Aldridge maintained a good grade-point average, served as vice president of the Associated Student Body, reactivated the Black Student Union, and was a member of the Drama Club.

She planned to put the leadership skills she gained in student government at Compton Community College to use as a lawyer and politician.

On the final day of her life, Ms. Aldridge took some youngsters from the National Youth Sports Program to the beach, and attended a farewell tribute to college President Edison O. Jackson.

Ms. Aldridge is survived by her grandparents, Leo and Katie Aldridge, and several aunts, uncles and cousins.

FLORIDA CONFERENCE ON WORLD TRADE AND INVESTMENT

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 1990

Ms. ROS-LEHTINEN. Mr. Speaker, the Florida Council of International Development will be hosting the 1990 Florida Conference on World Trade and Investment to take place on June 21–22. The conference was sponsored by Caribbean/Central American Action, the Florida Department of Commerce, and the Florida-Caribbean Institute. The District Export Council, the Florida-Caribbean Institute, the Florida Ports Council, the German-American Chamber of Commerce, the Horizon Institute, the International Business Chronicle, and the Journal of Commerce were all instrumental in the coordination of the event. The purpose of the conference is to promote opportunities concerning business and trade in today's changing world.

The conference will be held at the Hotel Inter-Continental in Miami with several renowned experts addressing trade and business issues. A special awards luncheon will be held on June 22 to present the President's E-Awards, the Florida International Trade Award, and the Florida International Business Person of the Year Award. The keynote speaker will be Ambassador Luigi Einaudi, U.S. Representative to the Organization of American States.

Appearing at the opening ceremonies will be Mr. Hal Sumrall, chairman of the Florida Council of International Development, and Donald Ray, assistant secretary of commerce for the State of Florida. Addressing the conference in the morning will be Dr. Ronald Morse, executive vice president of the Economic Strategy Institute in Washington, DC, and Tom Gustafson, Speaker of the Florida House of Representatives. In addition, Hans Joachim Maurer, managing director of the German-American Chamber of Commerce and Dr. Jiri Valenta, director of the Institute for Soviet and East European Studies at the University of Miami, will be speaking.

In the afternoon, a discussion regarding new opportunities in Latin America will be held with Peter Johnson, Executive Director of the Caribbean/Central American Action chairing. Also participating in the discussion are Dr. Ernesto Cruz, president of the Summa Consulting Corp.; Kaiser Bazan, president of Asociacion Nacional de Desarrollo; Carlos Echevarria, executive director of Federacion de Entidades Privadas de Centro America y Panama; and P.A. Thompson, president of the Caribbean Association of Industry and Commerce.

Later, a discussion of Florida's international training and human resource needs will be held with Dr. Armando Calleiro, codirector of the Florida-Caribbean Institute, presiding. Wil-

liam R. Ashcraft, international program director of Valencia Community College; Dr. Kenneth Fedor, dean of the School of Business at the University of Miami; and David Pasquarelli, executive director of the Florida Association of Voluntary Agencies for Caribbean Action, will also be taking part in the discussion.

The 1990 Florida Conference on World Trade and Investment will certainly be beneficial to Florida business, as well as aiding in the developing of international trade.

TRIBUTE TO MAGNOLIA VIRGINIA WRIGHT BYNUM

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 1990

Mr. TOWNS. Mr. Speaker, it gives me great pleasure to stand before my colleagues today to pay tribute to an outstanding community leader and educator, Ms. Magnolia Virginia Wright Bynum. Ms. Bynum, a native of Greensboro, NC, has dedicated her life to uplifting the minds and spirits of our Nation's children through education.

She was educated in the city of her birth, receiving a bachelor of science degree in Business Education from North Carolina's A&T State University. Ms. Bynum went on to New York University for postgraduate studies. The City University of New York was her next stop and while there she received a master of science degree in Education and an Advanced Certificate in Guidance and Counseling.

As an educator, Ms. Bynum's enthusiasm and scholarly accomplishments have been acknowledged and rewarded with many honors. Ms. Bynum has also proven herself a community leader, giving an extensive amount of her time to the Chama Brooklyn Child Development Center, educational honor societies, and Cornerstone Baptist Church in Brooklyn, NY. As an active participant in church activities, she serves on the church's Board of Trustees; Senior Choir; Scholarship Fund Committee; Newsletter—as Editor-In-Chief; and the church's North Carolina Club.

Mr. Speaker, Ms. Bynum exemplifies the type of model citizen our Nation's leaders need to spend more time applauding and I for one, salute Ms. Magnolia Virginia Wright Bynum in her unselfish efforts to better her community through education and community participation.

IS THERE A NEED TO REFORM THE HATCH ACT?

HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 1990

Mr. GINGRICH. Mr. Speaker, these editorials appeared in the Atlanta Journal and Constitution in regard to the Hatch Act. I feel they are well worth my colleague's attention as they review the problems we will face if the Hatch Act reform becomes law.

HATCH ACT AIN'T BROKE, SO LET'S DON'T TRY TO FIX IT

(By James J. Kilpatrick)

WASHINGTON.—Out in the hinterlands not much attention has been paid to a pending bill to gut the Hatch Act, but on Capitol Hill it is a matter of intense interest. Because the bill affects three million federal and postal employees, the current Senate debate merits a close look.

This is what the bill would do: It would destroy the protection from political coercion these workers have enjoyed for more than 50 years. It would convert federal unions into virtual adjuncts of the Democratic Party. It would authorize partisan political activities that now are prohibited. There is no compelling reason to adopt such "reforms." The bill should be defeated.

But it won't be defeated. Majority Leader George Mitchell is determined to throttle debate and to railroad the bill to immediate passage. He has the votes to do it. The House passed an even more drastic bill in April of last year by a vote of 297-90. We are headed for a presidential veto. A vote to override will be close.

My description of the bill, to be sure, is not Mitchell's description. He sees the measure as an effort to restore to federal and postal workers "many of the basic rights of freedom of expression and action enjoyed by millions of other citizens." The same high-minded considerations have moved 54 other Democrats to support the supposed reforms.

This is what the bill would do. It would authorize the three million employees to take "an active part in political management or in political campaigns." Federal and postal workers could solicit contributions from fellow employees to a political action committee. They could hold office in a political party, and while "off duty," they could distribute campaign literature, solicit votes and organize political meetings.

The bill has safeguards, but these are paper safeguards. No employee could engage in political activity while "on duty" or while wearing an official uniform. Virginia's Sen. Chuck Robb has added an amendment to provide a fine and a prison sentence for any worker who tries politically to "coerce" a fellow worker. This too is dumbshow.

The subtle political pressures that would be unleashed by this bill cannot be contained by the Robb amendment. It is immaterial whether a supervisor is a Democratic or Republican partisan. Those who work under him know without being told how to curry favor. No overet acts of coercion are required; A wink, a nod, a glance—these would suffice.

The bill poses a danger not only to federal employees; it carries risks of corruption to the general public also. Delaware's Sen. Bill Roth has provided examples. Suppose an IRS auditor is a good Republican. While off duty, on a Monday evening, he takes advantage of his new rights. He takes "an active part in the political management" of a GOP campaign. His picture is in the papers. He appears on TV. And on Tuesday morning he audits the tax return of a prominent Democrat.

Another example: An assistant U.S. attorney is a good Democrat. On Wednesday evening he made a fiery partisan speech at a Democratic rally. On Thursday morning he goes to court to prosecute a case of alleged Republican political corruption.

Bad for the employees. Bad for the public. And bad for the cause of a non-partisan civil service. Mind you, politics never can be wholly divorced from public employment. There ought to be no divorce. The old spoils system had its merits, in that it provided a degree of accountability. But at the working, career level of the civil service, partisan politics should be effectively prohibited.

Mitchell has pointed to absurdities that have developed over 50 years of Hatch Act regulations. There are said to be 3,000 confusing rulings. If so, the answer lies in Roth's proposal to direct the Office of Personnel Management to overhaul the regulations. The basic Hatch Act ain't broke. Don't try to fix it.—(c1990.)

HATCH ACT NEEDS NO REVISION; BUSH SHOULD VETO "REFORM"

Georgia Sens. Sam Nunn and Wyche Fowler last week voted for legislation that the Justice Department views as "an open invitation to political corruption."

The legislation, which Congress has approved, is aimed at revising the Hatch Act, which for 51 years has protected civil servants from political browbeating and minimized pure political patronage in government.

The law needs no revision and President Bush should veto any attempt at tinkering with it.

The Hatch Act of 1939 made it illegal for federal employees to undertake partisan political activities.

Put simply, they cannot be used as foot soldiers to augment the political campaigns or fuel the aspirations of bureaucrat bosses.

Under the law, federal workers are prevented from holding any partisan office, passing out campaign literature, soliciting votes or contributions, or otherwise engaging overtly in politicking.

The law shields them from exploitation and provides the citizens with civil servants who serve the public rather than politicians and their cronies.

It's easy to see why politicians would like Hatch restrictions weakened. What's less understandable is the support among federal workers. Most revision advocates are federal employees' union members who foolishly think they can use their potential political value as a bargaining chip. They don't seem to realize how vulnerable they are when choosing to swim with the sharks.

"Two principles central to the operation of government of the Executive Branch—the non-partisan administration and enforcement of federal laws and the advancement in federal service based solely on merit—would certainly be threatened and could well be extinguished," said a Justice Department report.

It continued: "Safeguards against real abuse would be virtually unenforceable. [Hatch Act revision] would sound an unfortunate retreat into the worst aspects of public administration from the last century, and is an open invitation to political corruption."

With government and political ethics under intense scrutiny these days, the last thing needed is greater temptation to abuse power. Leave the Hatch Act alone.

TRIBUTE TO SHERIFF THOMAS J. D'ALESSIO

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 1990

Mr. PAYNE of New Jersey. Mr. Speaker, I would like to take this opportunity to draw to the attention of my colleagues in Congress the accomplishments of an outstanding law enforcement official from my district, Sheriff Thomas J. D'Alessio.

Sheriff D'Alessio was born and raised in the city of Newark and earned a degree in criminal justice from Essex County College in 1981. A member of the Essex County Sheriff's Office since 1970, Sheriff D'Alessio has gained a reputation for excellence, fairness, and toughness in his role as a law enforcement professional.

Sheriff D'Alessio has worked tirelessly to address the problem of drug abuse and drug-related crime in New Jersey. He has been an avid crusader for improved drug education and prevention programs. During his first term in office, Sheriff D'Alessio created a very effective Public Education Bureau at the Essex Sheriff's Office.

Under his leadership, specially trained officers present educational programs on issues of public concern to schools and civic organizations throughout Essex County.

Programs are offered through the Sheriff's Speakers Bureau on a variety of topics, including drug and alcohol abuse, crime prevention, child abuse, and sexual assault prevention. Each year, these programs reach an audience of 25,000 children and adults.

Sheriff D'Alessio was also one of the first law enforcement officials to recognize the importance of promoting public awareness about the link between drug abuse and the AIDS virus. The AIDS Education and Prevention Program he instituted won awards in 1989 from both the National Association of Counties and the New Jersey Association of Counties as an innovative national model.

Sheriff D'Alessio serves on the 24 member Governor's Advisory Council on Drug and Alcohol Abuse. The council oversees all statewide efforts aimed at prevention, education, and treatment for addictions. The council also determines the distribution of over $9 million collected from fines and penalties against convicted drug offenders.

In the area of drug enforcement, the Essex County Sheriff's Bureau of Narcotics works in conjunction with municipal, county, State, and Federal agencies in a task force concept. Every year the SBON makes more than 1,000 arrests and confiscates millions of dollars' worth of illegal drugs.

Sheriff D'Alessio also serves as vice president of the Sheriff's Association of New Jersey and is a member of the National Sheriff's Assocation. He was also appointed to the statewide Missing Persons Commission which advises the New Jersey State Police.

The Essex County Sheriff's Office, with more than 300 sworn officers, is the largest sheriff's office in New Jersey. It serves the Essex County Superior Court system which carries the heaviest caseload in the State. Every year the 53 judges sitting in Essex adjudicate more than 140,000 cases.

In an effort to promote community involvement in combating crime, Sheriff D'Alessio established a "Crimestoppers" program in 1987. Under the direction of a civilian board of directors, and utilizing privately donated funds, the program offers rewards to citizens who volunteer crime-solving information to the police.

Mr. Speaker, we in the 10th Congressional District of New Jersey are proud of Thomas D'Alessio and grateful for his outstanding performance as Essex County sheriff.

BILATERAL COOPERATION IN WAR ON DRUGS

HON. E de la GARZA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 1990

Mr. DE LA GARZA. Mr. Speaker, the United States and Mexico have long been partners in the fight against illicit drug production, trafficking, and consumption.

Both the United States and Mexican Presidents George Bush and Carlos Salinas de Gortari have expressed their concern over the threat posed by narcotics to their country's national security and to the health of their youths. Both have also declared the fight against narcotics to be a top priority of their administrations.

The decisive war against illicit drug production, trafficking, and consumption, continuously waged by both countries, reflects the will to cooperate in keeping with their respective legal systems and mutual desire for a drug-free world.

There have been many recent examples of bilateral cooperation including the recent seizures of substantial quantities of illegal substances by both authorities, the strengthening of both countries drug interdiction, and the jailing of major drug traffickers in both countries.

More importantly, there is a long list of drug enforcement agents who have died fighting the war on drugs. For example, in 1989, 22 U.S. law enforcement officials were killed in drug enforcement efforts in our country. In the same year, 44 Mexican federal judicial police and 18 members of the Mexican Armed Forces were killed in antinarcotics enforcement activities in Mexico.

During a recent trip that I made to Mexico City I saw on Mexican television a special program on the ceremony presided by President Salinas in which he honored the 62 heroes who died fighting the war on drugs. I believe that it is appropriate that we add our own words of praise to these men who gave their all in this effort. Unfortunately, we have not been able to secure the names of the U.S. officers who died in the line of duty. I will share these names with my colleagues as soon as they are available to us.

In the meantime, the names of the Mexican officers are:

MEXICAN FEDERAL JUDICIAL POLICE

Ernesto Rivera, Francisco Morales, Alberto Rivas, Antonio Zamora, Guadabyse Gutierrez, Alvaro Rey, Gerardo Hurtado, Rafael Gonzalez, Victor Ramirez, Elenteno Caro, Claudio Castillo, Arturo Mercado, Alfonso Herrera, Mario Trerino, Armando Nagore, Antonio Godinez, Enrique Rivera, Antonio Lozano, Luis Velazquez, Enrique Lopez, Rigoberto Salazar, Luis Muller, Juan de la O, Alfonso Cortes, Humberto Martinez, Alfredo Mireles, Edmundo Tamayo, Antonio Arias, Jesus Hinojosa, Alfredo Jimenez, Aaron Castellanos, Alberto de Dios, Francisco Canceo, Jorge Nazarin, Victor Virgen, Ramon Morales, Manuel Correa, Jesus Rios, Ernesto Aguirre, Gabriel Vega, Miguel Torrez, Javier Caro, Manuel Moreno, Pedro Madrid.

MILITARY

Aurelia Salvador Estrada, Victor Garcia Gonzalez, Ruben Hernandez Torres, Miguel Angel Valdez Clara, Pedro Florencio Luna, Jesus Arturo Cabrales Medina, Oscar Jose Bernabe Cruz, Eduardo Munoz Castaneda, Alejandro Sanchez Flores, Mario Alvarez Hernandez, Jaime Hernandez Guerrero, Sixto Dominquez Santamaria, Silvestre Gallegos Castillo, Federico Rafael Perez Martinez, Sergio Arturo Martinez Delgado, Juan Pablo Rivera Martinez, Luis Gerardo Gutierrez, Jose Luis Perez Quijaro.

We in this body should recognize the significant efforts undertaken by both Presidents and the people of both the United States and Mexico in the struggle against drug trafficking as we pay tribute to these United States and Mexican heroes that died while serving their respective countries in the fight against narcotics.

I would also like to add that the cooperation between our countries in the area of drug enforcement should be undertaken pursuant to the Treaty of Mutual Legal Assistance signed and ratified by both governments, the agreement between the United States and Mexico on Cooperation in Combating Drug Trafficking and Drug Dependency signed on February 23, 1989, and other important bilateral and multilateral agreements.

I urge both countries to continue fighting this international menace and to continue to cooperate in drug enforcement actions while respecting each other's sovereignty. Again, I commend Presidents Bush and Salinas in their efforts to stem the flood of illegal narcotics in their respective countries.

INTRODUCTION OF THE PUBLIC-PRIVATE TOLL ROAD ACT OF 1990

HON. THOMAS J. RIDGE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 1990

Mr. RIDGE. Mr. Speaker, there is perhaps no greater threat to the future economic vitality of our Nation than the continued deterioration of our highway transportation infrastructure. The challenge is great, the problem met by no single solution.

Today, I wish to offer my contribution to help solve this critical problem, to begin the process of rebuilding our crumbling highways and bridges, and to provide government, Federal and State, with the proper tools to meet

our future transportation demands. In doing so, I seek to encourage the use of a historically popular method of financing highway construction and improvements—tolls.

Therefore, I am very pleased to introduce today the Public-Private Toll Road Act of 1990, legislation that I believe will begin to provide this Nation with the means to both reverse our infrastructure decline and meet our transportation needs of tomorrow.

This act will allow us to achieve these goals by: First, enabling the Federal Government to participate in the construction of new toll highways, bridges, and tunnels; and second, allowing States to impose tolls on already completed projects without the payback of Federal-Aid highways funds.

Importantly, this legislation will not apply to the Interstate Highway System. Those parts of the interstate currently operating toll-free will remain so. Nor will this legislation allow a State to impose tolls simply to raise revenue. A State will be able to impose a toll on a completed project only in those cases where the tolling of the project is to either expand capacity or for major reconstruction. In other words, consumers will be assured of substantial, up-front benefits before a facility may be tolled.

Also noteworthy is that this act will allow for private sector participation in the building, construction, and operation of toll facilities, whether they be completed or new projects. Though a State would be required to regulate the toll charges and the private operator obligated to meet certain conditions, this provision is nonetheless a major step forward in encouraging greater private sector participation in road building and rehabilitation.

Make no mistake about it. The highways and bridges disintegrating before our eyes risk our future economic well-being. Many consider the problem as a threat to our Nation's productivity while still others argue that highway deterioration is a root cause of the decline of American competitiveness. The Department of Transportation has estimated that if we allow the present trend to continue then by 1995 we will have lost 3.2 percent in GNP, 5.9 percent in disposable income, 2.2 percent in employment, and 2.7 percent in manufacturing productivity. These represent tremendous costs by any standard.

Let us also be clear on the enormity of the task we face. The Federal Highway Administration currently spends $13 billion a year on repairs and construction. Yet it has been estimated that bringing America's roads up to minimum engineering standards will cost anywhere from $565 to $655 billion over the next 20 years. Overwhelming as this may seem, it does not even include the moneys needed to meet today's ever-growing capacity demands.

Some will surely ask—why toll financing? As the recently released national transportation policy noted no single, all-purpose source is going to fill our future needs. Rather we must look to a variety of public and private sources. In an era of constrained resources, toll financing represents a viable alternative.

I believe the American people will support the toll concept. I think we are fed up with seeing the money we pay in gas taxes sitting unused in the trust funds. Toll financing prevents this sort of abuse because the tolls we pay will go directly for highway purposes. The businesses who now move more than 75 percent of their freight on the highways, I believe, will support tolls if it means getting their goods where they need to go on time—an increasingly questionable proposition. And I think the American commuter, who's increasingly frustrated with congested, pothole-ridden roads, will support the toll concept if it means an end to highway gridlock and provides roads that are safe and smooth to ride on.

Opinion polls bear this out. A survey of my own State, Pennsylvania, indicates that a majority support tolls if their funds are used for highway reconstruction and new construction. A Roper poll found only 12-percent opposition to tolls in any form. As a recent article concluded, "when people perceive a benefit—a quicker, safer trip on a road that's quickly built and in better repair—they support the toll concept."

There are some good reasons to support toll financing. First, unlike the abuse of our current transportation trust funds, toll revenues go directly to the construction, operation, maintainance, and improvement of the road. The users of the toll facililty, therefore, enjoy the direct benefits of the tolls they pay.

Second, toll financing will allow us to undertake a greater number of projects that we otherwise might under current financing methods. Third, toll financing offers a speed advantage over the normal highway construction process. Project funding is available upon the initiation of the project through the issuance of bonds, allowing its rapid completion. Fourth, toll financing allows operation and maintenance costs to be taken off budget, freeing up funds to make other road improvements.

Finally, I believe it is important to recognize the critical necessity the private sector can and should play in the restoration and expansion of our transportation facilities. My legislation will encourage private participation by allowing private operators to construct, own, and operate toll facilities. This is known as the build-operate-transfer model, or BOT. These public-private partnerships in transportation have been widely used in Europe and the Pacific Rim for a number of years and with great success.

Here in the United States, the privatization of highways is slowly catching on. In 1988, Virginia became the first State to enact private tollway legislation. Plans are continuing in the State to move forward for an extension of the Dulles Toll Road that will be built and operated by the Toll Road Corporation of Virginia. California became the second State to come on board with legislation that authorizes four private tollway projects. In addition, Colorado, Illinois, Florida, and Puerto Rico are moving ahead or considering private tollway projects.

Certainly, toll financing is not the sole answer to all problems. But it is a viable option in many circumstances. Federal policy should be to encourage toll financing where it has a proper role to play and can beat legitimate transportation demands. To my colleagues, I say that it's time we look to innovative and creative financing methods like tolls and begin the job that Americans are waiting for us to do.

SECTION-BY-SECTION ANALYSIS

Section 1 provides that this Act may be cited as the Public-Private Toll Road Act of 1990.

Section 2 amends Section 129 of title 23, United States Code to read as follows:

Subsection (a) concerns completed projects where federal-aid highway funds have been used. Under current law, states are prohibited from charging tolls on a project where federal funding has been used without first having to pay back those funds. This "payback" provision works as a tremendous obstacle to a state wishing to impose tolls, if not an outright bar.

Under this subsection, the payback provision is repealed but only if imposition of the tolls is for reconstruction to expand capacity or for major reconstruction. In other words, a state will not be allowed to summarily impose tolls on completed projects simply to raise revenue. The consumer is, therefore, assured substantial, upfront benefits before a toll may be imposed.

This subsection does not apply to any highway designated on the interstate system. No part of the interstate system currently operating toll-fee will be allowed to be tolled.

Subsection (b) allows for federal participation in (A) the construction of any new toll highway; (B) the major reconstruction to accommodate capacity problems of and relieve congestion on any existing highway which is tolled or which will be tolled upon the completion of such construction; and (C) the construction of any new toll bridge or new toll tunnel.

Subsection (b)(2) provides that any Federal share in the construction or reconstruction of any toll facility shall not exceed 35 percent. This provision is consistent with current law.

Subsection (c) provides that any highway, bridge, or tunnel toll facility may be privately constructed, reconstructed and owned and operated subject to the following conditions that:

(1) the operator first obtained authority from the State authorizing the operator to undertake the project;

(2) any federal funds expended on the facility will be transferred to the operator through the State;

(3) the toll facility will at all times be kept open for use by the public;

(4) the State provides for regulation of the tolls to be charged on the facility; and

(5) upon the termination of the private operator's authority and the retirement of any financing or refinancing, that ownership of the toll facility will be transferred and dedicated to the State for highway purposes.

Subsection (d) addresses the limitation on the use of revenues derived from the operation of the toll facility by either public or private operators.

Under subsection (d)(1), before Federal participation is permitted under subsection (a) or (b), a state must agree that any excess toll revenues received from the operation of the toll facility, beyond those necessary for—(A) the costs of construction or reconstruction, and (B) for the proper operation, maintenance and debt service, will be used for other projects eligible for Federal funds under this title.

Under subsection (d)(2), before Federal participation is permitted under subsection (a) or (b), a state must provide in its regulation of the private operator that any excess toll revenues received from the operation of

the toll facility, beyond those necessary—(A) for the cost of construction or reconstruction, (B) for the proper operation, maintenance and debt service, and (C) to provide a reasonable rate of return to the private operator with respect to the toll facility, will be used by the State for highway purposes.

Subsection (e) allows a State, upon the completion of any payment of debt service, to continue to charge tolls on the facility if such tolls do not exceed the cost necessary for the proper operation and maintenance of the facility.

Subsection (f) concerns Federal participation in the construction of ferry boats, whether toll or free, subject to certain conditions. This subsection is a restatement of current law with regards to ferry boats.

TRIBUTE TO THE ORDER OF THE KNIGHTS OF PYTHIAS

HON. DOUGLAS APPLEGATE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 1990

Mr. APPLEGATE. Mr. Speaker, I rise to pay tribute to the Order of Knights of Pythias who were the first American order to be chartered by an act of Congress. The Knights of Lodge No. 414 in Mingo Junction, OH, will be celebrating their 100th anniversary on May 26, 1990.

The Order of Knights of Pythias is an international fraternity which was founded in our Nation's Capital in 1864. While the primary object of fraternal organizations is to establish companionship among men, each chapter of the Knights embraces virtuous, outstanding principles of friendship, charity, and benevolence. These virtues take the practical expression of homes for the aged and infirm, higher educational facilities, assistance to those in distress by making financial contributions to national and State emergency funds. University scholarships are awarded to winners of a public speaking contest for high school boys and girls.

The Order of Knights of Pythias provides an opportunity for manifold public service. The organization provides a method for pooling the efforts of individuals so that they may best contribute to their community.

Mr. Speaker, it is my express privilege and honor to ask my colleagues to join with me and the residents of Mingo Junction in acclamation of the Order of Knights of Pythias Lodge No. 414 as a leader of fraternal organizations.

RESIDUAL RISK ASSESSMENT FOR AIR TOXICS

HON. DON RITTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 1990

Mr. RITTER. Mr. Speaker, there has been a great deal of discussion and controversy about the residual risk provisions of H.R. 3030. I share the concern that the residual risk provisions of H.R. 3030, as originally drafted, could have extremely severe social and economic impacts. These impacts would result from the requirement that air toxics emitted from an industrial facility after Maximum Achievable Control Technology or MACT has been installed must meet residual risk standards, based on what are probably exaggerated estimates of risk.

Considering mandated residual risk standards I must comment that the assumptions and methodologies that the Environmental Protection Agency traditionally has employed in estimating cancer risks tend to favor risk assessment values that will often overstate the risk, if any, that may exist. Thus, I understand an individual risk that EPA estimates to be 1 in 10,000 actually may be closer to 1 in 1 million or 1 in 10 million. And an individual risk that EPA estimates to be 1 in 1 million actually may be closer to 1 in 100 million or 1 in 1 billion. This seems to me to be an important point to consider in deciding on what residual risk requirement, if any, should be imposed on productive industrial facilities that already have reduced their emissions by approximately 90 percent through the application of MACT controls.

I believe that it would be rash for Congress to mandate compliance with residual risk standards at the present time. In fact, commitment to any residual risk phase without further study, is unwise. I say this for two reasons: First, because there is enormous uncertainty in the cancer risk assessment process; second, because EPA's strategy for dealing with that uncertainty tends to select high estimates of risk when much lower estimates are equally plausible.

As Prof. John D. Graham of the Harvard University School of Public Health testified before the Senate Subcommittee on Environmental Protection, risk assessment today is still an inexact science. Uncertainties abound. EPA deals with them by utilizing highly conservative assumptions and risk assessment methodologies that produce estimates which can greatly overstate the true risk.

In fact, as former FDA Commissioner Dr. Frank Young points out, risk values calculated by Federal agencies in this manner do not reflect expectations of actual risk. Instead, they are mathematical constructs based on the conservative, and often highly unrealistic, assumptions and methodologies employed by the regulatory agencies.

As my colleagues are undoubtedly aware, almost all of the information that we have developed regarding potential cancer risks derives from animal studies or human epidemiological investigations in which chemical exposures are many times higher than concentrations of pollutants in the ambient air. Consequently, in order to develop an estimate of the cancer risk to humans who are exposed to ambient air concentrations of a chemical, the risk or cancer potency observed at relatively high exposure levels must be extrapolated downward, often by several orders of magnitude.

The problem scientists confront in attempting to do this is that the true shape of the so-called "dose-response curve" is not known for the vast majority of chemicals. Consequently, a number of critical assumptions and policy choices must be made to estimate the cancer potency or risk at atmospheric concentrations to which the general public may be exposed.

EPA introduces a high level of conservatism in to its risk assessments by: First, assuming there is no threshold for the carcinogenic effect of a hazardous air pollutant; second, presuming that the dose-response curve is linear at low doses, and third, utilizing the 95 percent upper confidence limit, rather than the maximum likelihood estimate, of the unknown paramenters. This approach, as EPA acknowledges, does not produce a realistic prediction of the risk, but, instead, identifies an upper limit to the risk.

When a risk assessment is based on human epidemiological data, EPA's approach produces an estimate of low-exposure risks that may very well be one or two orders of magnitude higher—that is, 10 or 100 times higher—than the actual levels of risk. When risk estimates are based on animal data, as is typically the case, use of a linearized model may produce estimates that are 100 or 1,000 times higher than estimates derived from alternative models. Work done by various scientists, including Dr. Bruce Ames of the University of California at Berkeley, suggests that in many cases, these alternative models are equally plausible or more plausible than a linearized model. Moreover, there is increasing evidence that a carcinogenic threshold exists for many suspected carcinogens, particularly those which express their carcinogenicity through certain nongenotoxic mechanisms.

In short, as noted in a recent EPA Workshop Report, some carcinogens may be effective only at relatively high doses, and even when there is no carcinogenic threshold, EPA's linear extrapolation methodology produces estimates that reflect "somewhat crude upper bounds on the risks associated with low levels of exposure."

The fact that most quantitative risk assessments are based on the results of animal tests introduces additional problems into the process. Even assuming that animal studies provide an appropriate basis for presuming the existence of a human cancer hazard, extrapolating from one species to another is fraught with uncertainty.

The risk estimates I have described tend to distort both the estimates of total annual cancer incidence and the estimates of increased lifetime cancer risk to the most exposed individual. EPA's assumption that a hypothetical individual spends his entire 70-year life at a single outdoor location where the predicted pollutant concentration from the facility is the highest results in an additional degree to which risk may be overstated. The approach taken in the Mitchell-Dole substitute to S. 1630, allowing an alternative emission limitation to be set on the basis of risk to the most exposed actual person at a specific facility, helps to correct this problem. This concept is also picked up in the negligible risk provision of H.R. 3030. However, the problem of using high risk estimate set emission standards still exists.

When we are presented with projections of potential cancer risks attributable to post-MACT emissions of air toxics from industrial sources, we must bear in mind that the risk

estimates employed by EPA tend to be high estimates of risk.

As I have indicated today, at they are based on extremely conservative risk assessment assumptions and methodologies, which probably overstate the true risk by several orders of magnitude. I venture to say that a more realistic estimate is that post-MACT emissions from large industrial sources probably would cause fewer than one case of cancer per year. Compare this to more than 485,000 cancer deaths in the United States each year, of which approximately 130,000 are caused by cigarette smoking or EPA estimates that exposure to naturally occurring radon in homes may cause as many as 20,000 cancer cases per year.

This does not mean that post-MACT residual risks from industrial sources should be ignored. But the House should be wary of subjecting productive industrial facilities to rigid bright-line standards that could have severe economic and social consequences wholly out of proportion to the public health risk being addressed.

The conclusion I draw is that we simply do not know enough about the reliability and reasonableness of cancer risk assessments to enact particular risk assessment methodologies or standards into law. Clearly, there is a need for more careful study and evaluation by a qualified and independent expert body, such as the National Academy of Sciences. For that reason, I proposed the Comprehensive Environmental Risk Management Act, which calls for such a study, and I supported the addition of such a study and offered an amendment to H.R. 3030.

My amendment authorizes a formal mechanism to inform Congress of the health benefits of emission reduction based on recent advances in environmental and public health science. As Congress confronts future authorization and appropriation decisions, effective environmental health promotion dependents on the quality of information available. The amendment requires the EPA, in consultation with public health scientists, to report to Congress within 4 years a listing of the 25 most consequential air pollutants; and for each of these pollutants: A qualitative and a quantitative assessment of the plausible health benefits of the Clean Air Act Amendments of 1990. The disease prevention and risk reduction attributable to reducing the top 25 will be authoriatively assessed. Given scientific uncertainty, this assessment will necessarily involve a range of plausible benefits.

The decisions we are making with these Clean Air Amendments of 1990 to improve air quality are perfectly well intended but relatively uninformed. We do not know the extent of the public health gains that have been achieved through the emission reductions achieved under current law. We do not know which of these reductions have been more beneficial or which targets for future reductions would be the most promising. This Ritter amendment would assure that the next round of clean air decisions will be both well intended and well informed.

The Ritter amendment is needed to supplement the section 803 accountability provision of the committee reported bill, because understanding the economic consequences—the costs—of reducing emissions is not enough for society to manage its resources. The extraordinary scientific uncertainties involved in determing the effects of various levels of exposure to potentially toxic compounds must be examined, and the implications of this uncertainty for resource management better understood, if Congress is going to be able to achieve the full range of beneficial effects we desire from our clean air program.

Overall, I conclude that, while it may be prudent to evaluate post-MACT residual risks and to implement additional emissions reduction measures in appropriate cases, we should not at the present time legislate bright-line residual risk standards that could result in plant closures and have other severe social and economic impacts. At least until we can be more confident in the numbers resulting from cancer risk assessment calculations, we should adopt a more flexible approach to regulating post-MACT emissions from productive industrial facilities. In particular, some allowance should be made for considering the feasibility, the cost, and the economic and social implications of actions that might be required to achieve further reductions in post-MACT residual risks. The most appropriate means of addressing any residual risk must take into account the unrealistic assumptions that have been made in performing such assessments and the potential misuse of risk assessment for setting bright-line regulatory standards.

PROTECT THE TAXPAYER'S MONEY

HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 1990

Mr. GINGRICH. Mr. Speaker, the Wall Street Journal printed this interesting editorial on the continuing argument over the National Endowment of the Arts [NEA]. I feel this editorial further confirms my belief that we must strive to spend the taxpayer's money in a responsible, sensible manner.

[From the Wall Street Journal, May 21, 1990]

CONTROVERSY VERSUS QUALITY

Forget Robert Mapplethorpe and Andres Serrano's "body fluid art." Have you seen what they're showing to the public at the New Orleans Museum of Art in an exhibition called Awards in the Visual Arts? Yes, it is funded by the National Endowment for the Arts, with additional money from BMW of North America and the Rockefeller Foundation. The pity is that it won't cause the outcry heard over Serrano's crucifix in urine or the most marginal Mapplethorpe photographs. That is because, with a few exceptions, the visual arts awards are so awful. They don't shock or amuse or inspire or do much of anything.

There are indeed serious issues involved in the dispute over the charges that NEA has occasionally funded obscenity. But this controversy has overshadowed an issue that is more relevant to NEA's proper role and the state of art in America.

The problem isn't obscenity. The problem is mediocrity.

Too much of the art produced in the United States now, much of it with direct or indirect public subsidy, is simply bad art. Indeed it is accorded status as art only because the current art establishment—the NEA, academics, some curators, many newspaper art critics—perpetuates the idea that this work isn't the arid drivel it appears to be, but is something serious. Not everyone agrees.

In a remarkable op-ed piece in the New York Times last July, the well-known American painter Helen Frankenthaler argued that notwithstanding the incendiary issues of Serrano and Mapplethorpe, more attention ought to be directed at what she called a "mediocre art enterprise."

As a member of an NEA advisory council, Ms. Frankenthaler said, "I myself find the council—the recommendations of the panels and the grants given—of increasingly dubious quality. * * * I see more and more nondeserving recipients. I feel there was a time when I experienced loftier minds, relatively unloaded with politics, fashion and chic."

Well, of course Ms. Frankenthaler's plea for the restoration of quality sank like a stone. Behaving like some threatened bricklayers' union, the arts establishment has locked arms to oppose anyone who dissents from the orthodoxy they've imposed on American art.

And it is indeed on orthodoxy, though of a most unusual sort. The artist's work, no matter how reductionist or outrageous, has to be "understood." If they have created a movement, it would have to be called hypersolipsism. The new school of criticism that has grown up with 1 relentlessly empathetic. This is from a very prominent newspaper critic's review of Mr. Serrano:

"One of the more alarming aspects of the attack on the endowment has been the assumption of many of those doing the condemning that there is no responsibility to consider the art as it was meant to be seen." He ends, "how can anyone find in his work just obscenity and disrespect? It is hard to believe that anyone whose faith is searching and secure would not be grateful for what Mr. Serrano has done." Few critics or administrators today would break ranks intellectually from this orthodoxy. The director of the Corcoran in Washington, who dissented from the majority on Mapplethorpe, was driven from her job.

We are not reopening the familiar debate over modernity and American society. Modern, or avant-garde work, is not the problem. The problem is that the artists and intellectuals who cry "free expression" to disallow any forceful critique of their enterprise have achieved so little with their freedom. Nor is it the publicly funded artists alone whose achievement is so insubstantial.

The Pulitzer Prize committee can barely scrape up one drama annually to bless. New music remains adamantly abstruse and offputting. It is interesting to note that rock music, which has never received a dime of public money, continues to produce young groups that are at least vital.

The NEA and its supporters are now posing themselves as the fragile angel of creative inspiration, beset by right-wing yahoos, philistines and Bible thumpers. In fact, the NEA is mainly a bureaucracy. Worse, it is a Washington bureaucracy, and hundreds of artists, writers and their sponsors have become its dependent beneficiaries.

Some Members of Congress are talking about a revised grant system that would essentially disburse blocs of money to state arts agencies, which would make the indi-

vidual grants. That doesn't immediately solve the kinds of problems discussed here, but it moves the issue in the right direction. For instance, it might deflate the Mapplethorpe problem. There is no good reason why a Cincinnati should be held up to ridicule because it doesn't subscribe to every last quirk of the life style in Manhattan.

At the least, turning authority over to the states would get the decision-making debate over money and values out in the country, which is where it belongs.

CONGRATULATIONS, DAVE OBEY

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 1990

Mr. PAYNE of New Jersey. Mr. Speaker, it is my great pleasure to be among the first to congratulate our distinguished colleague from Wisconsin, Representative DAVID OBEY, on being named the recipient of the U.S. Committee for UNICEF's "President's Award for Distinguished Service—1990." I have the privilege of serving as a member of the committee's board of directors and can attest to the significance of the honor bestowed today.

The 1990 UNICEF Annual Report notes, "As nations inched open their doors to disarmament, peace and human freedoms in 1989, mankind was challenged as never before to think about a common future. Walls of distrust and political division began to crumble, and leaders began to speak openly of shared responsibilities for the planet, its resources and the children who would inherit them." DAVE OBEY is one of those leaders and has been for many years.

Our colleague is known for his unabashed support and leadership on behalf of domestic and international programs that reach the poor and vulnerable. The world's children have been able to depend on him in good times and bad through his work on behalf of such organizations as UNICEF, Peace Corps, and Head Start.

Mr. Speaker, millions of the world's children are living healthier lives today and have hope for brighter tomorrows thanks to DAVE OBEY's support and leadership. I am sure my colleagues join me in extending sincere congratulations.

THE STATUS OF DR. FANG LIHZI

HON. JOSEPH P. KENNEDY II

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 1990

Mr. KENNEDY. Mr. Speaker, I am introducing a resolution concerning the status of Dr. Fang Lihzi and other prodemocracy activists in China. This resolution calls for the release of Dr. Lihzi and his wife Dr. Li Shuzion, long recognized as two of the most outspoken prodemocracy activists in that country, from the United States Embassy in Beijing, China, where they have been living in forced sanctuary. This initiative would provide them with safe passage into the United States. I am also calling upon the Chinese authorities to allow Dr. Fang, the country's preeminent astrophysicist and human rights advocate, to communicate with the world community through statements and writings from the sanctuary of the United States Embassy in Beijing.

With this resolution I am also calling upon the Members of Congress to urge the President to step up efforts to request of the Chinese Government a list of those arrested in the prodemocracy movement since last year, and seek the release of those accused of nonviolent activities since June of last year.

Mr. Speaker, the Chinese Government's brutal repression of the peaceful demonstrations of the Chinese people at this time last year was intolerable. The arrests and imprisonment of thousands of Chinese people was a tragedy, especially at a time when the rest of the world was experiencing a turn toward freedom and an opening of relations. Unfortunately, the conditions in China have not changed considerably in the course of the last year, and the heroes of yesterday's democracy movement are today working in the countryside or serving in the military.

This resolution would ask the President to take some positive steps to correct that intolerable situation, Mr. Speaker, and I am proud to introduce legislation that will rectify some of the tragic errors that were made at Tiananmen Square last year. This effort will put the U.S. Congress on the correct course as a defender and protector of freedom and democracy.

FAR LEFT OF CENTER: THE NEW ALLIANCE PARTY

HON. MERVYN M. DYMALLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 1990

Mr. DYMALLY. Mr. Speaker, I submit the following article for Members' review.

FAR LEFT OF CENTER—THE AMERICAN RADICAL LEFT TODAY

(By Harvey Klehr)

NEW ALLIANCE PARTY

The New Alliance Party (NAP) is in large measure the handiwork of Fred Newman, a one-time college teacher whose therapeutic theory and practice have inspired several small, cult-like organizations over the past decade. The NAP has been actively involved in New York City politics; in the last year it has intensified efforts to become a more national organization.

Newman was a philosophy instructor at the City College of New York when he first came to notice in the radical community. In 1968 he formed a radical collective called If-Then which boasted that its pamphlets and brochures were the most obscene in New York. If-Then evolved into the Centers for Change, a commune that ran sensitivity groups where Newman also began a therapy clinic. In 1974 Newman and his small band of followers joined Lyndon LaRouche's National Caucus of Labor Committees (NCLC), a bizarre sect making a transformation from the far left to the far right. The NCLC at the time had just completed a campaign of violence and intimidation against other left-wing groups and was concentrating on charges that the Rockefeller interests and the CIA were engaged in a massive brainwashing effort. After a brief stay in the NCLC, Newman and his followers resigned to form the International Workers Party (IWP).

The IWP held its founding conference in September 1974 with some forty-five members and branches in New York and Doylestown, Vermont. It criticized the bankruptcy of the American left and attributed its failings to lack of leadership. To provide that new leadership IWP organizers needed to undergo personal, revolutionary changes in themselves through therapy. The IWP also called for the formation of united fronts with working class organizations and movement groups to lead to "international socialist revolution."

The IWP apparently never grew beyond five hundred to one thousand members. It claimed to have disbanded in 1976—although its internal Party organ was still being published in 1977—and its activists formed the New York City Unemployed and Welfare Council, whose president, Joyce Dattner, was a Newman follower. A host of other Party fronts soon appeared, including the Coalition of Grass Roots Women, New York City Union of Lesbians and Gay Men, Federation of Independent Unions, New Black Alliance and Women's Independent Democratic Organization. In 1979 the Newmanites organized the New Alliance Party.

The New York Institute for Social Therapy and Research, set up in 1978, became the headquarters for Newman's therapy practice; its profits appear to be the major source of funding for the New Alliance Party. Some Party members and supporters have been recruited from patients undergoing therapy at the Institute. Newman's theory holds that each individual is governed by a bourgeois ego that prevents unity with others and encourages self-gratification. The role of the radical therapist is to lead the individual to overthrow the dictatorship of the bourgeois ego and liberate the proletarian ego by means of a personal revolution.

RADICAL SECTS AND SPLINTER GROUPS

While there are probably not many more than a hundred hard-core members of Newman's group, several thousand others are on its periphery or involved in one of its front groups. The NAP claims to have thirteen thousand dues-payers and a hundred thousand readers of its weekly newspaper, National Alliance. On occasion its candidates for public office have received a substantial vote. Dennis Serrette and Nancy Ross, the NAP's presidential ticket in 1984, were on the ballot in thirty-three states. While Serrette fell a bit short of his stated goal of six million votes, he still received 47,209, more than either the CPUSA or the SWP. On the other hand, when the NAP mounted an attempt to get fifty thousand votes and a line on the ballot for its New York gubernatorial candidate in 1982 it could muster only fifty-five hundred.

The Party's base seems to be on the Upper West Side of New York where it has tried to be active in community politics. It has focused its attacks on Democratic reformers and occasionally supported some traditional Democrats. For several years its co-chair was New York City Councilman Gilberto Gerena-Valentin of the Bronx. A small core of people have been closely associated with Newman for many years and appear to have major roles in the NAP. They include Hazel Daren, Gail Elberg, Ann Green, and Nancy Ross. Newman himself is on the executive board. Jacqueline Salit is editor of National

Alliance. Emily Carter, a resident of Jackson, Mississippi was the national chairman in 1985 and Linda Curtis was national field organizer.

Carter reported in mid-1985 that the New Alliance Party was negotiating a merger with LaRaza Unida, a Chicano party centered in Colorado. Claiming that the NAP was black-led, she enthused that a union with the Chicano group "will change American and world history." Newman explained that the NAP "supports nationalist politics but not racialist politics" like the Democrats.

The NAP's goal is to build an independent party to counter fascism. It charged in 1984 that there was no difference between Mondale and Reagan. Its platform was similar to that of the CPUSA and the WWP, calling for cuts in national defense, jobs for all, and increased spending on social programs. On foreign policy it supported the Sandinista regime and attacked the Duarte government in El Salvador. Presidential candidate Serrette argued that the Soviet threat had been exaggerated. The Party praised Jesse Jackson's campaign; after the election Nancy Ross, the NAP's coordinator, moved to Washington to head the DC office of the Rainbow Alliance Confederation's lobbying arm. Despite its name and its profession of complete support of Jackson, the organization appears to be another NAP front and to have no connection to Jackson's official Rainbow Alliance.

The New Alliance Party has been plagued by charges of antisemitism for years. On the surface, the charge seems odd since several of the NAP's leaders, including Ross, are Jewish. The NAP is very hostile to the state of Israel and supports the PLO but denies strenuously that it is antisemitic. It has, however, cooperated with individuals and groups who are. The most recent example is the admission in the Party's newspaper that the "NAP worked in coalitions with the Nation of Islam," led by Louis Farrakhan. More telling is the charge the NAP makes that "it was the racist white media which inaccurately portrayed Farrakhan as antisemitic." Joyce Dattner, an NAP leader, claimed that Farrakhan was an ally "in the struggle to root out the evils of racism and antisemitism." Fred Newman has denounced Jews as the "stormtroopers of decadent capitalism" against colored people, complained that they had "sold their souls" to the devil—international capitalism—and called on them to liberate themselves "behind the leadership of people of color the world over."

INTERNATIONAL WORKERS PARTY

To the membership of the International Caucus of Labor Committees:

Comrades: Historical reality confronts us, as communists, with the immediate necessity of leading the class to seize power from a capitalist class turned fascist by senility. Grounding ourselves in that reality, locating our humanity in our identity as socialist organizers in the class struggle at this most critical moment in human history we withdraw from the International Caucus of Labor Committees and announce the founding of the International Workers Party.

The international working class faces systematic annihilation in the form of a zero growth cannibalization process. This fascist mode of production (in actuality a mode of cannibalization) brings about the movement towards new social institutions, more specifically, brings about the movement towards the mass strike. What will determine in the coming months whether that movement will be aborted or will grow into an acutal mass strike, i.e., determine whether or not the working class of this country will lead an international revolution, will be our revolutionary practice, a revolutionary practice which must provide us with a sensuous understanding of historical reality and thereby a capacity to intervene upon it as a party located within it.

The present historical reality reveals the rapidly accelerating consolidation of a fascist machine under Rockefeller's leadership, and, lawfully related, the rapidly accelerating deterioration of the ICLC. It includes the lawful movement of the class and the cannibalization of that movement by the ICLC. The vanguard party cannot live vicariously through a motion it has done much to interpretatively identify (and inaccurately report) and criminally little to direct.

It is lawful that the IWP now become the vanguard party of the working class. We have developed out a self-conscious Marxist investigation of methodology and have scientifically developed an understanding of reality grounded in this historical moment. We have taken on the serious tasks of leading the class, not as Promethean interventionists, but as internal organizers of the class from which we come, i.e., as class for itself organizers doing class for itself organizing.

The organization of the vanguard party is, as Marx makes clear, the organization of the class. The formation of the IWP has grown from our attempt to organize the ICLC from within that it might move from a position of left hegemony to a position of leadership of the class. For the motive force which led to the hegemonic position of the ICLC is now leading the ICLC to its death in the attempt to take on class leadership. It is now necessary for us to organize our comrades from a position outside the ICLC. For the very closed environment, the very idealistic paranoid trap which the ICLC has lawfully become for reasons delineated in F. Newman's "Idealism, Paranoia and the Mass Organization, a corrective to the Labor Committee tendency," has made it necessary to move outside in order to continue the "internal" polemic we have been waging.

By our principled withdrawal from the ICLC, by our demand that the closed environment of the ICLC be open to the light of historical reality we offer support to our comrades of the ICLC who must organize their fellow communists to take on the task of leading the working class.

The IWP has already begun organizing with the intent of establishing eight regional centers throughout the United States in approximately ten to fourteen days and of immediately beginning to organize the class around the slogan "Class Wide Organization or Class Wide Annihilation."

The IWP will be available to complete the U.S. Labor Party petitioning in view of our commitment to the importance of that task. This and any other necessary administrative work will be coordinated through our national operations staff.

We move now with compassion for our comrades of the ICLC who face daily their own impotence in organizing the class they know, sensuously, must perish without their leadership. From the lies and distortions born of idealism, from the mistrust of workers and our fellow organizers born of paranoia our comrades must move to take on their world historical task as communist revolutionaries. To this end we of the IWP pledge our full support. We must move now among real men and women who live under the historical conditions of mass annihilation, among those real men and women who desperately need our leadership. Every Marxist, every communist must demand of herself or himself the courage to face the reality of this frightening historical moment.

In solidarity with all comrades who take on their task and in support for their struggle to destroy the idealism that will otherwise destroy them and the ICLC, we submit this document to the membership of the ICLC.

WHO DIED FOR WHOM IN THE PHILIPPINES

HON. TOBY ROTH

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 1990

Mr. ROTH. Mr. Speaker, I commend the following article by Al Neuharth of USA Today to all Members of Congress. Mr. Neuharth is very insightful and has in my opinion the correct perception of this situation.

It is gratifying to find a member of the press who agrees with a minority in this House on the issue of the Philippines. His view is the minority view in the House, yet before too long, it will be the majority view in Congress. His call is a clarion call of the future.

The cold war is over. We as a nation, and as a world, are moving into a new era. It is an era when overseas bases are an expensive relic of the past, when overseas bases are unneeded and unhelpful.

We don't need the bases, and we don't want the bases. Our own military tells us that if we left the Philippines, first, we would save billions; and second, Filipino-American relations would improve. These are worthy goals in my opinion.

The Philippine people are a proud and wonderful people. They don't want us there, so we shouldn't be there. The Philippine Government has milked the United States taxpayers for billions—billions we can't afford. Mr. Neuharth said it best, "it's time to pick up our 'peace dividend' in the Philippines and kiss Aquino goodbye."

[From USA Today, May 18, 1990]

WHO DIED FOR WHOM IN THE PHILIPPINES?

(By Al Neuharth)

Their politicians, from the president on down, put us down.

Protesters in the streets shout, "Yankee go home."

Terrorists kill three more of our servicemen and keep 50,000 USA military and civilians cooped up like prisoners inside Clark Air Base and other installations.

The time has come to say a sad farewell to our former friends in the Pearl of the Orient. We should:

Announce we will give up our military bases when leases expire next year and start troop withdrawals soonest.

Abandon our futile hopes that President Corazon Aquino can successfully lead her country.

Not only is Aquino not the solution, she is the primary problem.

We and the world rejoiced when she was elected in 1986. But when I visited the Philippines in 1988, I wrote that it was clear Aquino had neither the expertise nor experience to lead her country out of the morass in which the late Ferdinand Marcos had left it.

Aquino's ineptness is most evident in her handling of relations with the USA.

Last December, she desperately called for help from our Air Force when a coup threatened to dethrone her. President Bush saved her. Yet a few weeks later, she snubbed Defense Secretary Dick Cheney when he went to Manila.

She has repeatedly refused to speak out in favor of our military presence. This week, her chief negotiator in the talks on our bases, Foreign Secretary Raul Manglapus, attempted to distort history by lamenting how "Filipino soldiers fought and died for America" in World War II.

If Aquino and her foreign secretary don't remember who died for whom, they'd get this picture if they walked among the white crosses of Manila's American cemetery:

Buried there are 17,206 men and women from the USA who gave their lives to free Filipinos from Japanese occupation.

Nearby, rows of marbled walls carry names of our 36,280 military missing in action in that area.

A year after we freed the Filipinos, we granted the country full independence. We agreed to keep a military presence to protect our friends, a policy that now pumps about $1 billion annually into the Philippine economy.

There's no great strategic value to us in our bases there. Our own interests in the Pacific can be equally well protected by expansion of facilities on friendly soil, Guam or elsewhere.

It's time to pick up our "peace dividend" in the Philippines and kiss Aquino goodbye.

HEFLEY PRAISES DOUGLAS COUNTY YOUTH RUGBY CLUB

HON. JOEL HEFLEY

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 1990

Mr. HEFLEY. Mr. Speaker, I rise today to honor the Douglas County Youth Rugby Club. On Sunday, May 6, 1990, this team of fine young men captured the Colorado Division One State Rugby Championship. To win this year's title at the 1-day tournament, the Motleys advanced to the championship match and defeated the Littleton Rugby Team by a score of 15 to 6.

It is a great pleasure to see a group of young, dedicated individuals come together as a team to work toward a final goal. I would like to congratulate coaches Dave Ocken and Don Rauh for molding the Motleys into a championship team. Also, special recognition goes to twin brothers Casey and Scott Howard and their teammates Josh Mezger and John Vanden Bosch, who were named to the all-State team. Marcus McCollough was honored with the distinction of most valuable player of the championship game.

As this team goes forward to the USA National High School Tournament in San Antonio, TX, I urge them to take pride in their past accomplishments, and remember the manner in which they achieved them. Dedication, teamwork and all-out effort are the ingredients of a championship team. Because the Motleys have successfully demonstrated these characteristics, I honor them today and wish them the best of luck in the national tournament.

YOUNG PEOPLE CONCERNED ABOUT ENVIRONMENT

HON. MIKE ESPY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 1990

Mr. ESPY. Mr. Speaker, yesterday I was presented with 58 letters from some outstanding young people in my district. These young people have written to me because they are gravely concerned for our environment. They represent the next generation; the generation that will have to live on the Earth that we leave for them.

