STOP THE SEXUAL VIOLATION OF CHILDREN

HON. PATRICIA SCHROEDER
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 17, 1991

Mrs. SCHROEDER. Mr. Speaker, on September 15, the Select Committee on Children, Youth, and Families held a hearing on child abuse and neglect in conjunction with the Ninth Annual Conference on Child Abuse and Neglect, in Denver, CO.

Marilyn Van Derbur Atler, a former Miss America, described the childhood terror she endured as a victim of incest, and the years of emotional turmoil and devastation that have lasted well into her adulthood. Earlier this year, she made her victimization a matter of public record and shared her story with the Select Committee. I can't overstate her courage and act to prevent the tragedy of abuse once and for all.

Statement by Marilyn Van Derbur Atler

My name is Marilyn Van Derbur Atler. I was an incest victim from age 5 to age 18. I am now a 54-year-old incest survivor. Every day and night of my life have been dramatically impacted by incest.

It would not be possible to know or understand me unless you knew about the sexual violations I endured as a child/teen. Many people would call it "child abuse." I find those words misleading and understated. I call it what it is—child rape! By legal definition, I was raped as a child from age 5 to age 18. To say I was "abused" is a child is to demean and diminish the experiences I have endured.

I have been asked to write about my experiences and address prevention and treatment. And how I view a child's options in the order to stop the sexual violations of children, we need to know that it is happening. Children have to tell us. It would be rare, indeed, for any other family member to tell.

But children don't tell because they don't perceive there is anyone who will believe them, or because they know no one will stand up to their violator, or because they are terrorized. Usually, as in my case, because of all three reasons.

I wasn't afraid of my father, I was terrified of him. One time, when I was about 4, my father was beating my 10-year-old, oldest sister, Gwen. My mother cried out, "Van, you're going to kill her." I'm sure I believed my mother— that he was going to kill her.

At about the same ages, one of us took a flashlight apart. When he found out and no one would admit it, he began knocking our heads together—cracking them together until a sister cried out, "I did it, Daddy." When he left, she sobbed to mother. "I didn't do it but I knew he wouldn't stop hitting us until one of us admitted to it." I am the youngest of four daughters.

When I was 7, Gwen was 13 and ready to start 9th grade. Because she was defiant, he sent her away to a Catholic boarding school in Kansas City. I learned only recently that he would write to her at the Mercy Hotel for weekends.

When my father died, in 1984, and my sister and I returned to the home we grew up in, I asked Gwen, "Did he hit us often?" (At that time, I had very few memories of my childhood.) She said, "There was a stick above every door." And she turned and pointed to the ledge above the doorframe. The blood drained from her face. She said, "Oh, my God, it's still there." And she stretched and would have stretched a 6 ft. to 3 ft. wooden dowel that he used to hit us.

I learned as a very small child that if you defy, you get beaten and sent away. I was so terrified, when my sister and I confronted a daychild and a nightchild so that only my nightchild would have to endure being pried open by my father. While in the hospital, I had a recurring nightmare about my father. When I asked to talk with him privately, he used to say, "Too late. Too late. You died and we never spoke of it." I knew that, when I was able, I would have to speak with him about it.

When I asked to talk with him privately and he knew why I was there, he excused himself and went upstairs to his room. I knew he had a gun in his pocket. After talking with him, he pulled out the gun and said, "If you had come in any other way, I would have killed myself." I understood "any other way" to mean—if you had come to expose me.

If I had told a teacher who told social serv­ices that he was going to take my father in for questioning, would that have been the best thing for me? There is no question in my mind that I would have had even more severe consequences if I had told him that I did by remaining silent. My life was traumatized by incest but, in my opinion, I would have been institutionalized or he or I—or both of us—would have died.

If you think those are bizarre comments, you have never lived in an incest family. Terror reigns. Not fear. Terror.

The nights were so frightening to me that still, at age 54, after hundreds and hundreds of hours of therapy, I am still unable to fall asleep. Sleep is too dangerous a state. Sleep is when a man can do anything to you that he wants and you have no power.

Years of hypnosis, acupuncture, hyperthermia, role-playing, dream analysis, physical abuse, therapy, psychodrama, nothing can ease the deep seated shame I had as a child—the terror of the night.

If I had ever told, I guarantee you, I would have run back to the lawyer or the judge and said, "I lied. I lied. I made it up. It isn't true." So frightened would I have been of my father and so unprotected would I have been by my mother.

I know a little girl who did tell. In Denver. Three years ago. I will always be in awe of her courage.

She was 6. I have known her all her life. Two years ago, she took a cassette to school and asked her teacher to listen to it. The next day the little girl waited but the teacher had forgotten. She forgot the next day, too. Finally, on the third day, she turned the cassette on and heard a child screaming and screaming and screaming. The child, "Sandy" had recorded the screams of her younger sister being beaten.

The cassette was given to the principal who gave it to social services. The five children were picked up immediately after school. The father was picked up when he returned from work. The children were released to their father and mother. When her mother saw Sandy, she said, "Look what you have done to our family." And that was in October. The hearing was set for July. The charges were dropped.

Did telling save her? Did the system protect her? Do you want to know her real name so that you can be sure the system works for her? No. I don't want the system to traumatize her again. She will never speak up again because she has quite revictimized her. She knows her parents have all the power and there is no one to help her or hear her.

I'm not saying that there aren't dedicated people who are devoting their lives to making things different for children. Child advo­cates, social services workers, school coun­selors ... I know there are dedicated people. It's just that no matter what choices a child is given, almost always, she remains the vic­tim.
The first way to make major changes, in my view, is to make it safer and more acceptable for survivors to come forward and tell their stories.

As a woman in San Francisco wrote: "We are watching you and we are stunned at the responses you have been getting." And we need to hear how it is "stunned" because other survivors who have come forward were judged harshly. Betsy Petersen, an incest survivor, has just published her autobiography, "Dancing with Daddy." It was reviewed on August 4, 1991 in the Los Angeles Times Book Review section. The review states:

"...I imagine that the experience of reading "Dancing with Daddy" is like watching open heart surgery on a stranger. It pushes the boundaries of comprehension—all the while, you can't help but feel that what you've witnessed is too personal to be made public. Petersen certainly isn't the first, nor is it as my story unfolded—others are watching to see how we are accepted..."

We learn that we are dirty, ugly, unaccept­able, unlovable, and guilty.

How long does this belief system last?

This week I received a letter from a woman 73 years old. It is the local of the belief system of an incest survivor. She wrote:

"I am a widow now after 46 years of marriage. I never told my husband. I never thought he would understand. I have never felt so emotionally exhausted or as peaceful!"

Do we, the victims, feel guilty and ashamed? When my youth minister uncovered my secret when I was 24, he insisted that I tell the boy I had loved with all my heart. But I couldn't. I could never tell. To me it is so personal to be made public. Petersen certainly isn't the first, nor is it as my story unfolded—others are watching to see how we are accepted..."

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How long does this belief system last?
My name is John Raymond. My cousin sexually violated me when I was a child. It was a very painful experience for me.

My name is Marilyn Van Derbur Atler. My father sexually violated me from age 6 to age 18. One of the long term effects is that I have nightmares almost every night or I take a sleeping medication. Even with a sleeping medication, I had nightmares. I have been to many psychiatrists and psychologists. I ran away from home when I was 15, but the shame and humiliation they have caused me. They are so overwhelming with intense pain. The only person I've ever told is my sister. He did it to her, too.

My name is Julie Jamieson. I was sexually violated by my grandfather when I was age 8 to age 14. If you are a child being violated by a brother, cousin, grandfather—yes, even mother, you want to know that I, and other survivors, are finally finding the courage to talk about incest. We know what it's like to feel alone and scared. I'm sorry if this is happening to you. As we gather our strength, we will try to find better ways to protect you. We will try to stop adults from hurting you. You are not alone anymore.

Hundred of letters poured in from survivors after my story was in People Magazine saying "I sent your article to my family members and they finally understand what I have been going through." The most important phone call I received was from a woman who said, "I confronted my father who hasn't spoken to me since then. He picked up the People Magazine article, read it, and then picked up the phone and called me." We must sell the American public vividly and relentlessly before we can stem the tide of the sexual violations of children.

PSA's: Let violators know that they must get treatment now. If you feel that drunk drivers be held accountable for their actions.

My name is Marilyn Van Derbur Atler. My father sexually violated me as a child. He knew I would never tell. He was wrong. The church provided them with the use of their computers and anything else that they needed. They are sent to the Gulf for the holidays for Operation Shoebox.

My name is Becky Smith. I was 9 when my brother sexually violated me. He was 18. By the age 22, I had gained 75 lbs., tried to kill myself three times and finally dropped out of school. Never violate a child please. Never violate a child.

My name is Marilyn Van Derbur Atler. My cousin sexually violated me when I was a child. It was a very painful experience for me.

I am a victim of sexual abuse by my father. . . . Until 2 years ago, it was something I would not allow myself to think about much less talk. From then until now, it is like a demon that chases my being day and night, it is hard to keep them from me. I feel as if I don't have a heart or a soul. The only person I've ever told is my sister. She did it to her, too. She's an alcoholic and a drug user. She's a good person but that's her way of dealing with it. Suicide has been a constant thing on my mind. The love I have for my 15-year-old son keeps me alive. If I should ever leave this world, I'm afraid even that won't be enough to stop me.

She is in recovery. Every aspect of her life is affected—her ability to mother, to keep a job, her ability to help, her relationship to everyone in her life.

We can give this woman as much support as she would receive in months of therapy if we had public service announcements educating the public.

I spent months anguish because my family and friends just couldn't understand why I was doing what I was doing. I was shutting my life down when I was 49. Their inability to understand only increased my despair.