Although their letters are too numerous to present here, I would like to recognize these young people individually. They are: Elizabeth Archer, Lamar Bell, William Bell, Douglas Bishop, Nicole Brent, Preston Brooks, Elizabeth Brown, Steve Bryson, Faris Buchberger, Catherine Causey, Blair Chewing, Stan Clark, Jennifer Colman, Morgan Cummins, Meredith Dickerson, Cileste Donald, Richie Drane, Trey Eakins, Harriet Elmore, Jessica Epting, Josh Epting, Katie Erwin, Casey Estis, Julie Farr, Andrew Fountain, Adam Fuquay, R. Kelley Gilliam, Micah Goodman, Amber Gray, Nicholas Hanos, Clint Harper, Rachel Hart, Jason Hayles, Lindsay Hazelwood, Brandi Helms, Mandy Hillis, Marlee Hobart, Bert Holland, Kelly Hovas, Burle Howse, Klynt Johnson, Mary Helen Lane, Clyde McGee, Brad Mayo, Lindsey Melton, Kandice Miller, Shawn Moose, Mandy Nichols, Michelle Owen, Rob O'Reilly, Frankie Painter, Jason Peets, Bo Petro, Xan Robertson, Trey Sandifer, Stephanie Sella, Darrell Sparks, Breisch Stallings, Jay Steed, Josh Tippin, Lance Triplett, David Twiner, Brian Walters, Jennifer Williams, Candace Willis, Anne Reid Wilson, Meri-Winston Winn, Brent Wong, Tiffany Yee, and Brad Young.

Mr. Speaker, when we were children we were taught to clean up after ourselves; to pick up our own toys and clean up our rooms. It is a basic principle, however, it is obviously one that many industries have forgotten. It is my hope that industry will be reminded of their responsibility by Congress' passage of the Clean Air Act Amendments of 1990.

All these children are asking for is clean air to breathe. I do not think that is too much to ask. Let's remember them as we work to pass legislation that is conducive to a more environmentally sustainable world.

HAMMERSCHMIDT VOTE ON THE AMERICANS WITH DISABILITIES ACT

HON. JOHN P. HAMMERSCHMIDT

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 1990

Mr. HAMMERSCHMIDT. Mr. Speaker, last week, at the request of President Bush, I was a member of the U.S. Presidential delegation to the inauguration of President Lee Teng Hui of Taiwan. Therefore, I was unable to cast my vote on the Americans With Disabilities Act.

The Public Works and Transportation Committee had a significant role in crafting the final bill. Transportation holds the key to opportunity for millions of disabled Americans. Breaking down barriers to employment means nothing if the potential employee cannot get to the employer's place of business. The ADA bill will go far to improve that situation. We on the Public Works Committee worked long and hard to balance the needs of the disabled with the impact on providers. We tried to keep the objectives of mobility first and foremost in our minds in considering the issues that were raised before us.

In that context, I would like to thank our distinguished chairman, Congressman GLENN ANDERSON, for his leadership in seeing that the committee dealt with the bill fairly and completely. I would also like to thank the chairman of the Surface Transportation Subcommittee, Congressman NORM MINETA, and the ranking Republican on that subcommittee, Congressman BUD SHUSTER, for their hard work on the bill.

While I still have concerns over certain provisions, I feel that overall, the ADA bill will profoundly improve the lives of many Americans. Mr. Speaker, I would like the RECORD to show that had I been here, I would have voted to support passage of the ADA bill.

THE TRANSFER AMERICAN DEFENSE TECHNOLOGY TO THE SOVIET UNION ACT

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 1990

Mr. SOLOMON. Mr. Speaker, members of the Rules Committee were notified only today that the committee will take up the rule for the Export Administration Act tomorrow morning. This is a complex and controversial measure critical to our national security and it should not be acted on without a full and careful review. Yet we were informed that the bill is being rushed through the Rules Committee because the Democratic leadership couldn't locate any other bills which are ready to be brought to the floor?

I am inserting into the RECORD a list of some of the amendments I intend to offer to the Export Administration Act when the bill reaches the floor. Not on the list are two major amendments currently being drafted re-

garding the sale of satellites to China and the Soviet Union.

SOLOMON AMENDMENTS TO H.R. 4653—REAUTHORIZATION OF THE EXPORT ADMINISTRATION ACT

(1) Section 104: PRC Distribution License.

Section 104 grants privileged licenses for high-technology exports to the PRC, the Soviet Union and elsewhere.

Amendment Language: Strike Section 104.

Background: In a major concession to the Chinese regime, this provision (sec. 104) would authorize distribution licenses for exporters to the People's Republic of China. A distribution license enables an exporter to obtain one license to cover a series of shipments to a broad range of distributors—rather than seek individual validated licenses for each sale. Distribution licenses have heretofore primarily been used in COCOM countries where risks of diversion or unauthorized uses are considered to be lower. Authorizes distribution licenses for the Soviet Union and other controlled countries. Obviously, the probability of serious strategic diversions under such an authorization are even greater than in China. The provision also authorizes comprehensive operations license to all destinations, including the Soviet Union. A comprehensive operations license, for example, can include the export of militarily critical technologies controlled for national security reasons.

(2) Section 105: Exports to COCOM.

Section 105 establishes a license-free COCOM. That is, all U.S. exports to a COCOM country will not require an export license.

Amendment Language: Section 105(a) is amended by adding after section 105(a)(2)(B)(i), the following: (renumber successive subsections)

"The Secretary may require authority or permission to export or reexport selected, extremely militarily sensitive goods and technology, as he may determine."

Section 105(a)(2)(B)(ii) is amended by striking the sentence: "Any such determination shall not take effect until 30 days after the Secretary notifies the Coordinating Committee of the determination and requests the cooperation of the Coordinating Committee in imposing comparable export controls."

Background: Section 105 will eliminate the requirement for exporters to obtain licenses for the export of any goods and technology if the destination is either Australia, Belgium, Canada, Denmark, France, West Germany, Greece, Italy, Japan, Luxembourg, The Netherlands, Norway, Portugal, Spain, Turkey, or the United Kingdom (COCOM countries).

A key question is the definition of Germany, post July reunification. Will exporters be allowed under this provision to export any goods or technology to East German territory without a license?

Why does this provision take away the right of the Secretary to make any exceptions?

Under this provision, exporters can continue to export to a COCOM country without a license, even if that country is engaged in a pattern of noncompliance with COCOM rules. Such a country can only be excluded from the license-free zone after a 30-day waiting period, starting from the time the US Government officially notifies COCOM.

(3) Section 106 and Section 112: Supercomputer Exports and Indexing.

Section 106 sets up an arbitrary mechanism which automatically relaxes export controls on supercomputers as long as their performance capabilities are 25 percent or less of the most powerful supercomputers available. Section 112 sets up an arbitrary automatic decontrol mechanism for all goods and technology.

Amendment language: "Strike section 106(b) and section 112" (would also need conforming amendment)

Background: Section 106 relaxes export controls on a critical technology—supercomputers—with vast military applications. The decontrol becomes automatically pegged to advances in state-of-the art technology rather than a strategic justification for the removal of safeguards. Under this provision, countries like Iraq, India, Pakistan, Libya could obtain supercomputers at or below 25% the performance capabilities of the best supercomputers available. Section 112 similarly requires the Secretary of Commerce to establish automatic indexing procedures which provide for annual increases in the performance level of goods or technology subject to licensing requirements. Goods or technology that no longer meet the higher performance thresholds are decontrolled. In other words, no matter how much damage a technology might do to Western security, it would automatically become decontrolled provided further advances had been made in the field of that technology.

(4) Section 107: Exports to Eastern Europe

Section 107 liberalizes exports of goods and technologies to East European countries. The Secretary of State is required to negotiate with COCOM to: (1) remove export controls on all goods and technologies below the "PRC Green Line" to all destinations, and (2) obtain a policy of favorable consideration for goods and technologies above the PRC Green Line for civil end-uses to East European countries that have imposed safeguards.

Amendment language: A: "Strike section 107"

B: "Section 107 is amended: (1) in section 107(a) line 7 by striking the word "shall" and inserting in lieu thereof "is encouraged to"; (2) by deleting lines 10-12 in section 107(a) (deletes (4)(A)(i)); (3) by striking the word "favorable" in section 107(a) line 13 and page 12, line 2; (4) by inserting after "the Secretary shall," the words "with the concurrence of the Secretary of Defense" in section 107(a) page 11, line 5 (section 5(b)(4)(C)(i); by striking the word "shall" on page 15, line 19 (section 5(b)(4)(H)), and inserting in lieu thereof "is encouraged to".

Background: Provision raises constitutional question of Congress requiring Secretary of State to negotiate specific positions. If these negotiating positions were accomplished, they would result in the wholesale decontrol of an array of extremely sensitive technologies to the Soviet Union.

Would be important to get a clarification from the Chairman as to whether or not the Soviet Union is considered part of Eastern Europe for the purposes of this subsection.

(6) Section 108: Telecommunications.

Section 108 requires the Secretary of State to negotiate with COCOM an agreement that exports of telecommunications equipment will be allowed to any country for civil end-use. Telecommunications equipment is defined to include optical fibers, optical cables, laser telecommunications equipment, microwave and other radio relay, transmitting, or test equipment, telecommunications transmission, measuring, or test equipment, etc.

Amendment language: "Strike section 108"

Background: Aside from the constitutional questions which are involved with a provision which explicitly directs the Secretary of State to negotiate a specific proposal, the Administration currently has full authority to decide what telecommunications equipment should be licensed or not. The White House has a detailed proposal on telecommunications equipment before COCOM now. Congress should not become the licensing officer for telecommunications or any other type of goods or technology. It goes without saying that such an arrangement would vastly enhance the effectiveness and reliability of Soviet military command, control and communications capabilities. As such, it would represent a devastating blow to NATO's security and intelligence capabilities.

(7) Section 109: Commodity Jurisdiction.

Section 109 requires the U.S. Munitions List to conform with the International Munitions List and sets out an elaborate procedure for reconciling disputes between Commerce and State over the definition of an item as a "munition" or a "dual-use" good or technology.

Amendment language: "Strike section 109"

(8) Section 110: Sunset of Control List.

Section 110 requires that all goods and technology controlled for national security reasons are terminated as of 30 September 1992, except for controlled country destinations. Only the Secretary of Commerce can reinstate controls on an item only after he has determined that the item would make a significant contribution to the military potential of a country or combination of countries that would prove detrimental to the United States and he has published that determination in the Federal Register.

Amendment Language: "Strike section 110"

Background: This provision provides a wholly inappropriate delegation to the Secretary of Commerce of the responsibility to determine which technologies have military potential and what a "significant contribution" to such potential might involve.

(9) Section 111: Unilateral Controls and Trade Shows.

Section 111 prohibits the Administration from imposing any special conditions (like safeguards) on the export of a good or technology, unless COCOM countries also impose those same conditions. Section 111 also enables exporters to take any good or technology to any country destination for demonstration purposes.

Amendment language: "Strike section 111."

Background: Under this provision, any goods or technology may be taken by a U.S. exporter to a trade show or for demonstration purposes in any country as long as (1) the U.S. exporter retains title to that good, and (2) the U.S. exporter takes the good or technology out of the country when the trade show is over. This is a laughable arrangement, certain to facilitate the compromise of sensitive technologies.

(10) Section 115: The Role of Secretary of Defense.

Section 115 limits Defense Department review of licenses for exports of goods and technology only to: (1) the Soviet Union, (2) those Eastern European countries that do not qualify for favorable treatment, and (3) controlled countries where the end-use is other than a civil end-use.

Amendment Language: "Strike section 115"

Background: Section 115 would set up the Secretary of Commerce as the exclusive judge of what is or is not a "civil" end-use. This would deny the president the benefit of his Secretary of Defense's counsel on all technology issues falling outside of the designated areas. It would also likely produce a burgeoning of purportedly "civil" end-users.

(11) Section 120: Authorization of Appropriations.

Section 120 authorizes $46.7 million for Commerce Department.

Amendment Language: "Section 120 is amended, page 47, line 7, by striking $46,707,000 and inserting in lieu thereof "28,024,200".

Background: The proposals outlined in HR 4653 are estimated to cut licensing requirements by 40 percent. As such, appropriations authorized for the Department of Commerce's licensing function could be cut by 40 percent.

(12) Foreign Availability

Add provision which will enable Secretary of Defense to block foreign availability assessments by Department of Commerce which he deems to be inaccurate.

Amendment Language: "Title 1 of HR 4653 is amended by adding the following section after section 111 and renumbering successive sections accordingly:

Section 112. Foreign Availability.

(1) Section 5(f) is amended in the second sentence by inserting after "establish," the following: "and with the concurrence of the Secretary of Defense,"

Section 5(f)(2)(A) is amended in the second sentence by inserting after "establish," the following: "and with the concurrence of the Secretary of Defense,"

Section 5(f)(2)(B) is amended in the first sentence by inserting after "determines" the following: "with the concurrence of the Secretary of Defense"

(4) Section 5(f)(3)(B) is amended by striking "The Secretary's determination of foreign availability does not require the concurrence or approval of any official, department, or agency to which such a determination is submitted." and insert in lieu thereof, the following: "The Secretary's determination of foreign availability requires the concurrence of the Secretary of Defense."

Background: When Congress empowered the Secretary of Commerce to conduct foreign availability assessments, it assumed that such studies would be well researched and documented. Since the foreign availability provision of the Export Administration Act enables Commerce to decontrol entire product categories, it is essential that studies accurately assess whether or not items are truly widely available to the Soviet Union so as to render U.S. export controls meaningless. Unfortunately, the track-record of the Commerce Department has been poor on this score. Although the Act requires commerce to discount foreign availability claims which are contradicted by reliable intelligence information (Sec. (f)(3)(A)), Commerce has violated that requirement in the past, for example with its foreign availability assessment re. personal computers last summer. A Wallop amendment to the Defense Authorization Act initiated an independent study, which found Commerce's foreign availability studies seriously lacking in fundamental standards of evidence and determined that the interagency process was equally deficient. The current process excludes the Secretary of Defense in anything other than an advisory role. As a consequence, wholesale decontrols of vital technologies are occurring based on anecdotal, flimsy evidence. The process currently does not adequately allow for challenges, and thus a requirement that the Secretary of Defense concur with Commerce assessments should be added by Congress.

(13) Lithuania.

Amendment Language: "Notwithstanding any other provision of law, there shall be no liberalization of U.S. technology transfers policies and actions affecting the export of goods and technology to the Soviet Union while that country continues to withhold oil and gas shipments and impose other forms of economic warfare against Lithuania.

PROPOSED AMENDMENT RE SOVIET ACTIONS AGAINST THE BALTICS AND OIL AND GAS EQUIPMENT CONTROLS

In April, the Soviet Union halted all shipments of oil and natural gas to Lithuania.

President Bush failed to initiate any sanctions or costs for the Soviet action. Instead, the Administration is pursuing an aggressive policy of actually assisting the Soviet Union in its oil and natural gas production capabilities.

U.S. and Soviet government delegations are meeting regularly to identify U.S. technologies and skills needed by the Soviet Union in the energy sector (U.S.-Soviet Energy Working Group—Lead agency: DOE)

DOE is exploring the possibility of a U.S. government-sponsored oil and gas mission to the Soviet Union in October.

Deputy Energy Secretary Henson Moore is leading effort. (See attached Moore speech to American Committee on U.S.-Soviet Relations.

Soviet repression in Lithuania should not be rewarded by Administration efforts to actually enhance Soviet capacity to use energy as a weapon. Without costs imposed by the United States, the Soviet Union is apt to continue to withhold oil and natural gas shipments to Lithuania, if not other republics. It should also be kept in mind that the Eastern European countries have an inordinate dependence on the Soviet Union for energy resources. Costs should be imposed now on the Soviet Union's actions in Lithuania to discourage Moscow's consideration of using its energy leverage or coercion in any other country.

Amendments:

(1) "Notwithstanding any other provision of law, goods and technology related to the exploration, drilling, extraction or refining of petroleum products and natural gas shall not be exported to the Soviet Union until the President certifies to the Congress that the Soviet Union is no longer using oil and gas as a weapon in its economic warfare against the Baltics. This provision shall not apply to the republics of Lithuania, Estonia, and Latvia."

(2) "All U.S. government cooperation with the Soviet Union pertaining to the enhancement of Soviet energy resources shall cease until the Soviet Union is no longer withholding energy supplies from the Baltic republics."

INTRODUCTION OF THE SWAMPBUSTER IMPROVEMENT ACT OF 1990 AND THE WETLANDS PRESERVATION AND RESTORATION ACT OF 1990

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 1990

Mr. CONTE. Mr. Speaker, for years we have ignored the greatest source of wetlands destruction in the United States—agriculture. From the central valley of California to the coastal plains of south and eastern Texas to the prairie potholes of the Grain Belt, agriculture has been the principal culprit in draining and filling our precious wetlands.

The facts are startling. More than 80 percent of wetlands loss in the United States is due to agriculture. Of the 215 million original acres of wetlands in the United States—excluding Alaska—only 95 million now remain. In the past 40 years, 16 million acres of wetlands have been lost to agricultural conversion.

The loss of wetlands to agriculture has had a devastating environmental impact. Waterfowl breeding areas have been destroyed, causing drastic reductions in populations. The severity of droughts has increased because fewer wetlands exist to retain and replenish ground water. Soil erosion and pesticide and chemical runoff from agricultural production has increased pollution of rivers, lakes, and streams because fewer wetlands are there to trap sediment and filter out contaminants.

I am introducing two bills to put an end to any further destruction of wetlands by agriculture and to begin to restore wetlands which have already been converted to agricultural use. The Swampbuster Improvement Act of 1990 will plug existing loopholes in the swampbuster provision of the 1985 farm bill. The Wetlands Preservation and Restoration Act of 1990 will create a 3-million-acre wetlands reserve to restore and protect valuable wetlands which have been converted to agricultural use.

THE SWAMPBUSTER IMPROVEMENT ACT OF 1990

In 1985 we woke up to the fact that agriculture was responsible for most of the wetlands destruction in the United States. That year Congress took action to protect wetlands by passing the Swampbuster provision on the farm bill, under which farmers who drain and plant crops on wetlands can lose their eligibility for Federal farm program benefits.

Swampbuster has slowed wetlands loss, but it has not protected wetlands as well as intended. Farmers are still able to drain and convert wetlands while avoiding any penalty. In the prairie pothole region of North Dakota, 30,000 acres of wetlands have been converted to agricultural production each year since Swampbuster was enacted—yet no penalties have been assessed. Nationwide, over 175,000 acres of wetlands are estimated to have been converted to agricultural use since 1985, despite Swampbuster restrictions.

In order to put an end to any further agricultural destruction of wetlands, I am introducing, with my friend from California, GEORGE

MILLER, the Swampbuster Improvement Act of 1990. Our bill will plug the holes in Swampbuster by:

Making Swampbuster restrictions apply upon the conversion of a wetland by draining or other means, regardless of whether a crop is planted on the wetland. Currently Swampbuster applies only if a wetland is converted and an annual crop is planted on it.

Requiring Swampbuster violators to restore wetlands at their own expense, following a compliance plan established by the Soil Conservation Service and the Fish and Wildlife Service.

Prohibiting Swampbuster violators from obtaining loans from federally insured lending institutions. This will broaden coverage of Swampbuster to encompass those farmers who do not participate in Federal farm programs.

Requiring the concurrence of the Fish and Wildlife Service on all Swampbuster determinations. The Fish and Wildlife Service has the technical wetlands expertise to improve the implementation of Swampbuster.

Allowing third parties who are adversely affected by Swampbuster decisions to use an administrative appeals process.

The Swampbuster Improvement Act will strengthen our ability to protect wetlands from agricultural conversion.

THE WETLANDS PRESERVATION AND RESTORATION ACT OF 1990

In order to reverse the loss of wetlands to agriculture and move closer to the goal of "no net loss" of wetlands, I and the esteemed environmentalist from Michigan, JOHN DINGELL, are introducing the Wetlands Preservation and Restoration Act of 1990. The bill restores valuable wetlands that have been converted into farmland and permanently takes them out of agricultural use. It establishes a 3-million-acre wetlands reserve by allowing USDA, with the concurrence of the Fish and Wildlife Service, to acquire permanent easements on restorable wetlands.

The bill will help retain the habitat of the 30 percent of plants and animals on the endangered species list which require wetlands for survival. It will also help to reverse the dramatic decline in waterfowl populations. In the past decade, mallard duck breeding populations have declined 23 percent, blue-winged teal populations have declined 40 percent, and northern pintail populations have declined 60 percent as their wetland breeding areas have been converted to farmlands.

The bill is fiscally responsible. It uses the existing budget authority of the Conservation Reserve Program [CRP] to acquire the easements. The CRP is authorized to enroll 40 million acres of erodible cropland into 10-year easements, but only 34 million acres have as yet been enrolled. The wetlands reserve would use 3 million of the remaining 6 million CRP acres to save wetlands. The bill permits up to 100 percent Federal cost-sharing for the restoration of the wetlands as an incentive for farmers to enroll acres in the wetlands reserve.

Wetlands which have been converted to agricultural use often are only marginal farmland, but are of high value as wetlands. The Wetlands Preservation and Restoration Act will return, 3 million acres of those marginal farmlands to their optimal value as wetlands.

The Swampbuster Improvement Act and the Wetlands Preservation and Restoration Act are strongly endorsed by the National Wildlife Federation, the National Audubon Society, and the Sierra Club. I am including letters of support from these groups in the RECORD.

I hope the rest of the House membership will join us as cosponsors of the two bills in order to save and restore valuable wetlands.

Thank you, Mr. Speaker.

NATIONAL AUDUBON SOCIETY,
Washington, DC, May 23, 1990.

Hon. SILVIO O. CONTE,
House of Representatives,
Washington, DC.

DEAR MR. CONTE: The National Audubon Society strongly supports both the Swampbuster Improvement Act and the Wetlands Preservation and Restoration Act.

The Swampbuster Improvement Act will substantially strengthen Swampbuster's ability to protect wetlands. It improves the definition of a Swampbuster violation, facilitating enforcement while protecting wetlands against conversion for the production of non-commodity crops. It makes Swampbuster policy more consistent by making all violators, including those who do not participate in commodity programs, ineligible for federally insured loans. Furthermore, the act creates a firm scientific and technical basis for Swampbuster determinations by requiring the concurrence of the Fish and Wildlife Service in all stages of the law's implementation.

The Wetlands Preservation and Restoration Act creates a fiscally and environmentally responsible program for wetlands restoration and protection. Since the overwhelming majority of wetlands losses in the continental United States have been due to agricultural conversions, a vigorous federal initiative to restore valuable wetlands which have been converted into farmland is absolutely essential to offset historic losses and to achieve the national wetlands goal of "no-net-loss". Permanent easements provide cost-efficient protection, and will ensure that restored wetlands will continue to produce wildlife and improve water quality for many generations to come.

Together, the bills represent a balanced approach for improving federal wetlands protection policies. Stronger and more effective protection for existing wetlands, combined with incentives for restoring previously converted wetlands, will help to turn the tide of wetlands losses, and will provide lasting protection for one of the nation's most valuable natural resources.

Wetlands preservation is a high priority for Audubon and its 600,000 members. We applaud your leadership, and pledge our assistance in this timely and critical issue.

Sincerely yours,

ELIZABETH RAISBECK,
Senior Vice President,
Regional and Government Affairs.

MEMORIAL DAY

HON. ROY DYSON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. DYSON. Mr. Speaker, next week, in towns, cities, and communities across our Nation, Americans will celebrate Memorial Day. This special day of remembrance unites us as a nation in shared appreciation of the blessings of freedom, security, and democracy—and of the terrible sacrifices by which they were won. Memorial Day was first celebrated after the Civil War in order to grieve lost loved ones and to restore the peace between the North and the South.

Today we live in a time of peace and prosperity; yet, war is not just a thing of the past. In the last year alone, many Americans sacrificed their lives in the cause of freedom.

Among these sacrifices were 23 brave Americans who lost their lives in Panama last December. Operation Just Cause restored the fruits of democracy to our Panamanian brethren and upheld the security of the Panama Canal. As chairman of the Panama Canal Subcommittee, I understand the strategic importance of this great link between the Atlantic and Pacific Oceans. Operation Just Cause should serve to remind us that we must be ever vigilant. History has shown time and time again that the pursuit of peace requires the preparedness for battle.

Our Nation was borne in revolt against tyranny. From Yorktown to Gettysburg, and from World Wars to cold wars, Americans have always fought to preserve the ideals we hold sacred. We must never forget that many of our fellow citizens left their homes and their families and gave their lives to ensure the preservation of our freedoms for their generation and for generations yet to come.

Today, thousands of American military personnel stand ready across the globe, able at a moment's notice to spring into action. My district is home to four military bases and I would like to offer my special appreciation to the men and women who serve in the Armed Forces and are stationed in the First Congressional District of Maryland.

Our strength as a democratic nation has served as a beacon of hope to people around the world. In Eastern Europe, communism is nearly dead, the cold war is coming to a dramatic close, and the very symbol of oppression—the Berlin Wall—has been ripped apart. We had to fight the cold war for 40 years, but the hard and unyielding line that we drew has resulted in the liberation of millions of people. On this Memorial Day, we must pay special tribute to the brave men and women who died in defense of freedom. At last, we can delight in the hope that their sacrifice will bring peace and prosperity to Europe, and eventually to all the world.

America owes a tremendous debt of gratitude to the courageous men and women who have fought for our country. We must take as a sacred trust the words of the founder of the Veterans' Administration, Abraham Lincoln, who said, "To care for him who hath borne the battle, and his widow, and his orphan." The 101st Congress has reiterated its concern for the welfare of our Nation's veterans by enacting a number of important legislative initiatives. Public Law 101-237 expands the recruitment and retention of health care professionals within the Veterans' Administration and increases many benefits for disabled service-connected Americans. A related bill, H.R. 4557, which recently passed the House, provides a pay increase to health care profes-

sionals as a further incentive for VA recruitment efforts. However, much important work remains.

To this end, I have joined as a cosponsor of two much-needed bills pending before the Congress, H.R. 3914 and H.R. 303, which together will ensure that our veterans receive the full entitlements they deserve. Vietnam veterans have special needs of their own. H.R. 3603 addresses one of these needs by requiring the Federal Government to release information concerning our soldiers who are still unaccounted for in Southeast Asia and in other regions where America has been involved in hostilities. Efforts to expand the range of allowable disability compensation for soldiers exposed to agent orange remains another priority. Under congressional pressure, the Veterans' Administration has at last agreed to reexamine exposure-related disabilities, while Public Law 101-237 augmented the benefits already allowable. Now we must enact H.R. 3004 to expand the range of diseases covered by the law. I urge my colleagues to give prompt consideration to these crucial pieces of legislation.

Mr. Speaker, while "Taps" is heard in cemeteries across the country this Memorial Day, it should remind the families and friends of those who gave so much that a grateful Nation remembers.

THE 100TH ANNIVERSARY OF THE KNIGHTS OF PYTHIAS, LODGE NO. 414

HON. DOUGLAS APPLEGATE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. APPLEGATE. Mr. Speaker, I rise to pay tribute to the Order of Knights of Pythias who were the first American order to be chartered by an act of Congress. The Knights of Lodge No. 414 in Mingo Junction, OH, will be celebrating their 100th anniversary on May 26, 1990.

The Order of Knights of Pythias is an international fraternity which was founded in our Nation's Capital in 1864. While the primary object of fraternal organizations is to establish companionship among men, each chapter of the Knights embraces virtuous, outstanding principles of friendship, charity, and benevolence. These virtues take the practical expression of homes for the aged and infirm, higher educational facilities, assistance to those in distress by making financial contributions to national and State emergency funds. University scholarships are awarded to winners of a public speaking contest for high school boys and girls.

The Order of Knights of Pythias provides an opportunity for manifold public service. The organization provides a method for pooling the efforts of individuals so that they may best contribute to their community.

Mr. Speaker, it is my express privilege and honor to ask my colleagues to join with me and the residents of Mingo Junction in acclamation of the Order of Knights of Pythias Lodge No. 414 as a leader of fraternal organizations.

TRIBUTE TO AMERICAN WOMEN'S ECONOMIC DEVELOPMENT CORP.

HON. BILL GREEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. GREEN. Mr. Speaker, it gives me great pleasure to pay tribute to the American Women's Economic Development Corp. [AWED], an organization located in my congressional district that provides information and guidance to women starting their own businesses. That prominent corporation has been successful in promoting women's development in the economic sector. On Tuesday June 12, 1990, AWED will celebrate its 13th anniversary.

The gala event will be held at one of New York City's finest cultural centers, the Alice Tully Hall, at Lincoln Center. During that celebration, AWED will present awards to distinguished individuals who, over the years, have made outstanding contributions to women's economic development in general and to AWED in particular.

I ask my esteemed colleagues to join me in offering hearty congratulations to the honorees and all the members of AWED. I have every expectation that AWED will continue to be a beacon for women in the business and financial communities.

CIVIL RIGHTS MOVEMENT LED ASTRAY?

HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. GINGRICH. Mr. Speaker, the Atlanta Journal and Constitution ran this editorial about the changing of the civil rights movement. I feel it shows how the civil rights movement can be led astray by those who wish to divide rather than unite.

[From the Atlanta Journal and Constitution, May 11, 1990]

SHIFT TO VICTIMIZATION HURTING CIVIL-RIGHTS MOVEMENT

(William Raspberry)

WASHINGTON.—Ask a hundred black Americans about the state of race relations in the country, and maybe 90 of them will tell you things are getting worse. You will hear talk of growing resurgent racism: ignorant insensitivity, racial slights, open bigotry.

Can a nation that has moved so far beyond the question of voting rights that Mississippi has elected a black member of Congress and Virginia a black governor also be a place where racism grows worse each passing year?

Julius Lester, the 1960s radical who authored "Look Out, Whitey! Black Power's Gon' Get Your Mama," offers an intriguing explanation: Black Americans, having achieved the "possible" dream of securing civil rights, are now embarked on a "disastrously divisive and impossible" task of fighting racism.

"The first thing to understand about the civil-rights movement," says Lester, now a professor at the University of Massachusetts, "is that it won. It had set out in the mid-50s to change the system of segregation. With the passage of the 1964 Civil Rights Act, that was accomplished. In the early '60s, the movement set out to ensure that blacks had access to the voting booth. With the passage of the 1965 Voting Rights Act, that was accomplished."

But then something remarkable happened. The civil-rights movement shifted its focus to something called "human rights"—a quest not for constitutional guarantees but for changed attitudes. The new focus "said that the opinions, feelings and prejudices of private individuals was a legitimate target of political action," a reorientation that Lester finds not just inappropriate—"a new statement of totalitarianism"—but dangerous.

"The shift from fighting for civil rights to fighting against racism," Lester says, "was a shift from seeking common ground to a position that has been disastrously divisive. To fight against racism divides humanity into us against them. It leads to a self-definition as 'victim,' and anyone who defines himself as a victim has found a way to keep himself in a perpetual state of self-righteous self-pity and anger."

Lester's words will be hard for most blacks to swallow. Has this former revolutionary become so content with his lofty academic position that he cannot see the racism in America? Not quite. His point is not to deny the existence of racism but to point out the inherently divisive effect of focusing on it.

"Racism is an issue in the public domain to the extent that it violates my rights as a citizen," he said. "And the society is still in the midst of trying to determine how we ascertain when that has occurred. This is much of what lies at the center of the debates on affirmative action." But there is no "right not to be bothered by racism. It would be nice. But the fact remains, there is no right to be free from racism, anti-Semitism or sexism."

Yet it is the very attempt to force the eradication of "isms" that may account for the racial strife on college campuses and elsewhere. What to black students seems a reasonable demand—that their compuses be free of racist attitudes—may look to white students as demands for special accommodations. As San Jose State's Shelby Steele has observed, there is political power in proving that you are the victim of racism. Much of the political clout that black students on predominantly white campuses are able to wield comes from painting themselves as victims. But in order to sustain itself, that power requires that the victims go on celebrating their victimization, and it encourages other groups—women, ethnics, gays, even heterosexual white males—to establish themselves as victims.

Lester sees it as one of the critical differences between today's racial activism and that of the '50s and '60s. "The impression is given today that the civil-rights movement was a black movement. It was not. It was an integrated movement, and innumerable whites also risked their lives and sanity for the principle of freedom and justice for all. It is startling to remember that period and look at today when blacks and whites are more separated than ever and the only bridge the two have to each other is a mutual animosity."

The civil-rights movement was a search for community, and its appeal was to commonality. Today's movement is a search for proof of victimization, and its appeal is to

difference. And maybe that's why things seem so much worse than they used to be.—(c1990.)

MR. SARPALIUS REMARKS ABOUT DAVID SARPALIUS' BIRTHDAY

HON. BILL SARPALIUS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. SARPALIUS. Mr. Speaker, I would like this House to allow me an indulgence today, so that I can wish my son, David, a happy birthday.

David just turned 17. When I stop to think about that, it truly amazes me. But, fathers always are amazed that their children can, in the space of a few years, go from being totally dependent on them to being on the edge of adulthood. We're amazed because we don't want to accept it. But, we must. And, I will.

David, if you are listening to me now, there is something I want to say to you. This fall, you decided to come to Washington, live with me and go to school here. I know it was not an easy decision for you to make. You have a lot of good friends in Amarillo, and high school is a time to be with those friends. But, you came and it meant the world to me.

A Congressman's job is never easy. You work long hours, miles away from home, trying to do some good for your friends and neighbors. You work late into the night in committee or on the floor, you go home to an empty apartment and, because no one can make everyone happy, you inevitably come back to the office and hear from constituents about the mistakes you made the day before. You do it because you're committed to public service and because you want to try to make your country, your State, your district a better place to live. That's reward enough.

But, let me tell you, David, I had an added bonus for most of this last year. When I came home at night after one of those long sessions, you were there. The troubles of the world seem a lot easier when your son is there to share them with.

Thank you, David, for being there. Not just last year, but for the last 17 years.

I love you, David. Happy birthday.

TWO BRAVE FIREFIGHTERS DIE IN THE LINE OF DUTY

HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. MURTHA. Mr. Speaker, in a tragic accident last week two long-time volunteer members of the Cresson Volunteer Fire Department died while in route to assist the Ashville Volunteer Fire Department on an accident in Dean Township.

Killed were Mr. Robert L. Adams, Sir. and Mr. Thomas N. Bianconi. Mr. Adams joined the company in 1945 and was named chief in 1971, a position in which he served until 5 years ago. Mr. Bianconi held several positions in the fire company during 50 years of volunteer service.

The strength of America comes from the daily type of commitment these men made to their families, neighbors, and communities. The spirit and commitment of Americans is shown by the dedication of these brave men. America suffers each time a committed citizen like this dies.

While no loss is equal to the loss suffered by their families and loved ones, it is a loss we all feel as Americans, and that I feel as someone who has seen how important these volunteer fire companies and fireman are to communities throughout the area I represent.

I certainly want to extend my condolences to their families and emphasize to them how much all of us as proud Americans recognize the tremendous accomplishment made by these men, and that we as Americans all stand a little taller and a little prouder because of their commitment.

A TRIBUTE TO WILLARD BAIRD

HON. BILL SCHUETTE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. SCHUETTE. Mr. Speaker, I have the privilege today of commending a distinguished citizen of Michigan, Mr. Willard Baird, on the occasion of his induction into the Michigan Journalism Hall of Fame on May 12, 1990, at Michigan State University.

A 73-year-old retiree, Mr. Baird resides in the Missaukee lakefront home he shares with his wife, Wava. The Bairds have 4 children who have blessed them with 10 grandchildren.

Willard Baird began his career in journalism at the age of 15 when he began working as a journalist for a weekly newspaper near his home. While in college at what is now Eastern Michigan University, Bill worked at the Ypsilanti Daily Press from 1932 to 1934. Baird began teaching after college and in his third year started work part time at the Port Huron Times Herald, a daily newspaper. He was soon asked to work full time, and he worked for the Associated Press until World War II.

Two days before the Japanese attacked Pearl Harbor in 1941, Baird began his 5 years of service in the defense of his country. He currently serves as a lieutenant colonel in the Army Reserve.

After World War II, Baird began working for the Federated Press, a group of three daily newspapers. He opened a Lansing, MI, bureau for Federated newspapers in 1947 and remained until it was acquired by Gannett. Baird was Gannett's Lansing bureau chief for 3 years before his retirement in 1974.

Willard Baird's love of journalism provided him with a career of 37 years that allowed him to experience a wide range of personal triumphs and witness many changes in his profession. His position as bureau chief gave him the opportunity to cover a wide variety of State government and political news. Baird attended nine national political conventions and is proud to have met and spoken to Presidents Eisenhower, Truman, Kennedy, Nixon, and Ford.

During his career Baird received more than 20 awards and was recognized for his work on numerous occasions. On his last day of work in 1974, Gov. William Milliken made an exceptive proclamation recongnizing "Bill Baird Day." Willard Baird is surely deserving of distinguished recongnition.

Despite the formal recognition Willard Baird has received for his work, he considers his most important career contribution a work he created to honor Michigan: "This is Our Michigan," a series of approximately 90 stories about the State. Originally printed in the Federated in 1954 and later made into a book, Baird's intentions were that his effort would teach readers more about the State and also develop State pride.

Mr. Speaker, and my colleagues in the House, please join me in honoring Mr. Willard Baird for his many years of distinguished service to his community and country and in offering our congratulations and best wishes to Mr. Willard Baird on the occasion of his induction into the Michigan Journalism Hall of Fame.

THE U.S.-PLO DIALOG AND PLO COMPLIANCE WITH ITS 1988 COMMITMENTS

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. HAMILTON. Mr. Speaker, the Subcommittee on Europe and the Middle East of the Committee on Foreign Affairs held a hearing today on the March 19, 1990, report of the Department of State regarding compliance by the Palestine Liberation Organization [PLO] with its commitment in December 1988 to renounce terrorism. This report was submitted to the Congress pursuant to section 804 of Public Law 101-246.

I would like to bring to the attention of my colleagues the testimony of John H. Kelly, Assistant Secretary of State for Near Eastern and South Asian Affairs. His testimony is an important statement of United States policy. The issues discussed in this hearing will be followed by other hearings and in questions submitted for the record to be answered by the Department of State regarding PLO compliance with its past commitments. A second report submitted pursuant to section 804 is expected in July, 1990.

Assistant Secretary Kelly's statement follows:

TESTIMONY OF ASSISTANT SECRETARY JOHN H. KELLY

I am pleased to be here today to discuss the status of the U.S.-PLO dialog, including issues related to PLO compliance with commitments it undertook in December 1988. In this opening statement, I would like to explain what the U.S.-PLO dialog is: just what transpired in 1988 that led to the U.S. decision to open a substantive dialog with the PLO; what commitments the PLO undertook at that time; what expectations the U.S. had regarding the dialog and PLO performance; how the dialog has progressed; and what has been the PLO's performance of the commitments.

BACKGROUND TO THE DIALOG

U.S. policy toward the PLO over the years was shaped in large measure by an undertaking entered into by the U.S. at Israel's request in 1975. At that time, as part of the package of arrangements believed necessary to conclude a second disengagement agreement between Israel and Egypt, Israel asked that the U.S. not recognize or negotiate with the PLO until it had met two conditions, namely recognition of Israel's right to exist and acceptance of UN Security Council Resolutions 242 and 338. Subsequently, we added a third condition, namely renunciation by the PLO of terrorism.

During these years, successive American administrations maintained these conditions as policy, and the U.S. did not recognize or negotiate with the PLO. We also interpreted this policy more broadly than strictly required and refrained from engaging even in a dialog with the PLO. The only exception, as discussed with Congress at the time, related to discussions with PLO officials on the security of U.S. personnel.

Periodically, throughout these thirteen years, the State Department received messages from third parties signalling PLO interest in a dialog. Each time this occurred, our answer was the same: when the POL changed its policy and accepted the conditions, the U.S. would immediately respond.

In 1988, the U.S. received several such probes. Following the Palestine National Council meeting in Algiers in November 1988, the administration assessed that the PLO might be serious about changing its policy and accepting the conditions for dialogue. In discussing this possibility with a friendly government which was also in touch with the PLO, the administration repeated its longstanding conditions and repeated its readiness to open a dialogue immediately after the PLO accepted the conditions. There were no deals made and no agreements concluded between the U.S. and the friendly government or between the U.S. and the PLO.

On December 14, 1988, Yasir Arafat, speaking on behalf of the PLO Executive Committee, announced a change in PLO policy. Arafat accepted the conditions for dialogue, when he accepted:

". . . the right of all parties concerned in the Middle East conflict to exist in peace and security, and as I have mentioned, including the state of Palestine, Israel and other neighbors, according to the resolution 242 and 338. . . . We totally and absolutely renounce all forms of terrorism, including individual, group and state terrorism."

Following Arafat's statement, Secretary Shultz announced that the U.S. would open a substantive dialogue with the PLO. Secretary Shultz noted that this did not imply acceptance of an independent Palestinian state.

Two days later, the State Department issued (classified) guidance to our diplomatic posts, for our embassies to brief host governments on what had happened and why. Our objective was to encourage states friendly to the PLO to assist in preventing PLO backsliding on its commitments. In its guidance at the time, the Department also conveyed certain expectations regarding PLO behavior. These included an expectation that the PLO would condemn publicly any terrorist action anywhere, or—if terrorism were conducted by a PLO member—discipline those responsible for it, at least by expelling them from the organization.

In conveying these expectations, the administration noted that Arafat could not control all of the actions of all people who belong to organizations within the PLO. However, the administration did not want and has not wanted to give even a yellow light to anyone in the PLO to think that terrorism would be condoned or accepted by the United States. We wanted other countries to help convince the PLO to remain faithful to the commitments it had undertaken.

I want to stress the difference between the conditions the PLO had to meet for us to start the dialogue, and our expectations for PLO behavior once the dialogue was launched. Neither the previous administration nor this administration imposed new conditionality on the dialogue. Neither administration decided on some automatic trigger for ending the dialogue. Neither administration wanted to hand over to any individual or minority group within the PLO the sole capability of bringing about an end to the dialogue. Rather, we told the PLO that its behavior must improve and that it must try to ensure that the entire PLO act as one in adhering to the commitment to renounce terrorism and recognize Israel.

Mr. Chairman, the object of this brief review has been to make three points:

First, the basis for our agreeing to a substantive dialogue with the PLO was the PLO's changing its policy and accepting the three conditions.

Second, there were no deals or agreements reached directly or indirectly with the PLO at the time the dialogue began.

Third, there were no additional conditions imposed on the dialogue itself, but rather a set of expectations that we hoped to see emerge from the dialogue.

ASSESSMENT OF THE DIALOGUE

It was against this backdrop that the Bush administration established its policy objectives for the dialogue with the PLO. From the outset the administration made clear that we would conduct the dialogue on our basic terms, namely that we had no intention of diverting the peace process on to unproductive tracks—for example, by focusing now on an international conference—or having the dialogue become an end in itself or a means for the PLO to separate us from Israel. Rather, our intentions have been to ensure that the PLO remained committed to the undertakings of December 1988; to promote pragmatic and realistic thinking in the PLO with regard to the peace process; and to encourage the PLO and the Palestinian community at large to communicate clearly and unambiguously, in words and actions, their readiness for peace with Israel.

The dialogue has achieved its objectives thus far and benefitted important U.S. policy interests. Within six months of its initiation, the dialogue was focusing on the practical plan initiated in Israel for elections leading to negotiations. An international conference, preferred by the PLO, was no longer the focus of attention. Indeed, the agenda of the peace process and the substance of our dialogue with the PLO were shaped in Washington, not Tunis.

This had far-reaching and positive consequences for the peace process. As part of our efforts to bring about Israeli-Palestinian dialogue—an essential first step in realizing the Israeli peace initiative—we needed to overcome several serious procedural roadblocks, among them the issue of composing the Palestinian delegation. Our assessment was that putting together a credible delegation of Palestinians from the territories depended on getting the acquiesence of the PLO, which they see as their representatives. This assessment is shared by others in the region, including in Israel. The Jaffee Center at Tel Aviv University said that Israel would have "to address the recognized representatives of the Palestinians, that is either the PLO or West Bank and Gazan Palestinians who enjoy a mandate from the PLO." We also continued to believe, as we had stated previously in the autonomy negotiations (1979-1982), that there would need to be some representatives from East Jerusalem; and we believed that a delegation would also need to reflect the interests of those outside the occupied territories as a symbolic gesture to the Palestinian diaspora and the unity of the Palestinian people. In all these matters, we also made clear that nothing agreed to at this stage of the peace process would be viewed by us as a precedent for subsequent stages.

Mr. Chairman, because we understood Israeli sensitivities in this regard, and because we wanted no surprises in our relationship with Israel, we laid our cards on the table to the Israeli government before it adopted its initiative. In April 1989, a month before the Israeli government adopted its peace initiative, Secretary Baker wrote to Foreign Minister Arens and said, inter alia, that it would be necessary to come up with a creative way to include the participation of some Palestinians no longer living in the West Bank and Gaza, and Palestinians from East Jerusalem.

So, it is clear that, from the beginning the Israeli government heard or views on composition of the Palestinian delegation. These issues remained under constant discussion between the U.S. and Israel up to the moment the Israeli government fell. It was equally clear that the PLO and Palestinians heard our views as well, for we made clear to the PLO in our dialogue in Tunis that the PLO would not be represented at the pre-election dialogue.

Mr. Chairman, periodically over the past year I have appeared before this Committee and explained our careful attempts to bring about the Israeli-Palestinian dialogue. We came very close indeed, when the Israeli government fell, leading to what we all hope is a temporary hiatus on the road to the dialogue in Cairo. The point of this review, however, has been to make three points:

First, the U.S.-PLO dialogue has served our peace process objectives.

Second, there was nothing in the process of reaching the dialogue that should have been a surprise to our friends in Israel regarding composition of the Palestinian delegation. Let me reiterate clearly that our intention was not to bring the PLO into the Cairo dialogue through the back door.

Third, the U.S.-PLO dialogue helped us reach a point where the Israeli elections proposal was ready to be implemented. In other words, the U.S.-PLO dialogue has succeeded in bringing about PLO acquiesence to a process of dialogue between Israel and Palestinians from the territorires.

PLO'S PERFORMANCE OF ITS COMMITMENTS

The current question, then, is whether the PLO has measured up the the three commitments it undertook in December 1988, namely, to accept UN Security Council resolutions 242 and 338; to recognize Israel's right to exist; and to renounce terrorism. In the three reports submitted by the administration in response to the PLO Commitments Compliance Act, the administration indicated its position tha the PLO had complied with its commitments. At the same time, the administration indicated clearly

that there were serious deficiencies in two key areas: first, that some PLO individuals or groups said ambiguous or inconsistent things about terrorism and recognition of Israel; and second, that some groups undertook actions that Arafat should have condemned and disciplined. The fact that Arafat did not take action in either case is regrettable but it is not a sufficient reason to break off the dialogue.

Mr. Chairman, we recognize the complexity of dealing with these issues and the apparent inconsistencies between what Arafat says on behalf of the PLO as an organization, and what individuals or groups do that seem to violate the commitments. We have tried to call this the way to see it and to point out to the PLO in Tunis that it should exercise control over what its constituent factions do and say.

The administration scrutinizes carefully every allegation of involvement in terrorism by a PLO constituent group. We take up these questions directly with the PLO in Tunis. We seek an analyze all information provided to us by Israel or any other source. We listen carefully to what Israeli officials say, for example, the repeated statements by senior IDF officers to the effect that Fatah has not engaged in cross-border terrorism from Lebanon since 1988. We check our own intelligence carefully. We do not seek to cover up PLO behavior in the service of an over-riding policy objective. We maintain a high standard for assessing what has happened, a standard which often differs from that used by others.

The bottom line is this complex environment is that, while there have been questionable incidents noted in the report, we do not have conclusive evidence to indicate PLO violations of its commitments. And the Israeli government has not provided conclusive evidence to support its assertion that the PLO has continued to engage in terrorism against civilians. As a result of *these* factors, the administration has adopted the position of PLO compliance—a position which is constantly reviewed.

Mr. Chairman, I am not here today to delivery a brief on behalf of the PLO or to act as its apologist. Indeed, the PLO has much to do to bolster its stated peaceful intentions. In the final analysis, what matters most is not whether the PLO passes muster with the United States but how it is perceived by Israelis and Palestinians. I have come before this Committee to put into perspective a complex aspect of policy and analysis—namely, what the PLO committed to do; what the PLO has done; and what the U.S. has accomplished in its dialogue with the PLO. I hope this statement clarifies the record. I will be pleased to respond to the Committee's questions.

DENY MFN TO CHINA—LEGISLATION TO DISAPPROVE THE PRESIDENT'S DECISION TO EXTEND MFN FOR CHINA

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. LANTOS. Mr. Speaker, today President Bush signed documents informing the Congress of his decision to extend Most Favored Nation status to exports from the People's Republic of China to the United States. His decision was unfortunate and wrong.

Mr. Speaker, with my distinguished colleague from Illinois, Congressman JOHN PORTER, who is the cochairman with me of the Congressional Human Rights Caucus, I introduced legislation which formally disapproves the President's extension of MFN status to China. Our legislation would prohibit the President from granting MFN to China for 1 year.

In view of the repeated, willful, and egregious violations of human rights by the octogenarian oligarchy in Beijing, granting MFN to China is contrary to our own democratic principles and will discourage democratic reform in China.

Our Government revoked MFN status for Poland in 1980 for infinitely less serious human rights violations what we have seen perpetrated in China this past year. The results of our principled policy toward Poland are obvious now as we see the dramatic democratic change that has taken place there recently.

By extending MFN to China, we are not supporting the Lech Walesas and Vaclav Havels of China. We are not supporting the freedom-loving people who share our democratic values. We are only legitimizing the bankrupt and repressive butchers of Beijing. At a time that freedom and democracy are in the ascendance in Eastern Europe, we are hitching our wagon to a falling star by granting MFN to China.

Mr. Speaker, I urge my colleagues to join me in cosponsoring and supporting this important legislation. The democratic forces in China must know of our strong and steadfast support for their struggle to bring freedom to their country.

Mr. Speaker, I ask that the text of our joint resolution of disapproval be placed in the CONGRESSIONAL RECORD.

H.J. RES. —

Whereas the People's Republic of China has been a beneficiary of most-favored-nation status since it was first granted in 1980;

Whereas the Government of the People's Republic of China brutally attacked and killed thousands of unarmed pro-democracy students in Tiananmen Square on June 3, 1989;

Whereas the Government of the People's Republic of China has steadfastly refused to acknowledge the Chinese military's direct involvement in the massacre;

Whereas the Government of the People's Republic of China has stepped up the persecution of the Roman Catholic Church, Tibetan Buddhist monks and nuns, and other religious groups;

Whereas the Government of the People's Republic of China has purged or persecuted Chinese academicians, journalists, police, and government officials who expressed any support for the democracy movement, and has placed new restrictions on international travel and study on any of its citizens suspected of supporting democratic ideals;

Whereas the Government of the People's Republic of China refuses to allow dissident scientist Fang Lizhi and his wife Li Shuxian free passage out of the country;

Whereas the Government of the People's Republic of China continues to repress and silence voices of democracy within China;

Whereas the Government of the People's Republic of China has introduced new measures intended to suppress freedom of thought and speech against the populace.

Whereas the Government of the People's Republic of China continues to intimidate Chinese students in the United States, and their families in the People's Republic of China for their pro-democracy activities;

Whereas such actions stand in defiant contrast to the values, principles, and policies of the United States;

Whereas the scale and volume of human rights violations by Chinese Government authorities against the people of Tibet has dramatically increased over the past two years, including imprisonment for political crimes, torture, suppression of religious freedom, and transfer of populations;

Whereas the Congress adopted, and the President signed into law on December 22, 1987, legislation stating that the Government of the People's Republic of China should respect internationally recognized human rights and end human rights violations against Tibetans, and should actively reciprocate the Dalai Lama's efforts to establish a constructive dialogue on the future of Tibet," and the Chinese Government has not agreed to negotiations with representatives of the Dalai Lama and no such negotiations have taken place;

Whereas most-favored-nation status has enabled the People's Republic of China to develop a growing trade surplus with the United States, amounting to 9.7 billion dollars between 1988 and 1990; and

Whereas renewal of most-favored-nation status would show United States support for a brutal, murderous regime, and ignore the actions taken by the Government of the People's Republic of China against Chinese students and others who believe in and fight for democracy; Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress does not approve the extension of the authority contained in section 402(c) of the Trade Act of 1974 recommended by the President to the Congress on May 24, 1990, with respect to the People's Republic of China.

NEW JERSEY PRIDE HONOR ROLL: HELPING PEOPLE

HON. DEAN A. GALLO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. GALLO. Mr. Speaker, we, in Congress, pass laws for others to administer. Since 1973, Celeste Kalina has served on the front lines of that process as the director of social services for Morris County, NJ.

Celeste has served in this challenging and rewarding position with grace and style, applying the often impersonal rules and regulations of the Federal Government to situations involving real human beings in need.

As the director of the Morris County Board of Chosen Freeholders in 1973, I participated in the selection process for what was then the director of the Welfare Department.

Hiring decisions are among the most difficult in public life, because there are many factors that go into a selection process. But uppermost in my mind is one important fact. Once the decision is made, this is the person

you must turn to for expert advice and this is the person who will have to make programs work for people.

Celeste brought to the job more than a decade of experience in service to people in need. Beginning with the county as a key staffer at the Morris View Nursing Home, Celeste also had experience as a caseworker within the department and understood the importance of these programs in the only way they can be truly understood—by seeing the faces of the people who would come into the office seeking help.

The Social Services Department in Morris County has a big job as local administrator for a wide range of State and Federal programs, including welfare, food stamps, Medicaid, and the Home Energy Assistance Program.

Celeste undertook these many challenges with an energy and a sense of mission. She has done an outstanding job. I am proud to say that I had a part in launching this phase of her career.

Now that Celeste has chosen to move into the next phase of her life and accept new challenges, I ask my colleagues in the House to recognize the contributions of this talented individual and to join with me in sincere best wishes to her for continued success in her future endeavors.

Mr. Speaker, without dedicated individuals like Celeste Kalina, the laws we pass are only pieces of paper, printed and bound in a book. She and her colleagues across the country breathe life into those laws and give them their true meaning.

During her career with Morris County, Celeste Kalina has never sought public recognition, but her many accomplishments deserve to be rewarded with our heartfelt thanks and appreciation on behalf of the thousands of individuals whose lives have been made better by her good works.

LIVING TREASURES

HON. BOB McEWEN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. McEWEN. Mr. Speaker, in commemoration of the sesquicentennial of the signing of the Treaty of Waitangi, the people of New Zealand have requested that rather than extending material gifts, countries share "Living Treasures" as an expression of honor and appreciation. I am honored to rise today to recognize a group of young Americans who will visit New Zealand as the "living treasure" of our youth. As a representation of this treasure, young men and women from many of our States will visit New Zealand on June 7–18, 1990 to meet with the Parliament and the people of that great nation.

Just as Americans attach great significance to the Fourth of July and its meaning, New Zealanders accord the Treaty of Waitangi special significance. In 1840 a pact was signed with good and true intent, and that was the beginning of the nation called New Zealand. Over the past 150 years, New Zealanders, have forged a great nation based upon the principles of freedom and democracy.

Mr. Speaker, I urge my colleagues to join these "Living Treasures" of American youth by extending congratulations and best wishes to the people of New Zealand. The young Americans that are scheduled to visit New Zealand include:

Sean Allison (Pennsylvania).
Brian Anderson (Minnesota).
Christine Anderson (Minnesota).
Christy Armstrong (Washington).
Melissa Austin (Iowa).
Sam Baer (Kentucky).
Wendy Ballman (Illinois).
Kristine Banker (Georgia).
Andrew Beverly (Maryland).
Cynthia Boykin (Texas).
Dawn Brown (Texas).
Denise Brown (Texas).
Dixie Brown (Texas).
Pam Brown (Texas).
Jodie Buchholz (Wisconsin).
Heather Burton (Georgia).
Nathan Caproni (Washington).
Jonathan Cave (Texas).
Lisa Cave (Texas).
Sherry Coleman (Illinois).
Courtnay Collins (Georgia).
Tracey Collins (Ohio).
Scott Cornett (Ohio).
Jeff Cummings (Washington).
Matthew Daggett (Texas).
Kevin Dennis (Texas).
Terri Ellison (Texas).
Loren Elms (Michigan).
Jim Ferguson (Oregon).
Steve Ferguson (Oregon).
Aaron Fessler (Ohio).
Angel Fessler (Ohio).
Ashley Fitzgerald (Georgia).
Becky Fuhrman (Illinois).
Caryn Fuhrman (Illinois).
Eric Fuhrman (Illinois).
Stephanie Flynn (Illinois).
Naomi Getz (Vermont).
Sheri Hallett (Wisconsin).
Laila Hansen (Illinois).
Stephanie Harwick (Ohio).
David Hill (Oklahoma).
Karyn Hill (Oklahoma).
Tammy Hoaglund (Illinois).
Clifford Holifield (Mississippi).
Andrew Howell (Kansas).
Joel Howell (Kansas).
Prem Jacob (Illinois).
Danielle Jensen (Illinois).
Jamie Johnson (Missouri).
Jery Johnson (Texas).
Tim Johnson (Missouri).
Jeff Jones (Texas).
Stacy Kirk (Florida).
Michelle Krabill (Oregon).
David Lambert (Illinois).
Jennifer Lamp (Kansas).
Wendy Lamp (Kansas).
Nick Lancette (Montana).
Ken LeFebvre (Ohio).
Michael LaFebvre (Ohio).
Karen Leddy (Maryland).
Susan Leddy (Maryland).
Andy Lyon (Pennsylvania).
D'Ann Martin (Texas).
David Martin (Texas).
Joanna Mattix (Idaho).
Joel Mattix (Idaho).
Chad Max (Minnesota).
Leah McCann (Texas).
Melisa McKim (Texas).
Michael McMillan (Mississippi).
Nancy McMillan (Mississippi).
Mathew Mears (Missouri).
James Moon (Maryland).
Laura Morgan (Delaware).
Micah Norris (Illinois).
Nathan O'Bryon (Wisconsin).
Pat Oja (Michigan).
Robin Oja (Michigan).
Roxanne Olsen (Louisiana).
Erica Panipinto (New York).
Marc Perry (Washington).
Melissa Perry (Washington).
Christiane Quick (North Carolina).
Joel Robbins (California).
Rob Robbins (California).
Troy Robinson (Mississippi).
Scot Rumley (Michigan).
Cindy Sammons (Texas).
Scott Sammons (Texas).
Tim Schmid (Florida).
Kent Schmidt (Illinios).
Shirley Schmidt (Illinois).
Chris Smith (North Carolina).
Bill Starks (Florida).
Brian Stone (Texas).
Christie Stubblefield (Missouri).
Jeff Tilford (Indiana).
Alice Tillman (Minnesota).
Drew Tillman (Minnesota).
John Tillman (Minnesota).
Rodneyt Tolleson (Texas).
Misty Treadwell (California).
Jeff Ullrey (Colorado).
Eric Vogen (Illinois).
Kathy Voyer (California)
Kristi Walker (Texas).
Winston Walls (Texas).
Leah Watson (Texas).
Rachel Watson (Texas).
Stephen Watson (Texas).
Richard Welch (Alabama).
Robert Welch (Alabama).
Deleese Weldon (Texas).
Julie Wilhite (California).
Lori Wilkerson (Missouri).
Jeff Williams (Texas).
David Winfrey (Georgia).
Crystal Winge (Florida).
Dawn Winge (Florida).
Page Winge (Florida).
Lisa Youngberg (Kansas).
Susan Youngberg (Kansas).
Rebecca Zorbas (Virginia).
Sara Zorbas (Virginia).

I would like to express my best wishes for an enjoyable and informative visit on June 7–18, as they take part in the historic celebration of the sesquicentennial of the Treaty of Waitangi.

THREE SUCCESSFUL YEARS FOR GARRY SUMMERFORD'S SUN TIMES

HON. DON SUNDQUIST

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. SUNDQUIST. Mr. Speaker, 3 years ago, a constituent of mine, Garry Summerford, came up with the idea of publishing a new weekly newspaper in fast-growing Shelby County. The paper was to make imaginative use of color and graphics, and combine aggressive local reporting with nationally syndicated columnists and features.

The Shelby Sun Times made its debut on May 28, 1987. Since then, Garry Summerford's leadership and the talents of editor Allan Hestor and his staff, have won wide acceptance for the paper. Its circulation has expanded to almost 20,000. The paper is

housed in comfortable new offices. The Sun Times is an editorial and commercial success.

I mention this by way of noting that the Sun Times will publish volume 4, issue 1, next Friday, June 1, which happens to be Garry Summerford's birthday.

I would like to wish Garry a happy birthday and to thank and congratulate him for his splendid work with the Sun Times.

A CONGRESSIONAL SALUTE TO STEVEN SMITH

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. ANDERSON. Mr. Speaker, I rise today to pay tribute to Steven Smith, a good friend of San Pedro business and education. On Thursday, May 24, 1990, Steven Smith will be ending his 2-year tenure as president of the San Pedro Coordinating Council. This occasion gives me the opportunity to express my deepest appreciation for his years of service to both the San Pedro Coordinating Council and the community.

Steven's contributions to the San Pedro educational system go back to 1966. As a teacher and supervisor with the Los Angeles Unified School District, he has assisted in providing hundreds, if not thousands of area students with an education. It is Steven's philosophical belief that: "A child's education needs to encompass the vitality of the home and community if the child is to be a successful citizen in our society." Even with his many educational commitments, he has still found time to be active in the San Pedro business community.

Throughout the past 4 years he has been a member of the San Pedro Chamber of Commerce Business and Education Committee assisting in promoting area business. From 1987-88 Steven served as the vice president of the San Pedro Coordinating Council. Over the past 2 years, from 1988-90, he has served as the council president. As president for the last 2 years, he kept the interest and issues of the local residents at the forefront. The meeting of the council during his presidency involved many local leaders and legislators discussing such critical issues as the homeless, growth versus no growth, earthquake preparedness, gangs and juvenile needs, and port growth and safety. I commend Steven for his leadership on bringing these issues to the forefront.

My wife, Lee, joins me in extending our thanks for Steven Smith's contributions to the community. The San Pedro Coordinating Council is losing an extremely competent leader. He is truly a remarkable individual who has devoted his talents and energies to enriching the lives of so many other people. We wish Steven, his wife of 24 years Judy Elan, and his children Adrian, Sommer, and Alexis all the best in the years to come.

A TRIBUTE TO PATRICIA HOULIHAN

HON. RONALD K. MACHTLEY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. MACHTLEY. Mr. Speaker, I rise today to honor an outstanding member of my district who has been actively involved in improving the quality of education for children in Rhode Island.

Patricia Houlihan, of Providence, RI, is one of three recipients of the 1990 Edward J. McElroy, Jr. Rhode Island AFL-CIO Award for Community Service. This award was created in memory of Edward J. McElroy's longstanding concern for the community and his willingness to expend his time and effort to make Rhode Island a better place to work and live.

Patricia has certainly lived up to this standard during her career. She has been a member of the Providence Teacher's Union for 30 years. Patricia is involved with many educational committees and organizations that all seek to improve the quality of education for our youth. Since 1965, she has served on the executive board of the Rhode Island Federation of Teachers and was president of this organization from 1969 to 1971. She is also a member of the executive board for the Rhode Island Association for Counseling and Development.

Among Patricia's other current civic and community organizations are the Rhode Island Department of Education's Kindergarten Task Force and the Pathways to Independence Advisory Board. She presently serves as the recording and corresponding secretary for the Providence Central Federated Council of the AFL-CIO.

Patricia has also participated in many other community organizations in the education and child welfare fields during her career. Among these positions are memberships on the Governor's Commission for the International Year of the Child—1979, the Advisory Committee to the Rhode Island Department of Children and Their Families—1981-85, and the Advisory Commission to the Governor on Child Welfare Policies—1979-81.

It is with great pleasure that I congratulate Patricia Houlihan for her years of dedicated teaching and community service. She truly possesses a deep love for her work that transcends the classroom. I wish her all the best and continued success in the future.

TRIBUTE TO TRISHA STANIONIS

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. MATSUI. Mr. Speaker, I rise today to pay tribute to an outstanding community leader from my congressional district. This afternoon, the Sacramento Assocation of Realtors is recognizing Trisha Stanionis as their 1989 "Sacramento Citizen of the Year."

Criteria for selection includes community service during the award year; personal achievement outside the realm of a paid position; and continuous service to the community over a period of consecutive years. Ms. Stanionis is a concerned Sacramentan who devotes numerous hours serving the cause of making our community a better one in which to live. A review of Trisha's long résumé of community service reveals that the criteria for the award she is receiving today was tailormade for her.

She has been a member of the Private Industry Council of Sacramento for 5 years, and now serves as their chairperson. In this capacity she oversees a 25 member board of directors that is responsible for administering $9 million of Federal job training funds. Under her leadership, the Private Industry Council has trained and placed several thousand previously unemployed country residents. In addition, Trisha volunteers her time, energy and considerable talents as a board member of the Sacramento Convention and Vistors Bureau, as chair of the Business Advisory Committee for Women Escaping a Violent Environment [WEAVE], as a board member of the Sacramento Metropolitan Chamber of Commerce, as well as vice chair of the Sacramento Water Festival.

Trisha has also found success in her employment as a former general manager of the Capitol Plaza Holiday Inn, and now as district manager of American Recreation Centers. Trisha, and others like her, are among the most valuable assets a community can have. I feel fortunate to have such leaders in my congressional district who possess the admirable qualities of a strong business sense mixed with an unwaivering commitment to their community. Smart business people recognize that a vibrant community makes good business sense.

My follow colleagues, please join me in congratulating Trisha Stanionis as 1989 "Sacramento Citizen of the Year."

HARMONY BOROUGH'S 150TH ANNIVERSARY TRIBUTE

HON. JOE KOLTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. KOLTER. Mr. Speaker, I rise before the Congress today to participate in the joyous celebration of Harmony Borough on the occasion of its 150th anniversary.

Harmony Borough has a fascinating history. Located in Butler County, in my Fourth Congressional District, the area was visited by Maj. George Washington in 1753, and had been the site of the convergence of two major Indian trails.

But more importantly, Johann George Rapp, leader of Christian separatists from the German Dutchy of Wurttemberg, purchased 4,600 acres from Detmar Basse—the founder of Zelienople—in 1804. The first immigrants arrived later that year from Wurttemberg and began building the town of Harmonie.

In 1805, Rapp and his followers founded the communal Harmony Society. By 1810, the Harmonists had cultivated 2,000 acres and erected 130 buildings.

The Harmonists moved to Indiana in 1814, selling Harmonie to Mennonite Abraham Ziegler.

Ziegler and the Mennonites farmed the area, while other settlers arrived to help with the Harmonist factories. Growing steadily, the town was incorporated as a borough June 12, 1840.

Thriving until early in the 20th century as the industrial revolution strengthened, the appreciation of the town's unique history remained strong, and the heart of Harmony was designated a National Historic Landmark District in 1975. It is one of only four such districts in the State.

Mr. Speaker, I rise today before the full U.S. House of Represenatives to honor Harmony and all of its leaders and officials for their great foresight and interest in historic preservation and economic development. These tireless efforts have moved Harmony forward with a renewed sense of community pride. The 150th anniversary celebration of incorporation focuses new attention on historic Harmony and its strong sense of community, and that is also why I honor Harmony today.

SALUTE TO HENRIETTA HAHN

HON. BOB McEWEN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. McEWEN. Mr. Speaker, today I rise with pride and admiration to direct the attention of our colleagues and the Nation to the accomplishments of a lady who has made a great contribution to her community. At the end of the current school year, Piqua, Ohio's Henrietta Hahn will retire from teaching, concluding a distinguished career in education and community service. I can think of few individuals who have achieved as much in life.

For 38 years, Henrietta has worked tirelessly to help the Miami County Schools turn boys and girls into fine young men and women. She was the first teacher ever hired to work at the Riverside School for Retarded Youngsters, and also spent several productive years teaching second graders at Wilder School in Piqua.

From 1956 until 1961, Henrietta took time off from her full-time teaching job to devote herself to an equally demanding and rewarding endeavor—giving birth to four wonderful children of her own: Chris, Edna, Nancy and Susan. I should point out that she continued as a substitute teacher while raising that household full of children.

With her own family well-established, Henrietta returned to teaching on a regular basis in 1962. For 3 years, she taught kindergarten at Bennett School before moving on to South Street School, where she continued to teach kindergarten. And there she has remained, as a dependable, guiding influence for several generations of Miami Countians.

It is worth noting that in 1972, Henrietta was named the teacher of the year in the Piqua school system, in recognition of her extraordinary devotion to the field of education. She has served on the Advisory Council for Child Development at the Joint Vocational School, has been active in Head Start, and worked to establish school safety programs.

The dedication and love which Henrietta has given so freely to the children of Miami County have reached well beyond the county by now. She has opened her home to eight international exchange students, and is presently working with Japanese students, teaching them important learning skills as she has taught so many students before them. She has been a foster parent and the superintendent for a local Sunday school. She is active in Greene Street United Methodist Church, and in the American Association of University Women.

Mr. Speaker, some 40 years ago, Henrietta Hahn received a 4-year scholarship to enroll in the Ohio State University College of Education. I would say the people of Ohio have gotten a remarkable return on that wise investment. On June 8, Henrietta's family and friends will gather for a recognition dinner, to recall her many achievements and to anticipate a bright, full, healthy future. I feel we should take a moment to echo the good wishes of the people of Miami County and wish Henrietta Hahn good luck and congratulations.

HOBART ROWEN ON REASONS TO DENY MFN TO CHINA

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. LANTOS. Mr. Speaker, as we all saw, live on television from Tiananmen Square, the tanks of the People's Liberation Army sprang to life last year and crushed the Chinese people yearning for democracy and for liberation from the oppression of their Communist rulers. The Chinese gerontocracy chose to employ the techniques of Stalin and Mao, despite the fact that we are living in the era of Gorbachev and Walesa and Havel.

All of us, Republicans and Democrats, young and old, liberal and conservative, responded with outrage. We declared our solidarity with the martyrs of Tiananmen Square and pledged to ensure that their sacrifice was not in vain. We have the opportunity to follow through on that pledge, and now our most effective means of expressing our national outrage is economic.

Today President Bush issued a Presidential decision to extend Most Favored Nation [MFN] status to Chinese exports to the United States. That decision, Mr. Speaker, was an unfortunate decision. It was a decision that will send all the wrong signals to those in China who are supporting democracy and freedom. It will legitimize a bankrupt regime.

Mr. Speaker, as the Washington Post's economic columnist, Hobart Rowen, eloquently stated today in the Post, President Bush put the "Almighty Dollar ahead of principle." I ask that Mr. Rowen's article be placed in the CONGRESSIONAL RECORD and I encourage my colleagues in the House of Representatives to read his excellent article.

DOLLARS BEFORE PRINCIPLE

(By Hobart Rowen)

President Bush is making a serious blunder by renewing most-favored-nation trade status for China for another year, in the hope that rhetorical flourishes that beg for human-rights progress will get the ear of the senile group of leaders under Deng Xiaoping.

Bush should have withheld the privilege of the lowest tariff schedules for Chinese goods until he had a commitment that China will release the hundreds of prisoners it took after the bloody army crackdown against dissidents in Tiananmen Square last June.

Unhappily, Bush listened to the advice of cynics who argued that whether or not he continued MFN status, there would be little change in Deng's repressive regime: either way, they convinced him, the hard-liners would remain in charge.

"This regime is clearly not motivated by economic argument," says Roger W. Sullivan, president of the United States-China Business Council, a private group aiming at expanding trade between the two nations.

Sullivan and other "pragmatists" contended that American policy on MFN status for China should thus be guided by the longer-term outlook: Deng and his octogenarian group can't last forever. So allow MFN status to continue, minimizing the economic damage to the most progressive parts of China, the provinces of the South that produce most of the goods exported to the United States.

The logic is flawed, but Bush bought it. As Zhoa Haiqing, a Harvard student who heads the Chinese Student Affairs Committee, said on the MacNeil-Lehrer News Hour last week: "If we renew MFN now, it will only strengthen the hard-liners in Beijing, and not the reformers."

As Zhoa suggests, the message likely to be read in Beijing from Bush's decision is that the hard-liners shrewdly and correctly anticipated that the leading capitalist nation would put its Almighty Dollar ahead of principle. So what chance do reformers in the Chinese political system have against younger hard-liners in the competition to replace Deng?

Deng and his power bloc already have had a full year since Tiananmen not only to move toward a system of more open political rights but to restore some of the economic reforms that had encouraged American investment in a "new" China four and five years ago, but since have been abandoned.

But the Chinese leadership has deliberately avoided these choices. Political rights don't exist, and reliable reports indicate that hundreds of activists remain benind bars and that many have been tortured. Market-oriented economic reforms have retrogressed.

Sullivan and the National Council seem to be saying that extension of the MFN will help keep the Chinese economy afloat, indirectly sustaining the export provinces that might ultimately provide political leadership more to our liking.

In 1989, China sold the United States $12 billion worth of textiles, shoes, toys, simple appliances such as tape recorders and other manufactured goods. They imported about half of that dollar volume—wheat, commercial aircraft, fertilizers and mining equipment. So China enjoyed an important $6 billion surplus that promises to grow as its manufacturing base gains more sophistication.

American business interests feared that if China were deprived of MFN renewal, Deng would retaliate against American exporters, and put at risk about $4 billion in American investments in Chinese plants.

This was an understandable but narrowly focused concern. Naturally, American businessmen were not anxious to upset the applecart. With a population of more than 1 billion, China is a huge potential market. And the regime was already angered by earlier American sanctions, imposed after Tiananmen, that have brought the Chinese economy to a standstill in the past six months.

Suspension of military sales, a freeze on the liberalization of high-tech exports and suspension of World Bank loans have hit the economy hard. Martin Weil of the Business Council says, "They've already paid a big price for June 4." The Chinese government's own estimate (probably low) is that new foreign investment has dropped 25 percent. But nothing, all agree, would have been as effective as withdrawing MFN privileges.

Instead of meaningless rhetoric about human rights, which will fall on deaf ears in Beijing, Bush should have taken tough and decisive action. He could have said, in effect: Mr. Deng, you've got 90 days to declare an amnesty for political prisoners or lose MFN privileges. That's a message that would have been understood in China and all over the world.

There is a bigger issue at stake than mere dollars and cents. The United States should not be assisting a government that condones beatings and torture of dissidents. Either we believe in human rights or we don't.

CLEARING THE AIR ON CLEAN AIR

HON. DEAN A. GALLO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. GALLO. Mr. Speaker, today is a very significant day in the House for those of us who have been fighting for passage of significant and workable clean air legislation for more than 4 years.

This landmark legislation is the direct result of the environmental leadership of President George Bush and the willingness of the Congress to work in a bipartisan fashion to develop a law that will allow us all to breathe easier in the future.

As a cosponsor of acid rain prevention legislation in the 99th and 100th Congress and an original cosponsor of both H.R. 2323, the Clean Air Restoration Act, and H.R. 3030, the Clean Air Act amendment measure that is the subject of our current debate, I believe that passage of clean air legislation is a major victory for all who care about the protection of our environment.

As with all laws that require a consensus of opinion as to the future impact of current actions, this law contains provisions that are based on our best judgment, given what we know today about our environment and its protection.

This bill sets forth a number of goals and seeks to meet those goals with meaningful action.

We must reduce sulfur emissions from coal burning. We must reduce auto emissions. And, we must reduce and eventually eliminate the release of gases that threaten the protective atmosphere that makes this planet habitable.

Specifically, this bill requires:

Tough new limits on tailpipe emissions of cars and light trucks and a second round of controls if urban smog does not significantly improve.

A requirement for new pollution control devices on major source of toxic and carcinogenic air pollutants.

New timetables and pollution control requirements aimed at bringing the most smoggy cities into compliance with health standards within 10 years.

Costly but effective new acid rain controls that would require pollution scrubbers or a switch to low-sulfur coal or other alternative fuels.

Reduction of acid rain by the year 2000 of 10 million tons of sulfur dioxide emissions annually.

Creation of a northeast transport commission.

Establishment of a list of 191 hazardous pollutants and prescription of new emission controls for these sources. Under current law only seven such pollutants have been regulated since 1970.

There are aspects of this bill that are technology driven. They assume that new technology will be discovered in the future that will allow us to meet the deadlines contained in this law.

Under this philosophy, we as lawmakers are saying to the American people, if we pass a law that requires new technology, then new technology will be developed.

In this bill, we are, in several instances, mandating future technology. But, as with the Clean Air Act of 1970, we are applying our best current judgment, knowing full well that the next scientific study or the next technological breakthrough may change the assumptions contained in this bill.

It is an imperfect process, but one that is preferable to the status quo. We know that we must find ways to meet our goals, and with this bill, we have worked together to forge a bipartisan consensus that is, for the most part, realistic and workable.

Mr. Speaker, with this legislation, we have set aside partisan environmental politics in favor of bipartisan environmental policy.

We have a solid record in this body of bipartisan cooperation on the protection of our environment, going back to reauthorization of the Superfund in the 99th Congress and continuing with passage of the Clean Water Act and tough antiocean dumping laws in the 100th Congress.

I am proud of my contributions to those laws and am proud to support this significant commitment to clean air.

A TRIBUTE TO LOUIS SPETRINI

HON. RONALD K. MACHTLEY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. MACHTLEY. Mr. Speaker, I rise today to congratulate a member of my community for his exemplary community service.

Mr. Louis Spetrini is one of three recipients of the 1990 Edward J. McElroy, Jr., Rhode Island AFL–CIO Award for Community Service. This award was created in memory of Edward J. McElroy's longstanding concern for the community and his willingness to expend his time and effort to make Rhode Island a better place to work and live.

Louis has certainly lived up to this standard during his lifetime. Louis is currently the president of United Food and Commercial Workers Local 328. He has held this office since 1985 after serving as its vice president for 2 years. Louis serves on the United Food and Commercial Workers International Union advisory board and as banking vice president of the New England Council of his union. Louis is a member of the Rhode Island AFL–CIO executive board and the Rhode Island AFL–CIO executive and legislative committees. In addition, Louis is an executive board member of the Providence Central Labor Council and was also appeals chairman for the Meeting Street School Easter Seal Drive for 5 years.

It is with great pleasure that I congratulate Louis Spetrini for his years of dedicated community service. He has truly demonstrated a deep concern for his community and the willingness to donate countless hours to help others in his community.

A TRIBUTE TO WALTER L. DEAN

HON. BILL SCHUETTE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. SCHUETTE. Mr. Speaker, I have the privilege today of commending a distinguished citizen of Michigan, Mr. Walter L. Dean, who is retiring from the Shepherd Tri-Township Fire Department after 50 years of dedicated service. There will be a retirement party in his honor on June 2, 1990.

Walt joined the Shepherd Tri-Township Fire Department in June 1940 and has been responding to emergency calls ever since. In January 1963 he was named chief of the department. Under Walt's direction the department grew from 1 station with 5 trucks and 15 men to 2 stations, 10 trucks, and 35 men. Walt was named senior fire adviser to the Shepherd Tri-Township Fire Department in 1983.

During his 50 years with the fire service Walt has been recognized with well-deserved awards for his commitment. Walt was named Firefighter of the Year in 1981; in 1983, the Shepherd Tri-Township Fire Department named their annual award after him; and in 1985, Walt was named Firefighter of the Year

in the State of Michigan by his peers at their annual State Firefighter Convention.

Walt Dean's dedication to the fire department only gives a hint as to his involvement in the community. He served as a member of the Shepherd Village Council for almost 10 years and as Village president for 2 of those years. Walt has also been involved in the Shepherd Maple Syrup Festival for many years, and served as its chairman for 5 of those years. Walt is active in the Michigan United Conservation Club [MUCC] where he serves on the board of directors. He has held many positions for the group in the areas of parks, wildlife, hunter safety, public access, conservation education, roadside beauty, and antilitter. Governor Milliken presented Walt with an award for his dedication and work on the referendum to ban throwaway bottles.

Walt and his wife of 50 years, Edna, received the Harold Hackett Award for volunteer contributions by MUCC members in the State of Michigan. Walt has been active on the Isabella County Parks and Recreation Commission for almost 20 years serving as chairperson and vice chairperson for the commission, as well as in many other ways. He was instrumental in obtaining park lands and has contributed to the development of almost all the parks in Isabella County.

Mr. Speaker, I hope my colleagues will join me today in wishing Mr. Walter L. Dean the very best on the occasion of his retirement. Walt Dean's dedication to the fire service is truly an example for firefighters in the State of Michigan, and those across this great country to admire and salute. Walt's service and commitment to his community is deserving of distinguished recognition and commendation.

FORDHAM UNIVERSITY TRIBUTE TO LOUIS LEFKOWITZ

HON. BILL GREEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. GREEN. Mr. Speaker, I rise today to recognize an event which I feel merits the attention of my colleagues. On Tuesday, June 5, 1990, the Fordham University School of Law will unveil a special portrait of former New York State Attorney General Louis Lefkowitz in its James B.M. McNally Amphitheater. Since his graduation in 1925 and throughout his long and distinguished career, Attorney General Lefkowitz has maintained an ongoing relationship with Fordham Law.

At this time, I should like to congratulate my dear friend Louie Lefkowitz for being honored by his alma mater in this manner. The unveiling of his portrait will surely be a touching occasion, and the portrait itself will serve as a reminder of Mr. Lefkowitz' outstanding accomplishments in his field.

TRIBUTE TO DELICIA WAGNER

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. MATSUI. Mr. Speaker, I rise today to pay tribute to an outstanding individual in my community who truly deserves to be recognized for her dedication and service to the public. Tomorrow, May 25, 1990, Delicia Wagner retires after 30 years of dedicated service with the Federal Government and it is indeed a honor to share with you and my colleagues the inspiring career of this devoted public servant.

Ms. Wagner has spent the entire span of her career serving the U.S. Government. Delicia's career with the Federal Government began on April 4, 1960 when she started work with the Veterans Administration. She moved to the Social Security Administration in December 1964 for a short stint as a claims development clerk in Huntington Park before transferring to the SSA office in Watts as a service representative in October 1965. She moved to the SSA office in Sacramento in July 1968 but then later that year returned to the Watts office. She was reassigned permanently to the Sacramento office in September 1970 and was promoted to a claims representative position in April 1974. In November 1976 she was again reassigned to the operations supervisor position in the SSA Stockton office and finally became Assistant District Manager of the SSA South Sacramento District Office in May 1981. Delicia's talents and ability to adapt to the changing environments of the SSA throughout the years contributed to the success and work performance of the entire district office. I salute her accomplishments and contributions to Federal service.

Coupled with Delicia's devotion to public service is her dedication to her family and church. She has three children, Rhonda, Nolan, and Jay. She is a faithful member of the Shiloh Baptist Church and has been a member of the church's board of trustees for the past several years.

Mr. Speaker, Delicia Wagner has served as an exemplary public servant and I commend her for her outstanding contributions to the Federal Government and to the citizens of Sacramento. I ask that my colleagues join me in saluting this stellar public servant and extend our best wishes to Delicia in her future endeavors.

SHOULD JUDGES BE ABLE TO SET TAX RATES?

HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. GINGRICH. Mr. Speaker, James Kilpatrick's editorial about judges having the power to adjust local tax rates recently appeared in the Atlanta Journal and Constitution. I feel we should protect American taxpayers by supporting legislation to overturn this decision.

[From the Atlanta Journal and Constitution, May 11, 1990]

IT'S TIME TO CLIP THE WINGS OF HIGH-FLYING U.S. JUDGES

(By James J. Kilpatrick)

WASHINGTON.—Back when chickens were raised on farms and not in factories, a farmer knew how to deal with chickens that flew too high. He clipped their wings. It's a great idea for federal judges also. The power of a federal judge to impose his will upon a city was at issue in the Yonkers decision of Jan. 10. Here the Supreme Court held that by using his power to punish for contempt of court, a judge could force a city into bankruptcy.

On April 18 the Supreme Court took another long step down this dangerous road. It upheld the power of a district judge to compel a doubling of the real-estate tax rate in Kansas City.

These chickens are flying too high. Sen. Gordon Humphrey (R-N.H.) supported by 22 colleagues, has introduced a bill to clip their wings. It is an extraordinary measure, but it is the only feasible way to remedy an extraordinary situation.

It has been said many times, but it should be said again: In politics, the name of the game is power. This is what the Constitution is about. It is a granting and withholding of power. It is the doctrine of checks and balances.

Thus a president may check Congress through his veto; and Congress may check a president by overriding a veto. The Supreme Court may check both of the other branches by finding their acts in violation of the Constitution. But this arrangement suffers from a flaw: There is no such straightforward check on the judges. A federal judge serves for life. The threat to impeach is the merest scarecrow. To overturn a decision by constitutional amendment is all but impossible.

There is one saving clause in the Constitution. It seldom has been invoked. Humphrey means to invoke it now. The jurisdiction of federal courts is subject to "such exceptions and under such regulations as the Congress by law have directed." Humphrey's bill would deny judges the power to issue any remedy or judicial decree requiring the federal government, or any state or local government, to impose any new tax or to increase any existing tax.

The high court acknowledged this jurisdictional power in 1812, in a case known as *U.S.* v. *Hudson and Goodwin.* Justice William Johnson held that only the Supreme Court derives jurisdiction from the Constitution.

This doctrine was reaffirmed in 1816, in the case of *Martin* v. *Hunter's Lessee.* Justice Joseph Story ruled that Congress may "qualify jurisdiction in such manner as public policy may dicate."

In 1932 Congress passed the Norris-LaGuardia Act. A key provision stemmed from the exceptions and regulations clause. The act said no federal court could issue an injunction in a labor dispute without holding certain hearings. When a dispute arose in Milwaukee between the butchers' union and a chain of meat markets, a federal judge granted an injunction against the union without going through the required procedures. The injunction was held invalid in *Lauf* v. *Skinner.* "There can be no question of the power of Congress to define and limit the jurisdiction of the inferior courts of the United States."

During World War II, Congress created an emergency court of appeals and decreed that "no other court shall have jurisdiction or power to consider the validity of any price control regulation." In 1943 the high court held in *Lockerty* v. *Phillips* that the act was within the congressional power. Congress may withhold jurisdiction from lower federal courts "in the exact degrees and character which to Congress may seem proper for the public good."

Very well. The power to enact the Humphrey bill is clear. Congress may indeed clip the wings of federal judges who usurp the legislative power. Should this power be invoked? Yes! I would fence in these high-flying fellows in their flapping robes. The power to fix a local tax rate is a power beyond their reach.—(c1990.)

RHODE ISLAND CELEBRATES BICENTENNIAL

HON. RONALD K. MACHTLEY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. MACHTLEY. Mr. Speaker, it is my special privilege to rise today on behalf of all Rhode Islanders to celebrate Rhode Island's Bicentennial as a member of the United States.

On May 29, 1790, Rhode Island became the last of the Thirteen Original States to ratify the Constitution, thereby becoming a State. During Rhode Island's 200 years as a member of this Nation, its people have contributed greatly toward the goals set out by our Founding Fathers. Rhode Island is home to many historical sites and events, each of which holds a special place in American history.

Rhode Island was founded in 1636 by Roger Williams as a home for people seeking religious freedom. It was in Rhode Island that America first entered the industrial revolution. Rhode Island is the location of the Slater Mill historic site in Pawtucket. Slater Mill is where Samuel Slater began mechanized cotton spinning in 1790, a historic beginning to the American textile industry. The textile industry spread from Slater Mill to other historic towns in Rhode Island such as Woonsocket and Central Falls and then across the country, playing a major role in the development of the American economy and social system. Rhode Island is also known as the "jewelry capital of the world" and contains some of the finest facilities in the world for jewelry production.

Rhode Island is home to many great colleges and universities as well as beautiful Narragansett Bay, home to thriving lobster and fishing businesses. Rhode Island possesses over 400 miles of scenic coastline and beaches and its waters attract thousands of tourists and visitors very year. Rhode Island is known as "America's First Resort" and has been the home of the America's Cup yacht races and the great summer homes for America's famous industrialists like the Vanderbilts and the Carnegies.

From its rebellious beginnings in 1636 as the first haven of religious freedom in the New World, Rhode Island continues to celebrate over 350 years of history with great pride. It is with great pleasure that I ask all of our Nation to join wth me and all Rhode Island in celebrating Rhode Island's 200th anniversary.

MR. SARPALIUS' COMMENTS ABOUT FLOYD COUNTY CENTENNIAL

HON. BILL SARPALIUS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. SARPALIUS. Mr. Speaker, today I want to bring to the attention of this House a celebration of major importance in my congressional district. I am talking about the Floyd County Centennial.

Floyd County is located in the southern portion of my congressional district. It is a large county, containing some 1,036 square miles—that's 663,000 acres for those of you who, like me, have been debating the 1990 farm bill in committee all week.

It is a county rich in agriculture, producing a variety of crops. As it was in the Old South, cotton is king. But Floyd County's talented farmers and ranchers produce vegetables, wheat, sorghum, and they raise cattle too. Their dedication has formed a solid economic base that has kept Floyd County moving forward through good times and bad. Even at the height of the Great Depression, the people of Floyd County never lost faith because they knew they had the basic tools and skills to bounce back and prosper again. They knew they could do it then, and that basic faith in their abilities and talents remains today.

Let me expand on that point for a moment, Mr. Speaker, because to understand Floyd County's history is to understand Floyd County today. We too often use the word "pioneer" when describing our forebearers. But, Mr. Speaker, it is not an exaggeration to say that Floyd County was founded by pioneers.

Picture for a moment what the vast expanses of the Texas High Plains must have looked like during the last half of the 19th century. There was land, plenty of it, and it probably was going to be prime farm land. But, it was dry, too. If an average amount of rain fell each year, then the farmers and ranchers there could make it, but just barely. These were the days before irrigation, though, and even a slight drop in rainfall could spell doom for a crop.

It took a leap of faith to move to Floyd County, but the pioneers who settled it had that basic faith I spoke of earlier. They recognized the beauty and potential of their new home. They took the necessary chance, and it has paid off handsomely.

Now, Mr. Speaker, you may have noticed that I have discussed Floyd County's size, its economy and its history. You may also have noticed I missed one group in this discussion—the people who live in Floyd County today. I have waited until now because I truly wanted to save the best for last.

The people of Floyd County are, as we like to say in my district, are just good folks. They are good, hard-working people. They still hold dear the values that too much of our country has left behind, values like love of God, family and country. They have carried on well the tradition of their ancestors and they continue to make Floyd County one of the best places in the country to live.

Mr. Speaker, I would like to urge all the Members of this House to join with me today in congratulating Floyd County on its centennial.

SOUTHWEST GREENSBURG, PA CENTENNIAL

HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. MURTHA. Mr. Speaker, I would like to recognize the Borough of Southwest Greensburg, PA, which will be celebrating its 100th anniversary this fall.

In August 1890, the 42 citizens of this area of Westmoreland County petitioned to become an independent borough. Since that time, Southwest Greensburg has grown to be a solid, family oriented community, which is looking forward with anticipation to its next 100 years.

The development of Southwest Greensburg from a community made up of 42 petition signatories and their families into a town of 3,000 citizens shows the vigor, determination, and optimism of the residents of western Pennsylvania. All over the United States, it has been small towns like Southwest Greensburg which have been the backbone of our country. The citizens of these towns have worked in the factories, fought in the wars, and raised the families of America, and they have done so with a spirit which has made our Nation great.

The centennial commemoration in Southwest Greensburg will be celebrating the community's unique heritage. The citizens of Southwest Greensburg have a great deal to be proud of, and a great deal to look forward to. I would like to congratulate them on the occasion of their centennial, and wish them a successful second century as an independent borough.

MARY SCHWARTZ'S RECYCLING CAMPAIGN LAUDED

HON. DON SUNDQUIST

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. SUNDQUIST. Mr. Speaker, as one who has spoken and written in a number of forums about the need to recycle, I want to commend the work one of my constituents has undertaken in west Tennessee.

Mary Schwartz of Henderson was recently recognized by the Jackson Sun for her personal effort to encourage recycling, and she has written about her effort in a recent issue of the Sun.

Because I believe strongly in this issue, and because I believe Mary Schwartz makes some important points, I ask that her column be reprinted in its entirety in the CONGRESSIONAL RECORD.

RECYCLING WELL WORTH EFFORT MADE—EVERYONE SHOULD SORT, TURN IN THEIR GARBAGE

(By Mary Schwartz)

On April 3, I went to Humboldt to find out for myself about the recycling plant there.

What a revelation.

I met Jerry Metcalf, the gentleman in charge. He explained the system.

Recyclable items include cardboard, aluminum, plastics, steel (cans), paper (newsprint) and glass. All are acceptable at the Humboldt plant except newsprint; you are paid the going price when you bring them in.

What I found most interesting was what the plant can do with garbage.

The plant charges a fee to process garbage into pellets the size of a cigar. It's worth paying the fee to see what can be done with garbage and to help the plant break even.

The pellets are used at the plant for fuel and also are sold to other interested parties. People come from all over the world to see the plant.

Do you know it would take a ton of garbage a day to make this plant break even? Did you know a city cannot profit from this type of venture?

Metcalf had several phone calls come in during our conversation. While he was busy, I noticed plastic recyclable items on a shelf in his office. When he was free, he explained.

There are companies that melt plastics to make more plastics, he said, and there are companies that combine plastics with other materials to make benches and posts, among other things. This was new to me.

My visit to Humboldt and what I saw and heard there make me even more enthusiastic about encouraging every man, woman and child to get involved in recycling.

I would like every community and organization, both large and small, to come together and save newsprint, cardboard.

Whatever monies earned would go to the participating group—whether it be a church, civic group, school, youth group (such as Scouts or Future Farmers of America), or whatever.

On April 2, I asked the Montezuma community in Chester County to participate in a recycling project. I hope everyone will participate to make it a great success.

Up to this point, I have been recycling for the American Legion Auxiliary Post 157. The post is saving paper and cardboard.

I assumed the job of taking the post's recyclables to the recycling plant in Henderson on U.S. 45. Our little project netted $16.55 for January and February.

The recyclables have been mostly paper, but I have started to collect cardboard in earnest for the last few weeks.

As soon as I iron out a formula to encourage more people to recycle, I will present it to the public and see where we can go with it. Meanwhile, start saving your newspaper, cardboard and aluminum cans.

Tennessee is the Volunteer State. Let us live up to our state motto and get recycling going for everyone.

ST. JOSEPH VETERAN'S ASSOCIATION CELEBRATES 30TH ANNIVERSARY

HON. RONALD K. MACHTLEY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. MACHTLEY. Mr. Speaker, it is with great pleasure that I rise today to congratulate the St. Joseph Veteran's Association which is celebrating its 30th anniversary this year.

The St. Joseph Veteran's Association, located in Woonsocket, RI, is Rhode Island's only independent Veterans organization and has over 500 members. The J. Henry Baril Post was founded in 1960 under the aegis of Pastor Paul Desrosiers as a community group for the youth of Woonsocket. During the past 30 years, the St. Joseph Veteran's Association has sponsored many events such as boxing tournaments and talent shows for the young citizens. For 10 years the group managed and sponsored the Telestar Drum and Bugle Corps, providing uniforms and instruments for this group. The group also visits Rhode Island's veterans across the State, bringing them magazines and sponsoring bingo parties. This year, the St. Joseph Veteran's Association is the proud sponsor of Woonsocket's Memorial Day Observance Parade.

I would like to thank the St. Joseph Veteran's Association for 30 years of exemplary community service. Their dedication and commitment to their community is a model for us all. I wish the St. Joseph Veteran's Association all the best and continued success in the future.

MEDICARE HOME HEMODIALYSIS IMPROVEMENT ACT OF 1990

HON. DOUG WALGREN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. WALGREN. Mr. Speaker, I am introducing today a bill to restore Medicare coverage for a home dialysis assistant for individuals with end stage renal disease [ESRD] who have serious medical conditions and face increased health risks by trips to hospitals or other dialysis facilities for treatment.

Home dialysis is more than a matter of convenience. It is a critically important, life-sustaining service for those patients who are very sick and cannot move about without endangering their health. In many cases these patients are diabetic, bedridden or confined to a wheelchair. Many cannot manage home dialysis on their own and have no family or neighbors who can assist them. Since Congress ended home dialysis assistance last February, they have had no choice but to go through the difficulty of transportation to distant dialysis facilities three or more times a week.

Because of the nature of their illnesses, many dialysis patients' are vulnerable and frail. Continual trips outside the home for dialysis treatment jeopardize their low energy level and contribute to a worsening of their condition.

Recently there have been disturbing reports in my own district in Allegheny County about the difficulty Medicare beneficiaries experience when forced to find dialysis treatment away from home. During February and March, the Allegheny County Health Department reviewed 40 renal dialysis clients previously served by a home assistant. Twenty-eight reported problems as a result of the change from in-home to outside-the-home treatment. Among these problems were discomfort during the trip to and from treatment; dissatisfaction with the quality and scheduling of outside treatment; disrupted dietary schedules for diabetics; increased illnesses such as colds and flu; anxiety and loss of sleep; and added costs for baby-sitting during treatment. Almost all felt they had to wear themselves out to get to treatment and that their overall well-being had been prejudiced.

In April, the county health department did a followup study of this same group. In the month that transpired between the first study and the followup, 1 out of every 10 patients, ranging in age from 54 to 74, died. During the first survey, three of the four who died had expressed tremendous anxiety about the termination of home dialysis. Four other clients were hospitalized during the following month. Clearly these patients' health would be better served by a home dialysis assistant.

The bill I introduce today targets only those with serious medical conditions who face increased health risk when forced to leave home. It would provide payment under Medicare for the cost of a home dialysis assistant to provide patient care, technical operation of the hemodialysis machine, and administer medication where necessary.

To be eligible, a patient must first qualify for dialysis benefits under Medicare and then meet at least one of five additional criteria: be nonambulatory; represent a medical condition that would be exacerbated by traveling to an outside dialysis facility; be unable to operate a motor vehicle or take public transportation and not have anyone else who can either assist in home dialysis or transport the beneficiary to a dialysis facility regularly; and be eligible for Medicare-covered ambulance transportation to a dialysis facility where such cost exceed the cost of home dialysis assistance established under this program.

In order to verify eligibility, the bill calls on the Secretary of Health and Human Services [HHS] to certify at least once a year that a beneficiary continues to meet these requirements. All home assistants must meet standards set by the Secretary of HHS, as well as those established by facilities for attendants providing in-center dialysis care, and by applicable State laws and regulations.

Outside-the-home dialysis treatment is not a good answer for everybody. In many cases, home dialysis assistance makes much more sense for patients with conditions that may be worsened by regular trips outside for treatment. Not only is in-home treatment more humane and better for health, in-home dialysis is cheaper. Without this bill, Medicare will be paying as much as $10,000 per individual

each year for ambulances to transport patients to away from home facilities.

This bill represents sound health care policy for a very modest price. More importantly, for this group of patients, home dialysis may make the difference between quality of life, peace of mind, and even life and death. Vulnerable people are not the place for cost containment. I urge my colleagues to join me in supporting home dialysis assistance for those in the greatest need.

A TRIBUTE TO ROGER AND MARY JANE JACOBI

HON. BILL SCHUETTE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. SCHUETTE. Mr. Speaker, on August 11, 1990, the Interlochen Center for the Arts will hold a concert to pay tribute to Roger and Mary Jane Jacobi, distinguished members of my constituency.

Roger E. Jacobi served as president of the Interlochen Center for the Arts for 18 years. He retired from this position on December 3, 1989. Mr. Jacobi was on the faculty of the School of Music at the University of Michigan for 15 years and was associate dean of the school when he accepted the position of president of Interlochen in 1971. He currently is president emeritus of music at the University of Michigan.

He was connected with the Ann Arbor public schools in Michigan for 17 years 8 as a teacher and 9 as a music department head. For 7 years he served as management secretary of the Michigan School Band & Orchestra Association and for 13 years served as chairman of the Midwestern Conference of School and Vocal Instrumental Music, the Professional Music Conference for Music Educators of Michigan and surrounding States.

Mr. Jacobi has a bachelor's and a master's degree in music from the University of Michigan and an honorary doctorate in music from Albion College. He has dedicated his professional life as a teacher and as an arts administrator to the furtherance of music and other arts at the local, State, and national levels. He is married to the former Mary Jane Stephens who has served graciously and thoughtfully as Interlochen's first lady for the past 18 years.

The Jacobis' dedication to the aesthetic value of music has molded Interlochen into the fine musical institution it is today. The Interlochen Center for the Arts consist of the National Music Camp and the Interlochen Arts Festival during the summer months, the Interlochen Arts Academy and International Concert Series during the academic year. Also, it has a radio station, WIAA-FM, which serves the northwestern portion of the lower peninsula of Michigan.

The camp and academy are committed to the artistic training of talented and gifted children in the arts, from 8 years of age through high school. The Interlochen Arts Festival brings the world's renowned artists and ensembles to northern Michigan each year. WIAA-FM, a member of national public radio, is the area's classicial music station and provides music from Interlochen to 60 other radio stations across the country.

Through their nourishing work at Interlochen, the Jacobis have offered gifted and talented young people the opportunity to develop their creative abilities in a unique and wholesome community under the guidance of an exemplary faculty of artists and educators. Interlochen boasts an accelerated curriculum which emphasizes uncompromising standards, character and leadership development, and individual initiative practiced within a framework of health competition and frequent public performance. These serve as the foundation for Interlochen's two major educational programs: the Interlochen Arts Academy and National Music Camp. Through Roger and Mary Jane Jacobi, Interlochen serves as an advocate of all the arts, a model and innovative teaching center, and a presenter of outstanding artistic achievement in service to a diverse regional, national and international constituency.

I extend heart-felt congratulations to the Jacobis on this very special occasion, and I commend them for their outstanding achievements and wish them all the best in their future endeavors.

A CONGRESSIONAL SALUTE TO PAULINE WATTS

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. ANDERSON. Mr. Speaker, I rise today to pay tribute to an outstanding woman who had devoted so much of her time to make life better for numerous South Bay residents, particularly children. Pauline Watts will be paid special tribute on her 75th birthday on May 24, 1990, by the Switzer Center. This occasion gives me the opportunity to express my deepest appreciation for all her many years of service.

Pauline Watts has dedicated a substantial portion of her life to fostering education in and around the South Bay area. It is quite fitting that the Switzer Center, a specialized education center dedicated to helping children with special learning needs, would choose to pay her tribute. She has been a long-time supporter of the center, as well as a major force behind educational activities in the South Bay. I should note, her dedication to education and children is not news to me. In 1970, I named her to serve as my delegate to the White House Conference on Children.

Upon coming to Torrance in the late 1940's, she quickly began volunteering with community, civic, youth, political and educational organizations. These organizations include the Torrance Memorial Hospital, the planning commission for the Torrance 75th Anniversary Celebration, and the California State University Dominquez Hills, to name a few. In addition, she was a founding member of the Torrance League of Women Voters and the South Bay Volunteer Center. These many years of service have not gone unrecognized by the community. For her efforts, she was honored by the Historical Society as one of the women in history of Torrance, and also received the Torrance Mayor's Jared Sidney Torrance Award for her long-time participation in Torrance activities. Clearly, Mr. Speaker, it is not hard to see why she enjoys the respect of the entire community.

My wife, Lee, joins me in extending our congratulations to Polly Watts on her 75th birthday. She is truly a remarkable individual who has devoted her talents and energies to enriching the lives of so many other people. We wish Polly, and her family, all the best in the years to come.

TRIBUTE TO MR. ROLAND GEORGE TRINKLEIN

HON. GEORGE (BUDDY) DARDEN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. DARDEN. Mr. Speaker, 40 years ago Roland Trinklein graduated from college in Illinois and began his teaching career in Corpus Christi, TX. After four decades of service in the Christian teaching ministry, Mr. Trinklein is retiring this year. In his many years of service he has made a lasting impression on the countless young people who have been fortunate to have him as an instructor. He moved to Georgia in 1965 where he became principal at Faith Lutheran School in my hometown of Marietta. He has worn many hats since then and his diverse responsibilities have included serving as church organist, church treasurer, interim preacher, choir director, and youth director. Mr. Trinklein is a versatile, committed individual who is known as a great family man. In addition to the hundreds of students for whom he has been an outstanding guide and role model, he and his wife Joan have five children of their own: Judy, Ruth, Brenda, Peter, and Jean. Mr. Trinklein will be honored on June 1 by appreciative friends, and I want to add my recognition of his distinguished years of service. All those who have come in contact with the care and commitment of Roland Trinklein will join me in wishing him a great retirement.

REBECCA O. BENDICK SELECTED PRESIDENTIAL SCHOLAR OF 1990

HON. RONALD K. MACHTLEY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. MACHTLEY. Mr. Speaker, it is my distinct pleasure to congratulate Rebecca O. Bendick, of Woonsocket, RI, for her selection as a Presidential Scholar of 1990.

This award is presented to 141 graduating high school seniors, chosen by the Commission on Presidential Scholars, who demonstrate outstanding accomplishment in areas such as academic scholarship, leadership ability, community service, and artistic excellence. The Presidential Scholar Medallion is our Nation's highest honor for high school seniors.

Rebecca's accomplishments certainly qualify her to receive this honor. Her commitment to academic excellence is well documented.

She was a member of the math team and debate team, and a participant in the Model Legislature of Rhode Island during her sophomore and junior years. Rebecca has received honors at the National History Fair and the Rhode Island State Science Fair. In addition, she has been recognized as an outstanding student in art, history, math, science, and english. She was also awarded a congressional scholarship to Japan.

Along with her academic prowess, Rebecca has demonstrated true leadership ability. She was the leader of an Outward Bound Expedition, captain of the varsity field hockey team and a participant in the Hugh O'Brian Youth Leadership Conference. She worked on the prom committee and the school newspaper and has participated in the Close-Up Program in Washington, DC. She was selected as her class marshal and has been a member of the student council, the Cold Spring Task Force and the Woonsocket Youth Council.

I commend Rebecca for her outstanding achievements and wish her all the best in her future endeavors.

TRIBUTE TO THE JOLIET/WILL COUNTY CENTER FOR ECONOMIC DEVELOPMENT

HON. GEORGE E. SANGMEISTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. SANGMEISTER. Mr. Speaker, it is with great pride I rise today to salute the work of an outstanding organization in my district, the Joliet/Will County Center for Economic Development.

To say the center has been a leading force in the battle against unemployment and economic stagnation in Will County and Joliet is an understatement. In 1983, Will County had hit rock bottom economically. The region's unemployment rate stood at 18.1 percent, the highest in the Nation. In the city of Joliet, once a leading industrial center in the Midwest, 26.5 percent of the work force was idle.

Today, countywide unemployment has dropped to less than 7 percent. Joliet has been hailed as a new boom town, with new industry and housing sprouting up all around the metropolitan area. The Center for Economic Development [CED] played a key role in this transformation, aiding in bringing new businesses to the area and helping to revitalize old companies.

In the last 4 years the center has had a hand in creating more than 10,000 new jobs. In 1989 alone, CED helped provide 2,000 jobs for workers in Will County.

Under the leadership of Ruth Calvert Fitzgerald, the chief executive officer, the Center for Economic Development has become a model for similar organizations throughout the country.

This Member is not the only one who has taken note of CED's success. The center was recently named one of 10 outstanding development groups in the country for 1990 by the Industrial Development Research Council. The IDRC is considered the premier organization for corporate real estate executives and facility planning executives, the people who decide where companies locate and expand.

The CED was featured, along with other top development organizations, in an article published in the April edition of the IRDC's official magazine, Site Selection and Industrial Development.

Mr. Speaker, I congratulate the people involved with the Joliet/Will County Center for Economic Development on this honor, and wish them continued success in attracting businesses, jobs and prosperity to my district.

PRESIDENTIAL ACTION NEEDED TO ASSURE HUMAN RIGHTS IN CHINA

HON. JOSEPH P. KENNEDY II

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. KENNEDY. Mr. Speaker, I wish to inform the House that I have introduced a resolution concerning the status of our relations with China. Today, President Bush decided to extend most-favored-nation status to China. Although I strongly believe in the principles of free trade, and that disrupting commercial relations with China endangers the poor and working people of both our country and theirs, if we are going to maintain the status quo with China, then I insist that we stand up for human rights in that country.

For this reason I have introduced a resolution which guarantees respect for human rights in China. The resolution calls for release of Dr. Fang Lihzi and his wife Dr. Li Shuzion from the United States Embassy in Beijing, China, where they have been living in forced sanctuary. This initiative provides two of the most outspoken prodemocracy activists in that country with safe passage into the United States. It urges the Chinese authorities to allow Dr. Fang to communicate with the world community through statements and writings from the sanctuary of the United States Embassy in Beijing.

I am also demanding that the President step up efforts to obtain from the Chinese Government a list of those arrested in the prodemocracy movement since last year, and seek the release of those accused of nonviolent activities since June of last year.

Mr. Speaker, the Chinese Government's brutal repression of the peaceful demonstrations of the Chinese people 1 year ago was intolerable. The arrest and imprisonment of thousands of Chinese people at a time when the rest of the world was experiencing a turn toward freedom and an opening of economic relations was tragic. Unfortunately, the conditions in China have not changed considerably in the course of the last year.

This resolution asks the President to take positive steps to correct that intolerable situation. I am proud to introduce legislation that will rectify some of the tragic errors that were made at Tiananmen Square last year. This effort will put the U.S. Congress on the correct course as a defender and protector of freedom and democracy.

CONGRESSIONAL PAY REFORMS

HON. JIM SLATTERY

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. SLATTERY. Mr. Speaker, on March 27, 1990, the Kansas House adopted House Concurrent Resolution 5047. The resolution was adopted by the Kansas Senate on April 5, 1990, ratifying the proposed original second amendment to the Constitution of the United States. I would like to include in the CONGRESSIONAL RECORD the full text of House Concurrent Resolution 5047.