The PSA's will do more to support children, validate survivors, intimidate and stop perpetrators, and educate the general public than anything else that can be done. It is only one part of the educational process, but, in my view, the most critical part.

And only when Society is convinced that this is a national emergency . . . a national epidemic, will we begin to turn the tide of rampant sexual child assaults.

And, lastly, we need to rewrite one of the Ten Commandments. It should read, "Honor your children and they, in turn, will honor you."

SALUTE TO BROWARD COUNTY OPERATION HOMEFRONT

HON. LAWRENCE J. SMITH
OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 17, 1991

Mr. SMITH of Florida. Mr. Speaker, it gives me great pleasure to extend my heartfelt thanks to you the organizers of Operation Homefront of Broward County, FL.

On August 23, 1990, several families with loved ones being sent to the Persian Gulf met for the first time to share their concerns and fears. Lisa and Bill Strachan, and Lorraine Chapman founded Broward County's Operation Homefront. The Strachans' son, Billy, and Ms. Chapmans' son, David Martin were among the first troops dispatched to Operation Desert Shield. From the first meetings, the group bonded together and began an extended family which would last beyond the end of the gulf war. As members of Operation Homefront grew, they were able to move from the Second Presbyterian Church in Ft Lauderdale to a storefront which became headquarters for information and guidance. The church provided them with the use of their computers and anything else they needed.

Operation Homefront members worked tirelessly for weeks as they teamed up to fill hundreds of shoeboxes with needed items to be sent to the Gulf for the holidays for Operation Shoebox.

My office helped to provide Operation Homefront families with a unique source of communication. With the help of the local USO and equipment donated by Montgomery Ward, more than 20 families were able to videotape messages to their loved ones in the gulf.

Operation Homefront of Broward County was so successful that in March of this year I asked other Members to encourage families in their districts to start a similar organization. My office also provided information to other service families who wanted to start an Operation Homefront organization in their area.

As family members of the servicemen and women loved ones and the gulf war came to a conclusion, Operation Homefront began to wind down. In a September 9, 1991 editorial the
Miami Herald spoke for the people of Broward County by saying thank you to hard working and dedicated members and organizers of Broward County's Operation Homefront.

[From the Miami Herald, Sept. 9, 1991]

**SALUTE OPERATION HOMEFRONT**

Almost but not quite. Operation Homefront is just about out of business. Perhaps before the end of the year, the very last Broward soldier in the fold of this grassroots support group will be home.

That will be a big relief. Operation Homefront could have celebrated the recent closing of its offices with a last hurrah this week with the return of Army Specialist Stephen Long of Hollywood. But then Army E-5 Richard G. Smith of Fort Lauderdale was sent back to Iraq after a stint away.

The drawn-out closing of Operation Homefront reflects the drawn-out mopping up of any military operation. Those who cracked champagne in April knew that the announcement of a withdrawal was only the beginning of the end, not the end. The willingness of Homefront's families to keep the faith and keep up the big welcomes at the airport in the ensuing months is typical of the group's spirit.

Spirited was the hallmark for these families and others who came under last August as Operation Desert Shield began calling their loved ones to the desert. There wasn't any shooting at first, but there was concern and anxiety among families. Few of them had expected their service member to see hostilities. After all, it had been a time of the dissolving of Walls, Iron Curtain, and other barriers between humanity.

As Shield became Storm, Homefront's storm centers, Weston, Cooper City, Davie, and Weston became hubs of activity, coffee, CNN, and shared worries. They were Mission Control for the community, offering support to families, serving as a Abil to Information and rumor, coordinating efforts of civic and business to help families, and helping direct the mall and shoe-box gifts for the troops.

As with hurricanes and other natural disasters, this emergency brought out the best in many people. Many made the time to provide comfort. Many others wanted to find a way, some way, to help or to share.

When Operation Homefront does welcome home its last soldier, its members will give praise and recognize P
dard G. Smith for his service in the support group. The children will be home. The theme of Peace Sciences will be interwoven throughout the basic curriculum areas. The children at Public School 184 have begun this exciting study as a result of being a theme school. Some of the educational experiences already enjoyed by the students at the school include trips to: the New York Aquarium, John F. Kennedy Airport, the Hayden Planetarium, Long Island Science Museum, Vanderbilt Mansion and Planetarium, Alley Pond Environmental Center, Hall of Science, South Street Seaport, the Intrepid, and a scheduled three-hour sail on the Voyager—a two-masted schooner. In addition, the students have participated in Star Lab and in workshops aboard the Intrepid. Students from grades five and six are members of the Young Astronauts Council and are participating in the Bank Street College Program, "Voyage of MiMi."

Linkage with Beach Channel High School, Aviation High School, NASA, and with the Marine Environmental Studies Center at Stony Brook University are in the planning stage.

An important component of this magnet school will be the extended day program, which is starting this spring. Enrichment courses will be conducted before and after school. Children will be able to select a series of minicourses related to their theme. Extended day courses being offered this year include ecology, science, drama, art, and computer mini-courses related to the theme of Space Science.

Through the efforts of such schools as P.S. 184, this country will continue to provide this country competitive in the years to come.

**EXTENSIONS OF REMARKS**

**RECOGNITION OF FLUSHING MANOR SCHOOL**

**HON. JAMES H. SCHEUER**  
OF NEW YORK  
**IN THE HOUSE OF REPRESENTATIVES**  
**Tuesday, September 17, 1991**

Mr. SCHEUER. Mr. Speaker, today I rise to praise and recognize P.S. 184—Flushing Manor School of Space Sciences.

There, children will explore the economic, environmental, scientific and social implications of Space Sciences and discoveries for the 21st-century citizen.

The theme of Space Sciences encompasses both oceanography and aerospace. Children will investigate these topics through classroom and field experiences. Topics that will be explored include topography, weather, ecology, geography, career awareness, marine biology, navigation, aerodynamics, history of aerospace, and colonization and exploration of space.

Classroom instruction will be conducted by both subject area specialists and classroom teachers. Instruction will employ the most up-to-date technology including computer, laser disc programs, video microscopy, and other specialized pieces of equipment. Special instruction, which is conducted by two trained teachers, will be enriched in the regular classroom by the homeroom teachers. The theme of Peace Sciences will be interwoven throughout the basic curriculum areas.

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**THE NEEDS OF THE UNEMPLOYED REPRESENT A TRUE EMERGENCY**

**HON. WILLIAM J. COYNE**  
OF PENNSYLVANIA  
**IN THE HOUSE OF REPRESENTATIVES**  
**Tuesday, September 17, 1991**

Mr. COYNE. Mr. Speaker, the time has come to send a clear message to the administration: The House of Representatives refuses to ignore the needs of working men and women who have exhausted their unemployment benefits.

I believe that American working men and women have a right to expect help from their Government when they lose their job through no fault of their own. They have a right to expect that Congress will act to repair the faults in the current unemployment compensation system. These faults have allowed millions of out of work Americans to fall through the cracks when they exhaust their unemployment benefits.

Recently, the Congress acted to address the true emergency encountered by Americans who face a loss of unemployment benefits and hard choices on how to feed their children and pay their rent or mortgages. Unfortunately, the bill passed was flawed because it allowed President Bush to sign an unemployment compensation bill with one hand, but take back the promised relief with another.

The President refused to release the funds needed to assist the over 2 million unemployed Americans who have exhausted their benefits.

On three separate occasions, the administration and Congress have recognized emergencies overseas that justified new spending. If we can respond to the plight of the Kurds and disasters in Bangladesh, how can we possibly ignore the suffering of our own citizens who have exhausted their unemployment benefits?

How can the administration claim that the needs of the unemployed represent less of an emergency than the needs of those in distant lands?

The House now has an opportunity to correct the flaws in the earlier unemployment compensation reform bill. This new bill declares that an economic emergency exists which warrants the release of funds for extension of expired unemployment benefits. If the President signs this bill, as I hope he will, the release of funds will be automatic.

Still, the procedure will mean that the $6.5 billion in desperately needed additional unemployment compensation funds will be financed through Federal borrowing. It does not have to happen this way. The House can accept the amendment offered by Ways and Means Committee Chairman Dan Rostenkowski. This amendment would adjust the unemployment tax rate paid by an employer on an employee's wages to provide the needed additional funds if the President does not declare a budget emergency.

Mr. Rostenkowski's amendment would lower the unemployment tax rate paid by an employer on a worker's wages from the current 0.6 percent to 0.2 percent by 1996, while extending the taxable wage base from the current $7,000 to a level equivalent to the Social Security wage base, projected to be $56,000 by 1993. In addition, this amendment would decouple the connection between Federal and State unemployment tax rates, so that there would be no increase in State unemployment taxes.

I support the pay-as-you-go principle. The Rostenkowski amendment provides the administration with the means to pay for extension of unemployment benefits. Still, I am not willing to sacrifice the basic needs of American families because of an inability of elected officials to reconcile their differences over budget priorities. My first priority is to serve the working men and women of our country who must continue to provide for their families regardless of the debate taking place in Washington. If the House
failing to support the Rostenkowski amendment, I will vote for the declaration of a budget emergency to provide the extension of unemployment compensation benefits.

Every member of the House wants to see an economic recovery but the fact remains that joblessness continues to be a major problem for millions of Americans. Across the United States, unemployment remains unacceptably high.

Furthermore, in many areas, the unemployment rate is growing, not declining. In the Commonwealth of Pennsylvania, the rate rose from 6.8 percent in June to 7 percent in July. Nearly half a million Pennsylvanians are out of work. If you're at risk of falling through the safety net which unemployment compensation is supposed to offer.