HOUSE CONCURRENT RESOLUTION NO. 5047

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That the legislature of the state of Kansas, pursuant to Article V of the United States Constitution, hereby ratifies an amendment to the Constitution of the United States proposed by resolution of the First Congress of the United States in New York, New York, on September 25, 1789, which reads as follows, to wit:

"Article the second. . . .No law, varying the compensation for the services of the Senators and Representatives, shall take effect, until an election of Representatives shall have intervened."; and

Be it further resolved: That the legislature of the state of Kansas acknowledges that the above-quoted article of amendment to the United States Constitution has already been ratified by the legislatures of the following states on the dates indicated, to wit:

Maryland on December 19, 1789;

North Carolina on December 22, 1789;

South Carolina on January 19, 1790;

Delaware on January 28, 1790;

Vermont on November 3, 1791;

Virginia on December 15, 1791;

Ohio on May 6, 1873 [70 Ohio Laws 409-10];

Wyoming on March 3, 1978 [124 Cong. Rec. 7910; 133 Cong. Rec. S12949];

Maine on April 27, 1983 [130 Cong. Rec. H9097, S11017];

Colorado on April 18, 1984 [131 Cong. Rec. S17687; 132 Cong. Rec. H6446];

South Dakota on February 21, 1985 [13] Cong. Rec. H971, S3306];

New Hampshire on March 7, 1985 [131 Cong. Rec. H1378, S3597];

Arizona on April 3, 1985 [131 Cong. Rec. H2060, S4750];

Tennessee on May 23, 1985 [131 Cong. Rec. H6672, H6672, S1097, S13504];

Oklahoma on July 10, 1985 [131 Cong. Rec. H7263, S13504];

New Mexico on February 13, 1986 [132 Cong. Rec. H827, S2207-8, S2300];

Indiana on February 19, 1986 [132 Cong. Rec. H1634, S4663];

Utah on February 25, 1986 [132 Cong. Rec. S6750, S7578; 133 Cong. Redc. H9866];

Arkansas on March 5, 1987 [134 Cong. Rec. H3721, S7518];

Montana on March 11, 1987 [133 Cong. Rec. H1715, S6155];

Connecticut on May 13, 1987 [133 Cong. Rec. H7406, S11891];

Wisconsin on June 30, 1987 [133 Cong. Rec. H7406, S12948, S13359];

Georgia on February 2, 1988 [134 Cong. Rec. H2638, S5239];

West Virginia on March 10, 1988 [134 Cong. Rec. H2492, S4784];

Louisiana on July 6, 1988 [134 Cong. Rec. H5783, S9939];
Iowa on February 7, 1989 [135 Cong. Rec. H836, S3509-10];
Idaho on March 23, 1989 [135 Cong. Rec. H1893, S7911];
Nevada on April 26, 1989 (135 Cong. Rec. H2054, S10826];
Alaska on May 5, 1989 [135 Cong. Rec. H5485, S8054];
Oregon on May 19, 1989 [135 Cong. Rec. H5692, H5972, S11123, S12150];
Minnesota on May 22, 1989 [135 Cong. Rec. H3258, H3678, S7655, S7912]; and
Texas on May 25, 1989 [135 Cong. Rec. H2594, S6726-27]; and

Be it further resolved: That the legislature of the state of Kansas acknowledges that resolutions to ratify the above-quoted article of amendment to the United States Constitution have been adopted by the Senate of the State of California on June 30, 1989; the House of Representatives of the State of Illinois on June 22, 1988, and again on May 24, 1989; the Senate of the State of Michigan on March 15, 1989; and the House of Representatives of the State of North Dakota on January 26, 1987, and again on February 3, 1989; and

Be it further resolved: That the legislature of the state of Kansas acknowledges that the above-quoted article of amendment to the United States Constitution may still be ratified by states' legislatures as a result of the ruling by the United States Supreme Court in the landmark case of Coleman v. Miller, [307 U.S. 433 (1939)] in which it was opined that if Congress does not specify a deadline on a particular amendment's consideration by the state legislature, then Congress itself is the final arbiter of whether too great a time has elapsed between Congress' submission of the particular amendment and the most recent state legislature's ratification of same assuming that, as a consequence of that most recent ratification, 38 states have at one time or another ratified it; and

Be it further resolved: That the Secretary of State of the state of Kansas shall notify the Archivist of the United States (pursuant to 1 U.S.C. 106b and 112, as amended by PL 98-497 [98 Stat. 2291]) of the action of the 1990 Regular Session of the Kansas Legislature by sending to the Archivist a duly authenticated copy of this resolution; and

Be it further resolved: That the Secretary of State of the state of Kansas shall also send duly authenticated copies of this resolution to both United States Senators from Kansas, to all United States Representatives from Kansas, to the Vice-President of the United States and to the Speaker of the United States House of Representatives with the request that it be printed in full in the Congressional Record.

"AN INNER LIGHT . . ." BY JOHN BOLLINGER

HON. G.V. (SONNY) MONTGOMERY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. MONTGOMERY. Mr. Speaker, on the steps of the U.S. Capitol this morning I had the pleasure of attending a ceremony honoring the men and women who have defended freedom throughout the world since World War II. Since Americans everywhere will be observing Memorial Day on May 28, it was a timely and fitting tribute to our Nation's veterans. The ceremony was sponsored by the leadership of the House and Senate.

As we observe Memorial Day throughout the land, I want to call to the attention of my colleagues an article written by John Bollinger, Associate Legislative Director of the Paralyzed Veterans of America. John is highly regarded on the Hill. He has appeared before our committee on a number of occasions as a spokesman for his organization.

John reminds us, Mr. Speaker, that whether it be Memorial Day, the Fourth of July, or Veterans Day, these times give Americans a special opportunity to remember all of those who have helped to keep our country free and that we must be firm in our commitment to care for those "who have put country ahead of self." His article follows:

"AN INNER LIGHT . . ."

(By John Bollinger)

"When an American says that he loves his country, he means not only that he loves the New England hills, the prairies glistening in the sun, the wide and rising plains, the great mountains and the sea. He means that he loves an inner air, an inner light in which freedom lives and in which a man can draw the breath of self-respect". Adlai Stevenson.

Poetic patriotism. When Adlai Stevenson made those remarks before a New York City crowd in 1952, patriotism was indeed an emotion which swelled within the hearts of all Americans. It was a simpler time—the 1950's. Victorious veterans from World War II were embarking on a decade of sweeping industrial and technological advances. American soldiers confidently marched off to Korea in answer to their country's call. The GI Bill of Rights, still in its infancy, enabled vast numbers of former servicemen and women to further their educations, buy homes, and generally contribute to a prosperity never before seen in our country. All was well. America was on the go. And patriotism was not only the norm, it was an easy concept to define—love and loyal support for your country. As a grade school kid, it was clear and simple.

Much has happened to America since World War II, not the least of which was an unpopular fifteen year embroilment in Southeast Asia. There were times when, as a society, we questioned our government's motives. And for some, there were times when much of the basic red, white, and blue fabric which held together our fundamental patriotic principals began to unravel and appear a little thread-bare. As dutiful citizens, our responsibilities were becoming more complex. The definition of patriotism was more than a blind and zealous loyalty for flag and country.

For the first time, many Americans who came of age in the 1960's and who loved their country began to see the "inner light in which freedom lives and in which a man can draw the breath of self-respect." Far beyond the required "Pledge of Allegiance" recited in our classrooms throughout our young lives, beyond the history books and the civics classes which developed our textbook understanding of patriotism, beyond the parades and the ceremonies, the flags and the anthems, the true comprehension of Adlai Stevenson's "inner light" was being learned by another generation of American men and women—through the experience of being a citizen of the United States of America.

This revelation is nothing new. It goes back over two hundred years. We gradually came to learn, as did our forefathers, that patriotism is not a clear and simple thing. Rather, it's a concept that requires a society to try to steer an even and moral course through good times and bad.

It requires each of us to look inward for answers to ethical questions. Whether it be Selma, Alabama, or My Lai, whether it be a successful moon launch or the use of the bomb in Nagasaki and Hiroshima, as a society and as individuals we have the responsibility to guide our great Nation forward in a direction that reflects our concern for our fellowman and those less fortunate than we.

As a broken bone heals stronger, our Nation must never lose sight of events in our history which have caused us anguish and pain. We must learn from our mistakes and America will be a better place for all as a result. As a Nation we are stronger because, as individuals, we have had the courage and the freedom, to stand up for what we believe is morally right. This is our responsibility as patriots—not only to recall what our country has done for each of us, but to answer President John F. Kennedy's charge and ask what we can do for our country. Only then will we understand "the inner light where freedom lives."

In that same speech thirty-eight years ago, Mr. Stevenson went on to say, "What do we mean by patriotism in the context of our times? . . . A patriotism that puts country ahead of self; a patriotism which is not short, frenzied outbursts of emotion, but the tranquil and steady dedication of a lifetime. There are words that are easy to utter, but this is a mighty assignment. For it is often easier to fight for principals than to live up to them."

From colonial days to the present, America has offered support for disabled soldiers and their families. This support, although sometimes less than tranquil and steady, has been generally indicative of our government's historical dedication to those who served in uniform. However, on the Fourth of July nearly sixty years ago, veterans were fighting for more than principals.

In the stifling summer heat of 1932, shortly after the old Veterans Administration was officially established, 25,000 desperate, penniless World War I veterans and their families gathered in the Nation's Capital to collect payment of the soldiers' bonus which had been promised eight years earlier by the Adjusted Compensation Act of 1924. Instead of bonuses, or even compassion, they were met with machine guns, tanks, bayonets, and gas grenades and driven out of town where they eventually merged with hundreds of thousands of other Americans—impoverished by the Great Depression. It was not one of our country's finer hours.

As American flags snap in the breeze on our country's 204th birthday, other veterans who know very well the meaning of Adlai Stevenson's "inner light", must also contemplate an uncertain future with respect to VA health care and benefits. Veterans in the 1990's will face a battle of more refined proportions, but for some, the outcome may be equally devastating in terms of denied health care and benefits. There will be no guns and tanks—the opposition will be much more subtle. Like their comrades before them, however, they will face a government unable, and perhaps to some degree unwilling, to fulfill some of the promises it made to those who stood in defense of our Nation. It will, of course, be a

battle of the budget. At stake will be our country's commitment to those whose patriotic ideals shown most bright when our country called.

Whether it be Memorial Day, the Fourth of July, or Veterans Day, these times give Americans a special opportunity to remember not only those patriots who have kept open the doors of freedom with their very lives, but those whose courage, though less dramatic than the ultimate sacrifice, have helped to keep our country free and have now turned to our government for help. For those who have put country ahead of self, this is not too much to ask.

So when we listen to those old war stories that every veteran tells, let's not forget the significance of history as it pertains to the present. As the Honorable G.V. "Sonny" Montgomery, Chairman of the House Committee on Veterans' Affairs said so eloquently in a Memorial Day statement, "The war story that concludes with a society becoming indifferent toward its defenders, either living or dead, and toward its heritage, will be the last ever told."

IN RECOGNITION OF MISSOURI'S SECOND DISTRICT MEMBERS OF THE ALL-USA HIGH SCHOOL ACADEMIC TEAM

HON. JACK BUECHNER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. BUECHNER. Mr. Speaker, I rise today in recognition of two outstanding young people in my district: Derjung Mimi Tarn and Rebecca Wiggins. These two young ladies deserve our congratulations upon being named to the USA Today all-USA high school academic team. Mimi and Rebecca were selected from over 1,000 students nominated for their academic excellence.

Mimi designed a computer neural network for biological classification of insect species. Rebecca studied the effects of light sources on plant photodinesis. These projects would challenge even the most seasoned of scientists; indeed, the projects are notable for their bold and intelligent analysis, and reflect tremendous amounts of studying and research. In their research, Mimi and Rebecca have shown an awareness that, at times, is lacking in more experienced scientists.

In addition to their scientific exploits, both young ladies exhibit excellence in other curricular and extracurricular areas. Mimi, a national merit finalist and soon to be a freshman at Stanford University, participated in extracurricular activities such as national honor society, math team, the school newspaper, Students Against Drunk Driving and many more. Furthermore, she held leadership positions in many of her activities. Mimi's academic honors include awards in curricular subjects such as English, French, social studies, and mathematics.

Rebecca, a national merit commended student and headed for Washington University, participated in extracurricular activities such as National Honor Society, National Art Honor Society, music and school sports. She also held leadership positions in her activities. Rebecca has also entered numerous science fairs, including a first place award at the International Science and Engineering Fair.

Our Nation is fortunate to have fine young people such as Mimi and Rebecca. Their parents, teachers, and counselors are to be commended for taking an active interest in the education and development of our young people, and for backing this commitment with the necessary time investment.

Our young people are the window to our Nation's future. Through their eyes we can see tomorrow, with their thoughts we will dream new dreams. The winners, indeed all of the nominees to the all-USA high school academic team, renew our optimism in the future of this Nation. For this we thank them.

Mr. Speaker, I ask each of my colleagues to join me in congratulating these young Americans and wishing them success in their future endeavors.

HONORING THE 75TH ANNIVERSARY OF ST. MARY THE MORNING STAR PARISH IN PITTSFIELD, MA

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. CONTE. Mr. Speaker, it is with great pleasure that I rise today to pay tribute to the people of St. Mary the Morning Star Parish in Pittsfield, MA.

When St. Mary was first formally organized March 27, 1915, services were held in the former St. Mary's School, which at the time housed the Tyler Theater. The present building was not dedicated until October 10, 1942, in a ceremony over which Bishop Thomas M. O'Leary officiated. The current church is a brick Romanesque structure which holds 900 people. The stained glass windows for the church were done by Herbert Burnham in Boston, who is well known for the work he did for the Cathedral of St. John the Divine in New York City.

St. Mary's first pastor was the Reverend Jeremiah Riordan, who served in Dalton and other parishes before coming to Pittsfield. His first appearance at St. Mary's was on Easter Sunday. Riordan led the church in a move to what is now the church school building in 1919, and by the time he finished his pastorship in 1925 had expanded the church and freed it from debt. Riordan was followed by the Reverend James F. Curran, who served until 1935; the Reverend Matthew Boyne, from 1931 to 1940, and the Reverend John C. McMahon, from 1941 to 1942. The pastors in the new building were Monsignor Eugene Marshall, from 1942 to 1969; the Reverend Harry Driscoll, from 1969 to 1971, and the Reverend Joseph Coffey, from 1971 to 1972. The present Pastor, the Reverend Thomas E. Lynes, followed him in 1972.

The congregation will be celebrating its 75th anniversary on Saturday, May 26, with a 4 p.m. Mass led by Joseph F. Maguire of the Roman Catholic Diocese in Springfield, followed by a dinner for the congregation. I rise to extend my warmest congratulations to the people of St. Mary's. I wish them a wonderful anniversary celebration and a promising future.

CLEAN AIR

HON. RON MARLENEE

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. MARLENEE. Mr. Speaker, hang onto your wallets—if you can. That's the warning I want to send to the people of Montana as Congress steamrolls the Clean Air Act amendments through the legislative process.

Without even blinking an eye, the House has just passed a bill that will have consumers paying and paying for the virtually thousands of mandates contained in this onerous legislation. The worst of it is, there's virtually no "sunshine" on the process that led up to passage of this legislation. Hundred-page documents were presented for votes moments after they'd been written by small cliques. Deals were cut, and the American worker, the consumer, the motorist, the ratepayer and the taxpayer were deliberately excluded from the process.

Some of us were told to compromise common sense and support this legislation because it supposedly contained some sweeteners for the States we represent. But I can assure you, there's no such thing as a free lunch and the so-called sweeteners in this bill are no exception. Every token "gain" thrown in was merely the string on which some very expensive price tags were attached.

Here's just one. It's a big one. By passing this bill, the House has declared war on American auto, pickup, and truck buyers. Because of new, complex emissions standards contained in this legislation, Montana consumers will find themselves paying up to $1,000 or more for every vehicle they buy—at a whopping total price tag of $15 million more every year. These increases are senseless—senseless because studies indicate that the real problem is not so much the new car as it is the older, dirty emission vehicle; the older automobile whose emission control systems are out of tune; and the concentration of cars in the urban areas. Proponents of this legislation seem obsessed with more expensive brandnew car emission standards even though the bulk of pollution doesn't come from them.

Ironically, the bill will likely kill a project in Billings, MT, in my distirct that would reduce sulfur dioxide emissions by some 1,500 tons a year. This project, a proposed cogeneration powerplant, would utilize petroleum coke from a nearby refinery. But under the clean air amendments, the project must wait the estimated 2 to 3 years for finalization of regulations, effectively sounding the death knell for this proposal. That's hundreds of construction jobs and an estimated 40 permanent, good-paying jobs destroyed by this "oversight." This one error alone underscores what I've been saying all along—that hidden in the nearly 700 pages of this bill are literally hundreds and hundreds of problems just waiting to be discovered. The case I've cited is just the tip of the iceberg.

There's more. For our employers already fed up with piles of Federal Government paperwork, they haven't seen anything yet. The Clean Air Act Amendments of 1990 will make all their previous headaches seem like a breeze. The amendments for the first time will require as many as 150,000 American employers from lumber mills to dry cleaners to secure specific EPA permits for every-point source of 1 or more of 191 air pollutants if they emit more than 2.5 to 7 pounds per hour. Most plants need multiple permits. That means up to 500,000 in total.

And there's more. We're going to clothe the Administrator of the EPA with broad powers that invite abuse. Everytime an employer changes any part of his or her process affecting any one of the permitted substances, even if that modification produces less toxicity, new permits are required. Every new project must pass through EPA filters. The penalties for failing to meet not only these permit standards but detailed compliance timetables could subject company officials to up to 450 years in prison sentences and unlimited fines at $25,000 per day, with employer informants and competitors offered up to $10,000 in bounties for "green-fingering" suspects.

Finally, in the midst of all this clean air hype, amidst this head-long rush into oblivion, I can't for the life of me understand why Congress has failed to raise the obvious question: What's the track record of existing clean air law?

Look at the facts. According to the EPA, from 1978 to 1987, air pollution was notably reduced; lead levels in our ambient air fell 88 percent; sulfer dioxide levels came down 37 percent, nitrogen oxide levels, down 12 percent, carbon monoxide levels, down 32 percent, particulates, down 21 percent, and ozone levels, down 16 percent. In other words, "If it's not broke, don't fix it."

But "fix" it we have and it's not the Congress, it's not the big corporate giant who'll pay. It's the taxpayer, it's the employer, it's the worker, it's the consumer of everyday products and, more important than anyone, it's our children who'll pay. Simply put, the Congress has with one hasty vote decided to mortgage away the future of America's economy.

ISRAEL TRIP

HON. VIN WEBER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. WEBER. Mr. Speaker, recent issues being discussed in Congress have rekindled old arguments against maintaining the special relationship that we have built up over the years between the United States and Israel. In January, I visited Israel with my colleague, FRED GRANDY, to discuss current concerns with government officials and the private sector.

In contrast to the negative reports that often dominate our media's review of Israel, we were impressed by the positive developments in Israel and reaffirmed in our support for our ally. Our partnership with Israel remains a moral imperative and a vital strategic relationship.

Israel remains a free and open society despite continued terrorist threats and hostile neighbors. It has not given up its commitment to justice even as it addresses domestic difficulties and an increased military threat.

One of the greatest domestic challenges facing Israel is the need to absorb up to 1 million immigrants from Europe within the next 3 years. Despite media reports, only 1 to 3 percent of these new arrivals are choosing to settle in the West Bank. Most choose to settle in urban and industrialized cities, such as Tel Aviv and Haifa. Of those choosing the West Bank, it is most often to reunite with family members.

The government is also successfully strengthening its economy. Four to five years ago, Israel was suffering from a 400 percent inflation rate. Today, it has an 18 percent inflation rate. Major corporations operated by the government are now being sold to the private sector, such as El Al Airlines. The atmosphere in major cities, like Tel Aviv, is lively, vibrant, and full of activity.

Our impression of the military was very different from much of what the media presents in the United States. We saw how the Israeli military works to carry out a humane policy in a very difficult situation. We were told that the standing order for the military is to not arrest any women or any children under 12 years of age. The soldiers are told to tolerate their behavior. If children from 12 to 15 harass soldiers, the policy is to take them home, where the parents will be requested to take care of them. For those over 16, they will be arrested if necessary and then have the right to civil court remedies. The image of an out-of-control military just isn't the reality.

The greatest internal threat comes from the tension at Israel's borders. A 1990 report published by the Prime Minister's Bureau substantiates that the PLO continues with terrorist activities inside Israel and on its borders in violation of its Geneva promise to "renounce terrorism." Attacks against Israeli and Arab civilians continue, as we saw in Egypt in January.

Unfortunately, this administration has been adopting a so-called even-handed policy between Israel and the Arabs. We cannot be serious about protecting Israel's future when we are trying to be even-handed between a democratic friend and nondemocratic nations that support terrorism. The administration's decision earlier this year to announce the PLO remains in compliance with its agreement to "renounce terrorism" is sadly wrong.

Here is just a summary of the terrorism report by the Israeli government: In the past year, 13 terrorist attacks by "Fatah"—the military arm of the PLO—were committed inside Israel in its pre-1967 borders; 17 border attacks by PLO-affiliated organizations; 125 Palestinians were murdered on directives of the "Unified Command"—an organ operated by the PLO in the territories.

Israel continues to face a serious military threat as well. Over the last 5 years, Israel's Arab neighbors have acquired a stockpile of ballistic missiles. Syria has a minimum of 24—and perhaps as many as 36—highly accurate, SS-21 shorter range missiles deployed that are capable of hitting vital targets inside Israel. Saudi Arabia has Chinese CSS-2 intermediate range missiles with a 1,900 mile range capable of hitting Israel.

Iraq presents a particular problem. It has deployed the "Al-Abbas" missile with a range of 560 miles. In addition, Iraq's Government officials have made outrageous statements that they would willingly use chemical and nuclear weapons against Israel. Clearly, Israel's neighbors are showing no sign of assuming a less aggressive military posture.

It may be unpopular to talk about continuing to support foreign aid, but this military threat, along with the domestic challenge of assimilating hundreds of thousands of refugees over the next few years, makes United States support for Israel absolutely necessary. Our aid and friendship is vital to Israel's existence. I urge my colleagues to give serious consideration to this partnership as we continue to address budget concerns and international developments.

RAISING THE HARBOR MAINTENANCE TAX—HOW NOT TO BALANCE THE BUDGET

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. ANDERSON. Mr. Speaker, in introducing a bill to take the Harbor Maintenance Trust Fund off budget, I have introduced legislation which will set a vital precedent for the 101st Congress. Passage of this bill will send a clear signal to the President that the elected representatives of the people of the United States will not allow the sacrifice of the long-term economic good of the country for fiscal and budgetary convenience. I do not support the administration's apparent strategy of increasing user fees and freezing trust funds for the purpose of deficit reduction. User fees are paid by business and members of the general public to government for the use of certain facilities. The revenue gained from these fees is meant specifically to be spent for the maintenance and improvement of these public facilities, whether they are harbors, highways, or airports.

The administration currently is proposing a tripling of the harbor maintenance tax. I propose the question, Does the administration intend to spend the money for harbor infrastructure maintenance and improvement? It is my belief it will use this money for deficit reduction. To put the ramifications of this policy in perspective, Japan, a country the size of California, spent five times as much on infrastructure last year as the United States. No wonder they have such a competitive advantage. And the administration now wants to improve that advantage even further by reducing the already insufficient level of American investment in infrastructure, first by freezing trust funds set up for that purpose and using that money for interest payments, and second by penalizing American business by unnecessary user fee and special tax hikes.

When the Government raises special purpose taxes without intending to reinvest the revenue in infrastructure improvement, it has a

significant and disproportionate negative economic impact on the business community and the national economy. We should not target specific groups and force them to pay for reducing a debt which is our collective responsibility. When the Government freezes the trust funds into which special purpose taxes are deposited and borrows against them to pay off interest on public debt, it is breaking a public contract and violating the principle behind special purpose taxes. These taxes were meant to ensure that only those who utilized the facilities in question paid for those facilities. It was meant to take the burden of funding particular Government services off the back of the general population and shift it to the particular interest group which benefited from those services, not to place responsibility for a budget deficit affecting the entire Nation and shift it onto the back of the group which has the least political clout. Other broader based taxes were intended to compensate for Government borrowing because they spread the burden fairly across the entire population and do not focus exclusively on individual enterprise. A user fee is a regressive tax if used as a tool for deficit reduction, and will have a disastrous impact upon our national economy if mistakenly utilized for this purpose.

For this reason, I have already sponsored House Joint Resolution 41, expressing the sense of Congress that the Gasoline and Aviation Trust Funds should not be used for deficit reduction, nor should the taxes used to supply those funds be used for that purpose.

Today, I am introducing legislation to remove the Harbor Maintenance Trust Fund from the Treasury budget. This will ensure that it will not fall prey to the same fate as the Airport and Highway Trust Funds. These have been raided by the administration to pay for interest on the public debt while our infrastructure deteriorates.

The administration's strategy of raising user fees as a deficit reducing tool is merely a clever ploy to avoid the necessity of a general tax increase if present spending policies are not seriously modified. I do not believe the administration should try to employ user fee increases as a smokescreen. I am determined to preempt any effort to raid the Harbor Maintenance Trust Fund to avoid our Government's responsibility to balance the budget. My legislation will protect American competitiveness, the substantial investment this country has already made in our ports and harbors, and set a precedent in favor of spending public infrastructure money on what it was intended for: maintenance and improvement of our economically vital transportation facilities. These funds are too important to squander for the sake of fiscal and budgetary convenience. The current administration strategy is a perfect illustration of how not to balance the budget.

SAVE OUR FAMILIES

HON. DOUGLAS APPLEGATE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. APPLEGATE. Mr. Speaker, in light of the debate yesterday in the House of Representatives on amendments to the Clean Air Act, I want to bring to the attention of my colleagues a letter that most, if not all of us have received in our offices from a group of concerned citizens in my congressional district in eastern Ohio.

The group, called "Save Our Families", is composed of steel workers, coal miners, small business people, community leaders and others concerned about the adverse impact that the passage of the Clean Air Act amendments will have on not only the eastern Ohio area, but on these people's lives in particular. Their letters to Congress were written from the heart and serve as a reminder that this poorly crafted piece of legislation impacts not just on industry, but on the people of this country who have no recourse or way to recover. They will not be able to pass on their costs. They cannot raise their prices. This Congress has left them with nothing more than just having to make due, and I do not believe that is what we are supposed to be doing here.

Mr. Speaker, the text of the letter sent to the Congress follows:

DEAR REPRESENTATIVE: We are writing to express concern over the acid rain section of the Clean Air Act. The economic consequences of this bill are far-reaching and will economically cripple the midwest. There are many unanswered questions.

Why did Congress authorize $600 million to study the acid rain problem and then not consider waiting a few months for the completion of that study before drafting the Clean Air Act?

Why must the sulfur dioxide emission reduction be ten million tons by the year 2000? Why not some smaller number?

Why should Power Plant emissions be forever capped at the 1985-87 levels when the midwest was just emerging from a severe recession. How can our Nation's economy grow in the face of such an inflexible restriction?

We are asking for your support and help in getting Congress to evaluate the National Acid Precipitation Assessment Project Study prior to passage of the Clean Air Act. While we believe in clean air, we also believe we can have clean air without unnecessary job loss in the midwest.

Studies were done to access the economic and social impact on the 5,000 coal miners who will lose their jobs because of acid rain legislation. The Department of Labor says that the miners will be retrained. There have been no studies done to determine the impact on industrial workers whose industries will close because of the Clean Air Act. Before this legislation is passed and implemented, the Congress should at least guarantee that the needed J.T.P.A. funds will be available to retrain industrial workers.

We need your help in striking a reasonable balance that minimizes job loss while achieving the clean air we all want and need.

This Committee desires and would welcome the opportunity to meet with you. Please contact us.

Sincerely,

"SAVE OUR FAMILIES" COMMITTEE.

THE PEACE CORPS: MEETING THE CHALLENGES OF THE 1990's

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. HORTON. Mr. Speaker, on October 14, 1960, Presidential candidate John Fitzgerald Kennedy stood on the steps of the University of Michigan Student Union telling his young audience, "* * * on your willingness to contribute part of your life to this country, I think, will depend the answer to whether we as a free society can compete."

Those young people at the University of Michigan responded, as did 120,000 other Americans—young and old—who volunteered to live and work with the people of developing countries. These Americans not only devoted part of their lives to their country, but to the world.

More recently, President George Bush stated, "Any definition of a successful life must include serving others." With a strong commitment to the Peace Corps and a budget proposal providing the biggest year-to-year jump in funding for the agency in more than 25 years, George Bush is unquestionably providing Americans an opportunity to serve others.

Last year, 1989, was the year the walls came tumbling down, signified most vividly by the physical dismantling of the ominous Berlin Wall. Communism finally had to face the music, and it fell apart.

With democracy and freedom breaking out around the globe, the benefits provided by Peace Corps volunteers will be needed more than ever. Peace Corps Director Paul Coverdell has been quoted as saying, "In many ways, it is as if the Peace Corps has been in training for this historical moment."

Earlier this week, the Subcommittee on Legislation and National Security of the Committee on Government Operations held a hearing to examine that training, better understand how the Peace Corps intends to react to the incredible events of the past year, and review the agency's efforts in the nations of Africa, Asia, and Latin America.

What the subcommittee found was an agency committed to helping the courageous people of the new democracies in Europe, while at the same time determined to expand its efforts on other continents.

This is not to say that there aren't areas where the Peace Corps can improve its operations and management. In a GAO report released by the subcommittee at the hearing, it was found that the Peace Corps needs to devote increased attention and resources to volunteer recruitment and training. Clearly, volunteer recruitment is critical to the future success of the Peace Corps. Volunteers with special skills are needed. Volunteers reflecting the diversity of American culture are needed.

I agree with the recommendations made by GAO with regard to volunteers. That's one of the reasons why I am an original cosponsor of legislation introduced by Congresswoman CONNIE MORELLA of Maryland, establishing a demonstration project to provide educational

benefits, similar to the ROTC Program, to minority students and others in return for 2 or 3 years of Peace Corps service.

This bill, H.R. 985, has been incorporated into the National Service Act of 1990, introduced by Chairman HAWKINS of the Education and Labor Committee. I sincerely hope that this legislation can be enacted into law before the end of the 101st Congress.

Mr. Speaker, the challenges facing the Peace Corps as it enters its fourth decade are difficult. However, with the continued support of the President, Congress, and the American people, I am confident that the Peace Corps will not only meet those challenges but will grow stronger than ever in spreading American good will throughout the world. Thank you.

COMMUNITY DEVELOPMENT BLOCK GRANT

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Ms. PELOSI. Mr. Speaker, I would like to share with my colleagues an article from the San Francisco Chronicle regarding the wonderful programs that community development block grants provide for my constituents in San Francisco. Just an example of how important CDBG funds are to the people of San Francisco and how the funds can assist others throughout the country.

[From the San Francisco Chronicle, May 2, 1990]

UNUSUAL AID FOR CHILD CARE—FEDERAL FUNDS USED TO FIX UP SAN FRANCISCO FACILITIES

(By Marc Sandalow)

At a time when child care is increasingly expensive and hard to find, San Francisco has pioneered a new approach to create openings for children of parents with low or moderate incomes.

With the assistance of the mayor's Office of Community Development, 22 child care facilities have been remodeled and expanded, providing 132 new slots for children with working parents.

While other cities have provided sporadic assistance to child-care operators, San Francisco's comprehensive program, which relies on federal community block grants, is the only one of its kind in the nation.

Yesterday marked the completion of the 22nd project, the first floor renovation of Gerrie Kay's modest home near Crocker Amazon Park in the outer Mission District. What used to be a garage is now an airy, sunlit playroom with new carpets, diaper-changing tables and alphabet posters on the walls.

Kay, who has cared for four children in her home for the past four years, can now care for 12. Without the city's help, "I would have tried to do it by myself, but I'm not sure I could have gotten through the process," said Kay, who received $30,000 in assistance from the city.

Under the program, operators like Kay receive more than money. City employees provide architectural assistance, coordinate small business and child care counseling, and help the operators fight their way through the red tape.

In return, the city gets a guarantee that the operators will provide quality child care to low- and moderate-income families.

"It provides quality child care in the neighborhood that's affordable—and there's an enormous need for that," said Lynn Beeson, Director of the mayor's Office of Child Care.

San Francisco has about 50,000 children younger than 12 with working parents, Beeson said, but the city has fewer than 14,000 child care spaces.

The funds that paid for remodeling Kay's home and others come from federal Community Development Block Grants, money that is typically spent on urban renewal projects.

San Francisco is spending about $300,000 of its $16.5 million this year on the child care program, said Larry Del Carlo, director of the mayor's Office of Community Development. Since 1984, the program has opened 132 additional slots for children, most of them for low- or moderate-income parents.

TRIBUTE TO DR. DONALD H. LARSEN

HON. CHESTER G. ATKINS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. ATKINS. Mr. Speaker, I rise today with a sadness of heart and deep sense of loss in remembering Rev. Dr. Donald H. Larsen. Don was a friend and gentle force of moral conscience for many of us in the Congress through his advocacy on behalf of those this world seeks to forget. His tireless efforts as the executive director of Lutheran Immigration and Refugee Service have made a difference which is all the more dramatic now that he is gone.

We will remember that Don never shirked from a fight as long as the cause was just. He never lost his sense of humor—however late the hour or long the night ahead. He never discounted the importance of one person's views—colleague, refugee, adversary, or friend. And while others succumbed, his heart and faith were great enough to fight and win the battle against compassion fatigue.

We will never be able to know or even count the thousands for whom Don's leadership meant the difference between life and death, hope and despair, freedom or oppression. He was a true advocate for those from whom this world has taken so much—home, family, safety, dignity, and even their voice. The very fabric of this Nation has been strengthened by his presence and we have all learned from Don more fully how we are knit one to another.

Don Larsen was born February 17, 1925, in Detroit, MI, and died on Thursday, May 17, 1990, of liver and kidney failure following a massive heart attack and triple bypass surgery in Hackensack, NJ. He headed 1 of the 11 voluntary agencies which resettle refugees in the United States. He became Lutheran Immigration and Refugee Service [LIRS] executive director in 1985 after nearly a year as the agency's director for policy and program. Last November he completed a 2-year term chairing the Committee on Migration and Refugee Concerns of the American Council for Voluntary International Action [InterAction].

From 1964 to 1988, Pastor Larsen was an executive with the National Lutheran Council [NLC] and its successor, the Lutheran Council in the USA [LCUSA]. At the NLC he worked in urban church planning. After also directing LCUSA programs in church planning and mission research, he became executive director of the LCUSA Division of Mission and Ministry. The division included the department of immigration and refugee services. With the end of the Lutheran Council in 1988 due to the merger creating the Evangelical Lutheran Church in America, he guided the department's formation into a separate agency [LIRS].

Pastor Larsen received a bachelor of divinity degree from Concordia Seminary, St. Louis, MO, in 1947 and the same year was ordained to the ministry. He served as pastor of Faith Lutheran Church, Seaside, OR, 1947–49; Pilgrim Lutheran Church, Spokane, WA, 1949–57; and St. Andrew-Redeemer Lutheran Church in his hometown, Detroit, MI, 1957–64.

Pastor Larsen worked extensively in the area of mission planning as a member of the Congregation Council of Grace Lutheran Church, Teaneck, NJ, as well as for the New Jersey Synod and its Meadowlands Cluster congregations.

Don Larsen has also left us a great legacy of mercy, gentle kindness, and service to those he loved most—his family. He is survived by his spouse, the former Rhoda Birner; three sons—Dan of Peshawar, Pakistan, Donald Paul of River Edge, NJ, and Timothy Peter of Deltona, FL; two daughters—Kristen Dusenbery of Columbia, MD, and Sue Ruth Larsen of Kalamazoo, MI; five grandchildren; and a sister Elaine and brother Karl.

I think of Don as I reflect anew on the words of Horace Mann, who spoke to a class of young people in 1859 as they faced new challenges and a new world, and said:

> While, to a certain extent, you are to live for yourselves in this life, to a greater extent you are to live for others.
>
> So, in the infinitely nobler battle in which you are engaged against error and wrong, if ever repulsed or stricken down, may you always be solaced and cheered by the exulting cry of triumph over some abuse in Church or State, some vice or folly in society, some false opinion or cruelty or guilt which you have overcome! And I beseech you to treasure up in your hearts these my parting words: Be ashamed to die until you have won some victory for humanity.

Don Larsen, in his death, has nothing of which to be ashamed. Perhaps he never savored victory as much as he should have, always readying himself for the next battle. Perhaps he never looked back long enough to see how far he had brought us all. But the healing, blessing, and change for the sake of justice he brought to this world are an indelible mark of victory for humanity we all should celebrate.

RESOLUTION HONORING FORMER MEMBERS GERALD R. FORD AND THOMAS P. (TIP) O'NEILL, JR.

HON. E. CLAY SHAW, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. SHAW. Mr. Speaker, I am pleased today to introduce jointly with 68 of my colleagues a resolution, House Resolution 402, that would honor two of the most distinguished living alumni of the House: former House minority leader and President Gerald R. Ford and former Speaker Thomas P. (Tip) O'Neill, Jr. This resolution would rename the blandly named House Annex 1 and House Annex 2 to the "Thomas P. O'Neill, Jr. House of Representatives Office Building," and the "Gerald R. Ford House of Representatives Office Building," respectively.

Both of these men revered the institution of the House, and both served honorably. I believe this resolution is an appropriate way in which the House can acknowledge the important contributions of these two giants of the House.

I look forward to working closely with my colleagues on both sides of the aisle to ensure quick passage of this resolution.

The text of the bill is as follows:

H. RES. 402

Resolved,

SECTION 1. DESIGNATIONS.

(a) THOMAS P. O'NEILL, JR. HOUSE OF REPRESENTATIVES OFFICE BUILDING.—The House of Representatives office building located at C Street and New Jersey Avenue, Southeast, in the District of Columbia, and known as the House of Representatives Office Building Annex No. 1, shall be known and designated as the "Thomas P. O'Neill, Jr. House of Representatives Office Building".

(b) GERALD R. FORD HOUSE OF REPRESENTATIVES OFFICE BUILDING.—The House of Representatives office building located at 3d and D Streets, Southwest, in the District of Columbia, and known as the House of Representatives Office Building Annex No. 2, shall be known and designated as the "Gerald R. Ford House of Representatives Office Building".

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to a building referred to in section 1 shall be deemed to be a reference to the building as designated in that section.

SEC. 3. STATUES.

The Speaker of the House of Representatives may purchase or accept as a gift to the House of Representatives, for permanent display in the appropriate building designated in section 1, a suitable statue or bust of the individual for whom the building is named. Such purchase or acceptance shall be carried out—

(1) in the case of the building referred to in section 1(a), in consultation with the majority leader of the House of Representatives; and

(2) in the case of the building referred to in section 1(b), in consultation with the minority leader of the House of Representatives.

PLO PROPAGANDIZES PALESTINIAN DEATHS

HON. MEL LEVINE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. LEVINE of California. Mr. Speaker, the recent killing of seven Palestinians in Israel by a lone and lunatic gunman was a terrible tragedy. The madman who committed this dastardly deed deserves to be condemned and punished. That is precisely what has happened. Israeli Government officials and civilians of all political persuasions have expressed their shock and revulsion at the killings and offered such aid as the donation of blood to the victims.

Not surprisingly, this tragedy will tomorrow be exploited to justify a broad-based attack against Israel at the United Nations—with apparent American acquiescence. The United Nations would do well to remember President Mubarak's words after that crazed Egyptian soldier slaughtered seven Israeli tourists in the Sinai: "[I]t is a limited incident that can happen anywhere, carried out by an insane man."

It is especially unfortunate that the Bush administration feels compelled to support this forthcoming propaganda offensive. At a time when Iraq has threatened to gas half of Israel, when Mr. Mubarak is reported to have made an outrageous suggestion that Soviet Jewish emigration to Israel can lead to war, when the PLO threatens to escalate the uprising, and when an Arab summit meeting will take place next week with the radical and rejectionist rhetoric flying, the Bush administration does absolutely nothing.

Actually, it does even worse than that. Instead of trying to stabilize the situation and to cool passions which could well lead to war, the administration essentially fuels the fire by taking gratuitous slaps at Israel and by working hand in glove with the PLO and other parties intent on exacerbating tensions. This is the height of irresponsibility, but this administration seems too caught up in criticizing Israel to care.

Nonetheless, Mr. Speaker, if the slaying of seven Palestinians warrants convening the Security Council, then the spotlight should shine equally strong on the barbarism committed by Palestinians against their own people. Indeed, if the PLO is so concerned about innocent Palestinian lives then they should condemn rather than condone the systematic and daily slaying of so-called collaborators in the territories.

These are gangland executions—hangings, mutilations, decapitations—for no reason whatsoever, and yet no voices are raised in protest and no attempt is made to have the United Nations meet. It seems that only certain lives are worthy of concern; the determinant seems to be who can be held responsible, and whether propaganda points can be won.

At this point I would like to place two items in the RECORD on these recent events; a column by Richard Cohen of the Washington Post called "Madness and Malice"; and one by Steven Emerson in the Wall Street Journal, entitled "Wrong Reaction to Israeli Gunman." Both provide excellent analyses of the regrettable reactions to this tragedy in Israel by the United States Government, the PLO, the press, and the Arab States.

[From the Wall Street Journal, May 22, 1990]

WRONG REACTION TO ISRAELI GUNMAN

(By Steven Emerson)

Hours after an Israeli gunman went mad and mowed down a group of Arabs on Sunday, human-rights activists and American commentators publicly charged the government of Israel with "responsibility for and complicity with the killings of Palestinians." Why? The Israeli government has already arrested the disturbed man and already begun to investigate the matter. Because, as one commentator said, "Israel has encouraged this by creating a climate of hate and violence." Some Palestinian leaders went further: They charged that the killings were a premeditated act of murder by Israel. The American media uncritically repeated these charges. The U.N. will likely convene in the next few days to ram through a resolution accusing Israel.

The attack on Israel is part of a trend. Lately, American journalists, commentators, and political activists with ideological agendas have began ascribing collective national guilt as the culprit for acts of violence carried out in society. In fact, a more honest test of a society's values and conscience would be to examine how it reacts to such violence. Does it act swiftly to condemn the violence? Does it ignore it? Or does it revel in the violence? The Sunday murders are a case in point. They provide a critical basis to examine how Arab society (and the U.S. media) reacted to similar acts of violence against Jews.

In Israel, there was instant unanimous condemnation of the killings. Within minutes after news of the killings was broadcast, Israeli leaders—from the entire political spectrum—bitterly condemned the killings and expressed their sympathies to the Palestinians. There was no equivocation or excuses. Israeli citizens expressed their shock, horror and revulsion at the killings. The Israeli reaction was similar to the massive demonstration of 400,000 that came in response to the Phalangist massacre of Palestinians at Sabra and Shatila in 1982.

The Arab world's reaction to the murder of innocent Israelis has been very different. In 1985, when an Egyptian soldier on active duty shot to death seven Israeli tourists, including four children, in the Sinai, many Egyptians and Palestinians celebrated the deaths of the Israelis. The killer, who subsequently died under mysterious circumstances in an Egyptian prison, has since become a folk hero in Egypt and the Arab world, enshrined in Arab mythology. Last year, when 15 Israelis and one American were killed when a fundamentalist Palestinian caused an Israeli bus to crash in a ravine, many Palestinians openly justified the killing; some even rejoiced.

Not only have Palestinians routinely celebrated the killings of Israelis, they have consistently subscribed to conspiracies, including their charge that the violent deaths of Palestinians are part of a deliberate Israeli plot to kill all Palestinians. This conspiratorial accusation, not insignificantly, is similar to the way the intifada may have started. After a traffic accident in Gaza in December 1987 in which four Palestinians were killed, Palestinians immediately

charged that the traffic accident was a deliberate act of premeditated murder by the Israeli government. In fact, it was just a traffic accident.

While Palestinian exaggerations, conspiracies and distortions may be understandable given the difficult circumstances under which the Palestinians live, the U.S. media and human-rights organizations have a responsibility not to report them blindly. When Palestinian schoolchildren several years ago claimed they were being poisoned by Israel, the accusation was uncritically broadcast all over the world. Later a team of international scientists determined that there was no poisoning whatsoever. The children at best were suffering from some form of mass hysteria, and at worst were being manipulated by their parents.

The response of the media and human-rights organizations in the U.S. to the killings of innocent Israelis by Arabs has been just as skewed. When terrorists opened fire on an Israeli tour bus outside Cairo and killed nine Israelis, why didn't human-rights activists and commentators charge that the event was fostered by the climate of hate against Jews in Egypt? Palestinian leaders openly justified the killings. Instead, the U.S. media focused on the apologies issued by Egyptian President Hosni Mubarak to foster the notion that the attack was an "aberration" in Egypt's attitude toward Israelis.

Whether the attack was an aberration is, in fact, debatable. An examination of broadcasts and publications in Egypt in the weeks after the killings indicates, however, that some Egyptians approved of the killings. Yet, at the same time, the Egyptian government forcefully condemned the attack. (In Egypt, the semi-controlled press has been bashing Israel and Jews for years now, routinely comparing Jews to Nazis and endorsing the worst conspiratorial accusations against Jews from the notorious anti-Semitic forgery, the Protocols of the Elders of Zion.)

Perhaps even worse is how human-rights organizations and the U.S. media treat the killings of Arabs by Arabs: There is virtually no coverage or criticism. Two weeks ago, Egyptian police opened fire on "fundamentalists" southwest of Cairo, killing 14 Egyptians. The massacre was ignored by nearly all American newspapers and television networks. The Associated Press ran a small three-paragraph story—but quoted only the version offered by the Egyptian police, who alleged they were provoked. The media's indifference to inter-Arab killings is similar to the media's racism in generally ignoring killings by American blacks against fellow blacks while at the same time hyping killings of whites by blacks.

In the days to come, there will be the predictable orgy of Israel-bashing by the media, human-rights organizations and American supporters of the Palestinians. We will hear that Israel's soul has been poisoned, that it is responsible for the killings on Sunday.

Ultimately, the true test of a nation's soul is how it reacts in the face of such violence. France reacted with widespread popular revulsion at the desecration of Jewish cemeteries earlier this month. Israel has moved swiftly and appropriately. If only the Arab world and the Palestinians would react similarly.

[From the Washington Post, May 22, 1990]

MADNESS AND MALICE

(By Richard Cohen)

In 1985 an Egyptian soldier stationed in the Sinai went berserk, killing his own commander and seven unarmed Israeli tourists. A number of the tourist including a 10-year-old boy, apparently bled to death because other Egyptian soldiers would not permit an Israeli medical team to aid the victims. For a moment, the Middle East tensed up and then relaxed. In essence, Israel said that one soldier is not a nation. The peace with Egypt was never in doubt.

Now, though, something similar has happened within Israel. There, a former soldier also has gone berserk, killing seven Palestinians. The gunman has been characterized as deranged, attributing his action to the loss of a girlfriend and an alleged rape by Arabs when he was a boy. Nonetheless, both the Palestine Liberation Organization and several Arab governments have not hesitated to use this horrible incident in their propaganda war against Israel.

Kuwait simply labeled the killer a "Zionist" and said his actions would "lead to a new cycle of violence in the region." A PLO spokesman called the killings "a message to the Arab summit" about to begin in Baghdad, and a PLO official, Yasser Abed Rabbo, asked Egypt to close the Israeli Embassy in Cairo. "What is happening in the occupied territories is an act of organized crime carried out under the supervision and planning of the Israeli government," he said. From Damascus and Amman have come similar statements.

Well, first of all, the killings did not take place in the Occupied Territories, but in Israel proper. (The victims were, however, residents of the occupied Gaza Strip who had come to Israel seeking work.) In the second place, there is not a scintilla of evidence that the Israeli government had anything to do with the killings. If it had, then possibly the gunman would have been allowed to escape and not have been arrested. The current Israeli government is capable of doing some bonehead things, but not even its severest critic would suspect it of wanting to foment the riots in the Occupied Territories and Israel proper that followed the killings.

Maybe it's understandable that Arab leaders (and non-Arab ones in Tehran) would overreact to the recent massacre. After all, both the West Bank and Gaza Strip are under military occupation, and from time to time it's a harsh one. The intifada proceeds, and with it comes a daily loss of life, including, of course, children. To some Israelis (and others), these deaths are the inevitable result of rebellious activity, such as stone throwing. To Arabs though, the victims are just kids who want to live in a Palestinian state. It's the occupation that's killed them, not their behavior.

Palestinians long ago made the point that they are entitled to their own state. But they have not yet made another and possibly more important point: that if they get that state they will not continue their war against Israel. Very likely, Arab leaders know that the rampage of a single Israeli does not represent government policy. Yet their followers are a different matter. They are quite willing to believe—indeed, for generations they have been taught—that the so-called Zionists are ruthless killers. Until recently, for instance, the PLO itself did not stoop to distinguish between soldiers and, say, women and children on a kibbutz.

Now both the PLO and certain Arab governments will not distinguish between state policy and a single man who went berserk. By inflaming populations in their own countries and within Greater Israel (Israel plus the Occupied Territories) they show themselves to be more passionate than logical and hardly punctilious when it comes to truth. By claiming that the massacre is anything more than a tragedy, they are propagating a lie.

But there is yet another issue that has to be dealt with. Washington has been putting pressure on Israel to come to the bargaining table and deal with the Palestinians. So far that hasn't happened. But if someday it should, Israel has to be assured that the Palestinian leadership can sell some sort of compromise to its people. Given the performance of the leadership following the shooting, any compromise will be a harder sell. Indeed, Israelis can argue that when it counts, the PLO leadership reverts to the same old rhetoric—and maybe the same old terrorism.

It would have been wonderful if the shootings had been followed by efforts on the part of Arab leaders to calm the situation. It would have been wonderful if they had said that an Egyptian had done something similar. It would have been wonderful if any Arab leader, including Egypt's Hosni Mubarak, had repeated what Mubarak himself said following the 1985 massacre in Sinai: "a limited incident that can happen anywhere, carried out by an insane man."

Anywhere, by definition, includes even Israel.

TRIBUTE TO EDGAR FLEETHAM

HON. HOWARD WOLPE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. WOLPE. Mr. Speaker, I rise today to pay tribute to the longest serving public servant in my congressional district in southwestern Michigan, Mr. Edgar Fleetham, on the occasion of his retirement from elected office.

Ed has been an elected official since 1936, when he won the Sunfield Township Treasurer's seat at age 21. Subsequently, in recognition of his remarkable responsiveness and dedication to serving his constituents, he was elected to a variety of other positions—township board member, township supervisor, Sunfield High School Board of Education Member, and Eaton County Commissioner. It is from his district county commission seat that he is now retiring.

However, this amazing list of public offices only touches the surface of Edgar Fleetham's involvement in public matters. During the last half-century he has also served on the boards of a number of organizations, including the Tri-County Mental Health Board, the Michigan Association of Public Health Boards, the Michigan Association of Counties, and the Michigan Association of Local Public Health.

In addition to his public service commitments, Mr. Fleetham has served as the lay leader of the Sunfield United Methodist Church for 46 years. He is also a loving husband, father, grandfather, and great-grandfather.

Mr. Speaker, it is obvious that Michigan and Eaton County will lose a great public servant when Edgar Fleetham retires this year. His commitment to public service and his responsiveness to his constituents have been his trademarks these many years—and these characteristics have been repaid with the affection and respect his constituents hold for him. We are all in his debt, and I know that my colleagues will want to join with me in wishing Edgar Fleetham all of the best on the occasion of his retirement from public office.

INTRODUCTION OF A BILL TO REFORM CERTAIN BENEFITS UNDER SOCIAL SECURITY

HON. LEON E. PANETTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. PANETTA. Mr. Speaker, I would like to take this opportunity to reintroduce legislation that I sponsored in previous Congresses to make a small but significant change in the Social Security laws. The proposed change would eliminate a benefit that is contrary to the intent of the Social Security System, and is not needed by the recipient. By making such a change, we could save needed dollars in outlays, thereby strengthening the system as a whole.

Currently, the system treats a stepchild as a natural child for purposes of eligibility for family benefits. The child is entitled to receive survivor's, retirement, and disability benefits through age 19, if he or she remains in school.

Clearly this provision is unobjectionable. An individual who has married the natural parent of a child and has adopted the child takes on the financial responsibility for his or her support. Thus, if the stepparent becomes disabled, dies, or retires, the stepchild is, and should be, treated as the natural child.

My bill is directed toward the situation in which the stepparent and natural parent become divorced and the child receives support from another source. Under current law, the child still receives benefits from the stepparent even though he or she now has a new source of support. For example, the following situation actually occurred in my district in California: A man married a divorced woman with two children and soon thereafter became disabled. The two children, as dependents, were eligible for and received family benefits. Subsequently, however, the couple divorced and the woman remarried another time. Yet the children continued to receive benefits on the original man's disability, despite the fact that the children were being adequately supported by the woman's new husband and by child support payments received from the natural father. Such a duplication is clearly unnecessary, and should be changed.

Not only does this loophole place an additional burden on the Social Security fund, but it unfairly penalizes the natural children of the disabled individual. Since the law places a cap on total benefits a family may receive from Social Security, the sums available to the natural children—who may not have another source of support—must be shared with the stepchildren who do not need it.

My bill amends title II of the Social Security Act to eliminate benefits for any individual who qualifies only as a stepchild when the natural parent and the insured individual are divorced and the child is receiving support from a source other than that natural parent. The bill also applies to stepgrandchildren under comparable circumstances.

Mr. Speaker, I firmly believe that this legislation would achieve exactly the kind of reform we should be looking at in all spending programs in these days of budget conscious cost cutting. The savings would be realized not through reduction of benefits or raising of taxes. In no way does it betray the original intent of the Social Security Program. It is merely a fiscally responsible correction of a previously unrecognized loophole in the laws. I urge my colleagues to lend their support to this reform.

The bill follows:

H.R. 4938

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

SECTION 1. SUSPENSION OF CHILD'S INSURANCE BENEFITS IN THE CASE OF A STEPCHILD OR STEPGRANDCHILD FOR MONTHS AFTER A DIVORCE OF THE CHILD'S PARENTS DURING WHICH THE CHILD RECEIVES OUTSIDE SUPPORT.

Section 202(d) of the Social Security Act is amended by adding at the end thereof the following new paragraph:

"(10) A benefit for any month under this subsection which would (but for this subparagraph) be payable, on the basis of the wages and self-employment income of an insured individual, to any person solely as the stepchild or stepgrandchild of the insured individual shall not be payable if—

"(A) such person is the insured individual's stepchild, the insured individual and such person's other natural parent or stepparent were divorced prior to that month, and such person is receiving support, as determined under regulations of the Secretary from any source other than such natural parent or stepparent and the insured individual during that month, or

(B) such person is the insured individual's stepgrandchild, the insured individual's son, daughter, stepson, or stepdaughter who is a natural parent or stepparent of such person and the other natural parent or stepparent of such person were divorced prior to such month, and such person is receiving support, as determined under regulations of the Secretary, from any source other than such son, daughter, stepson, or stepdaughter and the insured individual during that month.".

SEC. 2. EFFECTIVE DATE.

The amendment made by section 1 shall apply with respect to monthly insurance benefits payable under title II of the Social Security Act for months after the month in which this Act is enacted.

SALUTE TO PASSAIC HEART FOUNDATION HONOREES

HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. ROE. Mr. Speaker, it is with great pride that I rise today to recognize three representatives of an outstanding organization in my Eighth Congressional District of New Jersey who have made tremendous contributions to the standards of health care in our community, State and Nation. The organization to which I refer is the Passaic Heart Foundation, and the three exceptional individuals being honored by this organization are Dr. Oscar R. Baeza, Dr. Gregory S. Sullivan, Cardiac Nurse Mary Caddigan and Joseph R. Russo, Passaic Deputy Police Chief and chairman of the Passaic Heart Foundation.

The American Heart Foundation has accomplished much to improve the quality of health for all of us, and the many achievements of the Passaic Heart Foundation will be celebrated during this year's dinner dance at the Princess in Lodi, NJ, on June 6. This gala evening is the perfect opportunity to salute the four deserving honorees for their personal dedication to caring for others. I am certain that, under the direction of Mr. Russo and the esteemed members of the board, this special event will be a great success.

Mr. Speaker, I would like to take this opportunity to tell you and our distinguished colleagues a little about each of the Heart Foundation honorees beginning with Dr. Baeza. Dr. Baeza, a cardiovascular surgeon at Passaic General Hospital, is one of our Nation's most respected physicians. Dr. Baeza prepared himself for his important work through his study at Universidad de Chile in Santiago, where he received his master in medicine in 1964 and then served his internship.

Since that time, Dr. Baeza has been in great demand, serving in numerous posts both in Chile and in the United States. He served as assistant professor of surgery at Hospital Sotero del Rio in Santiago, Chile, and as instructor in thoracic surgery at Albany Medical Center Hospital in Albany, NY.

Mr. Speaker, Dr. Baeza has had an outstanding career in the United States, having served as attending thoracic and cardiovascular surgeon at Palisade General Hospital of North Bergen, NJ, since 1985, and at the General Hospital Center at Passaic, NJ, since 1980. He has also served in similar positions at St. Joseph's Hospital of Paterson, St. Mary's Hospital of Passaic, and Beth Israel Hospital of Passaic.

Dr. Sullivan also has a long and distinguished history. He attended Georgetown University and New York University Medical School before doing his internship at Montefiore Hospital and Medical Center in the Bronx, NY, in 1966. Following a residency in medicine at Bellevue Medical Center and a fellowship in cardiology at Cornell University, Dr. Sullivan served as chief of internal medicine at 121 Evacuation Hospital in Seoul, South Korea, and later at the United States Army Hospital at San Pedro, CA.

Dr. Sullivan, who is a fellow of the American College of Cardiology, is a full attending cardiologist at Passaic General Hospital, where he is past director of cardiology and of the cardiac catheterization laboratory. He is a fellow of the American College of Cardiology.

Mr. Speaker, Mary Caddigan is a graduate of St. Clare's Hospital School of Nursing in New York City. She also attended William Paterson College and began her nursing career at Passaic General Hospital as a staff nurse in the intensive care unit. After completing a cardiac care unit [CCU] course, she was promoted to assistant head nurse and then head nurse of the CCU. In her position as head nurse, Mary Caddigan initiated the first patient cardiac teaching classes, using the pilot program introduced in the hospital by Lorraine Erbe, R.N., M.S.N.

Mary was also one of the first instructors in the CCU course at Passaic General Hospital. While working at the hospital she became a volunteer in the pastoral care department under the supervision of Rev. Peter Carey, the hospital chaplain, and then she moved on to volunteer in the visitation of home patients in the Hospice Program sponsored by Tri-Hospitals of Passaic.

Mr. Speaker, Joseph R. Russo has been vigorously involved in his community for most of his life. A graduate of Passaic High School, Mr. Russo attended Rutgers University, the Passaic County Police Academy and the Bergen County Police Academy. He is the retired deputy police chief of Passaic, but is just as well-known for his numerous efforts on behalf of his community and on behalf of scores of worthwhile interests.

He has served as chairman of the Passaic Heart Foundation since 1974. Among Mr. Russo's numerous activities, he has served as Holy Name president of Mount Carmel Church, as commander of Post #200 American Legion, as president of Passaic Lions, as president of Unico Passaic, as a Passaic P.A.L. trustee, as a trustee of the Passaic-Clifton Senior Citizens, as chairman of the Annual Christmas Baskets for the Needy, as trustee of Passaic County Community College, and as vice president of the Salvation Army.

Mr. Speaker, each of these well-chosen honorees is an example to everyone concerned with health care in our Nation and our world today. Without the excellent work of leaders such as these, great strides in medicine could not be made or used effectively. To these individuals, and all devoted health professionals, we owe our thanks for feelings of security and hope when we or someone we care about requires hospital care. I invite you, Mr. Speaker, and our colleagues to join me in congratulating Dr. Oscar R. Baeza, Dr. Gregory S. Sullivan, Cardiac Nurse Mary Caddigan, and Passaic Heart Foundation Chairman Joseph R. Russo for their years of outstanding service and for the great honor they have received from the Passaic Heart Foundation.

FOOD FOR THOUGHT AFTER THE CLEAN AIR BILL

HON. GLENN POSHARD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. POSHARD. Mr. Speaker, we must be mindful of the fact that while the Clean Air Act offers great environmental benefit, it comes at an enormous cost to our economy, our competitiveness, our coal industry, our energy security, and to a way of life we hold dear in southern Illinois.

Clean air and a sound economy aren't mutually exclusive. Indeed, we have taken some steps in the House to blunt the economic dislocation caused by the bill. We've created incentive allowances for early technological compliance. That's good for the air, saves some jobs and coal markets, and reduces the staggering costs that are heaped on one section of the country.

I hope my colleagues will remain openminded to ideas which can cut the costs of environmental compliance while attaining the same environmental goals. To this end, I would like to submit for the RECORD excerpts of testimony of environmental tax incentives for pollution control presented this March to the Committee on Ways and Means by Stan Garnett of the Coalition for Acid Rain Equity.

This testimony is illuminating with respect to the benefits of potential environmental tax initiatives and how they can work in concert with the environment to ease some of the financial cost of this legislation. I ask my colleagues to consider this testimony in hopes that we will be able to further debate the merits of these proposals as we focus on tax and revenue issues this fall.

EXCERPT FROM TESTIMONY BY STAN GARNETT, VICE PRESIDENT, ALLEGHENY POWER SYSTEM, ON BEHALF OF THE COALITION FOR ACID RAIN EQUITY, BEFORE THE COMMITTEE ON WAYS AND MEANS

MARCH 7, 1990

Mr. Chairman, Members of the Committee, I am Stan Garnett, Vice President, Finance, of Allegheny Power System, Inc. (APS). I thank you for the opportunity to be here today to testify on potential tax initiatives that are being, or should be, considered in conjunction with the Clean Air Act amendments which Congress is currently reviewing.

APS is one of the larger coal-burning electric utility systems in the United States. The APS wholly-owned operating subsidiaries—Monongahela Power Company, the Potomac Edison Company, and West Penn Power Company—typically burn about 18 million tons of coal per year, much of it the high sulfur variety indigenous to the APS service territory. APS has generating capacity totalling 8,066 magawatts, over 7,000 of which is coal-fired, and the rest is hydro or pumped storage. APS also has three scrubbers in operation.

I am testifying today on behalf of the Coalition for Acid Rain Equity (CARE), which advocates a more equitable solution to some of the current Clean Air proposals. CARE represents a diverse group of business, labor and public officials, including the United Mine Workers, coal producers, the National Lime Association, several coal-fired Midwestern utilities, and Congressional Members from the Midwest. I will focus only on Title V of the proposed bill, which is the section on acid rain control.

The impact of large utility rate increases on industry will be substantial. A survey done by Allegheny Power System operating companies of their commercial users showed that 38 percent of those surveyed said a 10 percent increase in rates would have a great impact on their business, citing negative effects on their competitive position, layoffs and possible plant closures.

Midwest industries produce over 20 percent of our country's goods, as well as over 25 percent of our exported goods. And, since industry is the largest electricity user for many Midwest utility companies, they will be the ones absorbing much of the rate increases. Under the proposed legislation, electric utility rates would increase by 20 or 30 percent. Substantial negative effects on manufacturers of consumer goods such as cars, steel, aluminum, glass and cement must be expected.

One way to alleviate some of the excess financial burden on the utilities is with the reinstatement of investment tax credits and tax exempt pollution financing of control technology facilities installed to comply with the new Clean Air requirements.

Significant federal income tax-credits and other benefits were generally available in the past to owners of facilties required to make capital expenditures to comply with a broad array of pollution control requirements. These benefits included accelerated amortization (a 60-month write-off), investment tax credit and the availability of tax exempt pollution control financing (which has in the past been up to 200 or more basis points less costly than comparable taxable financing). Allegheny Power System estimates that the availability of these benefits alone would lower the proposed Clean Air costs imposed on APS ratepayers by some 10 to 15 percent based upon the current federal corporate tax structure.

It should be noted that these same benefits would have been worth reductions of from 15 to 20 percent under the higher corporate tax rates that prevailed in the early 1980's. A very broad spectrum of organizations took advantage of these important benefits in the past. As a rule of thumb, the use of these benefits can be measured in relation to the volume of tax exempt pollution control financing effected. As illustrated by the attached summary (attachment A), entities in every state took advantage of such financing techniques, including some who are now claiming most vehemently that they are "clean" states and should not be asked to help solve a clearly national problem. At a minimum, equity requires restoration of these benefits to taxpayers electing technological means to comply with the proposed Clean Air Act Amendments of 1990.

It only seems fair that these tax benefits be restored now. More money will be spent to comply with this proposed legislation than ever before, increasing the manufacturing base of several industries, creating new jobs and revenues. A favorable tax environment that encourages the use of pollution control facilities can only promote greater growth and preserve jobs.

Mr. Chairman, I suggest one possible tax package:

First, an investment tax credit of 20 percent, available up front with carry-forward provisions, but not accompanied by any provisions reducing the basis of an emission reduction facility by any part of the credit;

Second, a consumptive depletion allowance credit equal to 15 pecent of the annual cost of the sorbent used in pollution control devices;

Third, unrestricted availability of tax exemption financing for facilities installed to comply with the Act; and

Fourth, accelerated amortization of 60 months.

All four are necessary in order to provide utility companies with adequate up-front funds to build the expensive pollution control technology devices and help decrease "rate shock" for customers. This package would lower the costs imposed on typical utilities by some 15 percent.

The cost of our proposal requires further study. The Ohio Office of the Consumers' Counsel conducted one analysis that predicted a 15 to 17 percent ITC would make utility federal income tax payments neutral with respect to utility investments in acid rain control equipment.

At this point, since the idea of tax credits is relatively new to the clean air debate, we don't have a lot of information on the general revenue impacts of the combination of tax credits and tax exempt financing. We will be developing this information in the near future and will provide the information to your staff.

What is key to remember is that the benefits of a tax credit proposal go beyond just helping utility rate payers. Reducing the cost of installing pollution control devices will further the continued use of high sulfur coal and thereby minimizing economic disruption. As you well know, Mr. Chairman, high sulfur coal is found primarily in the Midwest—Illinois, West Virginia, Ohio, Pennsylvania—and is a vital economic and energy resource for our nation. While many utility companies will switch to lower sulfur fuels to comply with the law, there is great concern that valuable high and medium sulfur coal production will be destroyed and this valuable energy source lost, unless there are incentives to build pollution control devices—both scrubbers and clean coal technology projects.

There is a clear national interest in reducing reliance on foreign oil consumption and conserving domestic supplies of oil and natural gas.

It would be foolish to abandon the extensive high sulfur coal market when there are technological ways to burn this fuel cleanly.

Under the President's bill, the Midwest's high sulfur coal industry will lose about 30,000 jobs; taking with it another 70,000 in support service and coal-related jobs. This massive job loss will cause severe economic disruption.

I would like to conclude my testimony by saying that the pending Clean Air Act amendments will be one of the most expensive environmental bills in history. It will dramatically impact utilities, their rate payers, industry, and all consumers of goods made in the United States, and especially in the Midwest. The cost of cleaning our nation's air should be borne by *all* those contributing to the problem; yet that is not the case under the proposed legislation. Acid rain is a national problem that requires a national solution and should not be just an albatross for Midwestern utilities.

There are equitable, financially affordable solutions being proposed that deserve serious consideration. I thank you, Mr. Chairman, for being the first outside of the Energy and Commerce Committee to recognize this. I look forward to working with your committee to rectify the inequities.

Thank you.

Attachment A—Pollution Control Municipal Issues, State Volume, Jan. 1, 1980 to Jan. 31, 1990

State	Total (In millions)	Percent of total	No. of issues by State
Alabama	$807,717	1.58	34
Arkansas	414,550	0.81	19
Arizona	1,608,215	3.14	24
California	4,078,170	7.97	67
Colorado	444,530	0.87	10
Connecticut	452,300	0.88	18
Delaware	220,000	0.43	11
Florida	2,334,380	4.56	49
Georgia	3,076,350	6.01	55
Iowa	199,390	0.39	16
Idaho	59,600	0.12	5
Illinois	1,110,320	2.17	31
Indiana	2,272,250	4.44	41
Kansas	1,252,080	2.45	28
Kentucky	1,683,375	3.29	17
Louisiana	1,892,620	3.70	17
Massachusetts	411,405	0.80	15
Maryland	262,400	0.51	13
Maine	47,250	0.09	9
Michigan	1,767,990	3.46	
Minnesota	467,560	0.91	20
Missouri	1,149,440	2.25	31
Mississippi	769,250	1.50	20
Montana	1,210,260	2.37	21
North Carolina	779,660	1.52	
North Dakota	677,200	1.32	12
New Hampshire	691,550	1.35	25
New Jersey	1,109,345	2.17	36
New Mexico	1,278,145	2.50	21
Nevada	345,200	0.67	11
New York	2,312,863	4.52	61
Ohio	2,716,920	5.31	99
Oklahoma	162,500	0.32	5
Oregon	210,200	0.41	14
Pennsylvania	2,593,150	5.07	52
Puerto Rico	297,000	0.55	7
Rhode Island	5,000	0.01	1
South Carolina	862,580	1.69	22
South Dakota	23,000	0.04	2
Tennessee	182,000	0.36	7
Texas	5,292,750	10.34	127
Utah	837,950	1.05	17
Virginia	727,092	1.42	12
Washington	125,150	0.24	9
Wisconsin	316,250	0.62	12
West Virginia	391,900	0.77	12
Wyoming	1,540,155	3.01	47

Source: Securities Data Co./Bond Buyer.

RESOLUTION TO OPEN A CONGRESSIONAL INVESTIGATION INTO THE ARTHUR RUDOLPH CASE

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. TRAFICANT. Mr. Speaker, I rise to speak on a resolution I introduced today expressing the sense of the House of Representatives that the House Judiciary Committee should hold hearings for the purpose of investigating the Arthur Rudolph case.

I can well understand why the Jewish community is upset with my involvement in this case. They know that Rudolph was a member of the Nazi Party during World War II and they have the impression that he was responsible for the deaths of thousands of forced laborers in the V-2 rocket plant. Nevertheless, I hope the Jewish community will consider my following words.

I believe, that, like most young Germans of the day, he joined the party out of desperation. He was out of work during a great depression and the only way to earn a living was to join the party. There is no evidence whatsoever that he had abused or violated the rights of forced laborers used on the production line at the V-2 plant at Mittelbau. Nor is there evidence to refute his claim that his capacity at the Mittelbau was solely as production manger of the V-2 plant.

My quarrel is with the Office of Special Investigation [OSI] of the Justice Department. In a series of interviews with the OSI following his capture by American troops, Rudolph never lied about his wartime activities. He entered the United States legally, attained United States citizenship with the blessing of President Truman, and served the United States and the Federal Government loyally through his contributions to our Nation's missile and space programs. Yet, 14 years after he retired, the OSI called him back for one final interview and purportedly forced him to leave the United States and renounce his U.S. citizenship or be prosecuted for Nazi war crimes based on fabricated evidence. Due to frail health—Rudolph had recently suffered a heart attack, his advanced age, his lack of financial resources, and his difficulty in finding witnesses after nearly 40 years, Rudolph, under duress and fearful for the welfare of his wife and daughter, signed an agreement with the OSI stating that he would leave the United States and renounce his citizenship.

Following Rudolph's departure, the Federal Republic of Germany conducted their own investigation into the case using evidence the OSI had supplied. German investigators found the OSI evidence to be without merit, substance, and documentation. As a result, Germany completely exonerated Rudolph and granted him German citizenship. Further evidence has appeared since Rudolph's departure in Rudolph's favor. Yet, the Office of Special Investigation refuses to consider it. Hundreds of Rudolph's coworkers from NASA and citizens of the United States petitioned former President Ronald Reagan for an investigative review of the case.

I believe that the OSI may have tampered with the civil rights of a U.S. citizen. This is the reason why I am calling for an investigation into the case that will bring together all evidence for and against Rudolph. If Rudolph is not the perpetrator as evidence increasingly reveals, I do not want to see him punished. I have faith that if members of the Jewish community could review all evidence for and against Rudolph, they would make a fair decision on his behalf. I believe that the Jewish people, probably more than any other ethnic group in the world, understand the importance of civil and human rights. If Rudolph is guilty of working forced laborers to death at Mittelbau, I believe that the penalty he is presently paying for participating in such disgusting acts is not tough enough. I believe that if he is guilty he should not be receiving any pension or remuneration from the U.S. Government.

Please have the attached article by Patrick Buchanan relative to the matter printed in the RECORD following the above statement.

[From the Washington Times, July 17, 1989]

HERO OR NOXIOUS NAZI?

(By Patrick Buchanan)

Twenty years ago, President Nixon gathered his White House staff, and we all headed, before dawn, down to Cape Canav-

eral. The historic occasion: The launching of Apollo II.

When the mighty Saturn V rocket thundered off its pad, with Neil Alden Armstrong, Col. Edwin Eugene "Buzz" Aldrin Jr. and Lt. Col. Michael Collins aboard, the earth shook for miles. It was a marvelous moment. The huge rocket, flames blazing half a mile from its tail, roared to the world a clear message: Russia may have been first in space, but America is No. 1.

Few can claim more credit for man's journey to the moon than Arthur Rudolph, the brilliant German rocket scientist and production manager of the Saturn V. His life's dream fulfilled, Mr. Rudolph retired that year, full of honors, to live out his days in California, near his only daughter, Marianne.

Today, Mr. Rudolph, 82, is a man disgraced, stripped of citizenship, living in Hamburg, forever branded a Nazi war criminal by the nation that once exalted him and pinned medals on his chest.

What a story!

About his early career, there is no disagreement. Fired by the dream of space travel, Mr. Rudolph hooked up with the young Prussian aristocrat, Wernher von Braun, to co-lead the Luftwaffe team sent to Pennemunde, to build Hitler's "Vengeance Weapon," the V-2 that rained upon London in the hundreds in the closing days of the war.

In August 1943, Bomber Command paid a visit to Pennemunde, killing in one night 1,000 men, women and children, almost wiping out Mr. Rudolph's own family, and forcing transfer of V-2 production to the milelong tunnels at Mittelwerk in the Harz Mountains.

Here, Arthur Rudolph's character was tested. For the hard labor at Mittelwerk was done by slave labor, prisoners from Buchenwald, housed in the nearby concentration camp of Dora-Nordhausen. One day, in January 1945, the SS called the work force together in the tunnel to witness a hanging—of six workers, for an attempted uprising. Mr. Rudolph was there.

At war's end, hoping to be captured by the Americans, Mr. Rudolph made his way westward. Interned at Garmisch, he was interrogated on his wartime service, brought to the United States under President Truman's "Project Paperclip," interrogated again, then sent to Fort Bliss, Texas, where he taught the Army to fire the V-2s the Yanks had captured. After a third, transcribed interrogation, Mr. Rudolph was offered citizenship. Sent across the border to Juarez, Mexico, he obtained a visa, re-entered the United States legally, and, in 1954, became a naturalized American citizen.

Thirteen years after he retired, Mr. Rudolph got a letter from the Office of Special Investigations of the Justice Department. Could they meet? Twice, he did so, without a lawyer, telling OSI's Neal Sher and Eli Rosenbaum what he had told his American captors decades before, that, yes, he had been a nominal member of the Nazi Party, and of the SA until 1934.

Following the interviews, Mr. Rudolph was informed that OSI now considered him a Nazi war criminal, that he was in danger of being prosecuted, stripped of pensions and citizenship, bankrupted and expelled. So, too, were his wife and daughter.

Horrified, fearing he would not survive a trial, Mr. Rudolph, a heart attack victim, capitulated, and lied, signing a paper saying he had persecuted unarmed civilians because of race, religion, national origin or political opinion. Then, heartbroken, he flew to Germany, and renounced his U.S. citizenship. In return, OSI promised not to go after his daughter.

A stunned Bonn, an alleged war criminal dropped in its midst, began an investigation. After extracting from OSI all its "evidence" (basically, the transcripts of Mr. Rudolph's two interviews, and the names of nine "witnesses"), the West Germans gathered the testimony of 26 ex-forced laborers, 23 of Mr. Rudolph's co-workers, and 15 members of the SS, producing 15 volumes of files. After two years, Bonn found OSI's case to be a cruel joke. (Four of the OSI's nine knew nothing of Mr. Rudolph; two were mentally unfit to testify; one defended Mr. Rudolph's innocence; the remaining two accusers were judged non-credible.)

Others came forward. A former Nordhausen prisoner who had worked on the V-2 testified: "Mr. Rudolph stood up very well for us prisoners and got us additional rations. He treated us concentration camp inmates always well. . . . I know of no case, where Mr. Rudolph was rough or where he would have mistreated prisoners."

This was echoed by the first American officer in Nordhausen. At the '47 Dachau trial of SS collaborators at Mittelwerk, Mr. Rudolph's name never came up. Where were his accusers then? Ex-colleagues at Fort Bliss and Huntsville, Ala., journalists who studied the case, came to his defense. Not only is Mr. Rudolph innocent, writes author Thomas Franklin in "An American in Exile," Messrs. Sher and Rosenbaum behaved like "vigilantes riding hell for leather to a necktie party, determined to see to it that their own kind of justice was dished out." Gen. John Medaris, Mr. Rudolph's superior in Huntsville, now an Anglican bishop, denounced OSI's actions as "unjust immoral and illegal."

What do friends of this 82-year-old man ask? Only this: That, considering his service to this country, America gave him the public hearing, the fair "trial" he was denied.

All that is needed is for one congressman of courage to propose that Mr. Rudolph's citizenship be restored. Then, let us have public hearings, under oath, so the American people can decide whether Mr. Rudolph was a Nazi victimizer of slave labor, or himself a victim of an American political atrocity.

A SALUTE TO DARWIN McGLUMPHY, PRESIDENT, OHIO UNION OF PATROLMEN ASSOCIATIONS

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. STOKES. Mr. Speaker, on June 1, 1990, the Ohio Union of Patrolmen Associations [OUPA] will convene in celebration of the 19th anniversary of its founding. Over the years, the organization has achieved an outstanding record in representing the interests of patrolmen and improving the safety standards for law enforcement officers throughout the Nation. I am pleased to rise today to salute a prominent Ohioan who serves as president of OUPA, Officer Darwin McGlumphy.

Officer McGlumphy, an 18-year veteran of the Akron Police Department, has served as president of the Union of Patrolmen Associations for 2 years. Prior to his appointment as president, he served as secretary for 1 year; education officer for 2 years; legislative chairman for 7 years; and first vice president for 7 years.

Mr. Speaker, Officer Darwin McGlumphy is one of the most active public employees in the State of Ohio. Since beginning his law enforcement career in 1972, he has strived to improve the working conditions and quality of life for police officers. He works tirelessly to insure that police officers have a voice in the legislative processes that affect their jobs. He has testified before Congress on issues affecting the law enforcement community and officer performance in the line of duty. He educates police officers on labor issues through bimonthly labor education classes. Due to his efforts, the Ohio Union of Patrolmen Associations is a strong and effective voice in the State of Ohio and throughout the Nation.

During his career, Officer Darwin McGlumphy has been recognized for his commitment and dedication as a law enforcement officer. He is the recipient of numerous awards and citations, including the Ohio Governor's Special Recognition Award; the Distinguished Service Award from the Mansfield Patrolmen Association; the Meritorious Service Award from the International Union of Police; and the Police Officer of the Year Award from the Ohio Union Patrolmen. In addition to his awards and outstanding employment record, Officer McGlumphy has earned a bachelor's degree and is currently working toward the completion of his Ph.D.

I am also pleased to note that in addition to his duties as a law enforcement officer and president of the OUPA, Officer McGlumphy devotes his time to the youth of his community. He serves as a volunteer for the United Way, the YWCA Residential Intervention Center, the March of Dimes, and the Ronald McDonald House.

Mr. Speaker, it is an honor to salute Officer Darwin McGlumphy. He has served with honor and distinction as a law enforcement officer and as president of the Ohio Union of Patrolmen Associations. He is a leader and champion in whom the community and our Nation can take great pride. I ask that my colleagues join me in paying tribute to Officer Darwin McGlumphy.

THE 10TH ANNIVERSARY OF MILLER BREWING CO. IN IRWINDALE, CA

HON. ESTEBAN EDWARD TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. TORRES. Mr. Speaker, I rise today to call my colleagues' attention to the fact that on June 3, 1990, the Miller Brewing Co. will observe the 10th anniversary of the opening of its modern, state-of-the-art brewery in Irwindale, CA. On that day, more than 5,000 employees of the brewery, their families and

friends will celebrate this momentous occasion with an all day program of special events.

I would like to applaud president and CEO Leonard Goldstein of the Miller Brewing Co. and the Irwindale work force, for their decadelong commitment to the Irwindale community, economy and its environment. The managers of the Irwindale brewery have actively promoted environmental programs to reduce waste and have embarked on a major recycling campaign. The employees voluntarily participate in carpools to help reduce air pollution and relieve congested highways. This joint effort is an example of corporate America responsibility and leadership in the environmental effort of the community and the nation.

Miller Brewing and Irwindale employees have distinguished themselves over the last 10 years through their unselfish contributions of time and money to local charities and community service organizations throughout the entire State of California. Mr. Victor Franco is an effective spokesperson for Miller's charitable commitment and has succeeded in providing contributions to organizations that have a positive affect on our communities. Miller is to be congratulated for their philanthropical efforts.

The Irwindale brewery has grown significantly since it was built in 1980 and now serves as a major exporter of Miller products to 10 foreign countries along the Pacific Rim, including the Republic of Mexico. The brewery also serves 14 other Western States, as well with a total annual production of more than 5.7 million barrels of quality beer and malt beverages.

I commend the plant manager, Dennis Puffer for this high level of production for domestic and foreign consumption, thus making a significant contribution to the economies of the city of Irwindale; the county of Los Angeles and the State of California. The nearly 2,000 brewery distributor employees earn more than $58 million each year in wages and benefits. The brewery purchases more than $200 million per year in services and materials from California companies.

Moreover, the Irwindale brewery has added considerably to the region's tax base in payment of nearly $64 million annually in corporate, property, excise, vehicle and other taxes. Most importantly the Irwindale brewery has added to the quality of life in Irwindale and all of California.

Mr. Speaker, I ask my colleagues to join me in commending the Miller Brewing Co. and its Irwindale brewery on their 10th anniversary and in wishing them many more successful and prosperous years in our State of California.

STATEMENTS ON YUGOSLAVIA AT HEARING OF THE CONGRESSIONAL HUMAN RIGHTS CAUCUS

HON. LYNN MARTIN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mrs. MARTIN of Illinois. Mr. Speaker, on April 24, 1990, the Congressional Human Rights Caucus held a hearing on the present political climate in Yugoslavia, focusing on that country's troubled Kosovo Province. My distinguished colleagues Mrs. HELEN DELICH BENTLEY of Maryland and Mr. JIM MOODY of Wisconsin made statements at the hearing.

Congresswoman BENTLEY is a first generation Serbian-American whose parents emigrated to this country shortly after the turn of the century. Mrs. BENTLEY has made numerous trips to Yugoslavia, going back to her years of service in the Nixon administration as Chairman of the Federal Maritime Commission and, most recently, traveling there in April with the Helsinki Commission.

Congressman MOODY's personal interest in recent events in Yugoslavia dates back to 1958, when he spent 2 years as CARE representative in that country. During that time Mr. MOODY visited not only every republic in Yugoslavia but every major town as well. Mr. MOODY was also a member of the recent Helsinki Commission delegation which visited Yugoslavia, and his expertise on this country is widely recognized in this Congress.

Mr. Speaker, this is a sensitive area. Other colleagues of ours have made arguments that represent other views. That is the purpose of our Congress, and in that spirit I ask that the remarks of Congresswoman BENTLEY and Congressman MOODY be printed in the RECORD following my own statement.

STATEMENT OF HON. HELEN DELICH BENTLEY BEFORE THE HUMAN RIGHTS CAUCUS, APRIL 24, 1990

Who would have thought 600 years ago that the second battle of Kosovao would take place in the halls of the United States Congress, (actually in the legislative halls of a country which was not even in existence when the first Kosovao war took place.)

Kosovao is where—600 years ago—the Serbs, although outnumbered, fought a valiant battle against the Islamic invaders of Christian Europe. The Serbs were "guardians of the gate." They lost the battle, but they saved Christianity! They lost the battle, but they still celebrate that day; in fact, they venerate that day.

And it was because of this veneration through the centuries that Kosovao has become as sacred to the Serbians as Mecca is to the Moslems, the Vatican is to the Roman Catholics, Jerusalem is to the Jews, and Canterbury is the Anglican Church.

Nevertheless, here we are today, talking about an event, and a place, which happened before this country—the United States—was even founded, and located today in another country, which also was non-existent at the time of the first battle. Yugoslavia, a country of unique composition. Yugoslavia is made up of six republics—including Serbia, the one that did exist in 1389 and for 200 previous years—four principal ethnic groups, three different basic languages, three major religions, and two alphabets. There is nothing simple about it.

Some people even describe Yugoslavia as a jigsaw puzzle because of this multiplicity of makeup. That composition developed because of the history of the republics involved. And, although we in the United States these days have a tendency to overlook, gloss over, or even forget about history, nevertheless, historical background is vital to most other people in the world—and in this particular case, to the Serbs in relation to Kosovao.

Even though the Ottoman Turks won that historical first battle of Kosovao, the Serbs have always venerated that battlefield where they left blood for century after century as they endeavored to free themselves from the Ottoman oppression—and finally did in the Nineteenth Century.

Through the balance of the Nineteenth Century and into the early days of Twentieth, Serbia—although independent—was a much sought-after pawn of the Austro-Hungarian Empire. Turkey once again made forays against her, and even Bulgaria and Russia showed interest. The Balkan Wars that we have read about in our history books were real, and Serbia seemed involved in the conflict throughout her history, until Yugoslavia was formed after World War I in the Versailles Treaty.

But the new country of Yugoslavia had less than a generation to establish itself when the might of Hitler's Third Reich came down upon it. In March of 1941 after a coup d'etat, the Serbs and most Yugoslavs entered World War II on the side of the Allies. That decision threw Hitler into such a rage of spite that he delayed his attack on Russia for two weeks, and sent the troops into Yugoslavia. Many historians believe that this decision was Hitler's worst mistake and caused him to lose the war.

That move tied up 15 divisions of Hitler's mechanized forces and caught Hitler in the middle of winter, causing his defeat during World War II.

It is very timely—on this, the official day of recognition of the Holocaust—to be discussing the fate of the nation of Yugoslavia, a smaller country which lost 1,700,000 Jews and Serbs to the Nazi terror.

But the Serbs paid heavily for coming out on the side of the Allies for the second time. They were forced out of their home—Kosovo—by the Axis forces, and were not allowed to return there during the Axis occupation, or during the rule of Broz Tito's communist government, which wanted to assist Albania, and also reduce the Serbian majority, both in Kosovo, and throughout Yugoslavia.

Americans must understand—and that includes this Congress—that this was the price the Serbians paid for being an ally of the Allies, an ally of the United States—our ally.

Historically, between the wars, the native Kosovo Albanians and the Serbs lived in comparative harmony. That peace resulted from normal migrations and integrations of society. There, of course, were differences, but no extremes of desecration of property, loss of life, or harassment.

There is no doubt in the minds of the Serbians that the Twentieth Century battle of Kosovo has resulted from Marshall Tito's high-handed manner, not only in forcing the Serbians out of their homes there, but also in encouraging the Albanians from Albania to flock into Kosovo in droves—by the thousands.

In fact, early in his reign, Tito's government passed a law which forbade any Serbians who left Kosovo during the war or after, from returning to their home sites or anywhere in Kosovo.

Where the province once was 75% Serbian and 25% Albanian, the proportions now not only are reversed, but the Serbian share is said to be down to less than 10%.

As that proportion was turned around, the feeling in Yugoslavia is that many of the agitators of Kosovo have come from the strongest communist country in Eastern Europe—Albania. The general feeling of all

the Serbians is that it is a move to separate Kosovo altogether from Serbia and Yugoslavia, and to make it greater Albania.

In fact, the February 23, 1990 "Report on Eastern Europe," issued by Radio Free Europe, states: "On February 1 some 500 ethnic Albanians in the town of Tetovo in western Macedonia attempted to block the town center, but were quickly dispersed by local police. An account by Radio Belgrade described the police action as, 'So swift that the demonstrators did not even know what had hit them.' Reports indicate that the demonstrators were demanding that western Macedonia, which is heavily populated by ethnic Albanians, be granted independence. They chanted, 'We want a greater Albania,' and voiced solidarity with Kosovo's Albanians."

Only this past week Albania has indicated that it is interested in establishing any dialogue with the outside world . . . the first time in 45 years.

And yet, Yugoslavia has been just the opposite the most open of the East European countries—open since it went its own communistic way in 1948 to open its borders to visitors from throughout the world as it had before World War II. However, with all that openness it has only been within the past year or two that the Serbs themselves have been able to have any pride about their heritage because they had been so downgraded throughout Yugoslavia by their enemy, Marshall Tito.

It was pointed out to me by a top official of the U.S. Embassy last year, that it has only been since Slobadan Milosovic came to power in Serbia that all of Yugoslavia recognizes, finally, that Tito is dead, that many of Tito's henchmen have been put out of office, and that the Serbians have been able to hold their heads high.

It is ironic that the communist country which has had the first open door, and the longest, is one of the slowest in moving towards open multi-party elections on a nationwide basis—but again, this can be blamed on the fragmented ethnic complexion of this small country.

It was my privilege to be invited to go with members of the Helsinki Commission to Yugoslavia the first week of this month to investigate human rights violations there and, in Romania and Bulgaria. While I applaud their efforts, the short two and a half days spent in Belgrade and Kosovo can barely brush a thousand years of the history of those nations—the complexity of the ethnic mix of that area of the world.

This hearing, scheduled for earlier in the year, was deliberately postponed until after the Commission had visited. Considering the news coverage of our "findings," I am glad that we waited. As a former news reporter, I can tell you that what we saw, what we heard, was not reported in the proper light.

A minority position paper from the trip is now being prepared and it is our hope that this afternoon some of the misleading impressions can be corrected.

I was very pleased to read over the weekend that President Markovic of Yugoslavia said there would be multi-party elections on a federal or national basis of that country before the end of this year—or at least, early next year. The republics of Slovenia and Croatia already have had multi-party elections for their areas and hopefully the other republics, including Serbia, will be doing so in the forthcoming months as well. These are positive moves, along with the turnaround of the economy of Yugoslavia under the program of President Markovic, which he outlined to those of us who visited him as part of the Helsinki Commission earlier this month.

Is there room for improvement on human rights? You bet there is throughout Yugoslavia, in every way.

Has any progress been made? Yes, it has. As we heard from the letter from the Embassy earlier today, in recent weeks some 108 political prisoners were released. Undoubtedly, they should have been released earlier and perhaps it was the combination of the pressure from the Helsinki Commission's visit and this Human Rights Caucus hearing that finally brought their release about. And, of course, the good news today was the release of Mr. Vlasi, who has been going through a lengthy trial and apparently, he and his colleagues were found not guilty today. I had the occasion of sitting next to Mrs. Vlasi during dinner while we were in Kosovo two weeks ago and I told her that I was the one who had pushed hard for an open trial for her husband. I'm very glad that it was open and I'm very glad that he is free.

There have been other bits of good news regarding human rights, but we all know there are changes and improvements that must be made throughout the country as there are throughout Eastern Europe.

As I noted earlier, Mr. Chairman, our purpose here this afternoon is to explain this ethnic diversity which between the world wars gave a pluralism to Yugoslavian society not seen anywhere else in the Balkan states. It is our hope that this model can once again be explored—with a recognition of ancient "rights to Jerusalem"—"rights to Kosovo," in this instance—rights which cannot be denied without great risk to the people of all of the Balkan states.

There is no right, no claim, as strong as one of history and heritage. The recent eruption of nationalism from a host of small nations inside the Soviet Republic is testimony to that ever green commitment to a national identity despite years of oppressive foreign domination of all sectors of society in those countries.

It must be recognized today that occupation of a state does not have to be heralded by the movement of armies, but rather can occur—as happened in ancient days—by a mere movement of a people. The reasons for this in-migration can be either political or economic, or both, but the reasons do not address the problems created by the fact of occupation. We need to present the problem. To force recognition of the problem by this country. And, finally, to work with all other involved parties toward some pluralistic solution which will accommodate the best interests of the nation of Yugoslavia, the nation most threatened by this occupation.

It is a tragic history we are discussing here this afternoon. It is vital for the benefit of all the Republics and peoples of Yugoslavia, as well as the western world, that that country remains intact.

Our deepest wish is to avert another tragedy—the dismantling of Yugoslavia must not take place!

STATEMENT OF HON. JIM MOODY BEFORE THE HUMAN RIGHTS CAUCUS APRIL 24, 1990

I appreciate the opportunity to discuss the current situation in Yugoslavia and applaud the Human Rights Caucus for holding this hearing. I hope that it will contribute to a greater understanding of the unique and complex circumstances that exist in Yugoslavia today.

My personal involvement with Yugoslavia began in 1958, when I served for two years as the CARE representative there. During those two years I traveled throughout the entire country and to every republic, in fact, to every town. I have stayed in touch with developments since that time, most recently as a member of the Helsinki Commission delegation, led by Sen. DeConcini and Congressman Hoyer, that visited Belgrade and Pristina two weeks ago, April 9 to 12.

THE COMPLEXITY OF YUGOSLAVIA

Yugoslavia is far, far more complex and diversified than any other Eastern European country. It has seven nationalities: Serbian, Croatian, Slovenian, Macedonian, Montenegrin, Albanian and Hungarian. It has six republics: Croatia, Slovenia, Serbia, Bosnia-Herzegovina, and Macedonia. It has five languages: Serbo-Croatian, Macedonian, Slovenian, Albanian, and Hungarian. Yugoslavia has four peoples: Slavs, Turks, Albanians, Magyars. It has three religions: Orthodox, Catholic, and Moslem. It has two alphabets: Cyrillic and Latin.

Yugoslavia has an incredibly rich and diverse history. Much of the country—Croatia and Slovenia—was an integral part of the Austro-Hungarian empire. Most of the country—Serbia, Bosnia and Macedonia—were under the Ottoman Empire. Montenegro was never conquered from the outside.

The area that now makes up Yugoslavia has long been the scene of passionate, ethnic rivalry and expression, with some periods of intercommunal and inter-religious violence and repression. World War I started in Sarajevo as a result of an assassination sparked by ethnic aspirations.

SERBIA AND KOSOVO

No region is more complex, nor has a more admirable history, than Serbia, the largest and most diverse republic. Today, Serbia includes two semi-autonomous provinces: Vojvodina and Kosovo. During the Tito period, both provinces were granted a great deal of ethnic expression and administrative autonomy.

Serbs have a rich cultural tradition, with national poetry, songs, and artistic forms of great beauty and strength. The modern scholar, Slobodan Jovanoic, depicts the truly glorious history of Serbia and the Serbian people.

No part of that history is more meaningful than the 500-plus year struggle the Serbs waged for their freedom, dating from 1389 when they lost a decisive battle in the heart of ancient Serbia—Kosovo—to the invading Moslem Turks. That battle ushered in the five centuries of alien rule and oppression. The 1398 battle of Kosovo is the most important date in all Serbian history, not because of the result of the battle itself, but because it began the greatest trial of the Serbian people and the difficulty from which they emerged with their religion, language, culture and Western values intact. They persevered through the long night of oppression. They never lost sight of freedom or belief in the dignity of the individual.

The Serbian people have always drawn strength from their tradition, dating back to 1389, of fighting for freedom and liberty as they faced modern-day forces of oppression. They fought bravely on the Allies' side in both World Wars I and II.

In regard to Serbian treatment of minorities living within their midst, their record

through history has been one of tolerance and fairness.

During World War II, the Serbs refused to give in to Nazi pressure for cooperation. As a result, they were subject to full scale attack by the German armies, joined by Fascist forces from several bordering countries. The Nazi occupation of Serbia was one of the most brutal of all of World War II, and many thousands of Serbs gave their lives in organized resistance to that occupation. There are towns in Serbia where every male inhabitant was machine-gunned by the Germans in retaliation for some act of resistance.

At the same time, thousands of Serbs living in Croatia or Bosnia were killed by units of the Croation facist organization, the Ustasha, which set up an Axis state in Croatia allied with Germany and Italy. Old ethnic and religious rivalries between Croats and Serbs were rekindled, and thousands were killed by Utasha guards simply for being Serbian—that is, for being of the Orthodox religion.

In sum, the Serbs have a long tradition and history of commitment to freedom and liberty, often achieved after terrible sacrifice. In this rich and admirable tradition, Kosovo stands as an historic symbol of the Serbian struggle for freedom. The belief of the Serbian people—and in fact of all Yugoslav people—in the dignity of the individual is central to their culture and to their values. Probably no ethnic group in Europe has paid more dearly over the last six centuries for their beliefs than the Serbs and many of their countrymen.

MODERN DAY YOGOSLAVIA

In 1948, at great risk of invasion and war, Yugoslavia broke with Stalin and the Soviet system, and set out on their own path. It was the first country to do what other Eastern European countries are now doing so dramatically.

After an early period of very tight controls over personal expression, press, foreign travel and other freedoms, these restraints were gradually and continuously relaxed. Today personal freedoms in Yugoslavia are generally very secure. Political arrests and trials, as usually defined, have not been totally eliminated but are now a real rarity. The national parliament is preparing legislation to abolish all "verbal crimes". Over 100 persons convicted under such statutes were recently pardoned and released (including the famous Mr. Adem Demaqi). The Yugoslav government now demonstrates that no political prisoners remain incarcerated.

The recent events in other parts of Eastern Europe have had significant impact on Yugoslavia, and have no doubt accelerated its march to democracy. Free elections have been recently held in Slovenia and Croatia; more will be held soon in Croatia and in all other parts of the country later this year. Today the press criticizes the government and office holders, and publishes articles by such well known anti-Tito dissidents as Milovan Djilas.

RECENT DEVELOPMENTS

In Kosovo today, the situation remains very tense. Our recent Helsinki delegation visit there included extended meetings with political and religious groups of a wide variety. We met with representatives of a number of Albanian ethnic groups, with representatives of the Serbian ethnic minority there, and with Orthodox and Muslim religious leaders. I have provided copies of the statement our delegation issued upon completing our visit.

Our Helsinki delegation criticized the apparently overly-heavy reaction of the police and some local authorities during the recent riots, in which more than 30 Albanians lost their lives. And we criticized the view by some in Belgrade that the Albanian minority representatives were only "separatists" and "terrorists". Our view was that there were responsible Albanian ethnic groups that wanted more autonomy but not secession from Yugoslavia.

But we also noted considerable suffering and difficulty by the Serbian families still living in Kosovo. Serbian priests have been beaten; Serbian graves desecrated, and Serbian churches burned. The Serbs are a small and embattled minority in Kosovo. The ones we met with told of ethnically-based discrimination and harassment they have suffered. Many Serbs have already fled Kosovo in fear for their safety.

The Serbs in the rest of Serbia have reacted very strongly to this situation. As mentioned above, Kosovo is the birthplace of Serbian culture and has tremendous ethnic, cultural, and religious symbolism. Morever, the Serbs point out that in the other semi-autonomous region of Serbia, Vojvodina, populated mostly by Hungarian ethnics, there is no comparable conflict and tension.

Our trip found that despite the high state of tension in Kosovo, there is substantial basis for peaceful resolution, particulary if Belgrade officials show leadership and restraint. We were especially impressed by Orthodox and Muslim leaders in Kosovo who expressed great compassion and understanding for the other religion, and for the suffering on both sides.

In fact, we found many individuals of good will on both sides. If political posturing in Belgrade can be reduced, and the legal restrictions on legitimate expressions eased, I personally am optimistic for future peace and democracy in Kosovo.

It is important to note that the federal government and the Serbian republic have very recently (April 18) lifted the official state of emergency in Kosovo. This bodes well for the move towards democracy in Kosovo.

It should also be noted that today, fourteen ethnic Albanians were acquitted by the court of Titova Mitrovica of all charges against them that stemmed form the recent unrest. The most notable person in that group was Mr. Azem Vlasi.

CONCLUSION

The complexity of the situation in Kosovo, and the Serbian-Albanian conflict there, caution against any sweeping conclusions by outsiders. Certainly it would be ill-advised for the U.S. Congress to level condemnation against either side in the highly charged conflict. Doing so would probably inflame further the tensions, and might actually reverse the current trend towards relaxation of those tensions.

The recent U.S. Helsinki Commission statement released at the end of our visit carefully lays out the position of the majority of our delegation. Beyond that, I would not recommend judgment.

As stated, many people of good will are now at work in Kosovo, and recent government actions towards political prisoners, Mr. Vlasi, and towards lifting the state of emergency are very positive steps. Working in a non-condemnatory way with the relevant authorities, we hopefully can facilitate further progress.

FATHER CORNELIUS BECKER, A HUMBLE SERVANT

HON. JOE KOLTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. KOLTER. Mr. Speaker, I rise today before the full U.S. House of Representatives to honor and pay special tribute to the Reverend Father Cornelius H. Becker of St. Mary's Roman Catholic Church of New Castle.

Father Becker, who is approaching his 66th anniversary as a priest, is also celebrating his 92d birthday, beginning with a Mass of Thanksgiving at St. Mary's, and followed by a reception recognized by the Pittsburgh Diocese.

But more important that these numerical milestones, Father Becker is honored today for his profound humility.

Always there for the people, Father Becker has a reputation for assisting those in need no matter the weather or the circumstances. In short, Father Becker encompasses the ideal of the priesthood as much as any man can.

Born in Pittsburgh and a student at St. Joseph's, St. Francis College and Duquesne University, Father Becker was ordained at St. Vincent Archabbey by Bishop Boyle. Father Becker served at St. George on the South Side, SS. Peter and Paul in East Liberty, St. Mary's in McKeesport, St. Vicent de Paul in Leisering, St. Joseph's in New Castle, St. Mary's in Mckees Rocks and St. Teresa's in Koppel, where he retired in 1973.

However, Mr. Speaker, I also honor Father Becker today because he has not retired in the active sense, and he has certainly not retired in the spiritual sense.

Father Becker continues to set an example for the community, as spiritual leader of the Tri-County Blue Army of Our Lady of Fatima—all 2,500 strong—and as a modern Christian pilgrim, visiting a different church each month.

The faithful also cherish Father Becker's vigils, often held from Friday evening until Saturday morning, an example of the strength of faith.

In conclusion, Mr. Speaker, I especially recognize Father Becker before the Congress because of his chosen mission in life, to spread the message of Fatima, a message of peace for mankind, throughout this portion of the world.

INTRODUCING THE PUBLIC-PRIVATE TOLL ROAD ACT OF 1990

HON. THOMAS J. RIDGE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. RIDGE. Mr. Speaker, there is perhaps no greater threat to the future economic vitality of our Nation than the continued deterioration of our highway transportation infrastructure. The challenge is great, the problem met by no simple solution.

Today, I wish to offer my contribution to help solve this critical problem, to begin the

process of rebuilding our crumbling highways and bridges, and to provide Government, Federal and State, with the proper tools to meet our future transportation demands. In doing so, I seek to encourage the use of a historically popular method of financing highway construction and improvements—tolls.

Therefore, I am very pleased to introduce today the Public-Private Toll Road Act of 1990, legislation that I believe will begin to provide this Nation with the means to both reverse our infrastructure decline and meet our transportation needs of tomorrow.

This act will allow us to achieve these goals by: First, enabling the Federal Government to participate in the construction of new toll highways, bridges and tunnels; and second, allowing States to impose tolls on already completed projects without the payback of Federal-aid highway funds.

Importantly, this legislation will not apply to the Interstate Highway System. Those parts of the interstate currently operating toll-free will remain so. Nor will this legislation allow a State to impose tolls simply to raise revenue. A State will be able to impose a toll on a completed project only in those cases where the tolling of the project is to either expand capacity or for major reconstruction. In other words, consumers will be assured of substantial, upfront benefits before a facility may be tolled.

Also noteworthy is that this act will allow for private sector participation in the building, construction and operation of toll facilities, whether they be completed or new projects. Though a State would be required to regulate the toll charges and the private operator obligated to meet certain conditions, this provision is nonetheless a major step forward in encouraging greater private sector participation in road building and rehabilitation.

Make no mistake about it. The highways and bridges disintegrating before our eyes risks our future economic well-being. Many consider the problem as a threat to our Nation's productivity while still others argue that highway deterioration is a root cause of the decline of American competitiveness. The Department of Transportation has estimated that if we allow the present trend to continue, then by 1995 we will have lost 3.2 percent in GNP, 5.9 percent in disposable income, 2.2 percent in employment and 2.7 percent in manufacturing productivity. These represent tremendous costs by any standard.

Let us also be clear on the enormity of the task we face. The Federal Highway Administration currently spends $13 billion a year on repairs and construction. Yet it has been estimated that bringing America's roads up to "minimum engineering standards" will cost anywhere from $565 to $655 billion over the next 20 years. Overwhelming as this may seem, it does not even include the moneys needed to meet the today's every-growing capacity demands.

Some will surely ask—why toll financing? As the recently released National Transportation Policy noted "no single, all-purpose source is going to fill our future needs." Rather we must look to a variety of public and private sources. In an era of constrained resources, toll financing represents a viable alternative.

I believe the American people will support the toll concept. I think we are fed up with seeing the money we pay in gas taxes sitting unused in the trust funds. Toll financing prevents this sort of abuse because the tolls we pay will go directly for highway purposes. The businesses who now move more than 75 percent of their freight on the highways, I believe, will support tolls if it means getting their goods where they need to go on time—an increasingly questionable proposition. And I think that the American commuter, who's increasingly frustrated with congested, pothole-ridden roads, will support the toll concept if it means an end to highway gridlock and roads that are safe and smooth to ride on.

Opinion polls bear this out. A survey of my own State, Pennsylvania, indicates that a majority support tolls if their funds are used for highway reconstruction and new construction. A Roper poll found only 12 percent opposition to tolls in any form. As a recent article concluded, "when people perceive a benefit—a quicker, safer trip on a road that's quickly built and in better repair—they support the toll concept."

There are some good reasons to support toll financing. First, unlike the abuse of our current transportation trust funds, toll revenues go directly to the construction, operation, maintenance, and improvement of the road. The users of the toll facility, therefore, enjoy the direct benefits of the tolls they pay.

Second, toll financing will allow us to undertake a greater number of projects than we otherwise might under current financing methods. Third, toll financing offers a speed advantage over the normal highway construction process. Project funding is available upon the initiation of the project through the issuance of bonds, allowing its rapid completion. Faster construction times also mean lower construction costs. Fourth, toll financing allows operation and maintenance costs to be taken off-budget, freeing up funds to make other road improvements.

Finally, I believe it is important to recognize the critical necessity the private sector can and should play in the restoration and expansion of our transportation facilities. My legislation will encourage private participation by allowing private operators to construct, own and operate toll facilities. This is known as the build-operate-transfer model, or BOT. These public-private partnerships in transportation have been widely used in Europe and the Pacific Rim for a number of years and with great success.

Here in the United States, the privatization of highways is a slowly catching on. In 1988, Virginia became the first State to enact private tollway legislation. Plans are continuing in the State to move forward for an extension of the Dulles toll road that will be built and operated by the Toll Road Corporation of Virginia. California become the second State to come onboard with legislation that authorizes four private tollway projects. In addition, Colorado, Illinois, Florida, and Puerto Rico are moving ahead or considering private tollway projects.

Certainly, toll financing is not the sole answer to all problems. But it is a viable option in many circumstances. Federal policy should be to encourage toll financing where it has a proper role to play and can meet legitimate transportation demands. To my colleagues, I say that it's time we look to innovative and creative financing methods like tolls and begin the job that Americans are waiting for us to do.

SECTION-BY-SECTION ANALYSIS

Section 1 provides that this Act may be cited as the Public-Private Toll Road Act of 1990.

Section 2 amends Section 129 of title 23, United States Code to read as follows:

Subsection (a) concerns completed projects where federal-aid highway funds have been used. Under current law, states are prohibited from charging tolls on a project where federal funding has been used without first having to pay back those funds. This "payback" provision works as a tremendous obstacle to a state wishing to impose tolls, if not an outright bar.

Under this subsection, the payback provision is repealed but only if imposition of the toll is for reconstruction to expand capacity or for major reconstruction. In other words, a State will not be allowed to summarily impose tolls on completed projects simply to raise revenue. The consumer is, therefore, assured substantial, upfront benefits before a toll may be imposed.

This subsection does not apply to any highway designated on the Interstate System. No part of the interstate system currently operating toll-free will allowed to be tolled.

Subsection (b) allows for federal participation in (A) the construction of any toll highway; (B) the major reconstruction to accommodate capacity problems of and relieve congestion on any existing highway which is tolled or which will be tolled upon the completion of such reconstruction; and (C) the construction of any new toll bridge or new toll tunnel.

Subsection (b)(2) provides that any Federal share in the construction or reconstruction of any toll facility shall not exceed 35 percent. This provision is consistent with current law.

Subsection (c) provides that any highway, bridge, or tunnel toll facility may be privately constructed, reconstructed and owned and operated subject to the following conditions that: (1) the operator first obtained authority from the State authorizing the operator to undertake the project; (2) any federal funds expended on the facility will be transferred to the operator through the State; (3) the toll facility will at all times be kept open for use by the public; (4) the State provides for regulation of the tolls to be charged on the facility; and (5) upon the termination of the private operator's authority and the retirement of any financing or refinancing, that ownership of the toll facility will be transferred and dedicated to the State for highway purposes.

Subsection (d) address the limitation on the use of revenues derived from the operation of the toll facility by either public or private operators.

Under subsection (d)(1), before Federal participation is permitted under subsection (a) or (b), a State must agree that any excess toll revenues received from the operation of the toll facility, beyond those necessary for—(A) the costs of construction or reconstruction, and (B) for the proper operation, maintenance and debt service, will be used for other projects eligible for Federal funds under this title.

Under subsection (d)(2), before Federal participation is permitted under subsection

(a) or (b), a State must provide in its regulation of the private operator that any excess toll revenues received from the operation of the toll facility, beyond those necessary—(A) for the cost of construction or reconstruction, (B) for the proper operation, maintenance and debt service, and (C) to provide a reasonable rate of return to the private operator with respect to the toll facility, will be used by the State for highway purposes.