I urge my colleagues to pass this bill. I sincerely hope President Bush will remember the families of the unemployed when he is asked to sign this new measure into law. The time has come to match words of compassion for the unemployed with concrete action.

COAST GUARD HEROISM AT SEA

HON. FRANK PALLONE, JR.
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 17, 1991

Mr. PALLONE. Mr. Speaker, I would like to share with the Members of this House a story of real life heroism that took place earlier this year in the waters off the coast of New Jersey and New York.

On March 9, 1991, Dennis Lovgren, captain of F.W. Homestead out of the Point Pleasant, NJ, Fishermen's Dock Cooperative was seriously injured while fishing 90 miles offshore. Weather conditions were extremely dangerous, with 25-mile-per-hour winds and 5- to 10-foot seas. A Coast Guard helicopter based at Floyd Bennett Field in Brooklyn, NY, arrived at the scene and performed life saving rescue.

The Coast Guard crew members who were involved in this rescue were the female pilot, Lt. Sidonie Bosin, the copilot, L. Ugarte; Palmeri; and crew members AD-1 Richard Schultz and ASM-3 Joseph Beyer. After the Floyd Bennett Station received a call for medical evacuation, the helicopter was dispatched to the scene. ASM-3 Beyer, a rescue swimmer, jumped into the heavy seas and swam to the boat, ascended Mr. Lovgren's condition and hoisted him aboard the helicopter. The helicopter then flew to Brookhaven Memorial Hospital on Long Island, NY. Mr. Lovgren was later transferred to St. Barnabas Hospital in Livingston, NJ, where he remained for 50 days.

On Saturday, September 21, at the New Jersey Commercial Fishermen's Association's annual picnic in Brick Township, NJ, these Coast Guard crew members will be honored for their efforts to make the waters off our coasts safe for all who use them. These valiant individuals deserve the highest praise and commendation for their efforts, and praise should also be extended to their commanding officer, Commander Jay Ran. Although they would undoubtedly say they were just doing their jobs, in this case doing their jobs proved to be in form of inspiring heroism.

EXTENSIONS OF REMARKS

IN PRAISE OF MIMI SILBERT

HON. BARBARA BOXER
OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 17, 1991

Mrs. BOXER. Mr. Speaker, I rise today to pay tribute to Mimi Silbert. It is a great pleasure to recognize the achievements of this extraordinarily dynamic woman. I could not begin to adequately reflect upon her prodigious accomplishments.

I congratulate her on being honored by America's Awards at the John F. Kennedy Center for Performing Arts in Washington, DC at the end of September. She is one of America's unsung heroines. She truly personifies the American character and spirit.

Ms. Silbert is cofounder and chief executive officer of one of the most successful drug treatment programs in the Nation. Delaney Street Foundation was so successful that the U.S. Department of Justice considers it a model for Federal rehabilitation programs.

Ms. Silbert, a woman of extraordinary devotion to Delaney Street is exemplified in many ways. She is a mother, mentor, boss, and counselor to 850 former felons, substance abusers, and the homeless who want to build a new life. At no cost to the taxpayer or client, she presides over programs that teach residents to teach each other how to live drug-free and become a valued member of society.

Because of Ms. Silbert, Delaney Street has maintained its high level of self-sufficiency and profitability. It has such thriving enterprises as a moving company, stained glass, woodworking, and catering businesses. These concerns are all run by the residents.

The most recent example of Ms. Silbert's determination is the completion of Delaney Street's new home in San Francisco, CA. This magnificent structure was described by Pulitzer Prize winning columnist Alan Temko as a "masterpiece of social design." Over 250 residents learned to build this magnificent symbol of self-reliance, commitment, and plain hard work.

Mimi Silbert embodies the spirit of Delaney Street. She is the ultimate role model. She is one of mine.

Mr. Speaker, it is my privilege to honor my good friend Mimi Silbert for all her unsellish contributions to our society.

WAR ON DRUGS RUINS LAW-ABIDING CITIZENS

HON. ANDREW JACOBS, JR.
OF INDIANA

IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 17, 1991

Mr. JACOBS. Mr. Speaker, I suppose if the law put all of us—everyone in prison, we could be sure to get the drug dealers.

The desire to do something about a problem should not lead to the willingness to try anything.

Looks as though some repealing and amending are in order.
A 10-month study by The Pittsburgh Press showed that drug dealers' cars, property or the likes of drug barons were never charged. And most of the seized items weren't the luxurious playthings of drug barons. The owners' only crimes in many of these cases: They "looked" like drug dealers. They were black, Hispanic or flashy dressed. Courts have linked them to a crime by circumstances beyond their control.

Says Eric Sterling, who helped write the law a decade ago as a lawyer on a congressional committee: "The innocent-until-proven-guilty concept is gone out the window."

Rooted in English common law, forfeiture has surfaced just twice in the United States since colonial times. In 1862, Congress permitted the president to seize estates of Confederate soldiers. Then, in 1970, it resurrected forfeiture for the civil war on drugs with the passage of racketeering laws that targeted the assets of convicted criminals.

INNOCENCE DOESN'T MATTER

In 1984, however, the nature of the law was radically changed to let the government take possessions without first charging, let alone convicting, the owner. That was done in 1984, because it is easier to strip the heart of the major drug dealers. Cops knew drug dealers consider prison time an inevitable cost of doing business. It rarely deters them. Profits and playthings, though, are their passions. Losing them hurts.

And there was a bonus in the law: The proceeds from forfeitures are available for law enforcement agencies to finance more investigations. It was to be the ultimate poetic justice, with criminals financing their own undoing.

Because money and property are at stake instead of life and liberty, the constitutional safeguards in criminal proceedings do not apply.

The result is that "jury trials can be refused; illegal searches condoned; rules of evidence ignored," says Louisville, Ky., defense lawyer Donald Heavrin. The "freest quest for cash," he says is "destroying the judicial system.

Every crime package passed since 1984 has expanded the uses of forfeiture, and now there are more than 100 statutes in place at the state and federal level. Not just for drug cases anymore, forfeiture covers the likes of money laundering fraud, gambling, importing tainted meats and carrying intoxicants into Indian land.

TARGETING THE LITTLE GUYS

The White House, Justice Department and Drug Enforcement Administration say they've made the most of the expanded law in getting the Big Three criminals, and they boast of seizing mansions, planes and millions in cash. But a 10-month study was able to document 510 current cases that involved innocent-until-proven-guilty people possessing a very small amount of drugs—whose lost their possessions.

And the DEA's own data base contradicts the official line. It showed that big-ticket items—valued at more than $50,000—were only 17 percent of the total 25,297 items seized by the DEA during the 18 months that ended in March.

"If you want to use that 'war on drugs' analogy, then forfeiture is like giving the troops permission to loot," says Thomas Long, president-elect of the Louisiana Association of Criminal Defense Lawyers.

The near-obsession with forfeiture continues without any proof that it curbs drug crimes—like the one the attorney general said he could see in the government's fight against drugs.

"The reality is, it's very difficult to tell what the impact of drug seizure and forfeiture is," says Stanley Morris, deputy director of the federal department.

The DEA has played the biggest role in increasing the federal government's seizures. It has seized $2 billion in cash.

"But a significant number of those cases are in getting the big-time criminals, and they're not at all apologetic about the fact that we do benefit financially from it," says Morris.

Forfeiture pads "the smallest towns' coffers."

In Lenoxa, Kan., a Kansas City suburb of 28,000, "we've got about $250,000 moving in court right now," says narcotics Detective Don Crohan.

Despite the huge amounts flowing to police departments, there are few public accounting procedures. Police who get a cut of the federal forfeiture funds must sign a form saying merely they will use it for "law enforcement purposes."

To Philadelphia police, that meant new air conditioning. In Warren County, N.J., it meant use of a forfeited yellow Corvette for the chief assistant prosecutor.

LIFE SAVINGS SEIZED

Ethel Hylton of New York City has yet to return home from her $50,000-a-year job after losing $39,110 in a search nearly three years ago in Hobby Airport in Houston.

Shortly after she arrived from New York, a Houston officer and DEA agent stopped the 46-year-old woman in the baggage area and told her she was under arrest because a drug trafficker had stashed cocaine in her luggage. That wasn't with them, and when Hylton asked to see it, the officers refused to bring it out.

The agents searched her bags and ordered a strip search of Hylton but found no contraband.

In her purse, they found the cash Hylton carried because she planned to buy a house to escape the New York winters that exacerbated her diabetes. It was the settlement from an insurance claim and her life's savings, gathered through more than 20 years of work as a hotel housekeeper and hospital night janitor.

The police seized all but $10 of the cash and agent Hylton was keeping the money because of its alleged drug connection. But they never charged her with a crime.

All of what she claimed checked out true: her jobs, her bank statements and her addiction record. But there was no criminal record for her was found in New York City.

With the mix of outrage and resignation voiced by other victims of searches, she says: "The money they took was mine. I'm allowed to have it. I earned it."

Hylton became a U.S. citizen six years ago. She asks, "Why did they stop me? Is it because I'm black or because I'm Jamaican?"

Probably both—although Houston police haven't said.

MINORITIES PAY PRICE

Drug teams interviewed in dozens of airports, train stations and bus terminals and with the FTC, in order to say they didn't stop travelers based on race. But an examination of 121 travelers' cases in which police found no illegal drugs, made no arrest, shows that 77 percent of the people stopped were black, Hispanic or Asian.

The Justice Department's Terwilliger says that in some cases "dumb judgment" may occasionally create problems, but he believes there is an adequate solution. "That's why we have courts.

But it was the Justice Department's notion that courts are a safeguard for citizens wrongly accused "is way off," says Thomas Kolin, a forfeiture lawyer in Boston. "Compared to forfeiture, David and Goliath has a fair fight.