Subsection (e) allows a State, upon the completion of any payment of debt service, to continue to tolls on the facility if such tolls do not exceed the cost necessary for the proper operation and maintenance of the facility.

Subsection (f) concerns Federal participation in the construction of ferry boats, whether toll or free, subject to certain conditions. This subsection is a restatement of current law with regards to ferry boats.

MFN STATUS FOR CHINA

HON. DONALD J. PEASE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. PEASE. Mr. Speaker, today I, along with my colleagues MIKE ANDREWS, BERYL ANTHONY, BENJAMIN CARDIN, BRIAN DONNELLY, DENNIS ECKART, MARTIN SABO, BILL RICHARDSON, TOM SAWYER, JIM MOODY, and JOHN SPRATT, am introducing legislation to make next year's extension of most-favored-nation [MFN] trading status for China conditional upon the Chinese Government halting its cruel repression of the Chinese people.

Almost 1 year ago, the Government of China sent tanks into Tiananmen Square, killing thousands and brutally crushing the fledgling democracy movement. President Bush responded 2 days later by cutting off arms sales, suspending satellite launches, and imposing other minor sanctions. Congress added other sanctions, including the suspension of Overseas Private Investment Corporation [OPIC] operations, in last February's State Department authorization bill. In the meantime, the Chinese Government has taken some modest steps to improve its international image. The Government has lifted martial law in Beijing and Lhasa, Tibet. Reportedly, it has also released close to 800 political prisoners.

Earlier today, President Bush announced that he would grant MFN trading status to China this year. Although a mechanism exists under the Jackson-Vanik provisions for Congress to disapprove his decision, this process is presently under a legal cloud, and it is unlikely that Congress will have the votes to revoke the President's decision.

If you are like most people, you want to express your outrage at the brutal actions of the Chinese Government, but you are uncertain about the immediate effects of additional United States sanctions. My bill is responsive to this delicate situation. While not affecting China's MFN status this year, it would make next year's renewal contingent upon significant improvements in China's human rights and foreign policies.

Specifically, my bill would: amend the Jackson-Vanik provisions on a one-time basis for China; by June 3, 1991, require the President to certify that China has met the following criteria before MFN status can be reextended:

Made substantial progress toward reversing a pattern of gross violations of internationally recognized human rights; lifted martial law throughout China and Tibet; and, terminated its assistance to the Khmer Rouge and begun cooperating with multilateral efforts to negotiate a settlement to the conflict in Cambodia.

My bill presents an alternative to the two positions most discussed at present: complete an immediate elimination of MFN status for China or renewal of MFN status for China subject to what has amounted to little more than cosmetic sanctions from the White House.

The text of the bill follows.

H.R. —

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

SECTION 1. OBJECTIVES WHICH THE GOVERNMENT OF CHINA MUST MEET IN ORDER TO RECEIVE MFN.

Section 502(d) of the Trade Act of 1974 (19 U.S.C. 2432(d)) is amended by adding the following paragraph at the end:

"(6)(A) If the President proposes that the waiver authority under subsection (c) be extended in 1991 for a 12-month period, for purposes of applying paragraph (5) with regard to the continuation of a waiver for the People's Republic of China during such 12-month period, the objectives of this section shall include, in addition to the freedom of emigration, the implementation of the following actions by the Government of the People's Republic of China:

"(i) The making of substantial and demonstrable progress to reverse the pattern of gross violations of internationally recognized human rights dating from June 3, 1989.

"(ii) The termination of martial law throughout the People's Republic of China, including Tibet.

"(iii) The termination of assistance to the Khmer Rouge and the cooperation of such Government with multilateral efforts to negotiate a just and lasting settlement to the conflict in Cambodia.

"(B) The President shall prepare, and submit to the Congress, before the commencement of the 12-month period referred to in subparagraph (A), a report on the extent to which the Government of the People's Republic of China has implemented the actions described in subparagraph (A) (i) through (iii) during the period covered by the report.".

SEC. 2. GATT OBSERVER STATUS.

If nondiscriminatory treatment (most-favored-nation treatment) is withdrawn with respect to the products of the People's Republic of China pursuant to section 402(d)(6) of the Trade Act of 1974 (as added by the first section of this Act), it is the sense of the Congress that the President should immediately propose, and strenuously support, the withdrawal of observer status in the General Agreement on Tariffs and Trade for the People's Republic of China.

AMERICAN JEWISH COMMITTEE REPORT ON ANTI-SEMITISM IN THE SOVIET UNION

HON. JOHN EDWARD PORTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. PORTER. Mr. Speaker, the Congressional Human Rights Caucus recently sponsored a briefing on the increase of anti-Semitism in the Soviet Union. We heard compelling testimony from expert witnesses about the threatening situation confronting Soviet Jews.

At this time, I would like to enter into the RECORD the testimony of Sholom Comay, president of the American Jewish Committee. They recently completed the first systematic study of anti-Semitism in the Soviet Union. It details some disturbing findings that add urgency to our efforts toward the rescue of Soviet Jews. I urge my colleagues to read this testimony closely.

TESTIMONY OF SHOLOM D. COMAY, PRESIDENT, AMERICAN JEWISH COMMITTEE ON ANTI-SEMITISM IN THE SOVIET UNION BEFORE THE CONGRESSIONAL HUMAN RIGHTS CAUCUS MAY 8, 1990

Thank you for this opportunity to testify before the Congressional Human Rights Caucus. I intend to speak briefly, but would ask that the full text of my remarks be entered into the Record.

The fate of the Jews in Russia has been a central concern of the American Jewish Committee from its inception. Indeed, AJC was founded in response to the Kishinev pogrom of 1906. Hence, considerable history, as well as the weight of our current concerns about Soviet Jews, lay behind our latest activity in this area; our involvement in the first systematic study of anti-Semitism in the Soviet Union in decades. Some of the findings of this study are disturbing; they confirm various media and eyewitness reports pointing to a sharp rise in anti-Jewish feeling in the Soviet Union.

The study, which was carried out in Moscow and environs, was funded by the American Jewish Committee, the National Science Foundation, and the University of Houston. It was fielded under the auspices of the Institute of Sociology of the Soviet Academy of Sciences and directed by two political scientists from the University of Houston, Dr. James Gibson and Dr. Raymond Duch. The field work was done between February 16 and March 4. It consisted of lengthy, face-to-face interviews with a random sample of 506 adults in the Moscow area. The survey questionnaire contained some 350 items. The broad theme of the survey was political tolerance in the Soviet Union, and, within that framework, special attention was given to attitudes toward Jews.

The key finding was that many of the respondents perceived a considerable degree of anti-Semitism among their countrymen. Forty-eight percent of the respondents agreed with the statement that "anti-Jewish feeling is on the rise around here today," while 44 percent thought it "about the same" and only 5% saw it as "diminishing." Also, 77 percent felt that some or most of their countrymen were anti-Jewish, with 17 percent maintaining that "most people are anti-Jewish" and 60 percent feeling that "some" people are anti-Jewish; only 19 per-

cent felt that "very few people are anti-Jewish."

Another important finding as that when respondents were asked whether they liked or disliked Jews (on a scale ranging from 1 to 11), only 18 percent indicated any degree of liking (i.e., 82 percent did not express any degree of liking Jews). Eighteen percent said they disliked Jews, and one third of that 18 percent (i.e., 6 percent of the total sample) indicated the strongest degree of dislike. Sixty-five percent were "neutral," and there is reason to believe that at least a portion of the neutrals harbor anti-Jewish feelings.

The researchers used the same "like/dislike" scale to assess feelings about the extreme anti-Semitic group Pamyat. In response to this item, 14 percent of the interviewees expressed a liking for the group, while 23 percent were neutral.

Some other significant finds were these;

Eight percent agreed with the statement that "More than any other group in society, it is the Jews who are responsible for the problems that the Soviet Union is experiencing today," while 13 percent were uncertain on this question.

Thirty-three percent maintained that "When it comes to choosing between people and money, Jews will chose money," while 29 percent were uncertain. Thus 62 percent of the respondents were unwilling to deny that scurrilous statement.

Twenty-three percent agreed that "Jews have too much influence over Russian culture," while 21 percent were uncertain.

Ten percent felt that "Jews deserve to be punished because they killed Christ," and 15 percent were uncertain.

On the positive side, 91 percent of the respondents maintained that "Jews should be free to decide for themselves whether they want to remain in the Soviet Union or emigrate;" 90 percent agreed that "the government should make every effort to see that the rights of Jews to equal educational opportunity are respected throughout the Soviet Union," and 88 percent agreed that "the government should make every effort to see that the rights of Jews to equal employment opportunities are respected throughout the Soviet Union."

The survey also dealt with many general issues in the Soviet Union, and one of the findings in this area was that levels of political tolerance are low. The respondents expressed platitudinous support for certain basic values, but they nevertheless manifested a very high degree of intolerence when asked if groups they disliked should be banned from public office, outlawed, allowed to make public speeches, and the like.

You may also be interested to know that our work in this area is continuing. As we speak, Mr. Alfred Moses, Chairman of our Board of Governors; Mr. David Harris, the Director of International Relations and our Washington, Office; and Dr. David Singer, AJCs research director, are in Moscow laying the groundwork for two additional surveys. One of these will survey Soviets from around the country on their views toward Jews and other ethnic minorities, while the other will focus on the opinions of Soviet Jews toward these same subjects.

Mr. Chairman, the issue of anti-Semitism and how the Soviet Union has responded to increasing signs of religious and ethnic intolerence is one that deserves significant attenton from the government of the United States. We are gratified that the Human Rights Caucus, as well as other Congressional Committees, has solicited the views of organizations, like the AJC, which are active in this field.

Thank you again for your support.

OFFSHORE DRILLING IN THE FLORIDA KEYS

HON. LAWRENCE J. SMITH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. SMITH of Florida. Mr. Speaker, we are still waiting for the President to decide whether or not to allow offshore drilling in the Florida Keys and other environmentally sensitive areas.

Last month, the President said he would make this decision within weeks. Last week, he said it would only be a matter of days. Pretty soon we'll be down to milliseconds. The time has long past for the President to finally let the American people know where he stands on this vital environmental issue.

For years, Floridians have expressed their opposition to drilling near the Keys, and for years Congress has responded with yearly prohibitions. It is time to finally replace temporary actions with a permanent solution.

Yesterday, I introduced legislation, cosponsored by many of my colleagues from Florida, both Democrats and Republicans, that will make the buyback of existing offshore leases a reality. This legislation, the "Offshore Lease Buyback Act," would allow the Secretary of the Interior to issue credits to oil companies in place of cash payments when buying back a lease. The end result will be future buyback plans that protect the environment and are affordable to the Federal Government.

In addition, my legislation will remove obstacles in the current law that make lease cancellation almost impossible to justify.

The people of Florida have made it clear that they want a ban, and the legislative means to achieve one is now available. The President no longer has any excuse for waiting.

LEGISLATION FOR FEDERAL EMPLOYEES WHO PLAN TO ADOPT

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. WOLF. Mr. Speaker, I rise today to introduce legislation that would allow Federal employees to take sick leave for the time needed away from the office when adopting a child. This measure would eliminate an impediment to adoption faced by Federal workers—the fact that current Federal leave policies require adoptive parents to take annual leave, their vacation time, when arranging an adoption. This measure would simply put adoptive parents in the Federal work force on an equal footing with biological parents, who are currently allowed to take sick leave for prenatal doctor visits.

Adoption is a very personal decision for a family, and one that is made with reflection on what is best for the family and what is best for the child. Public and private adoption agencies encourage this reflection, and have established comprehensive requirements for adoption. Unfortunately, this means that meetings with social workers and attorneys can be a time-consuming and expensive process for adoptive parents.

I believe that employers should be sensitive to this situation, and should not establish rules that inhibit adoption. As the Nation's largest single employer, the Federal Government should offer a leave policy for adoption that contemplates the reality of the time required to adopt a child. Making an employee who wants to adopt use up vacation leave is not realistic, and is not good policy.

The President was right on the mark when he stated:

Everyone wins in adoption. * * * It is time for the leaders of the Federal work force to ensure that our government is proadoption. Adoption works—for children who need homes, for people hoping to become parents and for women facing a crisis pregnancy.

I am introducing this legislation to correct the disparate treatment of adoptive parents and biological parents under the current Federal leave rules, and I am hopeful that this change in the law will provide an incentive for Federal employees to participate in what can be an extremely rewarding endeavor—the adoption of a child. Adoption is good for parents, good for children, and good for our Nation.

To amend title 5, United States Code, to allow Federal employees to use sick leave for purposes relating to the adoption of a child.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 6307 of title 5, United States Code, is amended—

(1) by redesignating subsection (c) as subsection (d);

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

"(c) Sick leave provided by this section may be used for purposes relating to the adoption of a child."; and

(3) in subsection (d) (as so redesignated by paragraph (1)), by inserting "or for purposes relating to the adoption of a child," after "ailment,".

ORIGINAL OSAGE ALLOTTEE DAY

HON. JAMES M. INHOFE

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. INHOFE. Mr. Speaker, I would like to take this opportunity to bring attention to a very unique and special group of people. This group consists of the only original Osage Allottees on record when Oklahoma became a State in 1907.

There are not many among us who can claim to have seen the entire history of a State from the beginning to the present. Our Oklahoma history is rich for everyone who was and is involved in creating the strength

and goodness which was critical to forming the great State of Oklahoma.

The Pawhuska Chamber of Commerce in Oklahoma has set aside June 3 as "Original Osage Allottee Day." The day will be commemorated by the Osage Tribal Museum in an exhibit. Also, I am pleased to note that it will add to what is already the largest native American text of record in the Smithsonian Institution.

The Osage Tribe, as well as all Oklahoman's, can take pride in people like the original Osage Allottees. They have offered us a lot and we appreciate it very much.

THE LEGACY OF THE NEW BIGOTS

HON. WILLIAM E. DANNEMEYER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. DANNEMEYER. Mr. Speaker, Tustin is a moderately sized southern California city, a very small portion of the 39th Congressional District in which I have the pleasure to serve. The citizens of Tustin are your average hard-working, industrious Americans.

Like in other communities around the Nation, the Tustin City Council begins each meeting with an invocation, a prayer offered by a local clergyman or other local resident. It has always been this way—that is, until January 3 of this year.

It was on that date that Tustin mayor, Richard B. Edgar, wrote to the Rev. Don Wright and other area ministers that while the mayor was grateful for their service in providing invocations, no longer will they be able to invoke the name of Jesus Christ at the close of their prayers.

Upon the legal advice of Tustin city attorney, James G. Rourke, the mayor asked "that all speakers refrain from using language that might be construed as endorsing a particular religious belief." Counsel stated that, "it appears that most courts will tolerate religious invocations only if they fall short of endorsing a particular religious doctrine or belief." He then cites *Marsh* v. *Chambers* (463 U.S. 783 (1983)) as an example of the Supreme Court upholding legislative prayers "because the chaplain had removed all references to Christ."

Such an executive policy is clearly antireligious. But it is most significantly anti-Christian. It is a legalistic irony that the same U.S. Supreme Court which decided in 1962 to prohibit State proscriptions on the content of any prayer is the same court being cited by the mayor of Tustin, CA, to tell citizens just what they can and cannot say in prayer.

Mr. Speaker, our Judeo-Christian heritage is under attack in America. The attack is mostly subtle, a sprinkling of local complaints and subsequent court decisions which serve to slowly squeeze the religious life out of our national heritage. Sometimes the attack is brutally offensive.

How often have we heard the plaintive cry of humanists that the Judeo-Christian ethic, and particularly Christianity itself, are responsible for the woes of America?

Homosexuals, they say, would be happy if only society would condone sex acts between two men or two women; women would be happy if only they could kill their own offspring without the burden of guilt; kids would be happy if only society would recognize the inevitability of their premarital sexual relations; and Hollywood's elite would be happy if only society would properly care for its poor thereby relieving the guilt associated with multimillion dollar incomes and 20,000 square foot homes acquired by the "hard work" of shedding one's attire on the big screen.

Christianity is the most oppressive external influence upon mankind, according to the new bigots. Hollywood, homosexuals, abortionists, family planners, the sexually promiscuous, failed spouses, failed parents, failed kids—all would be happy minus the Judeo-Christian ethic. Those Ten Commandments and that Sermon on the Mount can be so burdensome and restrictive. The best solution to relieve this burden is to get rid of it, or second best, put an amoral spin on it.

To pursue these solutions the new bigots have sought and nearly succeeded in taking control of our Government and our educational system. Control of the Government is necessary to oppress adults who believe in personal accountability, self-sufficiency, and religious freedom. While control of our educational system is necessary to oppress the children of these adults and offset familial influences.

Mr. Speaker, examples abound of how the secular lords of lunacy have used the Federal Government to oppress all who happen to disagree with their world view. However, the larger tragedy is what these new bigots have done to our kids by commandeering our educational system from the hands of parents and into the hands of unions, atheists, and lawyers.

Children who have managed to make it out of the womb are taught that killing children still in the womb is permissible in our society. Kids are taught that homosexual sodomy is normal behavior. Young girls are instructed by their adult supervisors that a loss of virtue and subsequent conception is no more difficult of a problem than having an abortion. Oh, and next time there are always contraceptives available to prevent an unhappy reoccurrence of creation.

Our Constitution instructs kids that they have inalienable rights. But our Supreme Court, influenced by the demands of the new bigots, and set aside by our Constitution to interpret such issues, tells these kids that they cannot recognize their Creator in public school. Given such lessons to our children, are we surprised that kids manifest so many problems?

Mr. Speaker, permit me to take a moment to share with you an analysis of a gentleman named David Barton. Many of Members know his fine work. All should. Mr. Barton felt inspired to correlate various social problems with the 1962 removal of voluntary prayer in public schools. Here is what he found:

The birth rate for unwed teenagers, per thousand, ages 15 to 19 went from 15 in 1962 to 28.5 by 1983. That's double the amount of illegitimate births.

Pregnancies to unwed teenagers, per thousand, ages 15 to 19 increased fivefold from 100 in 1962 to 540 in 1983.

The same figure for girls under 15 years old quadrupled in this time period.

Scholastic Aptitude Tests have dropped 72 points from 1962 to 1986. And the drop was dramatic from 1962, not a gradual flux.

High school dropouts have increased tenfold from 1962.

Violent crimes per thousand have increased from 255 in 1962 to 1,327 in 1986.

Single parent households have doubled, while unmarried couples have quadrupled since 1962.

Yes, the new bigots who pay number-crunchers to create any excuse to discredit quantitative studies in disagreement with the party line will say that any number of factors have contributed to these crises. But those who know the power of prayer, those who know the value of children recognizing their Creator, will know that Mr. Barton's analysis is accurate.

Mr. Speaker, we should begin to call a spade a spade. The excesses of secular humanism, of the ACLU, of the People for the American Way, all the media such as "The Last Temptation of Christ" and the "Handmaiden's Tale," all the laws and court decisions which have kicked God out of our public schools, and all the venomous politics of the left which seems to congeal it, but by no means limited to, the Democratic Party are all examples of anti-Christian bigotry. They are not claims for justice or a defense of civil liberties. It is the voice of bigotry—the new bigotry—and we should call it that from now on.

I commend the following article to the House.

[From the Wall Street Journal, May 24, 1990]

WHEN "FREEDOM" BECOMES RELIGIOUS CENSORSHIP

(By Dallin H. Oaks)

In this graduation season, many high-school administrators will be deciding whether to include prayer in their ceremonies. The issue is more and more a subject of debate. The new discussion reflects a growing pattern of hostility to religion in the U.S.

In short, many understand the law today as being hostile rather than neutral toward religion—as forbidding all public prayers rather than simply prohibiting state-authored and state-required prayers in public schools.

When the Supreme Court decided the original school prayer case in 1962 *(Engel v. Vitale)*, I interpreted the decision to forbid only state-authored and state-required prayers. As such, I thought the case was correctly decided. What I did not foresee, but what was sensed by people whose vision was far greater than my own, was that this decision would set in motion a chain of legal and public and educational actions that would bring us to the current circumstances in which we must reaffirm and even contend for religious liberty.

Such a situation exists in the U.S. today. In Utah, for example, controversies have arisen over prayers offered in high-school graduation exercises. A suit filed on behalf of two students in one school district last year objected that prayers being offered were "denominational," since they men-

tioned the name of Jesus Christ. The suit asked that such prayers be "non-denominational."

Interpreting this as a plea for a court order requiring that the name of Jesus Christ not be used in prayers offered at a public high-school graduation exercise, I thought of the first school prayer decision. In that case, the Supreme Court said government had no power to write prayers. Before Americans acquiesce to the use of judicial power to indicate what words cannot be included in a prayer, they should remember that if it is not part of the business of government to write a prayer, then it is not part of the business of a court to censor a prayer.

The Supreme Court voiced that principle just six years ago in rejecting an argument that the prayers in a state legislative assembly were illegal because they were always offered by a chaplain of one religious denomination. The court said: "The content of the prayer is not of concern to judges where, as here, there is no indication that the prayer opportunity has been exploited to proselytize."

Under this reasoning, the attempt in Utah to have a court dictate what could not be included in a prayer would not succeed. But even a winning case can be expensive to defend, and in the graduation-exercise case, this economic pressure persuaded the school board to do away with prayers as part of their graduation exercises.

Following the 1962 Supreme Court decision on prayer in schools, eminent legal scholars ridiculed the idea that the court's school prayer decisions would lead to a great gulf between religion and public life. What the legal scholars did not foresee is the extend to which the school-prayer and Bible-reading decisions would shift the burden of proof with respect to religious practices in public life. In the past, religion had been an accepted part of public life in America It has become something that had to prove its right to remain in the public square. By the 1970s earlier principles had hardened into mechanical formulas that can be interpreted in ways hostile to religion.

Many citizens and some educators have come to consider it bad taste or even illegal for public-school teachers to mention religious influences or commitments. No wonder Americans suffer appalling ignorance of their political and cultural origins.

Studies show that texbook authors have avoided references to God or to religion. For example, one textbook in use today defines "pilgrims," originally a religious term, as "people who make long trips." In another text, no religious event is included in a list of hundreds of important events over a 200-year period in American history, and the religious origins of pre-Civil War abolitionism and the recent Civil Rights movement are commonly skimmed over or totally omitted.

Initially, the Supreme Court's school prayer decision outlawed only state-authored and state-required prayers. Later, the courts forbade any prayers in public-school classrooms—even prayers that were privately composed or optional. The courts were concerned with the possibility that impressionable young students would be coerced by such publicly sponsored religious exercises. Despite the absence of coercion from prayers in adult settings, and despite the fact that prayers are frequently offered in legislative and other public meetings in every state in the union, some have continued their efforts to force the abolition of prayers at government or other public meetings. Immense resources have been devoted to thrashing out the constitutional limits on prayer.

Appellate court opinions issued in the past several years have split on the legality of prayers at high-school graduation exercises. The U.S. Supreme Court has not yet ruled on any such controversy. I hope the court will reaffirm a 1952 opinion: "When the state encourages religious instruction or cooperates with religious authorities by adjusting the schedule of public events to sectarian needs, it follows the best of our traditions. For it then respects the religious nature of our people and accommodates the public service to their spiritual needs."

As the law stands today, school boards challenged on the legality of prayers offered on public ceremonial occasions must choose among continuing such prayers and risking expensive litigation, abandoning prayer and being seen as relinquishing treasured practices, or substituting a moment of silence in which all are invited to offer private devotions.

The last option is likely to be unacceptable to most. In my view, the one alternative that is entirely unacceptable is for a school district to attempt to prescribe or censor prayer to be offered at any function in the district.

Religion should have a place in the public life of our nation. To honor this principle with prayers in the graduation exercises of high-school students is to honor the religious plurality of our nation and the religious liberty it was founded to protect.

IN PRAISE OF THE SOVIET-AMERICAN WOMEN'S SUMMIT

HON. CLAUDINE SCHNEIDER

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Ms. SCHNEIDER. Mr. Speaker, on May 15, my colleagues, Representatives LOUISE SLAUGHTER, BARBARA KENNELLY, LINDY BOGGS, and I had the privilege of meeting with a diverse group of women from the Soviet Union, including a deputy and a member of the Supreme Soviet. They were in the United States as guests of Women for Meaningful Summits and were holding a Soviet-American Women's Summit.

We heard the results of their deliberations during their 2 weeks of meeting in New York, Washington, DC, and 10 cities across the United States. Together, the Soviet and American women created a document to present to Presidents Gorbachev and Bush. The central tenet of this document is that women must play a far more significant role in the highest level of decisionmaking.

The results of the Soviet-American Women's Summit, sponsored by Women for Meaningful Summits follows:

[Messages to Presidents Bush and Gorbachev from the Soviet-American Women's Summit]

FROM DISARMAMENT TO DAYCARE: A WOMAN'S VISION FOR THE 21ST CENTURY

Meeting in New York and Washington, May 1-7, 1990, we, over 100 delegates to the Soviet-American Women's Summit representing diverse professional, racial, ethnic, religious and political backgrounds, express our hope for a successful summit and call on you to join us in launching a peaceful and just decade leading to the 21st century.

We are at a turning point for the fate of the earth and all its inhabitants. One road leads to environmental and economic renewal; the other to "ecocide" and poverty. One road leads to war between the haves and have-nots and the waste of precious human and natural resources; the other to a common ground of peace and sustainable development.

We call for the full and effective participation of women at every level of decisionmaking to ensure the comprehensive vision and democratic action needed to address the urgent challenges of our times. Every minute, 15 children die for lack of food, vaccines and health care while every minute nearly $2 million is spent on the military. On the eve of the 21st century, we must wholeheartedly commit ourselves to eradicating war, violence against women and children, discrimination, racism, hunger, illiteracy and poverty, and restoring the ecological health of our planet.

We applaud the end of the Cold War and urge rapid progress in eliminating nuclear, chemical and biological weapons and boldly reducing conventional forces and military budgets to those necessary for defensive defense. We believe, however, that growing superpower cooperation should not be detrimental to the Third World. East-West coexistence must be combined with North-South cooperation, respect for self-determination and adherence to international law. We need both Perestroika and "Yankeestroika."

Toward this end, we agree to establish a joint Soviet-American International Women's Commission, open to women throughout the world, to study, monitor and act on critical issues and to develop collegial ties.

Following is our vision of some of the keys to a decent life in a sustainable world:

1. Ensure the full participation of women at all levels of decision making: Women's values, skills and perspectives are crucial to guiding the transformation of our societies. Women must have equal pay for work of comparable worth. Recognize that when women achieve gains, the entire society flourishes.

2. Immediately enact a comprehensive nuclear test ban: Stop the production of nuclear weapons and weapons grade materials. We should meet our energy needs through conservation and the development of alternative renewable energy sources and work towards the elimination of nuclear power.

3. Demilitarize our societies: We call for disarmament to proceed by rapid stages to a system of defensive defense. Eliminate nuclear, chemical, and biological weapons and sharply reduce conventional forces. Move all military forces to stay within national boundaries. End the transfer or sale of weapons and nuclear technology to other countries. We must demilitarize our thinking and educate our peoples for peace.

4. Convert from military to socially and ecologically responsible economies: Develop a national conversion plan. Retrain personnel to deal with social needs while respecting natural resources. During the transition, measures should be taken to assist workers, communities and manufacturers currently dependent on military research, development and production.

5. Halt human destruction of the earth's environment and fragile ecosystems; implement a global action plan for environmental restoration: We call for ecological conversion of our economy: transform industry

and agriculture to environmentally safe, clean and sustainable technologies and methods. Create incentives for local production of essential goods and services. Institute open, public and local control of energy sources. Support international cooperation for the prevention and clean up of ecological disasters. Halt exports of toxic wastes. Respect the rights of indigenous peoples and species which have lived in balance with nature for centuries.

6. Respect human rights including economic, political, social, civil and health rights for all peoples: We call for the complete elimination of personal, institutional, and societal racism and sexism as part of the human rights agenda. We call for the adoption and implementation of mechanisms which ban all forms of discrimination including racial, ethnic, linguistic, cultural, national, religious or sexual orientation. Reproductive rights must be protected. The UN Convention on All Forms of Discrimination Against Women must be ratified and enforced.

7. Put into practice the non-intervention principles of international law: We favor the resolution of all conflicts, including those based on racism, ethnic and national prejudices, by peaceful means, with due respect to national sovereignty and self-determination. Reinforce the role of the UN, World Court, and other international institutions in resolving conflicts nonviolently.

Acknowledge that the third world debt has been paid and take steps to remove it from the balance sheets of public and private financial institutions. Third World women and children have been paying the highest price for a debt contracted without their agreement.

8. Promote citizen diplomacy and cultural exchange to help reinforce the climate of superpower cooperation following the summit and support the United Nations as an international institution: We, the delegates to the Soviet-American Women's Summit, believe it is possible to create a world free of wars, violence, hunger and humiliation. Otherwise, people would not have dreamed of it for generations. It is time for the world to be free of fear, hatred, poverty and injustice.

TRIBUTE TO COLORADO'S KEN-CARYL RANCH COMMUNITY

HON. JOEL HEFLEY

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. HEFLEY. Mr. Speaker, I rise today to pay tribute to Colorado's Ken-Caryl Ranch community for rallying together in what many say is America's most comprehensive curbside recycling program.

In this age of growing environmental concern, residents of the 2,700-home community in southwestern Jefferson County, decided to tackle the problem of our overflowing landfills and launched a year-long campaign to institute a very unique communitywide recycling program.

With simplicity in mind, the Ken-Caryl Curbside Program was designed to make it easy on the community. Residents can recycle some 35 items, including aluminum cans, newspapers, old lawn chairs, computer paper, copper wire and plastic milk bottles, just by dumping them all into one 14-gallon bin. They do not even have to presort their trash.

In order to get the program off the ground, the residents solicited the support of a waste systems company and a recycling firm. On a weekly basis, the recyclable items are picked up and dropped off at a Denver processing center, where they are sorted, packaged and sold. A portion of the profits is then given back to Ken-Caryl to help offset program costs.

If 75 percent of the residents join the crusade, the trash/recycling committee estimates that residents of Ken-Caryl Ranch could save as many as 10,000 trees in the first year of its recycling program by recycling paper products alone.

While others are just talking about the environmental hazards associated with the burning and cutting down of our trees, this community is putting their words into action. The residents are proving that together, they can accomplish one very vital goal—convincing others how one group of dedicated citizens can really make a difference in cleaning up the environment.

CONGRESS SHOULD STOP DELAYING AID TO CENTRAL AMERICAN EMERGING DEMOCRACIES

HON. JOHN J. RHODES III

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. RHODES. Mr. Speaker, President Bush has implored Congress to act expeditiously on his request for assistance to Panama and Nicaragua, and has insisted that Congress not leave for the Memorial Day recess until a bill which he can sign is on his desk.

The President is absolutely right, and in fact I wish he had gone farther and threatened to use his constitutional power to hold Congress in session until such a bill is passed.

It is nothing short of scandalous that Congress has not acted on the President's request for assistance to Panama, which came in January, or for Nicaragua, which came in March. These two countries are in desperate need. President Chamorro of Nicaragua has been forced to the humiliation of sending a cable to the President, begging him for emergency interim assistance. The President has been forced to the humiliation of telling her that he does not have the authority even to provide her country with emergency assistance.

This is outrageous.

These two countries are in the condition they are in because of explicit policies of the United States. This country imposed economic sanctions on both Panama and Nicaragua, supported military efforts in Nicaragua, and mounted our own military effort in Panama to pursue our goal of promoting democracy in Central America. The people of both countries responded in freely held elections by throwing out their dictators and installing democratic regimes and reforms. They have done what we asked of them, and now we refuse to provide them with the assistance they need to restore their economies and to ensure the success of their aspirations for peace, freedom, and democracy. At the same time, the Congress is threatening to cut off aid to El Salvador, a democracy threatened with destruction by a Marxist insurgency.

Have we gone crazy?

It is time to lay the responsibility for this unconscionable inactivity right where it belongs: At the doorstep of the Democrats in Congress, starting with Speaker FOLEY and Majority Leader MITCHELL, and including every single Democrat Member of the House and Senate. The President of the United States has been reduced to pleading and even threatening the Congress to get it to do its duty and to uphold the word and the obligation of this country and to take the initial steps necessary to restore dignity to the people of Central America.

How can we be proud of forcing the duly elected President of a sovereign nation, whose success we applauded, to come begging to Washington for assistance she was long ago promised? How can we be proud of destroying the economies of two countries to further our interests, and then walking away from them when our goals are achieved? How can we be proud of abandoning a fledgling democracy whose very existence is threatened?

Can we conclude from all of this that the Democrats don't want democracy to succeed in Central America, that they want Noriega back in power in Panama, the Sandanistas to return to Nicaragua, the Marxists to rule El Salvador? What other conclusion can we draw?

President Bush, keep the Congress in town until it does its duty. The people of Nicaragua and Panama deserve no less.

IN HONOR OF JACK McMILLAN

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. DINGELL. Mr. Speaker, I would like to take this opportunity to extend my heartiest congratulations to Jack McMillan on his recent appointment as second general vice president of the United Brotherhood of Carpenters and Joiners of America. Jack has served the local carpenters union in many capacities for nearly 35 years.

The United Brotherhood of Carpenters was established almost 100 years ago. It represents nearly 600,000 members. Jack has been an active member of his local, as well as national union, for over three decades. Jack has held various elective offices in the local union including assistant business agent, business representative of the Detroit District Council of Carpenters, elected business manager and financial secretary of Millwright Local 1102.

In 1975 Jack was appointed to the field staff of the international union as representative to the United Brotherhood of Carpenters to work in the North Central States in which he served in many capacities. He worked on many joint committees, as well as directed the

Jurisdictional Department of the UBC. In 1986 he was elected president of the Michigan State Council of Carpenters.

In addition to his union activities, Jack has been an active civic leader. He is currently a member of the Economic Alliance of Michigan, and he served as a commissioner of the Warren Housing Commission. He also served as a member of the Elected Officials Compensation Commission of the city of Warren, MI. Jack has continued to show his strong support and enthusiasm for his union and commitment to helping it grow strong.

Jack is a native of Detroit and has continued to maintain a residence in Warren, MI with his wife of over 40 years, Jo, and their two children Cyndi and Jake; even after becoming UBC general officer and moving to Annandale, VA. A graduate of St. Ambrose High School in 1949, Jack was an active athlete who played varsity football while in high school and semiprofessionally for 2 years. He also won the middleweight crown in 1950 as an amateur boxer.

We should all be proud of Jack on his accomplishments. His dedication to his work as well as to the community is an inspiration to all Americans. I commend him for his continued service to the local Michigan community and to the United Brotherhood of Carpenters.

Mr. Speaker, I, as well as Jack's colleagues, wish him success with his new position as second general vice president of the United Brotherhood of Carpenters.

TAX EQUITY FOR RURAL MAIL CARRIERS

HON. RONNIE G. FLIPPO

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. FLIPPO. Mr. Speaker, I rise today to inform my colleagues in the House that I plan to introduce legislation after the district work period that would correct an inequity in the income tax laws as they apply to the rural letter carriers.

As all of us are aware, there are almost 70,000 rural letter carriers who deliver the mail on 38,925 U.S. Postal Service rural mail routes every weekday and Saturday.

Rural letter carriers serve these routes as employees of the U.S. Postal Service using their own vehicles to deliver the mail to 15 million rural American families.

The bill I intend to introduce specifically addresses the tax treatment of a type of reimbursement that many rural letter carriers receive from the Postal Service for vehicle expenses. As anyone who has ever lived in a rural area knows, rural letter carriers—unlike city letter carriers—use their own vehicles to deliver the mail. That arrangement has served the Postal Service well for decades because it permits the Postal Service to avoid having to arrange for maintenance of vehicles in often far-flung rural areas; the carriers, instead of the Postal Service, purchase and maintain the vehicles.

The type of vehicle expense reimbursement that causes a tax problem is that received by so-called "heavy duty" carriers. Heavy duty carriers are those whose routes are relatively short—such as 15 miles—but have a large number of mail stops—such as 600. About half of the 80,000 full-time and part-time carriers are classified as heavy duty carriers.

For more than 30 years, the Postal Service has reimbursed the vehicle expenses of heavy duty carriers under a schedule known as the "stop chart." The stop chart is a matrix of all combinations of route mileage and number of stops for heavy duty routes, with a daily expense reimbursement amount specified for each combination. In essence, the stop chart represents a recognition that the vehicle expenses of heavy duty carrier bear a close relationship not only to mileage, but also to the number of stops. Thus, for example, under the stop chart an 8-mile route with 700 stops receives the same reimbursement as a 32-mile route with 260 stops.

The basic tax problems, Mr. Speaker, is that new IRS rules issued last year essentially do not permit vehicle expense reimbursement arrangements to be based on factors other than mileage if the resulting reimbursement would be higher than the IRS's standard mileage rate (which for rural letters is 39 cents per mile. In other words, if the reimbursement for the 8-mile, 700-stop route works out to a per-mile reimbursement rate of greater than 39 cents per mile, the arrangement is penalized under the new rules. These new IRS rules are based on a provision—section 62(c)—added to the Tax Code in 1988 in the Welfare Reform Act.

The specific tax result of the new IRS rules is that the reimbursements received by the heavy duty carriers will now be partly taxable—that is, the portions of the reimbursements exceeding 39 cents per mile will be taxable. Furthermore, most carriers will be unable to offset that taxable income with itemized deductions for their vehicle expense. That is because, after the 1986 Tax Reform Act, most taxpayers no longer have sufficient deductions to allow them to be itemizers, and even those who do have sufficient deductions are subject to the so-called 2-percent floor on their miscellaneous business deductions—such as vehicle expenses—under which miscellaneous expenses are nondeductible to the extent of the first 2 percent of the taxpayer's income. In short, as things stand now, most heavy duty carriers will be taxable on part of their vehicle expense reimbursements.

Mr. Speaker, this situation is patently unjust. The amounts paid to heavy duty carriers under the stop chart clearly are reimbursements of legitimate expenses. A vehicle driven for a short distance with hundreds of stops suffers just as much wear and tear, and uses just as much fuel and oil, as a vehicle driven for a much greater distance with many fewer stops. The best analogy is that driving over a heavy duty route is like driving in bumper-to-bumper traffic for 6 hours, only worse. The engine runs for almost the entire period, and the brakes, transmission, windows, doors, and other components are operated hundreds of times during the period. It is to ignore reality to contend that a pure mileage-based reimbursement system is the only proper system.

Moreover, it should be pointed out that the stop chart was specifically authorized by Congress in 1958. It is simply senseless to think that a reimbursement system specifically created by Congress should result in taxable income to rural letter carriers.

The bill that I intend to introduce would rectify this inequity. Specifically, my bill will provide that reimbursements received by carriers under the stop chart are to be treated the same as other types of reimbursements that the Congress and the IRS have blessed. In other words, carriers will be permitted to treat the reimbursements and the associated vehicle expenses as offsetting amounts and report neither on their tax return. That will fully eliminate the taxation of those reimbursements.

Mr. Speaker, I urge my colleagues to cosponsor this important measure.

NATIONAL PEACE OFFICERS' MEMORIAL SERVICE

HON. ROMANO L. MAZZOLI

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. MAZZOLI. Mr. Speaker, on May 15, the law enforcement community of the Nation came together in Washington to honor and commemorate the police officers who lost their lives in 1989 while upholding the public safety.

The Ninth Annual National Peace Officers' Memorial Service—which took place on the Mall at the foot of Capitol Hill—brought together families from all across the Nation who bore the pain of losing a loved one in the line of duty.

The National Fraternal Order of Police [FOP]—the sponsor of the ceremony—is headquartered in the district which I am privileged to serve, Louisville and Jefferson County, KY.

National FOP President Dewey Stokes and Kentucky FOP President Ralph Orms asked me to assist in presenting the Supreme Medal of Sacrifice to Mrs. Pamela Pysher, the widow of slain Jefferson County police officer, Frank W. Pysher.

Officer Pysher was tragically killed by a gunman on January 10, 1989, while on duty in southwest Jefferson County.

During the presentation of the Supreme Sacrifice Medal to Mrs. Pysher, I was struck by her courage and resolve in the face of extreme anguish.

I also wish to commend the work of Sharon Frank, the editor of the FOP's publication "Knight Beat" and FOP State Secretary Rick Burkhardt for their care and professionalism in planning the Peace Officers' Memorial Service.

Mr. Speaker, we must never forget members of the law enforcement community who have lost their lives while protecting ours.

RECOGNIZING WORLD STANDARDS DAY

HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. ROE. Mr. Speaker, I rise today with Congressman FAWELL to introduce a joint resolution designating the week of October 14, 1990, as "National Standards Week" to coincide with "World Standards Day," which will be celebrated on October 14, 1990.

Mr. Speaker, standards rarely receive the credit they are due for making a modern society possible. I find it instructive that the first Federal research laboratory in this country was the National Bureau of Standards [NBS], now known as the National Institute of Standards and Technology. The main reason for NBS's formation was the promotion of commerce. Interchangeable parts, requiring accurate measurements based on increasingly precise measurement standards made the assembly line possible and revolutionized industry.

Today, we have largely completed the transition from cottage industries to worldwide markets. We rely on national and international standards for every measurement in every product. We expect a computer monitor made in Japan to work with a computer assembled in the United States and made from components from around the world. Many other standards now protect public health and safety. Standards development is now a multibillion-dollar effort involving hundreds of thousands of engineers around the world. In the United States, the effort is concentrated in the many voluntary standards organizations which exemplify participatory democracy at its best.

Mr. Speaker, standards are becoming increasingly important as methods to either facilitate or block free trade throughout the world. The future competitive position of the United States depends upon our ability to manufacture quality products to standards which insure the widest possible international sales. Now, with the Europe 1992 process in full swing, it is particulary important that every effort be made to have standards that include rather than exclude American products.

Realizing the importance of this issue, the Science, Space, and Technology Committee was instrumental in the passage of legislation 2 years ago, Public Law 100–519, the National Institute of Standards and Technology Authorization Act for fiscal year 1989, which established a privately-funded program to assist other countries in the development of standards that are compatible with standards used in the United States. Since that time, I have introduced legislation, H.R. 4329, the American Technology Preeminence Act of 1990, which contains a provision that builds on the previous program by authorizing U.S. personnel to provide standards development assistance to countries that requires such assistance, for 2 years or more, with funding of $250,000 to be available with matching funds from the private sector.

Mr. Speaker, it is imperative that all Americans become aware of the importance of standards to the economic well-being of this country. It is also high time that we honored the tens of thousands of participants in our voluntary standards organizations who in a very real way, make America a prosperous and modern country. It is my hope that a "National Standards Week" will call attention to this important work and I urge my colleagues to join me in sponsoring this resolution.

A TRIBUTE TO JACK McMILLAN

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. FORD of Michigan. Mr. Speaker, I rise today to praise one of our Nation's finest labor leaders, Jack McMillan, the second general vice president of the United Brotherhood of Carpenters and Joiners of America. Like me, Jack McMillan is a native of Detroit, MI, one of the birthplaces of the union movement in America. And it is clear that Jack has the union movement in his blood.

Jack McMillan has been a labor leader for a quarter of a century and a union member even longer, ever since 1956 when he joined Millwright Local Union 1102. To my mind, a career in the labor movement is one of the most important careers anyone could undertake, and Jack has been one of the most active and effective leaders in one of the most influential and powerful unions in the world. The Brotherhood of Carpenters is big, it is tough, and it's farsighted. And its voice is heard not just by employers but by Congress and the executive branch, as well.

Just this week, the Health and Safety Subcommittee of the House Education and Labor Committee heard testimony from Carpenters President Lucassen on the need for OSHA reforms to protect construction workers. I predict the subcommittee and the Congress will respond to the Carpenters' call for reform.

I have enormous respect for the carpenters union and its leaders. They represent hundreds of thousands of America's most skilled and productive workers, and they represent their members' families as well. If Jack McMillan comes to me urging a particular tax policy or social policy, I will listen because he represents more than a million people. And I know he truly does represent his members, because if he does not they will not reelect him.

I would like to praise Mr. McMillan for another reason, as well, Mr. Speaker. Jack has been an active citizen and civic leader in Michigan, something that will be hard for him in the future, now that his career has called him to Washington. But he deserves recognition for his work on the Economic Alliance of Michigan, the Warren Housing Commission, and the Elected Officials Compensation Commission for the city of Warren. I am sure he is missed back home.

Mr. Speaker, I hope every Member of Congress will have the opportunity to meet Jack McMillan. He is a relatively new face in Washington, but he is a man with a lot of experience and a lot to offer.

TRIBUTE TO ROY FINK, ED GAISER, AND ROBERT McKEE

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. TRAFICANT. Mr. Speaker, I rise today to pay tribute to Capt. Roy Fink, Patrolman Ed Gaiser, and Patrolman Robert McKee of my 17th Congressional District of Ohio who will be retiring after more than 70 years of combined service to the Boardman Township Police Department.

Roy Fink, Jr., joined the Boardman Police Department on November 1, 1962. In 1978 he was promoted to the rank of captain. Captain Fink has made a great many contributions to the Boardman community. He has exhibited dedication and a sense of duty during his many years with the department. His many achievements stand out as an example for others to follow.

Robert L. McKee joined the department on July 1, 1968, and for the last 21 years has given unyielding service to the Boardman community. He handled his duties with the utmost efficiency and dedication. He will be greatly missed by his colleagues and the citizens of Boardman.

Ed Gaiser joined the Boardman Police Department on April 16, 1965 and will be retiring after 25 years of service to the community of Boardman. He has a distinguished career with the Boardman Police Department, of which he should be most proud. He has earned the respect and appreciation of the people of Boardman.

I would like to take this opportunity to recognize and congratulate Capt. Roy Fink, Patrolman Robert McKee and Patrolman Ed Gaiser on the occasion of their retirement from the Boardman Township Police Department. These three men have earned the respect and gratitude of the Boardman community. I wish these men the best in their golden years of retirement.

THE BUDGET SUMMIT SHOULD NOT ROB THE POOR

HON. MAJOR R. OWENS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. OWENS of New York. Mr. Speaker, the White House budget summit now underway is a process saturated with pitfalls. These discussions generate great fear among those Americans who have been repeatedly neglected and/or violated by similar deal making. Since 1981, under the cloak of sweet reasonableness, we have watched the Democratic leadership being swindled. Tax reform gave more breaks to the rich while Social Security increases resulted in the poor paying a greater percentage of their income than the rich.

Let us not forget that the Gramm-Rudman conspiracy almost drove a life-threatening dagger into the heart of certain vitally needed low-income safety net programs. The Reagan

administration proposed across-the-board cuts for domestic programs with the intent of further crippling programs which it had already emasculated. Gramm-Rudman was the final stranglehold process designed to finish off the significant involvement of the Federal Government in promoting the general welfare for all Americans.

Vigilance by the Congressional Black Caucus thwarted the vicious intent of the Gramm-Rudman conspiracy. It was through the efforts of the CBC that seven low-income programs were exempted from the budget cutting axe of Gramm-Rudman. AFDC; School Lunch and Dependent Care Food Program; Commodity Supplemental Food Program; Food Stamps; Medicaid; SSI; and WIC; these very basic life and death programs were exempted in the final hours of the negotiations.

Mr. Speaker, these same crucial low-income programs are now endangered. White House spokesmen have announced that they want to "close the Gramm-Rudman loopholes." Our interpretation of this threat leads us to believe that a trade-off will be offered. Defense cuts will be on the table in exchange for low-income program cuts. Beggars will be robbed and all who are present will be pressured to accept this deal as a reasonable exchange.

Without a doubt the defense budget must be cut. But the peace dividend should be offered without a parallel tradeoff in domestic program cuts. Instead there should be a separate revenue stream proposed specifically for the funding of the S and L bailout. The bailout is the greatest threat to the economy and since it was generated by the private sector, it should be financed by a surcharge or other taxes on corporations and banks. Under no circumstances should the Democratic leadership participate in a scheme which cuts low-income program benefits in order to pay for the crimes of the S and L gang.

Mr. Speaker, the fear of the budget summit process in the streets of my district is very real. I would like to use the language and the attitude of a street constituent to sum up this deeply felt concern:

THE BUDGET SUMMIT

At the big white D.C. mansion
There's a meeting of the mob
And the question on the table
Is which beggars will they rob.
There's a meeting of the mob
Now we'll never get a job,
All the gents will make a deal
And the poor have no appeal.
Which housing for the homeless will they hit?
School lunches they will cut all the way to the pit.
There's a meeting of the mob!
Big bailouts they will cheer
Cause the bankers they all fear.
Closing loopholes is their role
But never mind the S and L hole
There's a meeting of the mob!
Medicaid is against the wall
Watch health care take a fall
There's a meeting of the mob!
These good fellows won't be frisked
But welfare children are being risked
There's a meeting of the mob!
Not a cent will be left for AIDS
When they finish with their raids
Let addict babies remain with their pain
This gang will deal a budget that is certainly insane
There's a meeting of the mob!
These bosses lack logic but they all have clout
Old folk's COLA's will rapidly get rubbed out
There's a meeting of the mob!
At the big white D.C. mansion
There's a meeting of the mob!
Now we'll never get a job
All these gents will make a deal
And the poor have no appeal
There's a meeting of the mob!

INTRODUCTION OF AN OSHA VICTIMS' RIGHTS BILL

HON. CHARLES A. HAYES

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. HAYES of Illinois. Mr. Speaker, I rise today on behalf of the working people of this Nation, especially for those workers who have suffered injury in a workplace accident. What I have learned about the rights, or rather lack of rights, that these victims, or that of their families, have in their dealings with the Occupational Safety and Health Administration [OSHA] is appalling.

Victims suffering from injuries, or even death due to workplace accidents, may suffer again when faced with dealing with the Government agency responsible for enforcing this Nation's worker safety laws. As the victim begins the process of investigation through OSHA, they may quickly learn that they may not have access to information about their case, and moreover may not be able to participate in the process of determining remedies.

Currently, in determining a violation and a potential remedy, OSHA standardly meets with an employer that has been charged with a serious violation that may have potentially caused the workers' injury. In these meetings, which usually do not include the injured party or their families, OSHA negotiates a remedy which often amounts to no more than a slap on the employers' wrist.

Case after case has been documented showing disregard for the rights of these victims. Cases where families are unable to obtain information from OSHA when a son or daughter has died due to a workplace injury, and cases where families are not allowed to represent the interest of their deceased family member in meetings with OSHA.

The legislation that I, along with my colleague Mr. MCCLOSKEY, are introducing today would provide victims and their families with the right to participate in the process, and allow access to information regarding OSHA's investigations into these cases.

Specifically, this legislation would provide surviving family members and injured workers with a right to a precitation briefing by OSHA, a right to participate as parties in hearings conducted pursuant to the OSH Act, a right to participate as part of a settlement agreement, and the right to obtain copies of the citation and the investigative report free of charge.

I am clearly aware of OSHA's recent efforts to improve the rights of victims and victim's families. For this I applaud the Secretary of Labor, Elizabeth Dole, and the OSHA Administrator, Gerald Scannell. However, I am of the belief that this Congress should pursue this legislation so that victim's rights can be permanently ensured.

BIPARTISAN EFFORT TO REAUTHORIZE CPSC

HON. DOUG WALGREN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. WALGREN. Mr. Speaker, today, along with the ranking Republican member and other members of the Subcommittee on Commerce, Consumer Protection and Competitiveness of the Committee on Energy and Commerce, I am introducing legislation to get the Consumer Product Safety Commission [CPSC] back on track.

This commission has a fundamental, important responsibility to take steps to protect people from injury caused by unreasonably dangerous consumer products. The Consumer Product Safety Commission has had a bad 10 years during the 1980's. Ideological conflict between those on the Commission along with the failure of the administration to fill vacancies on the Commission brought the CPSC to a grinding halt.

For a number of months last year, the agency even lacked a quorum to conduct business. It is time we put the division and lack of support from the administration of these years behind us. With a new Presidential appointment confirmed as chairman, and a total of three sitting Commissioners, the CPSC can now begin to function again.

This bipartisan legislation will reauthorize the Commission for fiscal years 1991 and 1992. It will improve the agency's regulatory process while retaining the Commission's flexibility to manage its agenda. It will make important improvements in the requirement that hazardous products be reported to the Commission; it adjusts the quorum requirement to prevent veto power over the agency being held by any one commissioner; and it appropriate roles for State legal action to enforce product safety rules.

The CPSC has not been reauthorized since 1981. Nine years without the support of congressional authorization is a long time. I urge all my colleagues to join in cosponsoring this legislation. Following is a section-by-section analysis of the legislation.

H.R. —CONSUMER PRODUCT SAFETY IMPROVEMENT ACT OF 1990

SECTION BY SECTION ANALYSIS

Section 1—Short Title, Reference

Section one provides the short title, Consumer Product Safety Improvement Act of 1990, and provides that, in general, references in the bill are to the Consumer Product Safety Act (CPSA).

Title I—Amendments to Acts

Section 101—Improvement of Regulatory Process

Subsection (a) amends section 9(c) of the CPSA to require the CPSC to issue a proposed consumer product safety rule within 12 months after an advance notice of proposed rulemaking for such a rule has been

issued, unless the CPSC determines the rule is not reasonably necessary to eliminate or reduce the risk of injury from the product or is not in the public interest. The CPSC may extend this time for good cause, but is required to notify the Senate Committee on Commerce, Science and Transportation and the House Energy and Commerce Committee of the extension and the reasons for the extension, and estimate the date by which the rule will be completed.

Subsection (b) requires the CPSC to conduct a study of the feasibility of requiring entities subject to the CPSA to pay to the Commission user fees to defray the reasonable costs of particular services provided by the CPSC to such entities. The Commission is required to complete the study and report the results to Congress within one year.

Subsection (c) amends the CPSA, Federal Hazardous Substances Act (FHSA), and Flammable Fabric Act (FFA) to clarify the role of voluntary standards in CPSC rulemaking proceedings. In 1981, the CPSA (along with the FHSA and FFA) was amended to require that the CPSC defer to a voluntary standard where the CPSC determines that a voluntary standard developed in response to the invitation contained in section 9(a)(6) of the CPSA (and similar provisions in the other Acts) is likely to result in the elimination or adequate reduction of the risk of injury and it is likely that there will be substantial compliance with such standard. This invitation is initiated by the publication of an advance notice of proposed rulemaking (ANPR).

Paragraph (1) of this subsection amends section 9(b)(2) of the CPSA to require that the CPSC defer under section 9 of the CPSA to a voluntary standard only where the voluntary standard exists. For a voluntary standard to exist, it must be finally approved by the relevant voluntary standard development body, but it need not actually be in effect. The paragraph also amends section 9(b)(2) to require that the CPSC afford interested persons the opportunity to comment regarding any voluntary standard prior to CPSC deferral.

Paragraph (2) and (3) make parallel amendments to section 3(g)(2) of the FHSA and section 4(h)(2) of the FFA.

Paragraph (4) amends the CPSA, the FHSA, and the FFA to require that the CPSC establish a system for monitoring compliance with voluntary standards to ensure that industry is following the voluntary standards. The CPSC would be required to establish such a system for voluntary standards upon which the Commission has relied and which were developed with Commission participation, and for voluntary standards whose development the Commission has monitored after the date of enactment. The establishment of such a system for monitoring compliance with voluntary standards whose development the Commission monitored before the date of enactment would be discretionary with the Commission.

Section 102—Petitions and Voluntary Standards

Under section 553(e) of title 5, United States Code (from the Administrative Procedure Act), any interested party may petition a Government agency to commence a rulemaking proceeding, and the agency is to consider and make a determination on the petition within a reasonable time.

Subsection (a) of this section adds a new subsection to section 9 of the CPSA to require the CPSC to make any such determination within a reasonable time, and to state the reasons for granting or denying any such petition. The subsection further provides that the CPSC may only deny such a petition on the basis of a voluntary standard if the standard is actually in existence, if the CPSC has determined that the standard is likely to produce an elimination or adequate reduction in the risk of injury involved, and if it is likely that industry will be in substantial compliance with the standard.

Subsection (b) and (c) of this section make identical amendments to the FHSA and FFA, respectively.

Section 103—Administrative Structure

Subsection (a) amends section 4(a) of the CPSA to provide that in making appointments to the CPSA, the President shall consider individuals with experience in the safety of consumer products or related fields.

Subsection (b) amends section 4(c) of the CPSA to provide that if only three members of the Commission are serving because of vacancies in the Commission, the quorum shall be two. The amendment also provides that if only two members of the Commission are serving because of vacancies in the Commission, two members shall constitute a quorum for the six-month period beginning on the date of the vacancy which caused the number of Commissioners to decline to two. This will ensure that the Commission can continue to function in the event of such vacancies, but establishes a six-month time limit for the reduced quorum to ensure that a replacement Commissioner is nominated expeditiously.

Subsection (c) amends section 4(g)(1) of the CPSA to make clear that certain top staff of the Commission are officers of the Commission and serve, and are responsible to, all Commissioners. The Director of Compliance is added to the list of officials for whom Commission approval is required for appointment. Subsection (c) also requires the Director of Compliance to be an attorney (except on an acting basis) and limits the appointment of individuals on an acting basis, to the positions listed in section 4(g)(1), to 90 days unless the appointment is approved by the Commission. The subsection also provides that the Chairman, with the approval of the Commission, may remove the officials listed in section 4(g)(1).

Section 104—Enforcement by State Attorneys General

Under section 24 of the CPSA, any interested person may bring an action in U.S. District Court to enforce a consumer product safety rule and obtain appropriate injunctive relief. However, such interested person must give notice, not less than thirty days prior to the commencement of the action, to the CPSC, the Attorney General, and the potential defendant. No separate suit can be brought under section 24 if the same alleged violation is the subject of a pending civil or criminal action by the United States under the CPSA. There is currently no similar right of action provided under the FHSA or the FFA.

Subsection (a) amends section 5 of the FHSA to allow a state attorney general to bring a civil action to enforce any requirement of the FHSA relating to misbranded or banned hazardous substances. The procedural requirements of section 24 of the CPSA would apply to any such action, requiring, in particular, 30 days advance notice before bringing an action.

Subsection (b) amends section 5 of the FFA to allow a state attorney general to bring a civil action to enforce a standard or regulation under section 4 of the FFA. The procedural requirements of section 24 of the CPSA would apply to any such action, again requiring, in particular, 30 days advance notice before bringing an action.

Section 105—Notification and Repair, Replacement or Refund

Under section 15(b) of the CPSA, a manufacturer, distributor, or retailer must notify the CPSC when it obtains information which reasonably supports the conclusion that its product fails to comply with a product safety rule, or contains a defect which could create a substantial product hazard.

Subsection (a) amends section 15(b) to require reporting of potential product hazards to the CPSC in two situations in addition to current law. First, reporting would be required of incidents of failures of products to comply with applicable voluntary safety standards which the Commission has formally relied upon in accordance with section 9 of the CPSA.

Second, reporting would be required of product-related lawsuits involving a death or grievous bodily injury, including mutilation, amputation/dismemberment, disfigurement, loss of important bodily functions, debilitating internal disorders, severe burns, severe electrical shocks, and injuries likely to require extended hospitalization. A manufacturer, distributor, or retailer reporting such a civil action need not admit or may specifically deny that the information it submits reasonably supports the conclusion that its product caused a death or grievous bodily injury.

It is important to note that under section 6(b)(5) of the CPSA, reports under section 15(b) cannot be publicly disclosed except under certain very limited circumstances. One of the exceptions to the prohibition on public disclosure of section 15(b) reports is "information in the course of or concerning a judicial proceeding." The amendment to section 15(b) in subsection (a) of this section would require reporting of certain product-related lawsuits to the CPSC, which could be construed as "information in the course of or concerning a judicial proceeding." To ensure that such reports are not releasable solely because they concern judicial proceedings, subsection (b) makes a conforming amendment to section 6(b)(5) clarifying that such reports would not be releasable solely because they concern judicial proceedings. Of course, such reports could be released if one of the other exceptions in section 6(b)(5) applied.

Section 106—Cost-Benefit Analysis

Subsection (a)(1) of this section amends section 12 of the CPSA (relating to CPSC action to address an imminent hazard) by stating that the preparation of a cost-benefit analysis is not required. The CPSC, of course, would be permitted to prepare such an analysis in those situations where it believed the analysis to be appropriate.

Subsection (a)(2) of this section adds a similar provision to section 15 of the CPSA (relating to non-imminent repair, replacement or refund).

Subsection (b) adds a similar provision to section 15 of the FHSA.

Section 107—Civil Penalties

Civil penalties were provided under the CPSA when it was enacted in 1972, in the amount of $2,000 for each violation and an aggregate penalty of $500,000. Since that time, no adjustment has been made to the dollar figures in the statute, despite the fact

that inflation has eroded the value of the penalties.

To address this inflation erosion, subsection (a) of this section amends the CPSA to increase the penalties to $5,000 for individual violations, and $1,250,000 for a related series of violations. These maximum penalty amounts would be adjusted for inflation every five years based on the increase in the cost of living adjustment for the previous five year period. The first adjustment would be effective January 1, 1995, based on a maximum penalty schedule prescribed and published in the Federal Register by the CPSC no later than December 1 of 1994.

In addition, civil penalties are currently not provided for violations of the FHSA. Subsection (b) adds civil penalties to the FHSA, in the initial amounts of $5,000 for each violation and $1,250,000 for a related series of violations. These maximum penalty amounts would be adjusted for inflation every five years in a similar fashion as civil penalties under the CPSA.

Subsection (c) adds explicit civil penalties to the FFA, in the initial amounts of $5,000 for each violation and $1,250,000 for a related series of violations. These maximum penalty amounts would be adjusted for inflation every five years in a similar fashion as civil penalties under the CPSA.

Subsection (d) of this section requires the CPSC to report annually to the Senate Committee on Commerce, Science and Transportation and the House Energy and Commerce Committee regarding the number of civil penalties imposed, the violations that led to the civil penalties being imposed, and the amount of revenue recovered from the penalties.

Section 108—Priorities

Section 108 amends section 4 of the CPSA by requiring the CPSC to annually establish an agenda and priorities, after conducting a public hearing.

Section 109—Settlement Offers

Section 109 amends section 15(f) of the CPSA to require that any settlement offer submitted to the presiding officer at an adjudicative hearing considering the recall of a product shall be transmitted by the presiding officer to the Commission for its consideration, unless the settlement offer is clearly frivolous or duplicative of previous offers.

Section 110—Authorization

Section 110 amends section 32(a) of the CPSA to reauthorize the Commission at $42 million for fiscal year 1991 and $45 million for fiscal year 1992.

Section 111—Effective Date

Section 111 provides that, in general, the effective date of the amendments made by this title is the date of enactment.

Title II—Related Provisions

Section 201—Sleepwear

Section 201 would require the CPSC to conduct a study under the Flammable Fabrics Act to determine if a special flammability standard is needed for sleepwear other than children's sleepwear (for which a special standard already exists). The CPSC must report the results of the study to Congress not later than one year after the date of enactment. The Commission shall specifically consider the risks and benefits to the elderly.

Section 202—Lighters

Section 202 requires the CPSC to pursue its pending regulatory proceedings to establish a safety standard for cigarette lighters, specifically taking into account the need to protect children. In response to a petition to begin a rulemaking proceeding to require disposable lighters to be child-resistant that had been pending since 1985, the Commission published in March of 1988 an advance notice of proposed rulemaking on this issue.

Section 203—Amusement Rides

Section 203 amends the Consumer Product Safety Act to partially restore the Commission's jurisdiction over fixed site amusement rides.

Subsection (a) adds a new paragraph (15) to section 3(a) of the Act to define "amusement ride." The term includes any device which carries or conveys passengers over a fixed course within a defined area for purposes of amusing the passengers in the device. The device must be one that is customarily controlled or directed by a person who is employed for the purpose of operating the ride and who is not a consumer with respect to the device. An amusement ride which is not permanently fixed to a site is a consumer product for all purposes of the Act. Such rides are typically found in traveling circuses and carnivals. An amusement ride which is permanently fixed to a site is not a consumer product for purposes of sections 7, 8, 14, 15(b), 15(c), and 15(d) of the Act. Thus, the CPSC cannot promulgate safety standards or bans regarding permanently fixed amusement rides. The subsection also adds a new paragraph (16) to section 3(a) of the Act to define "amusement ride operator." The term means the owner of an amusement ride. The subsection also makes a number of technical and conforming changes.

Subsection (b) amends section 6(b) of the Act to make it applicable to public release of information from which the public can readily ascertain the identity of the amusement ride operator.

Subsection (c) of the bill amends section 15 of the Act to add a new subsection (h) to require any amusement ride operator who obtains information which indicates that a serious injury occurred during operation of an amusement ride the operator owns to inform the CPSC about the occurrence immediately. Serious injury is defined as trauma or other injury which actually results in death or a bone fracture or which requires overnight hospitalization or which typically requires overnight hospitalization. The subsection also authorizes the CPSC to order the amusement ride to cease operating until it is repaired if the agency determines (after affording interested parties, including consumers and consumer organizations, opportunity for a hearing in accordance with section 15(f) of the Act) that an amusement ride that has been involved in a serious injury, or is mechanically identical to a ride involved in a serious injury, presents a substantial product hazard and that corrective action is in the public interest.

Subsection (d) of the bill amends section 16(a) of the Act to provide that officers and employees duly designated by the CPSC may inspect, at reasonable times and in a reasonable manner, fixed site amusement rides if the ride was involved in a serious injury or is mechanically identical to a ride involved in a serious injury, including investigating the cause of the serious injury in which the ride was involved and to test the safety of the ride. Such inspections must be commenced and completed with reasonable promptness.

Subsection (e) requires the CPSC to issue regulations for the administration of section 15, as amended by subsection (c) of this section. Such regulations must be promulgated within six months after the effective date.

Subsection (f) provides that the amendments made by this section will take effect January 1, 1991.

Section 204—Indoor Air Pollutants

Section 204 would require the CPSC to report to Congress on its activities to reduce exposure of individuals to various indoor air pollutants. The report would be due 90 days after the date of enactment.

Section 205—Labeling Requirement

Section 205 would require the CPSC to issue a consumer product safety standard for any toy intended for use by children three years of age or older which is manufactured after the date of enactment, for sale in the United States, and which includes a small part (as defined in current or future CPSC regulations), to require that the packaging of such toy and any descriptive materials contains a cautionary label. The label shall state the age of children for which the toy is not intended and contain a description of the dangerous property of such toy.

Section 206—Children's Products

Section 206 would require the CPSC to report to Congress on certain products which pose a hazard to children. The report would be due 120 days after date of enactment.

Section 207—Reclining Chairs

Section 207 requires the CPSC to conduct a survey of reclining chairs sold in the United States, retail outlets for such chairs, and manufacturers of such chairs, to determine compliance with voluntary industry manufacturing guidelines designed to reduce the entrapment of children in such chairs.

The CPSC is required to report the results of the survey to Congress within 120 days of enactment. If the Commission determines that there is a substantial lack of compliance with such industry guidelines, the Commission shall initiate proceedings under the CPSC to establish safety standards for reclining chairs to prevent entrapment of children.

THE ADVANCED TELEVISION STANDARDS ACT OF 1990

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. MARKEY. Mr. Speaker, today, along with Mr. DINGELL, Mr. LENT, Mr. RINALDO, Mr. COOPER, Mr. ECKART, Mr. RALPH HALL, and Mr. RITTER, I am introducing the Advanced Television Standards Act of 1990, a bill designed to promote the development and deployment of advanced television standards and technologies.

Advanced television technologies, including HDTV, are widely proclaimed as the most significant technological breakthrough in broadcasting since the advent of television itself. Yet HDTV means much more than bigger, better television pictures for American consumers. HDTV represents a new telecommunications medium. The development of high definition systems will have a dramatic impact not only on consumer electronics, but

on other industries as well, particularly the semiconductor and computer industries. HDTV development will lead to advancements in high resolution imaging for a wealth of products, including personal computers, sophisticated workstations, medical imaging, and publishing.

The companies—and countries—that control HDTV development will gain a substantial advanatage in the race to dominate the high technology markets of the next century. According to a recent report prepared by Robert B. Cohen and Kenneth Donow for the Economic Policy Institute [EPI], the U.S. could face an annual trade deficit of more than $225 billion in electronics and lose more than 2 million jobs a year by 2010 if it fails to develop robust HDTV and flat-display screen industries.

In light of the enormous economic potential and competitive advantage promised by high definition and high resolution systems, several discrete proposals concerning HDTV deserve our consideration and action this year. The bill I am introducing today embodies these proposals.

First, the Federal Communications Commission [FCC] faces a massive task in planning the technical, economic, and regulatory aspects of implementing terrestrial HDTV and will require adequate resources to complete its standards selection process. The advanced television test center and cable labs have been well supported by the broadcasting and cable industries. Similarly, the FCC's Advisory Committee on Advanced Television Service greatly has assisted the Commission in its standards selection process. It is becoming increasingly clear, however, that as the FCC nears its target date for selecting a broadcast transmission standard, it will require additional resources. This legislation would authorize additional appropriations to the FCC of $2.2 million and $2.45 million for fiscal years 1990 and 1991, respectively, to enable the Commission to complete comprehensive testing of proposed advanced television systems in a timely manner. Under the legislation, the Commission would be provided these additional resources to establish an internal advanced television task force, to procure testing equipment, and, if necesary, to hire additional personnel.

The FCC, under the very capable leadership of its Chairman Alfred Sikes, has moved aggressively and quickly on the development of HDTV standards. The Commission has been steadfast in its resolve to develop standards expeditiously and to ensure that consumers benefit from this new technology. Specifically, the Commission's efforts to develop an HDTV standard by 1993 and its determination that whatever standard ultimately is adopted be compatible with existing NTSC standards for television transmissions are to be commended. I support these decisions fully and firmly.

I also believe, however, that it is essential that United States companies and workers, as well as consumers, be provided opportunities to participate in the high definition revolution. the standards selection process provides a unique opportunity to assist U.S. competitiveness. This legislation I am offering today would require the FCC, in developing and promulgating a broadcast transmission standard for advanced television, to seek to promote the expansion and vitality of research and development and manufacturing of advanced television equipment and technology in the United States. This requirement would be in addition to existing FCC criteria for standards selection, which include transmission quality, cost effectiveness, and spectrum economy.

Let me stress that in supporting such a provision, I am not advocating the exclusion of foreign countries or companies from U.S. HDTV activity. My principal goal is to ensure that research, development, design, and manufacture of advanced television products and technologies produced for the American market be conducted, to the greatest degree possible, by companies investing in the economy and in American workers.

Let me also stress, however, that in offering this legislation, I am not seeking to burden America's broadcasters with inferior technologies. Rather, the Commission should balance competing factors and select the system that best will serve broadcasters' needs, while, to the maximum extent possible, assuring U.S. competitiveness in research, development, and manufacturing of high definition and related technologies.

The bill I am introducing today also would require the Commission, in selecting an advanced television broadcast standard, to consider the suitability of the standard for the transmission or interchange of advanced television programming using other distribution media and the flexibility of the standard to accommodate future improvements in television transmission technology, including the transmission of captions. These criteria would ensure that any transmission system selected meet the video community's immediate needs yet contain sufficient headroom for future improvements. In addition, these criteria reflect a desire that the broadcast transmission standard be compatible with other media; such compatibility is essential because more than 60 percent of America's households presently receive video programming from cable, satellite, or microwave transmission services. Broadcasters increasingly will reach their audience through alternative distribution systems including cable and satellites.

In addition to domestic broadcasting transmission standards, international production standards for advanced television will influence significantly the extent to which U.S. workers and companies participate in the high definition revolution. For decades, 35 millimeter film has served as the accepted worldwide standard for film production and has afforded ease of transferability of motion pictures between nations. The existence of such a standard has contributed to the strength of the U.S. motion picture industry in world markets. Because of the growing importance of video programming to our trade balance, it is essential that U.S. policies foster the adoption of advanced television production standards that facilitate the international exchange of programming.

The bill I am introducing today would require the National Telecommunications and Information Administration [NTIA], the Executive branch's principal adviser on telecommunications policy, to submit Congress a report that recommends appropriate policy for the U.S. to pursue before any international body considering the establishment of production and related technical standards with respect to advanced television. In developing such policy recommendations, NTIA would be required to seek to promote, as its principal objective, the reciprocal transfer of video programming between domestic and foreign markets.

Finally, this bill would require the FCC to submit a report to Congress analyzing, among other things, the feasibility of using public television facilities and resources to conduct over-the-air tests and demonstration of advanced television equipment and techniques. It is essential that the public broadcasting community, a vital component of our telecommunications infrastructure, be a full participant in the high definition revolution. Public broadcasters have a long-standing commitment to the highest technical standards in video services and have a long tradition of technical innovation.

Mr. Speaker, U.S. participation in emerging high definition technologies is critical to the future growth and strength of our industrial base. The legislation I am offering today not only would facilitate the advanced television standards selection process but also would assist in ensuring the participation of American workers and companies in the high definition revolution. I urge my colleagues to support this bill.

COSPONSORSHIP OF CONSUMER PRODUCT SAFETY IMPROVEMENT ACT OF 1990

HON. DON RITTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. RITTER. Mr. Speaker, I am pleased today to join with my colleague and fellow Pennsylvania Representative, Chairman DOUG WALGREN of the Subcommittee on Commerce, Consumer Protection and Competitiveness, to cosponsor the Consumer Product Safety Improvement Act of 1990. This bill reauthorizes the Consumer Product Safety Commission for fiscal years 1991 and 1992, and makes changes in the structure and functioning of the Commission.

The Consumer Product Safety Commission is a small agency in the world of Washington. Yet it has enormous statutory power, which is why I refer to it as the "biggest little agency in Washington." Despite past dissension among the Commissioners, I am confident that, under the leadership of new Chairwoman Jacqueline Jones-Smith, the Commission will continue its work of protecting American consumers from unreasonable risks of harm from consumer products.

But Congress must do its part. The Commission has not been reauthorized since 1981. Since that time changes have occurred that demand action by Congress. Most important, the Appropriations Committee has been providing money for only three Commissioners. But the underlying statute still contemplates five Commissioners, with a quorum of three. All of the Commissioners for whose offices money has been appropriated must be present for the Commission to act. Any vacan-

cy deprives the Commission of its quorum and its authority to act.

This problem became acute last year when Commissioner Terry Scanlon resigned. From his resignation in January, untll Chairwoman Jones-Smith took her oath of office in November, the Commission was without a quorum and unable to act. Fortunately there was no emergency requiring Commission action. But Congress must rectify this situation. This bill reduces the Commission's quorum to two Commissioners for the 6 months after a quorum-removing vacancy occurs, in order to give the President time to appoint, and the Senate time to advise and consent, on a replacement Commissioner. This provision should eliminate the problem that the Commission faced last year, given adequate deligence on the part of the President and the Senate.

This bill also makes other improvements in Commission functioning, which will be explained as this bill moves through the legislative process. There is no excuse for inaction on this subject. The Senate acted in August of last year. It is time for the House to submit its version of Commission reauthorization. I commend the leadership of Chairman WALGREN for beginning this effort and I pledge my support for his efforts to enact this bill into law. I look forward to a strong working relationship with my chairman on consumer product safety issues.

METHANE GAS

HON. HOWARD C. NIELSON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. NIELSON of Utah. Mr. Speaker, I call attention to an environmental matter that has serious implications for us which should be addressed by the Ways and Means Committee.

Recent articles in Time and The Economist as well as hearings held by House committees have pointed to methane gas as a potentially significant contributor to global warming or the "greenhouse effect". Methane gas occurs naturally in underground deposits, particularly in coal seams. This source of additions to the problem of global warming is of sufficient concern that the EPA recently announced a study to find additional techniques for mitigating methane emissions from coal mining activities.

In 1980, this Congress passed legislation that should have had a significant impact. The Windfall Profit Tax Act of 1980 added an income tax credit for the sale of alternative energy fuels equal to $3 for every barrel of oil saved through the use of alternative fuels. Included in the definition of fuels for this purpose is methane gas produced from coal seams. Sales of this gas through the year 2000 qualify for the credit provided that the gas is produced either from a well drilled or a facility placed in service before the end of this calendar year.

In most coal mines, this methane gas is wasted by forcing massive amounts of air into the mine area and allowing the methane to simply escape into the atmosphere. The damaging effects of such operations are twofold. First, a usable natural fuel resource is absolutely lost. Second, more methane gas is added to our existing global warming and air pollution problems. The credit enacted in 1980 has been slow in developing solutions to this problem, but it has worked. Technology now exists so that by drilling horizontal boreholes into a coal seam, a miner can capture methane for sale, thus solving both problems. But the process is costly. At this point, only a handful of companies are using this technology. Only two are actually capturing the gas for sale.

A major reason why this technology is not widely used is that the availability of the credit is in serious doubt. Apparently, the IRS is trying to limit the credit by saying that the physical plant and all the equipment necessary to extract, capture and sell the gas is not a facility. The IRS is claiming, instead, that this operation is a series of wells. And not only that, they are saying that each horizontal borehole in a mine is a separate well. Therefore, only production from horizontal boreholes made by the end of this calendar year would qualify for the credit. The life of one of these boreholes is extremely limited, often as short as a matter of months. The holes are made only as areas in the mine are opened up for mining. Once the gas is extracted, the holes are mined and thus disappear. Without the credit, the economics of methane gas recovery from coal seams are very questionable.

Certainly, this type of operation is one we wanted to foster when the credit was put in place. Now, it is all the more vital. Not only does this capture of methane help in our search for domestic fuel sources, but it can go a long way toward improving our environmental position. An installation such as is required by this technology should certainly meet the definition of the term "facility" under this incentive tax provision. To hold otherwise would be contrary to the intent and desires of Congress.

Because this is not within the jurisdiction of the Energy and Commerce Committee, I did not propose an amendment to the Clean Air Act. However, I hope that Mr. ROSTENKOWSKI, the distinguished chairman of the Committee on Ways and Means will consider this issue. This technology is proven, simple, and protective of jobs. Supporting it is a real contrast to so much of what we normally have to do. This is a perfect example of exactly the kind of measure that is essential to solve the problem of global warming, to keep reduced pollution and at the same time reduce the dependence on foreign energy sources. It is beneficial to the taxpayer, the Government, and our neighbors in the worldwide community and we should support it.

MARTIN STONE: MAKING THE MEDIA ACCESSIBLE TO HIS COMMUNITY

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mrs. LOWEY of New York. Mr. Speaker, I rise today to call your attention to Mr. Martin Stone, a gentleman of great distinction. Martin has been a leading figure in Westchester County for over 30 years.

In 1957, Martin established radio station WVIP. Today, WVIP AM and FM provides news, information and entertainment services to Westchester County. The BBC called WVIP "the most outstanding small radio station in America," and credit for that distinction goes in large part to Martin Stone.

In the early 1970's, Martin had the foresight to anticipate the importance of local television. In 1973, he established WVIP cable television which continues to air important local programming. Cable television, particularly public access television, has become a medium which links neighbors, and Martin Stone has led the way. He also serves as an active member of my cable advisory committee.

Martin's emphasis on local programming, in addition to State, national and international updates, has been well received. With his leadership, the WVIP radio and cable stations provide listeners and viewers with quality coverage. In fact, for 5 successive years, the associated press cited WVIP for outstanding local news coverage.

But Martin Stone's interests extend far beyond broadcasting. As a business person, he has been a leader in Westchester County in encouraging partnerships between the private and public sectors to address community problems. He served as an advisor to the late president Harry S Truman, as well as serving as consultant to the ford foundation. He also handled the massive responsibilities of directing exhibits of the New York World's Fair. In addition to these significant professional responsibilities, he had dedicated many hours to local organizations including the hammond museum and the northern Westchester hospital.

In this complex world, when local issues so often take a backseat to larger interests in the media, Martin Stone's approach to communications has been refreshing. By bringing together local and national concerns, political and personal interests, and public and private priorities, Martin has promoted cooperation and partnership in the Westchester County community. His vision has been remarkable and has added to the vibrancy of Westchester County.

THE BAND THAT HAS BROKEN RACIAL BARRIERS

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. GILMAN. Mr. Speaker, I would like to take this opportunity to commend the Capitol Hill band the "Circus Mind". Many of my colleagues may have read the recent article on the group which appeared in Roll Call on May 10, 1990. These gentlemen deserve special recognition.

Considering today's problems of drug abuse, violence in our cities, and the decreasing quality of our education system, it is encouraging to see such a stellar enthusiastic group of young black and white musicians, Karl Celarier, John Giesecke, Sean Hanley, Antoine Jenkins, Andy Soloviev, and Kevin Price succeed, overcoming the many difficulties and obstacles confronting today's young people.

It is hoped that the example set by the group will serve as a symbol of hope and as a positive example for the many young people of our Nation who look to the world of music for their idols.

Mr. Speaker, I request that there be inserted at this point in the RECORD the full text of the Roll Call article by Duncan Spencer:

HILL SPAWNS HOT, HIP, HOMEGROWN BAND: CIRCUS MIND

(By Duncan Spencer)

It must be the brief dream of every city child to one day be a member of a fabulous rock band. Few ever put action and effort to their wish, however, and fewer still climb the treacherous hills that surround the peaks of fame or fortune to put them into the bank.

But lightning does strike, even on the Hill, where ideas of music are far apart, as far, for instance, as is the demure tweeting of a string quartet from the hypnotic knocking of sticks on the bottom of plastic buckets. The amalgam is in a remarkable Capitol Hill band called the Circus Mind.

The band has done what no other could do: It has combined DC's celebrated funk and go-go music with a melodic line and made a sound that has been sweeping the high school circuit, with ten proms already booked. The band has also broken racial barriers by linking black and white musicians in a new kind of fusion. Reviewers are beginning to take notice.

The reason that I, who knows absolutely nothing about the bands of the '90s, know that Circus Mind is a great band is that one member of this band, John Giesecke, 22, played soccer on the Hill with one of my son's teams many years ago. Three other members of the band, Andy Soloviev, 19, Karl Celarier, 22, and Sean Hanley, 20, also went through that tough apprenticeship, though now as serious musicians they are probably horrified to admit that once, on nearly deserted fields, they played their hearts out to the shrieks of their parents.

Don't expect to understand them now either. Circus Mind—according to the critics at the Insider, a DC club review seen at local spots like TV Headquarters, 9:30 club, dc space, Fifth Column, The Vault, New Vegas Lounge, etc.—is hot.

"It's highly melodic music with heavy percussion, it's funky reggae with soulful vocals. It's a band with conscience and flair. Circus Mind is THE up and coming band to watch," the jazz and pop review reported.

The band's name comes from a line in a Jimi Hendrix song that goes, "You have a circus mind that's running wild. . . ." According to lead vocalist Antoine Jenkins, 20, "John [Giesecke] was listening to this tune one day and that was it." It's better by far than their previous name, which was Second Opinion. They are now six young musicians who have made a certain fame, and their path lies clear and bright ahead.

Soccer ends and life goes on, and for a time, I would see Jenkins, who lives near the corner of 6th and Lexington Place, NE, or Soloviev, who lives on 8th near Independence, SE, or Giesecke, who lives near 9th and East Capitol, and they were always enthusiastic about their band. Yup, I thought.

Then about two years ago, I was told that they were actually making money at it. I wisely thought that they would probably get over it. But this past winter when they asked me to visit them, at a session in the basement of Holy Comforter Church on East Capitol Street, I noted with big respect that admission was being charged.

Inside, the lights were dim and the noise was enormous. It rose and fell and filled every square foot of air so you were immersed in it, like the waves of the sea. It was like a dream of drowning, until you suddenly remembered to breathe.

There was Jenkins, water pouring down his unseamed face, singing a melody, Celarier and Soloviev were playing guitar, Giesecke was at drums, Hanley at bass, and Kevin Prince, Jenkin's first cousin, was percussion.

It could have been a blues song, an intense song, and in the dimness and the thunder of the noise there were rapt faces of teenagers and young adults, most of them black. I thought it very good, and stayed for an hour, and what I did know was that, whatever "it" was, they had it.

Now they have made it, at least in a small way, as Giesecke puts it. "We've made a tiny dent in the big iron door of the music world in this city." They have now made almost a complete sweep of the private school prom dates, having been booked for such schools as St. Andrews, Potomac, St. Alban's, Holton Arms, Sidwell Friends, Landon, and Gonzaga, plus club dates in the city.

Next is almost certainly a record with an established label. Their work is methodical, as befits serious college students (Corcoran School of Art, University of Maryland, and Montgomery College are among their academic credentials); they tape every session and then conduct review and criticism.

The group has found a niche: It is a racially mixed band that plays a black sound (go-go, reggae) and a white sound (progressive, rock, and Latino) that is acceptable across both sides of the racial divide in Washington.

Jenkins says the band was formed about four years ago by a group of like-minded kids at Archbishop Carroll High School at 4300 Harewood Rd., NE, the alma mater of Hanley, Giesecke, Soloviev, and Jenkins. (Celarier was at Gonzaga.)

At a heavily black high school, the white Hill kids got what Jenkins calls "a perspective on black culture" that was to help them immeasurably with their music.

One problem has always been practice space. They must move, they find, from one rowhouse to another.

One story they enjoy telling is of a neighbor, in the early days, who so objected to the racket that she hired a lawyer who threatened suit on the grounds that Circus Mind's practice sessions were actually dangerous to her health. Now that's a sound with a future.

THE PHYSICIANS' COMPARABILITY ALLOWANCE EXTENSION ACT OF 1990

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. CONTE. Mr. Speaker, I rise to introduce H.R. 4920, the Physicians' Comparability Allowance Extension Act of 1990. In 1978, the Federal Physicians Comparability Allowance Act was enacted to address a serious imbalance between Government physicians' salaries and those in the private sector. This allowance has been reauthorized several times, the last time in 1987. The act is scheduled to expire on September 30, 1990.

As it stands, the allowance payments may not exceed $14,000 per year if, at the time the agreement is entered into, the physician has served for 24 months or less as a Government physician, or $20,000 per year if the doctor has more than 24 months of service.

My bill would reauthorize the allowance for an additional 3 more years, through September 30, 1993. My friend, Senator STEVENS of Alaska, has introduced a similar bill in the Senate.

This bill is of paramount importance to our physicians throughout the Public Health Service, including the National Institutes of Health, ADAMHA, Centers for Disease Control, and FDA. For the past decade Government salaries for physicians have fallen further and further behind those of their colleagues in the private sector. Even with the Physicians' Comparability Allowance, salaries for senior research scientists at NIH, for example, are 50 percent below the salaries paid at the Nation's medical schools. Without the allowance, salaries would be so low that we could witness a mass exodus of our best doctors and scientists.

Enactment of this bill in no way negates our need to address the compensation gap in a responsible manner. I recently introduced a bill creating a Senior Biomedical Research Service which would lift salaries to a competitive level. A recent article in the Wall Street Journal detailed the woes that NIH has endured with the lack of adequate pay for their senior scientists. The directorship of NIH has gone unfilled for nearly a year now—with the inadequate salary being a primary reason.

Both the Physicians' Comparability Allowance and the Senior Biomedical Research Service bill are necessary to stem the brain drain and to rebuild our Public Health Service with talented, energetic physicians. The PCA has given the Public Health Service flexibility to attract and retain quality doctors, and would be a crucial component of the SBRS compensation package.

I urge my colleagues to join with me in supporting this important program and in facilitating the speedy passage of this bill.

INTEREST RATES AND THE GOLD STANDARD

HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. GINGRICH. Mr. Speaker, my colleagues should find the following article interesting in light of the current discussions in Congress on the budget.

[From the Wall Street Journal, May 21, 1990]

GOLD'S THE WAY TO CUT INTEREST COSTS

(By Charles Kadlec)

Why aren't interest rates on U.S. government bonds below 5%, just as they were for 88 out of the 90 years before 1967?

This is the key question facing the administration, the Federal Reserve, Congress, economists, corporate executives and civil rights leaders. But low and stable interest rates seem so remote that the question appears irrelevant.

Lower interest rates would do more than any government bailout to restore stability to our financial system. If mortgage rates dropped to 5% from today's 10.5%, mortgage payments would fall by more than 40%, making housing more affordable to all while spurring sales of now-empty condominiums. Distressed borrowers would have a better chance of meeting their debt service payments, restoring solvency to the S&Ls and banks.

Lower interest rates would provide real debt relief to developing countries. If interest rates were four percentage points lower, Mexico's interest payments would be cut three times more than they will be by this year's restructuring agreement between Mexico and its creditors. Debt relief would help restore economic growth in Latin America.

With lower interest rates, economic growth would accelerate, and employment would follow. Capital investments would be easier to finance, improving American competitiveness. These benefits are especially important for the least sophisticated and skilled workers, people least able to cope with an economy whipsawed by high and unstable interest rates.

And let's not forget the biggest debtor of them all—the U.S. government, which owes the public $2.3 trillion. A four percentage point reduction in interest rates would reduce interest payments by more than $90 billion a year, freeing resources for domestic programs and eliminating any argument for tax increases.

What is it that the monetary authorities in the U.S and elsewhere used to do to produce low and stable interest rates for so long that we are no longer doing?

For most of the 90 years of low interest rates, the U.S. was on a gold standard. But in 1967, the U.S. began to abandon its commitment to dollar/gold convertibility. Then President Nixon closed the "gold window" in 1971. Ever since, the interest rate on long government bonds has been above 5%.

The key to the gold standard's success is that it produced trust in the future buying power of the dollar. When people exchange goods or services for dollars, they do so trusting that someone else, in turn, will accept the dollars in exchange for goods and services. When people lend dollars, they lend because they trust that they will be repaid in money that will be exchangeable into goods. The more they doubt that money will maintain its buying power, the higher the interest rate they will charge for the loan.

A gold standard works to produce trust because it provides a standard by which people can assess whether or not the monetary authorities are keeping their promise. By contrast, the efforts by the Fed to "do its best" to fight inflation with a system based on a plethora of variables simply demands people's trust, without any criterion to assess Fed performance. Good intentions do not constitute a promise.

The gold standard also provides an unambiguous rule of action. The monetary authorities altered the quantity of money in order to maintain a stable rate of exchange between the dollar and gold.

Beginning in the mid-1980s, several Fed Board members have spoken of using a basket of commodities as a proxy for the overall price level. The proposed rule of action was to maintain the rate of exchange between the dollar and this index within a band of plus or minus 10 percent. That suggestion seems to have been followed. Various commodity indices, including the CRB Index and Journal of Commerce Index, have been, with few exceptions, within such a band since early 1987.

But the Fed has failed to make a public commitment to maintain this commodity standard. Talk about using commodity prices to guide actions are one thing. Identifying a commodity index and specifying the bands to which the Fed is willing to be held accountable is quite another. Without a public commitment, people cannot assess what promises, if any, will be kept. Today, the CRB Index is approaching the top side of the tacit price band.

Without an explicit commitment by the Fed to maintain the buying power of the dollar, doubts over its future grow. The results are speculative excesses driving interest rates to and fro, and today's high and costly interest rates.

Trust in the future value of money will bring interest rates back down below 5 percent. The Fed has demonstrated it has the tools and rules of action to inspire this trust. What is needed now is the wisdom and leadership to declare and implement a new commodity standard for the dollar.

THE BARN THEATRE

HON. HOWARD WOLPE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. WOLPE. Mr. Speaker, I rise to pay tribute to a very special theatrical institution in my district, the Barn Theatre, which was founded in Augusta, MI, in 1949, and is this year celebrating its 45th anniversary.

The Barn Theatre is the oldest equity playhouse in Michigan and one of the oldest in the United States. In its 44 years of stock performances, the Barn Theatre has entertained more than 1 million patrons and has produced more than 300 shows. It is well known for the extraordinary quality of its actors, directors, and stage managers, and for the inspiring management team of Jack and Betty Ragotzy. The theater boasts of its having hosted two Emmy-award winning actresses: Dana Delany (China Beach) and Patricia Wettig (Thirty-Something).

The origins of the Barn Theatre are as unique as what it produces. Jack and Betty Ragotzy, founders of the theater, initially leased a barn which was built to house cattle and was sparsely equipped with only a single light bulb. Subsequently the barn floor was torn out to make a stage, borrowed folding chairs were put in place, and the cattle barn was transformed into a theater. Today the theater is fully remodeled and modernized; in 1985 it was named to the Michigan Register of History Sites.

They say in show business that the "show must go on." At the Barn Theatre this adage is the golden rule. Viewers have seen plays by lanterns due to severe summer storms. It has survived damage from a tornado and severe winter storms. In 1981–85, the Barn Theatre faced the threat of a landfill being placed less than 2,000 feet from the site. The theater fought the landfill and simultaneously helped establish new air quality standards for all Michigan landfills.

Mr. Speaker, the people of Augusta take tremendous pride in the historic Barn Theatre. It has been my privilege to represent two remarkably talented and dedicated individuals, Jack and Betty Ragotzy, and I know my colleagues will want to join me in paying tribute to them and to the Barn Theatre on the occasion of the theater's 45th anniversary.

THE RESOLUTION TRUST CORPORATION AND THE S&L CLEAN-UP MESS

HON. MAJOR R. OWENS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. OWENS of New York. Mr. Speaker, in the summer of 1989 when Congress created the Resolution Trust Corporation, the salvage agency of the savings and loan bailout, I'm sure it had no idea that this agency was destined to become the largest real estate company in the world. It is by definition and design one of the largest financial institutions in the world, second only to Japan's postal savings system. I am also convinced that Congress was not completely aware that with the creation of the RTC, it was setting the stage for another financial disaster comparable only to the industry it was designed to save.

As it stands now, Mr. Speaker, the RTC is fast becoming a grave yard for the more than 450 thrifts that it now currently owns. According to a recent estimate by the GAO, the bailout will cost the taxpayers at least $325 billion over 30 years—including interest payments on Government borrowings—with the number possibly increasing to $500 billion., Even after allowing for inflation, the final price tag could outstrip the U.S. Government's Marshall Plan for rescuing Europe and all previous government bailouts combined. Comptroller General Charles A. Bowsher recently told the Senate Banking Committee that the RTC's pledge to close at least 140 thrifts by the end of June is terribly unrealistic. In addition, other critics have charged that the RTC is moving very slowly in its attempt to sell or liquidate properties that it now currently owns. Sadly, it seems

that to date, the Federal Government now currently has in its possession more than 26,800 homes, 773 office buildings, 158 hotels, 205 resorts, 51 restaurants, 236 industrial facilities, and approximately 43 mines. And the backlog appears to be getting worse, since the agency may need to bailout at least 600 more thrifts. This could bring the total number to more than 1,050 thrifts—twice the amount estimated by the Bush administration.

GAO also contends that 10 months into the bailout process, the RTC appears to be ill-equipped for a task that demands speed, agility, and entrepreneurship. The slow start is costing the United States millions of dollars in operating losses and other expenses. More importantly, as seized property slowly deteriorates under Government ownership, the market value is slowly declining.

According to a recent article in the Congressional Quarterly, early plans for closing failed thrifts called for concentrating on the largest and most difficult cases. In March, however, L. William Seidman, head of both the FDIC and the RTC announced that only 140 of the easier-to-handle thrifts might be unloaded by June 30. The agency also, according to the Quarterly at first wanted to give thrift buyers only 6 months to decide whether they would keep troubled assets acquired in thrift purchases. When thrift buyers were unwilling to take that risk, the RTC announced that buyers would have up to a year to turn back assets that are not worth the book value. To make matters even worse, the RTC recently rejected a proposal that would allow regulators to begin to discount slow-moving real estate properties. Opponents argue that such a policy, if implemented would only disrupt the real estate market place and reduce costs. Under the proposed rule changes, the regulating agency could reduce an asset price by 15 percent of its appraised value if it has not been sold in 6 months. In the case of single-family homes, the price could be discounted after 4 months. However, the sale price may not be reduced by more than 20 percent without obtaining a new appraisal. The proposal would also allow the agency to hold auctions for properties valued below $100,000 that have not been sold. In addition, the agency could set a minimum price of 70 percent of the appraised value.

Currently, the agency cannot sell assets in places termed as distressed areas like Texas, Oklahoma, Mexico, Louisiana, Colorado, and Arkansas for less than 95 percent of its market value. "What we're trying to do is find what the market is," said L. William Seidman. "We are sitting on billions of dollars of property that is costing us huge amounts of money in holding costs. The first citizen who is buying out of patriotic duty hasn't been found yet. We have to find the market."

Mr. Speaker, what we have here is a monumental bureaucratic mess. From everything that I have been able to gather, the whole management structure appears to be fundamentally flawed. For example: the chief executive of the RTC reports to the board of directors of the RTC, which is the same as the board of the Federal Deposit Insurance Corporation and is thus chaired by the same person. The RTC Chairman, in turn, reports to the Oversight Board, which is chaired by the Treasury Secretary. Also sitting on the Oversight Board are the Chairman of the Federal Reserve as well as the Housing and Urban Development Secretary in addition to two nongovernmental members appointed by the President. That board, by the way, also has its own director and staff. It is supposed to set board policy; the RTC is supposed to make case-by-case decisions. Also, to further complicate things, RTC has six regional offices which are advised by a five-member board of community leaders. The Oversight Board in Washington is advised by a national board made up of the six chairmen of regional boards plus a national chairman. Still, here on the Hill, there is yet another oversight panel—the RTC task force, set up by the House Banking Subcommittee on Financial Institutions Supervision, Regulation and Insurance. This task force has closely monitored the RTC and repeatedly blistered its managers for slow progress on sales and on affirmative action contracting. Originally, the task force was supposed to have gone out of business after 6 months, but it was recently extended through the 101st Congress. Interestingly enough, Mr. Speaker, expert after expert charge that what this bailout needs is, among other things, a clearer definition of who's in charge.

The who's in charge question, Mr. Speaker, is compounded by the fact that, as I understand it, the RTC's hiring practices remain questionable. To date, individuals interested in employment at the agency need not have any prior banking experience, nor is there a uniform system in place for monitoring employment eligibility. From all indications, according to the FBI, anyone can apply for a job at the RTC, that includes former employees of failed thrifts as long as they were not responsible for more than $50,000 in damages incurred by that thrift. It gets worse—according to a recent article in the National Journal, the largest number of RTC employees are on staff in the Southwest region—the same area where 60 percent of all the fraud and abuse cases are now currently under investigation.

Along with the who's in charge and the hiring questions, comes another major concern—that is the issue of minority set-asides. When Congress adopted the bailout legislation, several provisions specifically addressed the issue of minorities and women. The law requires that in granting contract opportunities, preference should be given to racial minorities. Under the RTC program, bids by minority or women contractors are supposed to be given a 3-percent price advantage over bids by other. To date, the Thrift Bailout Minority Contractors Association reports that with 36 State chapters and a membership of more than 560, fewer than 2 percent of it's membership have been able to secure contracts with the RTC. The consensus is that the RTC has set such stringent capital requirements that most of the organization's members simply cannot afford to enter the contract competition.

Mr. Speaker, as the administration is screaming "No new taxes," the total cost of the bailout is increasing. Where is the additional money for this disaster going to come from? In the May 21, 1990, issue of Newsweek, critics conclude that the bailout cost, approximately $500 billion and growing will certainly fall into the laps of every man, woman, and child over the next 40 years. According to Newsweek, $500 billion could completely fund every existing Government-sponsored education program from preschool through college for the next 4 years; provide universal insurance and long-term care for the elderly and disabled for nearly 4 years; fund a 20-year coast-to-coast project to tackle the country's mounting hazardous waste problems and overhaul the Nation's water systems, repair all bridges and have money left over to start fixing the highways.

Amid reports that William Seidman will be resigning as Chairman of the RTC, comes private off-the-record discussions that the administration has no real concept of how to fully manage this disaster. Seidman, often an outspoken critic of the administration's policies regarding regulating the industry has often pushed for more accountability from those crooks who have robbed this country of millions of dollars.

Recent FBI figures note that they have at least 8,000 potential fraud cases now pending in its fraud unit with some 1,300 of those rendered inactive because of a lack of resources, and at least 13,000 tips on other suspected fraud cases that agents have yet to followup. Still, while the White House has allowed some $50 million for added prosecutors, agents, and staff, critics say the effort is still inadequate and a bit haphazard.

Mr. Speaker, I am concerned about those innocent individuals who, not by any fault of their own just happened to be in the wrong place at the wrong time. Innocent bystanders like the residents of the Mulberry Woods apartment complex in the Homedale section of Phoenix, since it is obvious that the majority of the crooks who created this disaster won't be prosecuted anyway. When the RTC took over Brookside Savings & Loan, a California-based thrift that had invested in the Mulberry Woods project, 90 families were evicted and the complex was shut down. Other victims were naive investors: Matthew Pobog, 67, and his wife, Alice, were among 120 residents of the Leisure World retirement community in Laguna Hills, CA, who bought junk bonds issued by Charles Keating, head of the infamous Lincoln Savings & Loan. The Pobogs say they wanted certificates of deposit, but according to Newsweek, "a nice young Lincoln salesman said that the bonds paid higher interest." They did—and they defaulted. A Congressional Quarterly article last week revealed that in a California suit against Lincoln, a witness produced an internal memo to its bond salesman advising them to "always remember the weak, meek, and ignorant are always good targets."

FOUR HONORED BY WESTCHESTER NATIONAL CONFERENCE OF CHRISTIANS AND JEWS

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mrs. LOWEY of New York. Mr. Speaker, I rise today to draw the attention of my colleagues to the great honor which is being bestowed on four outstanding Americans by the National Conference of Christians and Jews at its annual Westchester County awards dinner dance. These four Americans, who reside in my district, have been prominent members of the Westchester community for many years, and this honor is a fitting tribute to their dedication and commitment to the people of Westchester.

Mayor Ronald A. Blackwood is the 18th mayor of the city of Mount Vernon. He made his mark in New York State history in 1985, when he became the State's first elected black mayor. Before his historic election, he had served on the Mount Vernon City Council for over 15 years, including serving as president four times. Throughout his years in Mount Vernon, his leadership to the people of our community has been exemplary. He is committed to the city of Mount Vernon and fulfills his responsibilities with energy and wisdom.

Charles R. Clos is the general manager of building operations for New York telephone. He has been actively involved in numerous organizations that make our community a better place. He presently serves on the board of trustees for Mercy College, and is the chairman of the Government Affairs Committee of the Lyme Disease Advisory Board of the New York Medical College in Valhalla. He has also been involved with the Westchester County Association, American Lung Association, and the Westchester Council for the Arts. These are but a few of the valuable organizations which have benefited from his participation.

Carmine J. Labriola is the chairman of Carmine Labriola Contracting Corp. His life is a shining example of the American dream. At age 9, he left his home in Italy to come to the United States where he settled in Eastchester, NY. After serving 5 years in the U.S. Army Air Force, he joined his brother's landscaping business. Under his guidance this small business grew to be a highly regarded contracting corporation. This corporation received an award for the excellent work in the PepsiCo sculpture garden in Purchase, NY. In addition, Mr. Labriola has been active in his community serving on the boards of St. Agnes Hospital, Boys Town of Italy, the Arthur Manor Association, the Westchester Contractor's Association, and the Scarsdale Catholic Club.

William F. Plunkett, Jr., is an attorney and the president of Plunkett & Jaffe, P.C. He has been extremely active in Westchester County and New York State public affairs, particularly in the areas of education, housing, and historic preservation. He has served as vice chairman of the board of trustees of Marymount College, chairman of the council of the governing board for the Independent College Trustees of New York State, and he is presently the director of the Commission of Independent Colleges and Universities in New York State. In addition, he has been active in a variety of charitable and philanthropic organizations including the Friendly Sons of St. Patrick which he served as president.

Mr. President, these four individuals deserve the praise and gratitude of those who are committed to a better life for their fellow citizens. They have indeed made Westchester a better place to live. I congratulate them on receiving these well-deserved awards.

TAKE CARE IN WEEDING THE S&L PATCH

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. CRANE. Mr. Speaker, last January the President presented us with his budget proposal for fiscal year 1991. In that document he estimated our deficit would reach $121 billion by October. Today the figure has jumped to $194 billion. Much of this $73 billion change represents the massive outlays we have appropriated in accordance with the 1989 Financial Institutions Reform, Recovery and Enforcement Act [FIRREA]. Certainly, a program that contributes to 38 percent of the national debt has an obligation to execute its duties thoroughly and prudently. On the whole, both the Resolution Trust Corporation and the Office of Thrift Supervision have approached their responsibilities with diligence. I hope, however, that their diligence will not supersede their good judgment—especially in the case of good will institutions. Under the new criteria, many of these S&Ls have been transformed into high risk thrifts, but we must not forget that before last July, good will was acknowledged and encouraged by FDIC. Punishing otherwise healthy institutions seems unjustifiable. I would direct the attention of my colleagues to the following editorials from the Chicago Tribune and Crain's Chicago Business. Both essays make the point that taking over relatively healthy institutions will only cost taxpayers more money in the long run. I can only hope that Chairman Seidman and Director Ryan will consider this advice.

[From the Chicago Tribune, Apr. 21, 1990]

TAKE CARE IN WEEDING THE S&L PATCH

As any gardener knows, weeding can be tricky. A careless eye or hasty hand can result in uprooting healthy, productive plants. In the cleanup of the savings and loan industry, federal regulators may be weeding out profitable, well-managed thrifts along with money-losing, risk-taking ones.

As a result, the government will likely take over more thrifts than necessary, add to the bailout's astronomical cost and unfairly punish communities. Washington does need to get on with the complex task, but it must find more efficient and judicious ways to purge the weedy S&L patch.

Olympic Federal Savings & Loan, the Berwyn-based thrift already well known in Washington, has a suggestion that makes sense for the government, for Olympic and for some of the other 200 thrifts in the same predicament. John Lanigan, Olympic chairman and former Illinois savings and loan commissioner, proposes that regulators transfer good assets from seized thrifts to those that need more capital to meet the tougher requirements in last year's bailout bill.

Lanigan's goal is to keep his 100-year-old thrift in business. Olympic attracted national attention last month when it successfully sued to stop the government from seizing its more than $1 billion in assets and liquidating the thrift. That action jeopardized the entire S&L bailout and forced Congress to hurry to confirm a new chief regulator for the industry.

Olympic is vulnerable again, and Lanigan contends Washington owes it a favor. His case is convincing.

Olympic is under seige because in the early 1980s the government asked it to take over several troubled Illinois thrifts. Olympic absorbed five insolvent ones at no cost to Washington. In return, federal regulators allowed Olympic to carry the liabilities of the merged thrifts on its books as an asset called "supervisory goodwill." But under the bailout legislation, the government reversed itself, changed the accounting entry back into a liability and overnight transformed Olympic and many other thrifts into insolvent institutions.

It didn't matter that Olympic is conservatively managed, serving the lunch-bucket workers of its neighborhoods with auto and home mortgage loans and not investing in junk bonds or speculative real estate deals. Nor did it count that Olympic has been profitable every year since the mergers and has reduced its liabilities by $43 million.

After the change in regulations, Olympic sought out new investors and capital. Eventually, it lined up a buyer who will inject $40 million into the thrift if the goodwill issue is resolved. It applied to Washington for $100 million in assistance to wipe the goodwill liabilities off the books.

As an alternative to that handout , Lanigan wants to accept working assets from other thrifts already taken over by the government in exchange for the supervisory goodwill. This would reduce the government's growing inventory of failed-thrift assets, make Olympic solvent again and save Washington the estimated $200 million it would cost to liquidate the thrift.

The logic seems irrefutable. The trouble is, regulators are being pressured to move more quickly on the bailout. And, because of the investigation of ties between some senators and the failed Lincoln Savings & Loan in California, Lawmakers are to jittery to intervene on behalf of worthy S&Ls. Regulators have approved recapitalization plans for a few thrifts, including Illinois' largest, Talman Home Federal Savings and Loan, but more deserve consideration.

Critics contend such restraint will only worsen the thrift fiasco. Indeed, any thrift seeking assistance should be required to show that it could be viable if it weren't required to write off goodwill. Once the case is made, Olympic's plan can serve as a model to keep profitable, conservative thrifts in business while preventing the bailout from getting totally unmanageable.

[From Crain's Chicago Business, Apr. 23, 1990]

THRIFT TOUGHS SHOULD BACK OFF OLYMPIC FEDERAL

An unfortunate repercussion of the savings and loan crisis is the current atmosphere of fear and loathing in Washington.

Revelations about the swindlers who navigated some of the industry's high-profile crash-and-burns have generated paranoia among legislators and regulators. As a result, legislators and regulators are all too eager to crack down hard on sick thrifts.

The tough-guy stance will carry a substantial cost to taxpayers, as the case of Olympic Federal shows. Berwyn-based Olympic made the headlines last month with its David vs. Goliath lawsuit against the federal Resolution Trust Corp. (RTC) challenging the agency's right to close thrifts. The suit was an attempt to buy time for Olympic, which has been targeted for potential liquidation as a result of its failure to meet tough new capital rules that aim to inject a new discipline into the industry. The federal Office of Thirft Supervision (OTS) appears inclined to liquidate the institution.

Olympic is profitable and conservatively managed. It even has identified a bona fide buyer—First Illinois Corp. of Evanston, which intends to infuse 438 million in new capital that will satisfy regulatory guidelines. That deal would hold the government's cost to the $100 million in supervisory goodwill on Olympic's books since the early 1980s, when the feds merged it with seven other troubled S&Ls. Olympic has applied to the Federal Deposit Insurance Corp. for approval of its so-called "open thrift assistance" plan.

Olympic Chairman John Lanigan estimates that a federal takeover and liquidation might well double the current cost to the government—an estimate born out by RTC's miserable track record. The agency's takeover and subsequent sale earlier this year of Skokie Federal Savings & Loan, for example, ultimately will cost taxpayers three times the original estimate. That's because government exacerbates the damage when it seizes thrifts. Good deposits and bank management flee, damaging the worth of what remains.

The OTS should back off Olympic while the FDIC weighs the thrift's open assistance plan. A proposed series of asset swaps and capital infusion from First Illinois would be far less expensive to taxpayers than government-led liquidation. and it could set a precedent for thrifts that share Olympic's predicament here and nationwide.