The government need only show probable cause for a seizure, a standard no greater than that needed to get a search warrant. The lower standard means the government can take a home without any more evidence than it normally needs to take a look inside.

Those who challenge the government, says attorney Edward Hinson of Charlotte, N.C., "have the choice of fighting the full resources of the U.S. Treasury or caving in."

AL CAPONE TACTICS

Barry Kolin caved in.

On March 2, Kolin watched Portland, Ore., police padlock the doors of Harvey's, his bar and restaurant, and arrest his brother and bartender, Mike, for bookmaking.

Nothing in the police documents mentioned Barry Kolin, and so the 40-year-old was stunned when authorities took his business, saying they believed he knew about the betting. He denied it.

Amy Holmes Rehn, the Multnomah County deputy district attorney, concedes she didn't have the evidence to press a criminal case against Barry Kolin, "so we seized the business civilly."

During a recess in a hearing on the seizure later, "the deputy DA says if I paid them $30,000 I could open up again," Kolin recalls. When the deal dropped to $10,000, Kolin took it.

Kolin's lawyer, Jenny Cooke, calls the seizure "extortion." She says: "There is no difference between what the police did to Barry Kolin or what Al Capone did in Chicago when he walked in and said, 'This is a nice little bar and it's mine."' The only difference is today they call this civil forfeiture.

HOSPITAL MERGERS

HON. DOUG BARNARD, JR.
OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 17, 1991

Mr. BARNARD. Mr. Speaker, I want to share with my colleagues the attached article which appeared in the August 26, 1991 edition of HealthWeek News. The article makes the point that the Federal Trade Commission's position on hospital mergers causes problems in rural settings.

Mr. Speaker, in the community in which I live and which I represent, Augusta, GA, two of the leading hospitals—University Hospital and St. Joseph's—attempted to merge in order to cut costs and avoid duplication. The FTC challenged the merger, and the parties agreed to revoke it, because it would have cost too much to fight. Now, however, University Hospital in Augusta is being forced to sign a consent decree in which it will put University Hospital in a worse position than it was before any attempt to merge with another hospital.

Notwithstanding the disposition of the University Hospital case, I believe that the role of the FTC regarding hospital mergers should be closely examined from a public policy viewpoint. I agree with our colleague, Jim SLAT-
TERY, who wrote to the chairman of the House Judiciary Committee: "Many hospitals find themselves in a double bind. Current Medicare and Medicaid antitrust policies have put hospitals under increasing financial pressure to consolidate their operations. At the same time, FTC and Justice are intensifying their scrutiny of hospital mergers.

Moreover, as the attached article makes abundantly clear, the law is presently biased against rural hospitals. If University and St. Joseph's Hospitals were located in a large metropolitan area, it is unlikely that the FTC would have challenged the merger.

I commend the article to my colleagues, and I suggest that they explore the issues raised in the Augusta case and in other cases of attempted rural hospital mergers. I suggest we support legislation introduced by our colleague, Jim SLATTERY, chairman of the House Rural Health Care Coalition's task force on hospitals, to exempt certain hospital mergers in smaller markets from FTC and Department of Justice scrutiny.

[From HealthWeek News, Aug. 26, 1991]

FTC STANCE FRUSTRATES RURAL MERGERS
(By Craig Havighurs)

WASHINGTON—Life isn't getting any easier for small-market hospitals under pressure to merge.

Earlier this month, the Federal Trade Commission overrode its own administrative law judge's dismissal of an FTC challenge to a 1985 hospital merger in Ukiah, Calif. That action, along with recent appellate court rulings on mergers in Rockefeller, III., and Augusta, Ga., institutionalizes a standard for proposed mergers that many hospital attorneys feel is unreasonable and perverse.

Both Ukiah Valley Medical Center, which was formed by the merger, and FTC have viewed their dispute as a test case of FTC's authority over non-profit hospitals.

In order to win the FTC can apply the Clayton Act to these hospitals. Some health lawyers argue that the Clayton standard of anti-competitive behavior is stricter than the Sherman Act, which prohibits restraint of trade, price fixing and other monopolies.

Bill Kopit, a partner with Epstein, Becker & Green in Westborough, said that Clayton, an effective government challenge need only show that a proposed merger will produce an "increase in concentration" in the market. That puts the burden of proof on hospitals to show that a deal won't harm consumers, he said, an expensive and complicated process that has a chilling effect on deals.

"In most markets outside of big cities," said Kopit, "the number of hospitals is small enough that any merger would be presumptively illegal" under the Clayton Act. The new FTC authority, he said, "puts an enormous crimp in hospitals' ability to consolidate, which means that that might be the best thing for a community."

FTC said the appellate court has settled the question of its authority once and for all. "The case law just isn't been issued before," said Erik Wodinsky, assistant regional director for FTC's San Francisco office. "It is absolutely clear that we have jurisdiction."

The tough stance comes at a time when small hospitals are losing business and feeling threatened by competition. Government officials are asking FTC to use myopic pursuit of competition's sake.

If you make it tough for small hospitals to merge, you are dooming them to higher costs and externalization of reputation. Thomas Campbell of Gardner, Carton and Douglas in Chicago, who represents the merged Ukiah hospitals. Robert Van Hooke, executive director of the National Rural Health Association agreed. "If you've got two hospitals in a small town that don't want to deal with 20 percent occurrences, they should be encouraged to merge. No one would want to put a lid on that. It is going to get in the way of what works in rural areas."

FTC deniers that it is applying a new standard or being more aggressive than in the past. "It may be perceived as such by the private sector," said Mark Horoschak, head of FTC's health care division, "but we haven't changed our analysis one iota.

Still, no merger by nonprofit hospitals had been challenged successfully until the Rockford case in 1989, which was pursued by the FTC under the Clayton Act. The Clayton Act remains in effect.

"Hospitals are becoming increasingly frustrated," said a spokeswoman for Rep. Jim Slattery, D-Kan. "The biggest complaint is that they can't merge, but the agencies are taking a routine view without overburdening expensive and requests for massive amounts of paperwork. The threat of a suit is just as stifling as an actual suit."

Rep. Jim Slattery, D-Kan., chairman of the House Rural Health Care Coalition's task force on mergers, has put hospitals under 'increasing financial pressure to consolidate their operations. At the same time, FTC and Justice appear to be intensifying their scrutiny of hospital mergers."

In a letter to the chairman of the House Judiciary Committee, Slattery wrote: "Many hospitals find themselves in a double bind. Current Medicare and Medicaid payment practices have put hospitals in a single degree of trade, price fixing and other monopolies.

Campbell said Ukiah Valley Medical Center has not decided whether to continue fighting FTC's case or simply challenge the agency's case on its merits. In the three years since the merger, he said, "the consumer has gotten a better deal. The 'efficiencies' we forecast from this are happening."

The elimination of duplicate services and avoidance of a costly "arms race" among high-tech facilities has been an important pro-merger argument.

However, FTC's Horoschak said, "To those who say there is unnecessary duplication of services, that's really not for them to say. That's for the market to determine."

Kopit said FTC and Justice Department efforts are "well-intentioned, predicated on a public policy perspective, they are likely to produce the wrong outcome."
EXTENSIONS OF REMARKS

HONORING RABBI BRIAN LURIE, EXECUTIVE DIRECTOR OF THE JEWISH COMMUNITY FEDERATION

HON. LAWRENCE J. SMITH
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 17, 1991

Mr. SMITH of Florida. Mr. Speaker, it gives me great pleasure to extend my heartfelt congratulations to Dr. Morton Terry, president and one of the founders of Southeastern University of the Health Sciences. On October 4, 1991, Southeastern University will name a building after Dr. Terry. "Terry Building" will serve as the university's headquarters with the administration offices of the College of Osteopathic Medicine and the College of Optometry. There will also be a clinic center housed in the building.

Southeastern College of Osteopathic Medicine (SECOM) was established and chartered by the State of Florida in 1979 and recognized by the American Osteopathic Association in 1981. Opening with a class of 40 students, SECOM became the 15th college of osteopathic medicine in the Nation. Currently, the incoming classes exceed 100 students. Over the years, SECOM's board of governors recognized a need to expand its curriculum and in 1987 opened the College of Pharmacy and in 1989 the College of Optometry. In 9 years SECOM has grown from a college of osteopathic medicine to the $20 million campus which is known as the Southeastern University of the Health Sciences.

Mort Terry was born in Utica, NY, on March 23, 1921. In 1942 he received a B.A. degree from Brooklyn College in New York and went on to get a D.O. and M.Sc. degree from the Philadelphia College of Osteopathic Medicine in Pennsylvania. Dr. Terry is licensed in the States of New York, New Jersey, Pennsylvania, California, and Florida. He is affiliated with many associations and has received a long list of awards including the Distinguished Service Award from the American College of Osteopathic Internists, Who's Who in Florida, Honoray Life Member of the Dade County, State of Florida, and the American Osteopathic Associations, the Leadership Award from the Florida Chapter of the Brooklyn College of Pharmacy and a Lambda Omicron Gamma Osteopathic Leadership Award.

Dr. Morton Terry is highly respected and admired by the medical profession not only in south Florida, but also around the country. He has dedicated himself to furthering the osteopathic profession and making it possible for others to follow in his steps.

Dr. Terry has devoted a great deal of time to the deliverance of medical services to the underserved. For these and his many other accomplishments, I ask that my colleagues join me in saluting Dr. Morton Terry and Southeastern University of the Health Sciences.

RECOGNITION OF ST. MEL'S CHURCH

HON. JAMES H. SCHEUER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 17, 1991

Mr. SCHEUER. Mr. Speaker, I rise today to speak on behalf of the church of St. Mel in Flushing, NY, and its history. The church has been a community landmark for over 50 years. The parish was established in February 1941. Its first pastor, Rev. Terance Sharkey, served from February to May of 1941. The original rectory was actually in St. Andrew's Parish, and the first place of worship was the local headquarters of the Democratic Club on Bayside Avenue between Murray and 154th Streets. Subsequently a tent dedicated at Murray Street and Bayside Avenue was used.

Father Charles J. Reilly, succeeding Father Sharkey, remained only from May until June of 1941, until the arrest of Father Jeremiah Davidson in June 1941. He served until June 1946.

During the tenure of Father Davidson, a temporary church was built at the corner of 154th Street and 27th Avenue. The structure, often called the Quonset Hut, was two connected Levitt houses. Due to the war, restrictions on vital materials prevented the erection of a more permanent building.

The temporary church was dedicated on December 10, 1944, by Bishop Molloy. Upon the building of a new church, this temporary building was moved. In remodeled form, it is now the parish church of St. Pius X in Uniondale, Long Island.

Father Joseph Huether, replacing Father Davidson in June 1946, purchased the present rectory at 28-20 154th Street on June 19, 1950. June 1950 was also a transition date. Father John F. Kelly became the new pastor until his death in June 1955. He was succeeded by Father Vincent J. O'Malley.

A combination building of church/auditorium/library had its groundbreaking July 11, 1954, on the corner of 154th Street and 25th Avenue. The building was dedicated November 10, 1955, by Bishop McEntegart, the new pastor.

In the late 1950's, construction began on the original school, next to the church, from 26th to 27th Avenues. The first class entered the school in September 1960. On November 13, 1960, Bishop McIntegart dedicated both the school and convent. The Josephite Sisters, who for many years taught religion classes at the school, now assumed charge of the school.

The school's first principal was Sister Joseph Angela Campbell (1960 to 1964). Its first graduation was 1964.

Sister Clara Theresa Ryan, 1964 to 1970, was the school's second principal. During her term, an extension to the school was built in 1966.

The parish celebrated its 25th anniversary on November 6, 1966.

From 1970 to 1972, Sister Jean William Blomberg served as principal, until her replacement by Sister Elizabeth Martin, who completed an 8-year term.

Reaching retirement age in January of 1976 and celebrating with a retirement mass during
EXTENSIONS OF REMARKS

Thursday, September 17, 1991

Mr. COYNE. Mr. Speaker, I am introducing a bill today which will serve to alleviate urban transportation gridlock by stimulating public and private sector investment in high-speed rail systems.

There is a pressing need to provide the American people with a safe and economical alternative to intercity highway and air transportation routes. A growing population and economy require an efficient national transportation system, but there is a limit to the number of highways and airports that can be constructed.

Gridlock is increasingly prevalent on the Nation's highways and in our country's air traffic space, and will become an even greater problem in the near future. According to the U.S. Department of Transportation, traffic delays will cost $50 billion a year in lost wages and wasted gasoline by the year 2005. The FAA estimates that air traffic congestion will affect 74 percent of air passengers, compared with 39 percent in 1985.

High-speed rail systems offer an answer to increased congestion on the Nation's highways and at the Nation's airports. The United States cannot afford to delay and longer the development of high-speed rail systems when the time lost in rush hour gridlock is expected to increase from 3 million hours annually today to 12 billion hours by the year 2005.

High-speed rail systems with trains traveling at speeds above 150 miles per hour are no longer a futuristic dream; instead, they are a proven reality. High-speed rail systems now in use have proven themselves to be both safe and reliable. In France, for example, the French National Railroad has logged over 53 billion passenger miles of high-speed rail operations over the past 10 years. During this period of operation, the French system has achieved over 96 percent on time performance, load factors in excess of 70 percent, and a high degree of passenger safety.

High-speed rail systems using mag-lev technology now being developed would have even greater potential for relieving urban transportation congestion by offering reliable intercity transportation at speeds of up to 310 miles per hour. The United States led early research efforts on mag-lev, but today we are at risk of losing out to foreign competitors in this field just as we did with the VCR because of a lack of support at the Federal level for high-speed rail systems.

HON. WILLIAM J. COYNE
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
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EXTENSIONS OF REMARKS

SPECIAL TRIBUTE TO EVA'S KITCHEN AND SHELTERING PROGRAMS, PATerson, NJ

HON. ROBERT A. ROE
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 17, 1991

Mr. ROE. Mr. Speaker, it is with the greatest pride that I rise today to pay special tribute to a very generous group of dedicated individuals who have worked to provide over 1 million meals and over a quarter of a million bed nights to the poor and needy in my Eighth Congressional District in New Jersey. Eva's Kitchen and Sheltering Programs in Paterson, NJ, will celebrate a decade of benevolent service to the underprivileged citizens of the area with a gala dinner dance on September 29 at the Wayne Manor.

Ten short years ago a group of priests had a simple dream to feed the hungry roaming the streets of Passaic County. Eva's Kitchen which has now expanded to Eva's Programs, embracing six programs in five separate facilities, is an example of a self-sustained, nonprofit, low poverty program in the State of New Jersey. The selfless contribution of the staff and over 700 volunteers who work at these facilities is an example of what is finest within the human spirit and should inspire all who have a hand to lend and time to share.

Mr. Speaker, at this point I would like to read several excerpts from a booklet authored by Camille Giancarifaro which eloquently outlines the history of this marvelous endeavor.

ANSWERING THE NEED—THE STORY OF EVA'S KITCHEN AND SHELTERING PROGRAMS

Poverty, hunger, homelessness, addiction to drugs or alcohol—each pain is a personal agony in itself; together they are exorcizing. Increasing numbers of people are suffering through these illnesses in our society.

Since it first opened its doors to its hungry neighbors in 1981, Eva's Kitchen and Sheltering Programs situated in downtown Paterson, New Jersey, has fulfilled to its self-imposed mission to answer the urgent needs of these people in distress.

"Eva's", as the complex organization is best known, has its kitchen in the basement of a former Paterson convent on Hamilton Street next to St. John's Cathedral, but today actually embraces six institutions ministering to the critical needs of Passaic county residents: (1) Eva's Kitchen, (2) Eva's Family Shelter, (3) Eva's Shelter For Women, (4) Eva's Shelter For Men, (5) Eva's Half-Way House For Men, and (6) Eva's Half-Way House For Women.

Msgr. Vincent Puma, who today is the Executive Director of the present operations, with his fellow Paterson priests started a small kitchen in the abandoned St. John's convent and from the original thirty meals a day served for one dollar, to today over 1,000 meals served daily to street people as well as others throughout the shelter and rehabilitation programs. Teresa, has served as a guest and has been served a nutritious meal with all the dignity due them as human beings. No one in line is refused. All are attended to by a continuous daily turnover of over 150 dedicated loyal volunteers who work in the actual food preparation, serving, cleaning-up and assisting a professional staff under the supervision of Anne Wagner, warmly addressed as "Sister Anne" by the guests.

Eva's has evolved and expanded its services to include shelters and drug and alcohol rehabilitation facilities. All the facilities are nonprofit and with no church or state affiliation, relying on private donations and grants from the county, state and federal governments.

Msgr. Puma explains, other institutions address pieces of the problem; but here a person can be literally taken from the curb, medically treated, supported, and directed until he or she steps back to the street, hopefully able to function as a responsible, independent person. This process often takes a complete year to accomplish.

Distressed people from the "kitchen level" are directed to assistance, through phone on the streets. Eva's works to eradicate all forms of the problem; but here a person can be literally taken from the curb, medically treated, supported, and directed until he or she steps back to the street, hopefully able to function as a responsible, independent person. This process often takes a complete year to accomplish.

Mr. Speaker, Eva's Kitchen and Shelter Programs is an innovative effort to turn human beings from an empty life to one full of possibilities. Human dignity is so often the missing spark in the life of an individual lost and alone on the streets. Eva's works to ignite that light within a person which will allow them to carry forward to a better life.

Mr. Speaker, I am proud to share in this tenth anniversary celebration, and I would like to congratulate the Honorary Gala Committee on which I served for their fine work: Mr. and Mrs. Jerry Porter, chairperson, Mr. and Mrs. Lawrence Fette, Mr. and Mrs. Paul Forbes, Mr. and Mrs. John J. Hannigan, Rev. Edward Lambro, Rev. Msgr. Vincent Puma, Mrs. Joan Waks, Mrs. Ann Wagner, and Mrs. Carol Wilter.

I am sure that you, Mr. Speaker, and all my colleagues join me in commending Eva's Kitchen and Shelter Programs for their tremendous humanitarian efforts. Kindness and understanding are precious commodities which flow freely from the staff and volunteers who work there. They truly fulfill the highest calling in service to their fellow men.

PEACEMAKING EFFORT IN THE MIDDLE EAST

HON. BARNEY FRANK
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 17, 1991

Mr. FRANK of Massachusetts. Mr. Speaker, we have heard a great deal lately from questions in the administration and outside of the supposed willingness of Syrian President Hafez Assad to participate in a genuine
peacemaking effort in the Middle East. Many of us are skeptical to a high degree, given the record of the Syrian regime. But nothing would please us more than to have that skepticism disproved. A willingness by Syria to drop the posture it has held up until now of unremitting hostility to the very existence of Israel and a willingness on its part to participate in the kind of compromise and mutual acceptance that is a necessary element of making peace would be greatly welcomed.