MISGUIDED REACTION TO VIOLENCE IN THE MIDDLE EAST

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. GILMAN. Mr. Speaker, I rise to convey my deepest condolences to the families of the Palestinians who were recently killed in Rishon Le Zion, Israel, by a deranged Israeli soldier. This tragic, senseless act of violence is abominable and must be condemned.

The Prime Minister and the Government of Israel has publicly declared their abhorrence for this act and now they share in the grief of the victim's families. They have committed all in their power to punish the responsible individual.

However, it is essential that we keep this event in the proper perspective. In 1985, an Egyptian soldier went berserk, killing seven Israeli tourists. That soldier, although apprehended and incarcerated in an Egyptian prison was subsequently martyred as a folk hero.

Last fall, when terrorists opened fire on an Israeli tour bus outside Cairo and killed nine Israelis, Egyptian President Mubarak claimed that the incident was an "aberration" in Egyptian-Israeli relations. President Mubarak's conclusion was accurate. What we find difficult to reconcile, however, is the claim that this week's shooting was somehow different from the tragedy in Egypt last fall.

Mr. Speaker, I request that, at this point in the CONGRESSIONAL RECORD, there be inserted two articles written by journalists, Richard Cohen of the Washington Post, May 22, 1990, and Steven Emerson of the Wall Street Journal May 22, 1990, which provide an appropriate balanced analysis of the tragedy in Rishon Le Zion:

The articles follow:

[From the Wall Street Journal, May 22, 1990]

WRONG REACTION TO ISRAELI GUNMAN

(By Steven Emerson)

Hours after an Israeli gunman went mad and mowed down a group of Arabs on Sunday, human-rights activists and American commentators publicly charged the government of Israel with "responsibility for and complicity with the killings of Palestinians." Why? The Israeli government had already arrested the disturbed man and already begun to investigate the matter. Because, as one commentator said, "Israel has encouraged this by creating a climate of hate and violence. "Some Palestinian leaders went further. They charged that the killings were a premeditated act of murder by Israel. The American media uncritically repeated these charges. The U.N. will likely convene in the next few days to ram through a resolution accusing Israel.

The attack on Israel is part of a trend. Lately, American journalists, commentators, and political activists with ideological agendas have begun ascribing collective national guilt as the culprit for acts of violence carried out in society. In fact, a more honest test of society's values and conscience would be to examine how it reacts to such violence. Does it act swiftly to condemn the violence? Does it ignore it? Or does it revel in the violence? The Sunday murders are a case in point. They provide a critical basis to examine how Arab society (and the U.S. media) reacted to similar acts of violence against Jews.

In Israel, there was instant, unanimous condemnation of the killings. Within minutes after news of the killings was broadcast, Israeli leaders—from the entire political spectrum—bitterly condemned the killings and expressed their sympathies to the Palestinians. There was no equivocation or excuses. Israeli citizens expressed their shock, horror and revulsion at the killings. The Israeli reaction was similar to the massive demonstration of 400,000 that came in response to the Phalangist massacre of Palestinians at Sabra and Shatila in 1982.

The Arab world's reaction to the murder of innocent Israelis has been very different. In 1985, when an Egyptian soldier on active duty shot to death seven Israeli tourists, including four children, in the Sinai, many Egyptians and Palestinians celebrated the deaths of the Israelis. The killer, who subsequently dies under mysterious circumstances in an Egyptian prison, has since become a folk hero in Egypt and the Arab world, enshrined in Arab mythology. Last year, when 15 Israelis and one American were killed when a fundamentalist Palestinian caused an Israeli bus to crash in a ravine, many Palestinians openly justified the killings; some even rejoiced.

Not only have Palestinians routinely celebrated the killings of Israelis. They have consistently subscribed to conspiracies, including their charge that the violent deaths of Palestinians are part of a deliberate Israeli plot to kill all Palestinians. This conspiratorial accusation, not insignificanlty, is similar to the way the *intifada* may have started. After a traffic accident in Gaza in December 1987 in which four Palestinians were killed, Palestinians immediately charged that the traffic accident was a deliberate act of premeditated murder by the Israeli government. In fact, it was just a traffic accident.

While Palestinian exaggerations, conspiracies and distortions may be understandable given the difficult circumstances under which the Palestinians live, the U.S. media and human-rights organizations have a responsibility not to report them blindly. When Palestinian schoolchildren several years ago claimed they were being poisoned by Israel, the accusation was uncritically broadcast all over the world. Later a team of international scientists determined that there was no poisoning whatsoever. The children at best were suffering from some form of mass hysteria, and at worst were being manipulated by their parents.

The response of the media and human-rights organizations in the U.S. to the killings of innocent Israelis by Arabs has been just as skewed. When terrorists opened fire on an Israeli tour bus outside Cairo and killed nine Israelis, why didn't human-rights activists and commentators charge that the event was fostered by the climate of hate against Jews in Egypt? Palestinian leaders openly justified the killings. Instead, the U.S. Media focused on the apologies issued by Egyptian President Hosni Mubarak to foster the notion that the attack was an "abberation" in Egypt's attitude toward Israelis.

When the attack was an abberation is, in fact, debatable. An examination of broadcasts and publications in Egypt in the weeks after the killings indicates, however, that some Egyptians approved of the killings. Yet, at the same time, the Egyptian government forcefully condemned the attack. (In Egypt, the semi-controlled press has been bashing Israel and Jews for years now, routinely comparing Jews to Nazis and endorsing the worst conspiratorial accusations against Jews from the notorious anti-Semitic forgery, the Protocols of the Elders of Zion.)

Perhaps even worse is how human-rights organizations and the U.S. media treat the killings of Arabs by Arabs: There is virtually no coverage or criticism. Two weeks ago, Egyptian police opened fire on "fundamentalists" southwest of Cairo, killing 14 Egyptians. The massacre was ignored by nearly all American newspapers and television networks. The Associated Press ran a small three-paragraph story—but quoted only the version offered by the Egyptian police, who alleged they were provoked. The media's indifference to inter-Arab killings is similar to the media's racism in generally ignoring killings by American blacks against fellow blacks while at the same time hyping killings of whites by blacks.

In the days to come, there will be the predictable orgy of Israel-bashing by the media, human-rights organizations and

American supporters of the Palestinians. We will hear that Israel's soul has been poisoned, that it is responsible for the killings on Sunday.

Ultimately, the true test of a nation's soul is how it reacts in the face of such violence. France reacted with widespread popular revulsion at the desecration of Jewish cemeteries earlier this month. Israel has moved swiftly and appropriately. If only the Arab would and the Palestinians would react similarly.

[From the Washington Post, May 22, 1990]

MADNESS AND MALICE

(By Richard Cohen)

In 1985 an Egyptian soldier stationed in the Sinai went berserk, killing his own commander and seven unarmed Israeli tourists. A number of the tourists, including a 10-year-old boy, apparently bled to death because other Egyptian soldiers would not permit an Israeli medical team to aid the victim. For a moment, the Middle East tensed up and then relaxed. In essence, Israel said that one soldier is not a nation. The peace with Egypt was never in doubt.

Now, though, something similar has happened within Israel. There, a former soldier also has gone berserk, killing seven Palestinians. The gunman has been characterized as deranged, attributing his action to the loss of a girlfriend and an alleged rape by Arabs when he was a boy. Nonetheless, both the Palestine Liberation Organization and several Arab governments have not hesitated to use this horrible incident in their propaganda war against Israel.

Kuwait simply labeled the killer a "Zionist" and said his actions would "lead to a new cycle of violence in the region." A PLO spokesman called the killings "a message to the Arab summit" about to begin in Baghdad, and a PLO official, Yaser Abed Rabbo, asked Egypt to close the Israeli Embassy in Cairo. "What is happening in the occupied territories is an act of organized crime carried out under the supervision and planning of the Israeli government," he said. From Damascus and Amman have come similar statements.

Well, first of all, the killings did not take place in the Occupied Territories, but in Israel proper. (The victims were, however, residents of the occupied Gaza Strip who had come to Israel seeking work.) In the second place, there is not a scintilla of evidence that the Israel government had anything to do with the killings. If it had, then possibly the gunman would have been allowed to escape and not have been arrested. The current Israeli government is capable of doing some bonehead things, but not even its severest critic would suspect it of wanting to foment the riots in the Occupied Territories and Israel proper that followed the killings.

Maybe it's understandable that Arab leaders (and non-Arab ones in Tehran) would overreact to the recent massacre. After all, both the West Bank and Gaza Strip are under military occupation, and from time to time it's a harsh one. The intifada proceeds, and with it comes a daily loss of life, including, of course, children. To some Israelis (and others), these deaths are the inevitable result of rebellious activity, such as stone throwing. To Arabs though, the victims are just kids who want to live in a Palestinian state. It's the occupation that's killed them, not their behavior.

Palestinians long ago made the point that they are entitled to their own state. But they have not yet made another and possibly more important point: that if they get that state they will not continue their war against Israel. Very likely, Arab leaders know that the rampage of a single Israeli does not represent permanent policy. Yet their followers are a different matter. They are quite willing to believe—indeed, for generations they have been taught—that the so-called Zionists are ruthless killers. Until recently, for instance, the PLO itself did not stop to distinguish between soldiers and, say, women and children on a kubitz.

Now both the PLO and certain Arab governments will not distinguish between state policy not a single man who went berserk. By inflaming populations in their own countries and within Greater Israel (Israel plus the Occupied Territories) they show themselves to be more passionate than logical and hardly punctilious when it comes to truth. By claiming that the massacre is anything more than a tragedy, they are propagating a lie.

But there is yet another issue that has to be dealt with. Washington has been putting pressure on Israel to come to the bargaining table and deal with the Palestinians. So far that hasn't happened. But if someday it should, Israeli has to be assured that the Palestinian leadership can sell some sort of compromise to its people. Given the performance of the leadership following the shooting, any compromise to its people. Given the performance of the leadership following the shooting, any compromise will be a harder sell. Indeed, Israelis can argue that when it counts, the PLO leadership reverts to the same old rhetoric—and maybe the same old terrorism.

It would have been wonderful if the shootings had been followed by efforts on the part of Arab leaders to calm the situation. It would have been wonderful if they had said that an Egyptian had done something similar. It would have been wonderful if any Arab leader, including Egypt's Hosni Mubarak, had repeated what Mubarak himself said following the 1985 massacre in Sinai "a limited incident that can happen anywhere, carried out by an insane man."

Anywhere, by definition, includes even Israel.

IN FAVOR OF ADA

HON. PATRICIA F. SAIKI

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mrs. SAIKI. Mr. Speaker, in the past few weeks the Congress has dealt with many issues affecting the quality of life for Americans.

We have made good policy decisions on programs that will reinforce and enhance many of the values that Americans cherish. We have provided for the education and care of children through the passage of the Child Care and Development Act and the reauthorization of the Head Start Program.

We promoted the welfare of American families with the approval of the Family and Medical Leave Act. And now, we have before us an opportunity to establish the rights of the disabled with the approval of Americans with Disabilities Act.

At no other time, was the legislation under consideration by this House, so basic and so fundamental, to a tenant of American society as is what is contained in the Americans with Disabilities Act. Its stated purpose is to "establish a clear and comprehensive prohibition of discrimination on the basis of disability."

Those words guarantee equal rights and equal opportunities for 43 million Americans in our society. It enables them to be considered for a job, to ride on a bus or a train, to shop, or go to a movie. In other words, it allows them to get on with their lives and not be held back because of a disability.

I am proud to be a cosponsor of this legislation and urge my colleagues to join me in supporting its passage.

SCHOOL DROPOUT DEMONSTRATION ASSISTANCE PROGRAM

HON. E. CLAY SHAW, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. SHAW. Mr. Speaker, today the House approved Senate amendment 101 to the conference report on dire emergency supplemental appropriations—H.R. 4404. Senate amendment 101 appropriated $20 million for continued funding of existing dropout prevention demonstration projects funded in 1989. I rise today to express my sincere gratitude to the Senators responsible for adding this amendment, and to the House conferees for allowing the amendment to remain a part of the conference report.

The School Dropout Demonstration Assistance Program is crucial to the youth in my district of Broward County and nationwide. As you know, the program was authorized under the Hawkins-Stafford Education Amendments of 1988. The authorization, however, expired at the end of the fiscal year 1989. Although Public Law 101-250 reauthorizes this program for 2 more years, funds were not included in the 1990 Federal budget.

The School Dropout Demonstration Assistance Program provides grants for programs such as Driftwood Middle School's Model School Adjustment Program [MSAP] in Broward County, FL. This dropout prevention program has helped "at risk" middle school children and their families for the past 5 years. An extensive national study by the Department of Education recognized Driftwood's MSAP as one of the nine best dropout programs in the Nation. This program has been so successful that it has been implemented at other schools in the area, and its coordinators have been asked to present their research, plan of operation, and objectives at national conventions and conferences. Programs like the one at Driftwood reach students who do not qualify for other special types of dropout prevention. It is unique in providing peer-tutoring services and family counseling to average, underachieving students. Furthermore, this program continues support to the child and the family throughout the critical transition years from elementary to high school.

It is important that we ensure continuance of these programs that have proven successful in motivating young students. We must not disappoint our children—the Nation's future. Mr. Speaker, I am proud that Congress has

taken a strong step in that direction by recognizing a true dire emergency.

THE PREHISTORIC TRACKWAYS STUDY ACT OF 1990

HON. JOE SKEEN

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. SKEEN. Mr. Speaker, I am pleased to introduce legislation today that calls for the study and protection of one of the most significant prehistoric fossil finds of this century. These fossils are found in the Robledo Mountains just outside of Las Cruces, NM.

The Prehistoric Trackways Study Act of 1990 will require the Secretary of the Interior to study appropriate means to protect the discoveries and identify the scientific, interpretive, and public education values associated with these fossils. Interim protection will also be provided to the site for 2 years after the study is completed. This will provide Congress time to determine how best to permanently protect this area.

Two years ago a scientist identified the fossilized remains of trackways, or footprints, of more than 50 different animals. These trackways are estimated to be 280 million years old. The scientific community has hailed this as one of the most outstanding trackway finds ever discovered in terms of the quality, quantity, and variety of animals.

Trackways can provide us with one of the clearest pictures of life millions of years ago. These footprints help scientists recreate the environment and habitat that supported prehistoric life, including how these animals moved, what they ate, and what the climate was like.

An article in a recent edition of the National Geographic magazine on the trackways stated:

> The trackways contain evidence of all sorts of life, particularly land animals, in the early Permian period. These forms include giant reptiles that were the dominant creatures of their time. And among them were mammal-like reptiles that were forerunners of dinosaurs that would rule the Earth many millions of years later. * * * There are even the impressions of raindrops and plants, including the branches of conifers and small ferns.

Certainly, this area warrants a detailed evaluation to determine how we can best benefit by the discovery of these trackways. I urge my colleagues to support this important measure.

NEEDED BILL TO EXTEND VETERANS' PREFERENCE

HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. BENNETT. Mr. Speaker, on Tuesday, May 22, 1990, I introduced legislation to extend veterans' preference on civil service examinations to certain members of the Armed Forces who are honorably discharged from active duty. H.R. 4880, this bill, would allow individuals who have served at least 6 consecutive years on active duty and are involuntarily separated from the Armed Forces as a result of a reduction in force to add 5 points to any passing grade they earn on civil service examinations.

The Department of Defense is facing the short term prospect of having a substantial reduction in the Active Forces. Our current armed services are almost entirely comprised of men and women who volunteered to serve in our Nation's defense. My bill will assist those who are double or triple volunteers, the ones who have made the decision to remain in the military long after satisfying their initial obligation.

Many fine people who have chosen to make the military a career may find their career abruptly ended, through no fault of their own, owing to DOD budget constraints. We should provide as much of an accommodation as is possible for these displaced veterans. Allowing them to add 5 points to an already passing score is a small, yet important, gesture and it symbolizes our Nation's thanks for their service.

H.R. 4880 would amend the Veterans' Preference Act of 1944, which granted certain World War II veterans special consideration in Federal civil service employment. Veterans' preference has been extended to veterans of World War II, the Korean War, and the Vietnam War at the cessation of hostilities and with the rapid downsizing of the military. Veterans' preference was terminated for persons entering the military after October 16, 1976, the beginning date of the All-Volunteer Army. This bill would make career members of the All-Volunteer Force eligible for veterans' preference.

According to many experts the cold war has ended, and we once again face the prospects of a smaller military force. As in the past, our postwar problem will be providing jobs for these veterans. H.R. 4880 would give these men and women an opportunity to remain employed in service to our country.

REV. BELVIE H. JACKSON, JR., 22 YEARS OF SERVICE

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mrs. LOWEY of New York. Mr. Speaker, I rise today to pay tribute to a man who has shown remarkable dedication and compassion to the people of the city of Mount Vernon, N.Y. Rev. Belvie H. Jackson, Jr., is celebrating 22 years as minister of the Greater Centennial A.M.E. Zion Church. He has been a leader in the religious and civic communities of Westchester County, and has been a beacon of integrity and conscience to those who know him.

Reverend Jackson is a man who with compassion and perseverance, has worked tirelessly to make critically needed resources available to the neighborhoods of Mount Vernon. He has been a strong leader in the fight against homelessness. Through his work as president of the Council of Churches, and as a member of numerous community organizations, Reverend Jackson has worked to encourage the cooperation of religious and civic leaders in addressing the problems that urban communities face. He has been a major catalyst in the renewal efforts which have made Mount Vernon a vibrant and active city.

As a delegate to the World Methodist Conference, Reverend Jackson has brought critical international issues of hunger, peace, and community to the attention of his church. His vision of cooperation and harmony has been inspirational to those who know him personally and to those who know of his good work. I am grateful for his dedication, compassion, and leadership. Those values have been reflected among his parishioners and the Mount Vernon community. The Mount Vernon community is indebted to the Reverend Belvie Jackson, a good man who lives a life worthy of emulation.

AMERICANS WITH DISABILITIES ACT

HON. LARRY E. CRAIG

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. CRAIG. Mr. Speaker, as I was in the State of Idaho Tuesday, I was unfortunately unable to participate in the floor debate over the Americans With Disabilities Act. I would like to take this time to discuss my views and those of concerned Idahoans about this bill.

I wholeheartedly support providing disabled individuals protection against discrimination. Whether in the workplace, at the local store, or on public transport the needs and rights of the disabled have been largely disregarded for years. The ADA bill addresses many of the inequities that have faced disabled persons—and for that, I applaud the authors of this bill.

One of the four committees given jurisdiction over this legislation was the Committee on Public Works and Transportation, of which I'm a member. Unfortunately, we only were able to consider a small portion of the entire bill, including title III's provisions relating to private entities operating over-the-road buses. The final provisions represent a compromise agreement developed by many different parties. This compromise required a study of the accesss needs of disabled individuals as related to over-the-road buses and employment of cost-effective methods of implementation of a program fulfilling those needs. I was pleased with this bipartisan effort resolving the issues involving over-the-road buses and supported the final committee version largely because of that compromise.

Another provision which I support within the ADA is wilderness access for disabled. This language allows for equal access to Federal wilderness areas by the handicapped, despite the provisions of the Wilderness Act of 1964 specifically banning all forms of mechanical transport in a wilderness area. The language in the ADA—mirroring H.R. 3485, of which I'm a cosponsor—allows use of mechanized support equipment for the disabled.

If all the Americans With Disabilities Act did was extend protection against discrimination

to the disabled, I would have happily supported this bill. Unfortunately, the ADA has been used by a few special interest groups bent on setting a political agenda for their own means and goals. Furthermore, I feel that this bill does not adequately balance the need for protection against discrimination with the financial burdens being placed on small businesses and local governments.

One of my strongest objections to this bill is that it allows a few special interest groups to siphon away the benefits and protection that should be reserved for the truly disabled. I am speaking here about the definition of a disability in terms of coverage under this act. The report by the Education and Labor Committee regarding this bill explains that someone who is:

* * * infected with the Human Immunodeficiency Virus is covered under the first prong of the definition of the term "disability" because of a substantial limitation to procreation and intimate sexual relationships." (p. 52)

Under this ruling, not only is a person with AIDS considered disabled, but, likewise, someone with venereal disease would be considered disabled, since that causes a "substantial limitation of procreation and intimate sexual relationships." Extending coverage to HIV carriers is purely a political move to advance the agenda of the homosexual rights groups. Under this definition, some interesting paradoxes result. If a person is released by a school district because of his sexual orientation, he cannot sue for discrimination. But, if that same person happens to be an HIV carrier, he becomes a disabled person and therefore could sue.

This bill also classifies drug addicts as disabled. While persons addicted to illegal drugs are not included in the definition of a disability, those who are addicted to legal prescription drugs would be considered as disabled under this bill. Therefore, a person addicted to prescription drugs who is fired because of his or her poor job performance may sue as a discriminated party. Furthermore, employers may not consider a person's past drug use in hiring for a security or safety sensitive job.

Another concern I have is that we are applying financially burdensome regulations on small businesses who must also deal with the passage and cost of the child care bill, parental and medical leave, and the Clean Air Act. If Congress were to propose a tax for the amount that businesses will have to spend to comply with all these new bills, no one would support it. But because these mandates are indirect, no one notices. While everyone in Congress is patting themselves on the back, businesses go out of business. When the only bus system in a small town shuts down because it can't afford to upgrade its system, nobody wins. Yet that is an increasingly likely occurrence under this bill.

I fully agree that we should update our transit systems to provide disabled access, and businesses should make reasonable accommodations for the disabled. The problem, though, is that this bill does not have the flexibility to help the business and transportation communities make the improvements that are needed. This bill simply applies its mandates and then leaves businesses to fend for themselves. While Congress is always willing to apply new regulations, it is not so willing to take responsibility for the costs it imposes on those involved.

The House could have very easily included a tax incentive program to encourage businesses to make the needed improvements. Furthermore, under the current bill, there is no cap as to how much a business must spend to make the reasonable accommodations this bill mandates. I do not mean to say that businesses shouldn't have to make these changes. What I am stating is that in mandating programs, Congress must consider the cost being placed upon the parties involved and its impact. I do not believe that the ADA as currently written reasonably addresses how the costs of this bill's mandates should be shared.

Many people have said that the ADA bill is a black-and-white question: Either you are for the disabled community or against it. I do not agree. I fully support and agree with the goal of ending discrimination against the disabled. But as a Representative, I am asked to look at not only the goal but the substance of the legislation. This bill is too vague in its definition of a disability and too inflexible in its mandates for me to support.

A TRIBUTE TO CHIEF GEORGE J. STRAKA

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. MILLER of California. Mr. Speaker, I want to share with you the outstanding public service career of Chief George J. Straka of the Concord Police Department on the occasion of his retirement after dedicating 24 years to the people of Concord, CA.

George began his career in law enforcement in 1958 when he served as a police officer in Fullerton, CA, working in patrol and criminal investigation. He joined the Concord Police Department in 1966. His hard work did not go unnoticed as he was subsequently promoted from sergeant to lieutenant, culminating in his appointment to chief of police on July 9, 1981. Throughout the years, George has held such responsible positions as watch commander, juvenile bureau commander, SWAT commander and canine coordinator.

In addition to his responsibilities to Concord, George has participated in numerous community activities as well as law enforcement organizations. His involvement in the community includes being a member of the advisory board to Concord Drug Abuse Program, Concord Rotary International and he is also an instructor at Los Medanos College and Santa Rosa Community College.

Mr. Speaker, I ask that my colleagues in the House of Representatives join me in acknowledging the many years of outstanding service that Chief George Straka has given to the people in my district. I wish him the very best in his retirement.

RONALD REAGAN: WE THANK YOU

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. YOUNG of Alaska. Mr. Speaker, the media and some of my friends on the other side of the aisle seem to love to drag former President Ronald Reagan's name through the dirt at every chance. What they failed to convince the voters about President Reagan at the ballot box, they now try to do in his retirement, to sully the record of his extaordinary leadership.

You still don't understand, do you? You just don't understand the greatness of Ronald Reagan. I think I know why. Ronald Reagan had vision for America; something in short supply in Washington. He saw that the only truth about America is that we yearn to be the best, and therefore, we are. He sought to use his leadership to allow the greatness of America to blossom, and it did. In doing so, he changed the world, as we now see so clearly around the globe.

When Ronald Reagan assumed the Office of Presidency, totalitarian regimes were marching throughout the world; in 8 short years, he forced them into retreat. How did he do it? He got the Govenment off the backs of the American people, and they did it. Amazing what happens when you get out of the way of Americans and let them do what they think is right, rather than telling them what to do. Recently, Ronald Reagan addressed the graduating class of Louisiana State University in Baton Rouge. I ask that his statement, reprinted in the Wall Street Journal, be inserted into the RECORD.

[From the Wall Street Journal, May 24, 1990]

COMMUNIST DOMINOES ARE FALLING

Ronald Reagan, in a commencement address Friday at Louisiana State University in Baton Rouge:

Let me tell you the basis of my optimism for our future. What has made the United States great is that ours has been an empire of ideals. The ideals of freedom, democracy, and a belief in the remarkable potential of the individual. Power isn't simply wealth or troops. Power is also spirit and ideas. And these we have in abundance.

The attitude of wanting to be the biggest and to go the farthest and to get there first and to do the most good when we arrived is part of our national character. Americans have always been larger than life. We wanted to establish the best government on Earth. We wanted to put a man on the moon. This is the spirit we set loose. This is the passion that invented revolutionary technologies and a culture young people everywhere envy.

And this is the attitude that has defeated communism. At some dark, lonely moment during the last decade, a terrible realization set in upon the leaders of the Soviet Union. They realized that their system could not take them where the United States and the rest of the free world was going.

The West's economics and technologies were a powerful booster blasting us into orbits the communist world could not hope

to reach. Our communications technology sailed over the barbed wire and concrete walls, letting their citizens know what democracy could offer, what free markets could provide. Our computer technology left them bewildered and behind, paper societies in an electronic age.

I believe President Gorbachev realized the United States and West were turbocharged for the future and pulling farther and farther away. He could not slow down the rest of the world; his only hope was to speed up change within the Soviet Union.

Gorbachev is grapping with historic and bitter ethnic tensions where seething memories, not reason, prevail. He's overwhelmed by an economy so defeated that food rots at the sides of the fields because there's no transportation to market. He faces a bureaucracy that for 70 years has smothered every spark for innovation or initiative. I genuinely hope my friend succeeds against the problems arrayed against him.

What must we do in these times of change and uncertainty? We must simply do what we've always done—remain true to our ideals. And those are the ideals of freedom and democracy.

I wholeheartedly encourage the hopes of the Baltic peoples who wish to be free to run their own countries. I celebrate their bravery. The captive nations of Lithuania, Latvia and Estonia were invaded by the Soviet Union. They have been held against their will since 1940 when Hitler and Stalin made a pact. Ladies and Gentlemen, no pact made by Hitler and Stalin should prevail today. The Baltic countries and their peoples should be free!

Communist dominoes are falling all over the world. We must continue to give communist dominoes a good push whenever and wherever we can. There are still those that must fall—China, North Korea, North Vietnam, North Yemen, and, of course, Cuba. Cuba is next in democracy's sweep. And let me say directly to Fidel Castro—like Honecker in East Germany, like Ceausescu in Romania, like Noriega in Panama, like all the other has-been dictators of despair, you cannot fight democracy's destiny. Fidel, you're finished!

We should not be timid in our embrace of democracy. We should be as bold and brash in our democratic ideals as ever in our country. The Golden Age of Freedom is near because America has remained true to her ideals. This is not the time to let our support for democracy wane.

NATIONAL IMMIGRANTS DAY

HON. WILLIAM J. HUGHES

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. HUGHES. Mr. Speaker, today, I am introducing a resolution designating October 28, 1990, as "National Immigrants Day" to honor and celebrate all those who have chosen the United States as their home.

October 28 is the day in 1886 when the Statue of Liberty was dedicated by the people of France to the people of the United States. The Statue of Liberty since then has become an enduring symbol of freedom, hope, and opportunity for Americans as well as people around the world. It serves as a reminder to all that we are a nation of immigrants; a nation of nations. It is only fitting that we honor our immigrants on the day that the Statue of Liberty began to greet immigrants upon their arrival in the United States.

This year is of special significance to the Iannone family of New Jersey as they celebrate their 100th anniversary as Americans. About a century ago, Alesandro Iannone, his wife Antonia, and their five children left the small town of Ablerna, Italy, to come to America. Alesandro and Antonia, like millions of others, had the courage to bring their family to an unknown land where there were no friends or family and no familiar language.

After originally settling in Brooklyn, NY, the family moved to Orange, NJ, where Alesandro set up shop as a blacksmith. Over the years, Alesandro helped others who wished to come to America by making sure that they had a job and a little money to get started. He apparently was a great storyteller whose stories often encouraged and inspired newcomers with the commitment to succeed in America.

The children, grandchildren, and great-grandchildren of Alesandro and Antonia have distinguished themselves as citizens of the United States. Second generation Iannones include: Dr. Angelo Iannone, who has been practicing medicine for 50 years and served during World War II, and Matthew of Sea Isle City, NJ, who served with the U.S. Marine Corps in the South Pacific. Third generation Iannones include: James Iannone, an Army veteran himself, who is currently a city commissioner of Sea Isle City in New Jersey's Second Congressional District and Robert who is studying to be a doctor at Yale Medical School.

Alesandro and Antonia Iannone are just one example of the immigrants who have come to America searching for a finding a better life for their family. Without the contributions and achievements of these fine Americans, it is hard to image what our Nation would be today. It is with great pleasure that I introduce this resolution to set aside a day to honor the immigrants who have come and continue to come to this country in pursuit of their dreams.

WESTCHESTER COUNTY AMERICAN LEGION 72 YEARS OF SERVICE

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mrs. LOWEY of New York. Mr. Speaker, on June 2, the Westchester County American Legion will hold their 72d Annual Convention. For their dedication and commitment, they deserve commendation and appreciation. The American Legion has been a vital force in the life of New York and the Nation.

Our Nation's veterans have fought with courage and pride to protect the very rights that Americans take for granted. They have sacrificed—in fact, many have made the ultimate sacrifice—to keep our Nation strong and free. All of us should be forever indebted to these men and women.

The American Legion has for decades fought to ensure that millions of veterans across this Nation receive the benefits that they have earned. It has also made information and resources available directly to veterans of all ages.

In Westchester County, American Legion Posts play a crucial role in the life of our communities. These Posts have led the way in encouraging public service and community involvement, not only on behalf of veterans but for all Americans.

The American Legion is especially significant to me because, through its Girls State Program, I developed an active understanding of how our Government works and a keen interest in public service. As a high school student, the Girls State Program allowed me, like thousands of others, to understand the process of government. When I was elected Lieutenant Governor of Girls State, I also had my first taste of electoral victory. In that capacity, I shared my experiences and developed a bond with members of the American Legion that I have continued to this day.

Through Girls and Boys State and other community efforts, the American Legion has touched the lives of millions of Americans, veterans and non veterans alike. They have encouraged a vision of public service and responsibility not only in times of conflict, but in times of peace.

On this anniversary, the Westchester County American Legion deserves the deepest gratitude for their service to the Nation and to their fellow citizens.

THE BUDGET OF THE FEDERAL RESERVE SYSTEM

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. HAMILTON. Mr. Speaker, earlier this month, the Federal Reserve released its annual report for 1989, which focuses on the Federal Reserve's operations and its conduct of monetary policy during 1989.

At the same time, the Fed also released its Budget Review for 1989–90, which contains information on the Federal Reserve's budget and how it spends its money. I would like to make some comments today on this Budget Review and the Federal Reserve's budget figures for 1989 and 1990.

The Budget Review contains information on the revenues and outlays of the Federal Reserve System, including the Board of Governors in Washington and the 12 Federal Reserve banks and their branches located in the Nation's 12 Federal Reserve districts. This Review is an important document because it is the major source of information available to Congress and the public on the sources and uses of funds by the Federal Reserve System and the only source for much of the information.

Each year, the Federal Reserve takes in and spends billions of dollars. Yet only a small fraction of this appears in the "Budget of the U.S. Government"—the $90 million spent by the Board of Governors—and this appears only at the back of the budget in a section on spending by Government-Sponsored Enter-

prises. The Federal Reserve's expenditures are not subject to approval by either the President or Congress, unlike the budgets of other Government agencies.

In 1989, the Federal Reserve had $22.2 billion in revenues, most of which—$20.1 billion—was interest received on its $228.4 billion portfolio of U.S. Government securities—purchased over the years in the course of conducting open market operations. The operating expenses of the 12 Federal Reserve banks and the Board of Governors came to $1.4 billion. The Fed also realized some gains during the year on its portfolio of foreign currencies and U.S. securities, and was able to transfer $21.6 billion back to the U.S. Treasury. For 1990, the Fed projects that its operating expenses will grow by 6 percent to $1.5 billion.

While the Budget Review includes data on the Federal Reserve's income and expenses, the figures are often very hard to interpret and are presented in a format that makes it impossible to integrate them with the revenue and outlays data in the U.S. Government budget. There are a number of reasons:

The Fed uses the calendar year for its budget rather than the Government's fiscal year.

The Fed uses private-sector rather than government accounting practices; in particular, it includes depreciation of buildings and equipment as an expense but does not include capital outlays—just the opposite of Government accounting practices. The Fed's system is fine for pricing services—which the Fed is required to do by law—and for calculating profits but it cannot be used to compute the Fed's impact on total Government outlays or on fiscal policy, which is what the Government budget measures.

The Fed makes no projections of expenses beyond the current calendar year (1990 in the latest budget) and no projections of revenues beyond the just-completed year (1989). The President and Congress, by contrast, must project spending and revenues not only for the upcoming fiscal year but for the following 4 fiscal years as well.

Finally, while the Budget Review offers information on the Fed's operating expenses, the annual report is still needed to develop a complete picture of the Fed's financial operations, since this is where the Fed publishes statistics on its open market and foreign exchange operations and its assets and liabilities.

There is, nonetheless, information of interest to Members of Congress in the Federal Reserve's Budget Review.

Gramm-Rudman sequestration. In appendix G of the Budget Review, the Federal Reserve indicates it will voluntarily comply in 1990 with the 1.4 percent cut in spending applied to the rest of the Government under Gramm-Rudman sequestration last fall. This is voluntary on the part of the Fed and not required by law.

The Fed, however, has exempted many of its activities from the cut, for various reasons, including its spending for bank regulation and supervision, priced services which the banks pay for, retirement and other benefits, and real estate taxes. These exempted activities account for 80 percent of the Fed's budget. Only $318 million of the Fed's $1.523 billion budget will be voluntarily cut by the 1.4 percent, for a total reduction of $4.4 million. This, in effect, means we have exempted Social Security, means-tested programs, and the agency which serves the banking industry from the effects of sequestration.

Pay raise for Federal Reserve staff. The Fed reports that personnel expenses at the Board of Governors will rise by 14 percent in 1990.

Much of this increase is because the Fed has recently implemented a new employee compensation program. The program will "raise salaries in certain job families judged to be below competitive levels. * * * The program is designed to keep salaries in line with those paid by competing employers and to better attract and retain a high quality-staff." Under the Fed's new pay scale, selected Federal Reserve staff members will be able to earn significantly more than other civil servants performing equally responsible jobs.

Fed use of government accounting principles. The Federal Reserve Reform Act of 1989 (H.R. 3512), which Representative BYRON DORGAN and I introduced last year, would require that the Federal Reserve's annual budget be published in the "Budget of the U.S. Government." The Fed would submit its budget for the current year and the two following years to the President by October 16 of each year, and the President would be required to print the Fed's budget in the Government budget without change.

In testimony, the Fed has opposed requiring publication of its budget in the "Budget of the U.S. Government," on the grounds that the Fed would have to keep two sets of books, one using private-sector accounting practices and one using Government accounting practices. The main difference, described above, is the way the Fed treats capital expenditures. The Fed depreciates capital costs over the life of the building or equipment, while the Government counts the cost in the year the expenditure is made.

This objection is no longer valid, since the Fed already reports its outlays using both its own accounting method and the Federal Government accounting method, in table C.3 on page 51 of the Budget Review. Therefore, there is no longer any reason why the Fed's budget data should not be printed in the "Budget of the U.S. Government."

H.R. 3512 would not subject the Federal Reserve to the congressional appropriations process, nor would it give either Congress or the administration any control over the Federal Reserve's spending. All it does is require that the data be published conveniently in the "U.S. Government Budget."

Mr. President, the Federal Reserve should be commended for responding to congressional concerns and publishing budget information that was not previously available. Nonetheless, the proper place for budget data is in the "Budget of the U.S. Government", where spending by every other Government agency is already listed. H.R. 3512 would make the Fed's budget more conveniently available to Congress and the public without impairing the independence of the Federal Reserve to conduct monetary policy.

THE NATIONAL RECYCLABLE COMMODITIES ACT OF 1990

HON. GERRY SIKORSKI

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. SIKORSKI. Mr. Speaker, today, I and several of my colleagues are introducing the National Recyclable Commodities Act of 1990 [NRCA]. NRCA is very similar to a bill introduced last session by former Congressman James Florio called the National Recyclable Commodities Act of 1989. However, the bill I am introducing today does not contain the tax and research provisions that were part of the Florio bill. Instead, I am introducing those provisions in two separate bills. NRCA is the companion bill of S. 1884 which was introduced by Senator AL GORE in November 1989.

The throngs of people who participated in Earth Day 1990 illustrate how important a clean and safe environment is to hundreds of thousands of Americans all over the country. From almost every exhibition on the Mall here in Washington, Earth Day staff were talking about the virtues of recycling products, containers and packaging. Recycling simply makes good sense. Instead of throwing away used beverage cans, American industry can use the aluminum in secondary aluminum smelters. Instead of throwing away old car batteries, American industry can use the lead in secondary lead smelters. Instead of letting old cars litter our country side in junk yards, American ministeel mills can use the steel.

Few could find anything bad to say about recycling, except maybe city, county and municipal officials who have to develop and implement local recycling programs. They end up with tons of old newspaper, cans and glass—and no place to sell the items. Even the best recycling efforts fail when markets are not available to sell the commodties these local governments collect.

NRCA will begin to address the market ills that many States are experiencing as they try to bring their recycled commodities to market. NRCA requires the Department of Commerce [DOC] to collect and analyze market information on various nondurable goods, and containers and packaging. Data on natural recycling rates and market information will be collected and analyzed based on data collected periodically on regional level.

In addition to market analysis, NRCA requires the DOC establish uniform commodity specifications for recycled products and requires the Federal Government to take a much more active role in the procurement of recycled goods. NRCA also establishes a Federal recyclable labeling scheme which will encourage consumer participation in local recycling initiatives by allowing consumers to know what the product, container or packaging is composed of and whether it is recyclable. With this kind of information, consumers will be able to make informed decisions about the product they purchase.

Finally, NRCA requires the DOC to establish a national recycling clearinghouse to distribute information on recycled products.

While the establishment of Federal recycling goals and State mandates are critical to ensuring that laws, regulations, and policies clearly reflect a preference for recyucling as opposed to incineration or landfilling, effective recycling is critically dependent on the existence of adequate regional, national, and international markets.

County, municipal and city managers cannot be expected to develop and implement effective recycling programs without the necessary market information available to make informed management decisions. While some of this information is currently available through various governmental and industry trade groups, NRCA will help to develop a comprehensive, recycling data base so that local government official, private interests, and the Federal Government can rationally begin to develop a coherent national recycling strategy.

I thank my colleagues who are original cosponsors of this measure and I urge the rest of my colleagues to support this bill.

IN RECOGNITION OF THE CONTRIBUTIONS OF JEAN PICKER FIRSTENBERG TO THE ADVANCEMENT OF WOMEN IN THE ENTERTAINMENT INDUSTRY

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Ms. PELOSI. Mr. Speaker, I want to call to the attention of my colleagues the work of Jean Picker Firstenberg and to congratulate her for her contributions to the advancement of women in the entertainment industry. Ms. Firstenberg will receive the 14th Annual Crystal Award on June 8, 1990, in Los Angeles in recognition of her accomplishments.

Ms. Firstenberg's award comes as she celebrates her 10th year of service to the entertainment industry as director of the American Film Institute [AFI]. As director of AFI, Ms. Firstenberg has headed the only national cultural organization devoted to moving images as an art form. In the process, she has helped train nearly 800 individuals attending the AFI's Advanced Film and Television Conservatory.

I would like to take this opportunity to list some of Ms. Firstenberg's numerous achievements while at the American Film Institute.

Ms. Firstenberg gained accreditation of the AFI's Center for Advanced Film and Television Studies by the National Association of Schools of Art and Design, becoming the only film training conservatory to be so recognized. She opened the National Center for Film and Video Preservation in association with the National Endowment of the Arts. She created the AFI Directing Workshop for Women, a program which has given 100 women access to film and television directing. She established the annual international film festival AFI-FEST in Los Angeles, the Cinetex, the World Film and Television Congress, and the annual Summer Television Writers' Workshop.

Jean Picker Firstenberg epitomizes the ideals of the Crystal Award. Founded in 1977, the Crystal Awards honor outstanding individuals who, through their endurance and the excellence of their work, have helped to expand the role of women within the entertainment industry. Of the 38 previous honorees, Ms. Firstenberg is the first woman to be honored from the educational/cultural sector. Recipients are chosen for both the diversity of their accomplishments and their contributions to the support of women within the entertainment industry.

Mr. Speaker, the women of the Nation's entertainment industry and the citizens of United States are truly fortunate to have experienced the results of Ms. Firstenberg's endeavors. She has broadened the country's understanding of entertainment by opening the world of film and television to talented women. I wish to extend my heartfelt thanks and congratulations to Jean Picker Firstenberg for her contributions to the art world and the careers of women artists.

LEGISLATION TO CHANGE LEUKEMIA MANIFESTATION PERIOD

HON. J. ROY ROWLAND

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. ROWLAND of Georgia. Mr. Speaker, during the 100th Congress, the Honorable JOHN PAUL HAMMERSCHMIDT and I sponsored legislation, H.R. 1811, that was eventually enacted as Public Law 100-321. Under section 312(c) of title 38, there is a presumption of service connection for 13 diseases suffered by veterans who were exposed to high levels of radiation during the occupation of Hiroshima and Nagasaki or in the atmospheric testing of nuclear devices during the forties, fifties, and early sixties.

With the exception of leukemia, the law requires that the disease suffered by one of these veterans must have become manifest to a degree of 10 percent or more within 40 years of exposure. For leukemia, the manifestation period is 30 years. At the time Congress enacted 100-321, the most reliable scientific information available suggested a 30-year period during which an elevated risk of contracting leukemia could be expected. The same expectation was not observed with regard to the other conditions.

Since that time, additional data, based largely on the lifespan study of the Japanese atomic bomb survivors, showed leukemia arising in these victims later in life. As a result, the Veterans' Advisory Committee on Environmental Hazards recommended to the Secretary of Veterans Affairs that the manifestation period for leukemia be deleted. The Secretary has proposed, rather than deleting the manifestation period, that the Congress simply conform the manifestation period for leukemia to the other 12 presumptive conditions—that is 40 years.

In my view no basis exists for separate manifestation requirements, and the bill I am introducing today, along with many of my colleagues from the House Veterans' Affairs Committee, would make the appropriate change in the statute. This change will provide compensation for many veterans with leukemia who previously would have been overlooked. I invite my colleagues to join us in our efforts in providing fair treatment for this group of veterans.

SIGMUND MEYEROWITZ: HONORED FOR DEDICATION TO THE YOUNG

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mrs. LOWEY of New York. Mr. Speaker, for 18 consecutive years the B'nai B'rith unit in White Plains, NY has honored selected community leaders of great distinction with their Youth Services Award. This year, Mr. Sigmund Meyerowitz, a man who has dedicated much of his life to young people, is the deserving recipient of this honor.

Mr. Meyerowitz has long worked to encourage our young people to become active in community service. The very future of our Nation depends upon the leadership and involvement of our young people. Nurturing their interest in taking on the challenge of leading us into the next century will be vitally important to the direction our Nation pursues. Through his work with B'nai B'rith, the Cub Scouts, the Little League, and many other religious and civic organizations, Mr. Meyerowitz has shown a strong commitment to strengthening our Nation's future. Through his leadership and civic involvement, he serves as a model of public service in the Westchester community. This award is richly deserved.

Sigmund Meyerowitz has been a teacher as well as a friend to scores of young Westchester residents. He has made their lives brighter and has broadened their understanding. To Sig and his proud family, I extend my congratulations on this distinction and my best wishes for continued vitality in his service to our next generation.

WINNING THE BATTLE FOR CLEAN AIR

HON. AL SWIFT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. SWIFT. Mr. Speaker, we have reached an important milestone in the decade-long struggle to amend, improve, and strengthen the Clean Air Act. As a result of a new willingness on both sides of the issue to reach agreements on the difficult issues of urban air pollution and acid rain, the House has just passed legislation which I believe will achieve clean, healthy air for our Nation's citizens.

The legislation comprehensively addresses a number of air pollution issues. It contains provisions to fight urban smog, tighten motor vehicle tailpipe emissions, develop clean-burning motor fuels—both reformulated conventional gasoline and its alternatives, regulate a wide range of toxic air pollutants, control acid rain, protect the air in our national parks, and

phase out substances which deplete the stratospheric ozone.

I first got involved with this issue last Congress when I joined with eight other members of the Energy and Commerce Committee, which has jurisdiction over the Clean Air Act, to see if we couldn't somehow break the logjam over clean air legislation. We were frustrated by the refusal of industry representatives and environmentalists to reach a compromise on this issue. While both sides may have remained pure in their views, in the meantime, our air quality remained unimproved.

Concentrating on the urban smog problem, we decided to learn this enormously complex issue from scratch. Each of us made the time commitment to learn the history of the act, how it had worked and not worked, which sources contributed to which pollution problems and how much, and the control measures which are available to combat pollution.

We did this by sitting down face to face with environmental organizations including National Clean Air Coalition, the EPA, industry representatives, State and local elected officials and pollution control officials, and congressional leaders. We had many frank discussions and disagreements as we devised our policy and weighed the information presented to us by the interest groups. We and our staffs spent hundreds of hours gaining the understanding we feel is necessary to adequately address this issue.

Among the many things we learned in our long education process is that cleaning our air is not without its costs. Indeed, during our discussions with industry, the first thing I heard, and the second, the third, the first 100 things I heard were, "This is going to cost a great deal of money in my industry, and you are only going to get that much environmental improvement." It was true. Because the fact is there are no big hits anymore. Most large pollution sources are presently subject to control. There is not any place left where we can go and get a prodigious amount of pollution that we can take away and do so at low cost. For example, the automobile industry has reduced its tailpipe emissions by 96 percent.

However, we have a health-based standard about which there is almost no argument at all. It is a standard below which air would no longer be healthy to breathe. I have talked to many, many industry groups and have asked whether there was anyone who would like to take the position for their corporation that their corporation is for something less than, by definition, air that is healthy to breathe? I have yet to have one single taker.

So we have a health-based standard and we must pursue this goal vigorously. However, there are those who are so committed to strong environmental legislation that they do not look at the cost. They believe that this particular environmental cleanup process can be done easily and cheaply if only people had the will to do it.

We believed that somewhere the best public policy grows out of an understanding of what you must do for the public welfare and environment and an understanding of what the cost of that policy is going to be.

The Group of Nine believed that good environmental policy and good economic policy are compatible and that it is possible to improve air quality in a cost-effective fashion. I believe that we were successful in wedding these two principles. For we came up with a proposal that EPA found to be as effective in cleaning up our urban smog as all but the most stringent proposal last Congress, yet at less cost to the economy than any other proposal on the table, including that of the Reagan administration, which from my perspective was not environmentally very strong.

Unfortunately, Congress adjourned last year with extremists—both environmental and industrial—able to prevent passage of clean air legislation not to their liking. Undeterred, the Group of Nine resumed its efforts this Congress encouraged by our contribution to both the content of subsequent legislation and the political process. Both the proposals by Representative WAXMAN and President Bush adopted many themes and ideas first seen in our proposal, reintroduced as H.R. 99. As a result, the gap between the two extremes began to close.

I was pleased to see that the House Energy and Commerce Committee adopted both in substance and philosophy much of what was in the Group of Nine's proposal in title I. Along with Representative ECKART, I offered an amendment, drawn largely from our earlier work, which improves upon the President's original proposal. By giving cities adequate time to develop control strategies, tailoring the pollution control requirements to the severity of the pollution problem, and requiring annual progress, we make it more likely that cities actually achieve clean air, yet avoid the risk of costly overcontrol. Our amendment also requires EPA to enforce a pollution control plan when States are unwilling or unable to act. It is recognized by many that title I of the House bill is environmentally superior to the Senate's provision.

It was with great difficulty that the compromises in this bill were hammered out. But it is precisely the fact that compromises were reached that make it in the long run a better bill, because it has blended an understanding of the environmental necessities and the extremely great cost that is associated with them in this legislation. This legislation has managed to draw in most instances a fine balance between being an environmentally strong bill that will provide clean and healthy air for the American people, and doing so at a very large cost, without question, but at a cost that could have been much higher with little or no additional environmental gain.

Achieving clean air is a difficult job, and it is a very expensive job. But it is a job that the House bill is going to get done.

MAYOR DAVID DINKINS EXEMPLARY CITY-WIDE ANTI-DRUG PROGRAM

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1990

Mr. RANGEL. Mr. Speaker, we in Congress have been valiantly searching for effective ways to combat drug abuse, a problem for which we all know there are no easy solutions. The burden is shared by local communities, cities and States.

Mayor Dinkins has embraced the burden with a fervor. In the short time he has been mayor, his administration has already produced a thorough and comprehensive report and recommendations as a result of a study that was only mandated this past January. He has committed himself to fighting drug abuse as a priority of his administration, despite other pressing issues and fiscal pressures.

I believe His Honor can serve as a shining, courageous example to us all.

For the information of our colleagues, I would like to place into the RECORD two news articles, one from the New York Times May 22, 1990, by Joseph B. Treaster, "Dinkins Announces Specifics of Anti-Drug Effort," and a New York Post article, May 22, 1990, by David Seifman, "Dave Starts $13.3M Program for Addicted Moms."

The articles follow:

DAVE STARTS $13.3M PROGRAM FOR ADDICTED MOMS

(By David Seifman)

Every pregnant woman in New York City who wants to kick a drug habit will be able to get treatment under a $13.3 million program made public yesterday by Mayor Dinkins.

Although the city's fiscal commitment was relatively modest, Dinkins' program is the first to offer treatment on demand to an entire addict population.

"We think this is so important that even in this time of tremendous austerity . . . we're putting some money in this effort," Dinkins said.

The mayor, facing a $2 billion deficit in his 1991 budget, plans to announce major service cuts and higher taxes on Thursday.

Mayoral aide Lucy Friedman said there are about 15,000 addicted mothers-to-be in New York—6,000 of whom want to get off drugs.

With some 4,700 treatment "slots" already in the pipeline, Dinkins allocated $4.8 million to add 1,340 slots so every one of the addicted moms has a shot at becoming drug-free.

Dinkins' program fell far short of his campaign pledge to try to provide treatment for every single addict.

Friedman said only 42,000 of the city's 500,000 addicts are in treatment.

No one, she said, knows for sure how many addicts are on waiting lists trying to get into overcrowded treatment centers.

The mayor conceded yesterday that the city, on its own, doesn't have the money to provide treatment to every addict who wants it.

But Dinkins still won high marks for taking a first step.

"I think it's a major deal, and I'm extremely pleased to learn about it," said Dr. Robert Newman, president of Beth Israel Medical Center, whose 23 Clinics serve the nation's largest number of addicts.

At Phoenix House, spokesman Chris Policano said he was "thrilled" at Dinkins' initiative.

The mayor's program, based on recommendations of a panel headed by former Attorney General Nicholas Katzenbach, also included:

$1.5 million to open nine school buildings 16 hours a day, 365 days a year for drug

education. The first five schools will be selected by September.

$875,000 to provide a "drug-free environment" in city homeless shelters.

750,000 to establish day treatment programs for criminal suspects.

1.2 million to treat adolescent drug addicts.

Creation of a drug abuse council and an office of drug abuse to coordinate all drug programs of city and private agencies.

DINKINS ANNOUNCES SPECIFICS OF ANTI-DRUG EFFORT

(By Joseph B. Treaster)

Mayor David N. Dinkins announced plans yesterday to set up community drug prevention centers at nine public schools, to increase health services for pregnant drug abusers and to create a central office to expand and coordinate the city's fragmented anti-drug efforts.

The Mayor said that he was also establishing formal rules to keep drugs out of government offices, including the dismissal of city employees for selling drugs at work, and that he would establish a training institute for drug counselors.

Drug specialists noted that the $13.3 million earmarked for the new measures was minuscule in the city's annual budget of more than $27 billion. "But, given the city's fiscal situation, this shows that the drug problem is clearly a priority for the Major," said Christopher Policano, a spokesman for Phoenix House, the nation's largest private, nonprofit drug treatment organization, with headquarters in New York.

The State Division of Substance Abuse Services estimates that there are more than 500,000 drug abusers in New York City, but treatment is available for only 42,000. Most of the treatment centers are for outpatients, rather than for more intense residential treatment, and the majority deal with heroin addiction rather than the more pervasive cocaine.

The Mayor's latest steps are intended to provide help for a few thousand more people and to give priority to pregnant drug abusers in hopes of reducing the legions of cocaine-addicted infants.

Mr. Dinkins did not name a director for his new drug policy office yesterday, but City Hall aides said the official would report to Norman Steisel, the First Deputy Mayor, and Milton Mollen, a retired state appellate court judge who is Deputy Mayor for Public Safety.

The Mayor said five public schools would be selected as drug prevention centers by September and four others would be added by the following June. They are to be open 16 hours a day every day of the year, offering social services and recreational, educational and vocational activities.

Neighborhood anti-drug campaigns are also expected to be developed from the centers.

Schools Chancellor Joseph A. Fernandez and the United Federation of Teachers have endorsed the use of the schools as community centers.

Members of a mayoral advisory group on drug abuse, headed by former Attorney General Nicholas deB. Katzenbach, said they thought that creating community drug prevention centers in schools would help dispel feelings of helplessness among residents.

The coordinating office, to be known as the Office on Drug Abuse Policy, will strengthen existing drug-abuse programs and increase the city's ability to get Federal aid, the advisory group said. In the past, the city has failed to apply for some Federal grants for anti-drug programs.

The city's Addiction Services Agency was dismantled in 1978 to cut costs in an earlier municipal fiscal crisis. At least a dozen city agencies deal with drug matters and "fragmentation afflicts practice at every level," the advisory group said in a report presented to the Mayor this morning.

"Despite the deleterious impact of drug abuse on this city's social and physical health," Mr. Dinkins said at a news conference at City Hall, "the city's effort has not been organized for coordinated, concerted action on drug policy."

All states and a half-dozen cities in the country have offices that resemble the National Office on Drug Policy in Washington, which President Bush set up more than a year ago with William J. Bennett, the former Secretary of Education, in charge.

Donald Hamilton, a spokesman for Mr. Bennett, said that whether municipal drug policy offices "are a good idea or not is going to depend on the degree to which the individual has the authority to influence budgets and has the backing of the highest levels of government."