One very important thing the Syrian Government could do to manifest some progress in this area has to do with the plight of Jews now in Syria. Jews within that country are mistreated. They are not allowed to work in the public sector and they are discriminated against with regard to higher education. In many areas of life Jewish activity must be subordinated to supervision by non-Jews, with Jews not being allowed to function as they would in a free society. The bulk of Syrian Jews live in Damascus and they are constantly under surveillance in that community, with absences from school or work triggering police investigations.

To add to the situation being very bad within Syria, Jews are not allowed to emigrate. The basic freedom to leave one country and go to another—which we have made a condition for our assistance to many countries, including the Soviet Union—it's denied to the Jews within Syria.

We should as a Government insist that the Syrian Government reverse both its external and internal policies of mistreating its Jewish citizens. Jews who wish to remain in Syria should be treated with full equality. Jews who wish to emigrate should be given the same freedom that any citizen of any country ought to be given—namely to go live elsewhere if that is the choice of those people. As long as the Syrian Government refuses to relent in either of these points, those of us who have long been skeptical of its peacemaking intentions will see very little reason to change our opinion. As evidence of the terrible conditions that prevail on the urgent need for them to be changed in the name of humanity, I ask that the translation from the newspaper Ma'ariv be reprinted here.

The surveillance of the Jews is so tight that in Damascus the Jewish children are even gone missing from school for more than two hours, agents of the secret police are sent to the home of the parents in order to clarify the reason for the absence. The absence of a Jew from their place of employment also arouses immediate suspicion, as is also the case if they are not seen in public for a while.

Agents of the secret police sit—permanently—in the synagogue during Sabbath prayers and survey the going-on. The agents are also present at weddings and other festive occasions. About a year ago, the Jewish synagogue in Antamia was destroyed in order to prevent Jews from praying in it. The fact that after the old structure had been destroyed—the authorities would not give the necessary permit for the building of the new one.

The authorities do not permit the entrance of foreigners into the Quarter without supervision. All such visits are conducted under the watchful eye of the secret services and the agents are wont to describing their actual situation. Travel abroad is permitted only in exceptional cases. Even then, those who ask to leave are forced to wait for a long period of time before receiving a passport—exhausting the exorbitant sum of money. Family members remaining behind serve as hostages—to ensure that the person leaving does, indeed, return.

Most of the 3,000 in number, are concentrated in Damascas. The rest live in Haleb (400) and in Khamish (100). The Jews mostly work in peddling, trade and petty shop. Among them are grocers, butchers and the like. The number of merchants is very small. Among the Jews are also a large number of dentists and谆alers. In Haleb, there are Jews who work as silversmiths. It is prohibited for Jews to work in the public sector and a number of university programs are closed to them. The mail and telephone conversations of the Jews are under supervision.

The Jewish women and girls in the Quarter are employed by a few Jews who set up a bakery and a textile factory within the Quarter. The Jews can go outside the borders of the Jewish Quarter in Damascus, but the majority of them tend to lock themselves in their homes in the evenings, for fear of being attacked. The word "Mosawi" (of the faith of Moses) is printed—in red—on the identity papers of the Jews in Syria. The leader of Syrian Jewry is Hacham Avraham Albert Hamra, who is accepted by the authorities and enjoys freedom of movement, because he is a clergyman.

In the WUJS report, additional details are given regarding the distress of the Jews: In Syria, there are three Jewish schools, but the principals are not Jewish; Jews who work in foreign trade must have senior partners who are non-Jews; military people and government officials are prohibited from purchasing (merchandise) in the Jewish stores.

UNIVERSITY SHOULD SUPPORT ISRAEL ON LOAN GUARANTEES

HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 17, 1991

Mr. LEHMAN of Florida. Mr. Speaker, President Bush has requested the Congress delay consideration of loan guarantees for Israel. This raises troubling questions about long-term U.S. commitments toward one of our staunchest allies.

The Bush administration is afraid the Arab countries won't come to a peace conference if the guarantees are made. Yet neither Syria nor Jordan ever asked that the loan guarantees be delayed, nor was this ever a precondition for their participation in the peace talks. Additionally, the Arab states agreed to attend the peace conference without guarantees of a settlement freeze.

The central issue of these guarantees is immigrant absorption, and assisting Israel with this task is in fact the very rationale of longstanding American policy. Within the next 5 years, more than 1 million new Israelis may arrive from Russia and the Ukraine alone. President Bush's request is eroding America's historic commitment to freedom of emigration, while assuring that the billions of dollars for the immigrant Absorption will be subordinated to supervision by non-Jews, with Jewish activity must be subordinated to supervision by non-Jews, with many areas of life Jewish activity must be subordinated to supervision by non-Jews, with Jews not being allowed to function as they would in a free society. The bulk of Syrian Jews live in Damascus and they are constantly under surveillance in that community, with absences from school or work triggering police investigations.

The situation being very bad within Syria, Jews are not allowed to emigrate. The basic freedom to leave one country and go to another—which we have made a condition for our assistance to many countries, including the Soviet Union—it's denied to the Jews within Syria.

We should as a Government insist that the Syrian Government reverse both its external and internal policies of mistreating its Jewish citizens. Jews who wish to remain in Syria should be treated with full equality. Jews who wish to emigrate should be given the same freedom that any citizen of any country ought to be given—namely to go live elsewhere if that is the choice of those people. As long as the Syrian Government refuses to relent in either of these points, those of us who have long been skeptical of its peacemaking intentions will see very little reason to change our opinion. As evidence of the terrible conditions that prevail on the urgent need for them to be changed in the name of humanity, I ask that the translation from the newspaper Ma'ariv be reprinted here.

The surveillance of the Jews is so tight that in Damascus the Jewish children are even gone missing from school for more than two hours, agents of the secret police are sent to the home of the parents in order to clarify the reason for the absence. The absence of a Jew from their place of employment also arouses immediate suspicion, as is also the case if they are not seen in public for a while.

Agents of the secret police sit—permanently—in the synagogue during Sabbath prayers and survey the going-on. The agents are also present at weddings and other festive occasions. About a year ago, the Jewish synagogue in Antamia was destroyed in order to prevent Jews from praying in it. The fact that after the old structure had been destroyed—the authorities would not give the necessary permit for the building of the new one.

The authorities do not permit the entrance of foreigners into the Quarter without supervision. All such visits are conducted under the watchful eye of the secret services and the agents are wont to describing their actual situation. Travel abroad is permitted only in exceptional cases. Even then, those
conditions in Chinese labor camps that were exposed by the CBS television program "60 Minutes." This outstanding report by Ed Bradley and Harry Wu, who was once a prisoner in a labor camp, confirms the need for the Pelosi bill which makes further granting of political prisoners from China dependent on China honoring human rights. Mr. Speaker, with your permission, I would like to include a transcript of this program as part of my remarks.

60 MINUTES: MADE IN CHINA

BRADLEY. Not from what we saw in China just a few weeks ago. In a remote prison camp called Tang Ge Mu in the barren foothills of the Tibetan plateau, we took these pictures of prisoners marching to work in blue uniforms. Many of these inmates are here for life. In another camp—In the capital of Ching Hai Province—these prisoners are processing sheepskin and making leather goods which, as we discovered, will end up in stores across America and around the world. The vision was shot by Harry Wu, a former Chinese political prisoner now living in California. He agreed—at great personal risk, since he’s still a Chinese citizen—to go back and show us what his experience was. And he's the first outsider has ever done before: take pictures inside Chinese forced labor camps.

ED BRADLEY. You spent a total of how much time in prison?

HARRY WU. Nineteen years.

ED BRADLEY. Nineteen years. HARRY WU. Yeah.

ED BRADLEY. Harry Wu's "crime"? As a student, he spoke out against the Soviet invasion of Hungary. Not far from Beijing, Wu managed to escape from the Qinghe Prison Farm, where he spent four of his 19 years as a political prisoner and where he says he was nearly starved to death. Entrance is strictly forbidden to anyone but labor camp personnel. But on this day, as we drove fifteen miles from one end of the camp to the other, no one stopped us. We could never figure out why.

Along the way, we could see prisoners at work—building a canal with picks and shovels, which is exactly what Harry Wu did when he was in this prison. If they catch you doing this, what happens to you?

HARRY WU. Go back to the camp again.

ED BRADLEY. You could go back to prison?

HARRY WU. Of course, they will put me back in.

ED BRADLEY. Why are you doing it then?

HARRY WU. Because I think—the world has to realize there is camp system in China.

BRADLEY. A prison camp system modeled on the now-defunct Soviet gulag which experts say is made up of several thousand labor camps and millions of prisoners. Most prisoners are forced to sign confession before they are allowed to do what no one else has ever done before: take pictures inside Chinese forced labor camps.

BRADLEY. You are a political prisoner a. and where he says he was tortured. If you're doing it then, could you go back to prison?

HARRY WU. Yeah.

BRADLEY. But they're doing it. MINISTER OF MOPFR. Then they're violating the government policy. That is true. BRADLEY. But three weeks after we interviewed Vice Minister Tong, the Shanghai prison factory was still sending faxes to Harry Wu trying to sell those prison-made goods.

SCHILL. The question is, who is making the manufacturing facilities have been ever given the right to engage in foreign trade. They're not allowed. BRADLEY. But they're doing it.

MINISTER OF MOPFR. Prisoners. And who are the prisoners who are locked up under forced labor, exported to the United States?

BRADLEY. Prisoners. MINISTER OF MOPFR. They're not supposed to. BRADLEY. But they're doing it.

MINISTER OF MOPFR. Then they're violating the government policy. That is true.

BRADLEY. I heard it.

MINISTER OF MOPFR. To me it's inconceivable.

BRADLEY. I heard it.

MINISTER OF MOPFR. They're not supposed to...
er goods are finished in Korea and sold in the United States. So we invited them to a meeting, and then once again secretly videotaped. This time, our soundman, Ned Hall, posed as the company president. HALL. The laborers themselves are pris- oners.

COMPANY REPRESENTATIVE. Yes. HALL. Have you had experience with this kind of labor in the past, have you found it to be acceptable?

COMPANY REPRESENTATIVE. Yes, they have their own regulations, and also we send our people to keep on checking the quality also. Once we report to them the quality is not up to standard, the prisoners will have the punish­ ment of beating or beatings or some other things.

BRADLEY. Did she say what I thought she said? What prisoners will be punished or beaten? She did.

COMPANY REPRESENTATIVE. Once we report to them the quality is not up to standard, the prisoners will have the punish­ ment of beating or beatings or some other things.

MAN. Oh, okay.

BRADLEY. Do you think that the government of China is capable of enforcing a policy of no forced labor exports?

MINISTER OF MOFERT. Absolutely.

BRADLEY. Absolutely? Then how was it that the Volvo Company received a letter on behalf of China's labor camp enterprises? Is it possible that a large number of criminals are very cheap labor to foreign manufacturers.

BRADLEY. How would you represent this letter to Volvo?

MINISTER OF MOFERT. As I say, I do not know ... It's not to my knowledge. I've never heard of this.

BRADLEY. I'll show you the letter, be happy to show you the letter. "We hear that you want to build plants in Asia. We would like to help you to build a plant in China, and we will be able to provide a reliable cheap work force of prisoners."

MINISTER OF MOFERT. Now I ... this name is not even known to me.

BRADLEY. You think this is a mistake?

MINISTER OF MOFERT. Either a mistake, or the letter itself is in doubt.

BRADLEY. Then perhaps you can explain to me, ah, the 1989 law book, the law yearbook of China which is published by Beijing's law publishing house, said that the ... in 1988 alone the value of products for export made by forced labor increased by 21 percent. Now these are the figures pub­ lished by your government, by government publication. It's in print. How would you respond to that?

MINISTER OF MOFERT. I never know it.

BRADLEY. You never know it. Now your position is what? You're the Vice Minister.

MINISTER OF MOFERT. Of MoFert.

BRADLEY. Of MoFert. Which is in charge of export.

MINISTER OF MOFERT. And import.

BRADLEY. And import ... And you don't know that?

MINISTER OF MOFERT. No. It has never hap­ pened.

BRADLEY. That comes from a government publication.

MINISTER OF MOFERT. Government publica­ tion can make mistakes.

BRADLEY. We pointed out to Vice Minister Tong that numerous government publica­ tion was about the use of forced labor for export. One official prison reform journal says: "The labor reform enterprises throughout China have great potential for de­ veloping exports and earning foreign ex­ change."

Minister, it comes from your own govern­ ment publications.

MINISTER OF MOFERT. As I say, even those publications make mistakes.

BRADLEY. You're an expert on the Chinese government. I don't understand why they would lie to us, to foreigners about something that they boast about in these internal documents.

SCHREIBER. The Chinese have a long tradition ... the information they share among them­ selves within the country is very different from what they expect to share with people outside. Namely, you and I.

And they ... they ... become used to oper­ ating in this kind of dual system. So the ... they don't imagine that you will know these things.

BRADLEY. Vice Minister Tong says he can't understand why China's most-favored-nation trade status should have anything to do with trade.

MINISTER OF MOFERT. Including human rights, arms control, forced labor as we talked about.

BRADLEY. So that China's continuing most-favored-nation trade status should have nothing to do with human rights in this country?

MINISTER OF MOFERT. No, not in my way of thinking.

BRADLEY. Should have nothing to do with forced labor in this country?

MINISTER OF MOFERT. No.

BRADLEY. It is only about business.

MINISTER OF MOFERT. Business is business.

NONTRADITIONAL STUDENTS ASSISTANCE ACT OF 1991

HON. TIMOTHY J. PENNY

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 17, 1991

Mr. PENNY. Mr. Speaker, the traditional image of an undergraduate is a 20-year-old full-time student who lives in a dorm for 4 years and then graduates. However, that represents only about 20 percent of college stu­ dents today. A more accurate picture is a 25­ year-old female who lives off campus, works almost full time, and commutes to a community college. She postpones having children until she earns a degree, or she juggles family and school.

Of the approximately 14 million college students, 55 percent are female; 45 percent are at least 24 years old; 40 percent attend school part­time, and nearly 30 percent are married.

The number of part-time students is expected to grow to over 40 percent by 1995. And not all part-time students are older: 20 percent of students under age 24 attend school on a part-time basis.

Despite the trend toward attending school on a less-than-full-time basis, very few of these needy students are eligible for Federal student financial assistance. Only a few less­than-half-time students receive Pell grants and these very same students are not eligible at all for federally insured student loans.

I am introducing legislation, the Nontraditional Students Assistance Act, to make these needy students eligible for all forms of Federal student financial assistance programs on an equal basis with full-time students.

My bill also expands the Pell grant child care allowance from $1,000 to $3,500. This new level of child care assistance—which is the single largest need of nontraditional students—will make college much more affordable for tens of thousands of needy student families. My bill also ends up the problem of indentured independent student by making it easier for truly self-sufficient undergraduate students to be declared independent for the purposes of determining their level of student financial assistance.

Mr. Speaker, this legislation is vitally needed. As the Congress moves to rewrite the Higher Education Act, I urge members to be aware of the needs not being addressed by the current student financial aid structure. By making relatively minor changes to current law, we can open the door for many students who currently have no where to turn.

The bill follows:

H.R. 3354

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 called as the "Nontra­ditional Students Assistance Act of 1991".

SEC. 2. QUALIFICATIONS FOR INDEPENDENT STUDENT STATUS.

(a) IN GENERAL.—Section 480(g)(2) of the Higher Education Act of 1965 (20 U.S.C. 1074g(2)) is amended by—

(1) by striking "or" at the end of subparagraph (F); and

(2) by striking subparagraph (G) and inserting in­ serting the following:

"(G) is an individual—"

(i) who was admitted to the United States as a parolee under section 212(d)(3) of the Immigra­tion and Nationality Act;

(ii) who was granted asylum in the United States under section 208 of such Act; or

(iii) whose deportation has been withheld under section 243(h) of such Act; or

(b) PELL GRANTS.—Section 411F(12)(B) of the Act (20 U.S.C. 1070e-(12)(B)) is amended by—

(1) by striking "or" at the end of clause (vi); and

(2) by striking clause (vii) and inserting the following:

"(vii) is an individual—"

(i) who was admitted to the United States as a refugee under section 207 of the Immigra­tion and Nationality Act;

(ii) who was granted asylum in the United States under section 208 of such Act; or

(iii) whose deportation has been withheld under section 243(h) of such Act; or

(iii) a student for whom a financial aid administrator makes a documented deter­mination of independence by reason of—

"(i) a history of self-sufficiency;"

"(ii) a history having been a victim of child abuse or spouse abuse; or"

"(iii) other unusual circumstances.

(c) SEC. 428(b)(1)(A) of the Higher Education Act of 1965 is amended by striking "any student who is carrying at an average rate of at least one-half the normal full-time academic workload" and inserting

"... or..."
SEC. G.C. CARE EXPENSE ALLOWANCES.

FAIRNESS TO THE TREATMENT OF MILITARY RETIREES

HON. RANDY "DUKE" CUNNINGHAM    OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 17, 1991

Mr. CUNNINGHAM, Mr. Speaker, I rise today to introduce legislation which will bring fairness to the treatment of many military retirees. I am joined in this effort by my colleagues from San Diego, Mr. HUNTER, Mr. LOWERY, and Mr. PACKARD.

San Diego is, of course, a major center of military retirees. Thousands of service men and women spend time in San Diego during their military careers, and upon retirement, do as I did and choose to remain in San Diego. Our community benefits richly from their presence, and San Diego offers a host of facilities that make life for military retirees easier.

Foremost among these facilities is the military health care system. Our Naval Hospital in Balboa Park is second to none in offering outstanding care by compassionate, dedicated professionals. There are also numerous clinics and other health facilities which cater to San Diego's large active-duty and retired military community.

One of the attractions of military life is the commitment made by the Government to continue medical care after retirement. In San Diego, however, many retirees have encountered problems in obtaining health care in military and veterans facilities. They thus turn to private and public hospitals, at considerable expense to themselves and the taxpayers.

With this problem in mind, a group of retirees in my district have drafted legislation to reform health care for military retirees. The present wording of title 10, chapter 55, states that care at a military facility is an entitlement; but the point is not clearly worded in all instances. All military persons have been told and promised from day one of active service that medical care would be provided; and that such care, would be provided for life. Current law does not contradict that principle—not in any way.

This legislation uses subvention to allow CHAMPUS and Medicare to reimburse military facilities and veterans hospitals directly when care is provided to a retiree. This provision of care will not cause a new expense to the existing budget, in fact, it can save appropriated money. Subvention, which is simply distributing money, in fact, it can save appropriated money. Subvention, or Medicare's "Teapot Dome" reward, will permit the spending of an existing CHAMPUS or Medicare authorization in a less costly military or veterans facility rather than a more costly civilian hospital.

The present title 10 authorizes care for retirees and their dependents "subject to availability of space and capabilities." In the case of dependents, but not retirees, current law gives conclusive authority to medical personnel to deny care at the point of admission. In interpretation, the law makes clear that care is not "subject to availability of space and capabilities." In the case of dependents, but not retirees, current law gives conclusive authority to medical personnel to deny care at the point of admission. In interpretation, the law makes clear that care is not subject to availability of space and capabilities. In truth, care has been denied arbitrarily when there obviously was space and the capabilities existed. In many cases, a retiree is denied when it is blatantly clear that any denial by the medical personnel is authorized as against dependents only because there is no rule in the title as to how a retiree is excluded.

This bill will remove all vagueness and prevent arbitrary decision for exclusion to one person in each facility. The decisionmaker at each military facility need only assert that all room/space is needed for active duty, or specifically declare—and advise all concerned up and down—that the service needed is not available.

The cost of providing care at a military facility or veterans hospital is lower simply because there is no profit motive. A prior Army study States that a 40-percent savings is forecast in the case of Medicare subvention. We believe that this is a very conservative estimate. Patient housing cost savings, if considered alone and apart from medical service, would far exceed this estimate.

This is a key point to some authorized retirees and their dependents. This is not a HMO-type plan. The patient can use or not use a military or veterans hospital at their discretion, or can use a civilian hospital if desired.

This bill will not create new benefits or new beneficiaries. It will, however, clarify a vague area in the law and allow our military retirees to fully benefit from the promises made to them. I believe it will also save the taxpayers money and provide better health care. I urge my colleagues to join me in supporting this bill.

FEDERAL FIRE SAFETY ACT OF 1991

HON. RICK BOUCHER    OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 17, 1991

Mr. BOUCHER, Mr. Speaker, I am introducing today legislation to address the serious problem of fire safety in Federal office buildings and federally subsidized housing. Our New York colleague, Mr. BOEHLENT, is the primary cosponsor. Just last month a major fire at the General Services Administration (GSA) headquarters building in Washington displaced more than 2,500 employees and resulted in more than $200,000 in damage. The GSA headquarters building is not protected by sprinklers, a factor we believe may have contributed to the severity of the damage, which included the loss of the historic "Teapot Dome" dining room adjacent to the GSA Administrator's office.

The recent GSA fire highlighted the mounting evidence that our Federal office buildings have serious fire safety problems. More than one-half of the Federal buildings owned by the GSA are more than 40 years old. A May 1991 General Accounting Office report, entitled "Federal Buildings: Actions Needed to Prevent Further Deterioration and Obsolescence" concluded that Federal buildings are in an "alarmingly neglected, and many now need major repairs and alterations including the installation of sprinklers. GAO found that the lack of attention to these problems costs the Government more money in the long run and in some instances jeopardizes employees' health and safety. The problem is compounded by the
fact that federally owned buildings are exempt from local fire codes.

These problems are not confined only to Federal office buildings. Residential fires are the leading cause of death from unintentional injury to individuals for individuals aged from birth through 64 years. Two thousand deaths from fires occur annually among children under the age of 15 years, with those under 4 years of age being at highest risk. The poor, whether in rural America or in the inner city, are at the highest risk for serious injury or death in a fire. Studies completed in Baltimore and Philadelphia have confirmed that the installation of smoke detectors in low income areas is an inexpensive, reliable means of reducing the risk of death and serious injury from fires.

I believe the Federal Government should serve as a model for fire safety protection and encourage by its own actions, the private sector to use the technology that has been proven to save lives. Three areas where the Government can make an immediate difference in fire safety are Federal office buildings, housing for Government employees, and privately owned, multifamily housing constructed with Federal subsidies.

The legislation I am introducing today will provide government fire safety protection in these areas by requiring:

First, the installation of sprinklers in newly constructed Federal office buildings having more than 25 employees;

Second, that all newly leased Federal office space having more than 25 employees be protected by an automatic sprinkler system, unless the agency certifies that the commercial leasing market is unable to meet the requirement at an acceptable cost;

Third, the installation of sprinklers in all buildings of five or more stories, which contain leased Federal office space, at such time as the building undergoes a major renovation—defined as improvements representing more than 25 percent of the current value of the building;

Fourth, that newly constructed, multifamily housing for Federal employees whether Government-owned or leased, be protected by automatic sprinklers and smoke detectors;

Fifth, that newly constructed, multifamily high-rise housing subsidized by the Federal Government be protected by automatic sprinklers and smoke detectors, and rental assistance housing be protected by smoke detectors.

To limit dilution, the bill would not apply to Federal offices in existing space, or to existing subsidized housing. The legislation does require the installation of smoke detectors in rental assistance housing and the installation of both smoke detectors in multifamily high-rise housing which is undergoing major rebuilding and repairs.

The Subcommittee on Science of the Committee on Science, Space, and Technology will hold a hearing on this legislation on September 17, 1991, at 10 a.m. in room 2318, Rayburn. During the hearing we will receive testimony from a number of Federal agencies and others with expertise related to the provisions of the bill. I want to emphasize that our measure is fully consistent with the rights of State and local governments to establish fire and building codes. In most instances, the legislation will simply bring Federal office buildings under the same fire safety protection afforded by many local codes, which presently exempt the Federal Government.

I appreciate the support and interest of the gentleman representing Maryland, Mr. BOEHLERT, who has worked closely with me in developing this legislation. We anticipate early committee action on the measure and urge our colleagues to join with us in enabling the Federal Government to serve as a model for the private sector in the area of fire protection.

H.R. 3360  
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 "Federal Fire Safety Act of 1991".

SEC. 2. FINDINGS.  
The Congress finds that:

(1) through the Federal Fire Prevention and Control Act of 1974, the Federal Government has helped to develop and promote the use of residential sprinkler systems and other means of fire prevention and control;

(2) the United States has more fires, fire-related deaths, and fire-related losses per capita than any other industrialized nation in the world, with approximately 6,000 deaths annually attributable to fires;

(3) the vulnerability to fire of office buildings and residential housing units can be reduced through strong fire safety measures;

(4) it is essential for the protection of life and property for the most effective technology be employed in detecting, containing, and suppressing fires;

(5) when properly installed and maintained, automatic sprinklers and smoke detectors provide the most effective safeguards against the loss of life and property from fire; and

(6) federally constructed, renovated, purchased, leased, or operated buildings, and other structures with respect to which Federal funds are expended, should serve as models for demonstrating appropriate means of reducing fire hazards to the local community.

SEC. 3. FIRE SAFETY SYSTEMS IN FEDERALLY ASSISTED BUILDINGS.  
The Federal Fire Prevention and Control Act of 1974 is amended by adding at the end the following section:

"SEC. 31. FIRE SAFETY SYSTEMS IN FEDERALLY ASSISTED BUILDINGS.  
(a) DEFINITIONS.—For purposes of this section—  
(1) the term 'automatic sprinkler system' means an electronically supervised, integrated system of piping to which sprinklers are attached in a systematic pattern, and which, when activated by heat or smoke, will protect human lives by discharging water over the fire area, and by providing appropriate warning signals (to the extent such signals are required by Federal, State, or local laws or regulations) through the building's fire alarm system, installed in accordance with the National Fire Protection Association Standard 13 or 13R, whichever is appropriate for the type of building and occupancy to be protected, or any successor standard thereto;

(2) the term 'equivalent level of safety' means an alternative design or system based, to the extent practicable using the best available technology, upon quantitative cost benefit analysis of the total building system (including mechanical, electrical, and lifefunctions) and analysis of potential fire loss exposures and adverse conditions related to fire safety, which alternative design or system provides safety equivalent to an automatic sprinkler system;

(3) the term 'Federal employee' means an employee of the Federal Government, and includes an employee of the United States Postal Service;

(4) the term 'Federal employee office building' means any building in the United States (or any other building constructed by the United States) occupied and con­ducted by Federal employees more than 50 percent of the time and occupied and conducted by more than 25 full-time Federal employees in the course of their employment;

(5) the term 'housing assistance' means any housing assistance which is provided to Federal employees; and

(6) the term 'multifamily property' means a residential building consisting of more than 10 residential units.

(b) REQUIREMENTS.—(1) Except as provided in clause (ii), Federal employees may not live or work in a multifamily property unless the building is protected by an automatic sprinkler system or equivalent level of safety.

(B) Except as provided in clause (ii), Federal employees may not live or work in a multifamily property unless the building is protected by an automatic sprinkler system or equivalent level of safety.

(c) COVERAGE.—Federal employees, who are entitled to housing assistance, may only occupy a unit in a multifamily property that is protected by an automatic sprinkler system if the building is constructed, renovated, or furnished and equipped by the United States; or

(2) Federal employees may use the lease of a Federal employee office building that is located on Federal property, unless the building is protected by an automatic sprinkler system or equivalent level of safety; and

(ii) except as provided in paragraph (b) or (c), Federal employees shall not apply if the leasing agency certifies that no suitable building
with automatic sprinkler systems or an equivalent level of safety is available at an affordable cost to the agency in the location where leasing is required.

"(II) Within 3 years after the date of enactment of the Federal Fire Safety Act of 1991, each Federal agency, including the Comptroller General shall audit all certifications made under clause (I) and report to Congress on the results of such audit.

(5) EXCEPTIONS.—This subsection shall not apply to a Federal employee office building that—

"(A) was a Federal employee office building beginning to be used for the renovation of a Federal employee office building of 5 or more stories unless the building is protected by an automatic sprinkler system or equivalent level of safety.

"(B) becomes a Federal employee office building pursuant to a commitment to move Federal employees into the building that is made prior to the effective date of those regulations.

(6) (C) is owned or leased by the United States Postal Service and has less than 35,000 square feet of space;

(7) (D) is constructed or rebuilt with funding provided under the Health Insurance for the Aged and Disabled Act; or

(8) (E) is owned or managed by the Resolution Trust Corporation.

SECTION 3. PROTECTION OF FEDERAL EMPLOYEES.—No Federal funds may be used to increase the number of full-time Federal employees in a Federal employee office building by more than the number of employees in such building as of the date of enactment of the Federal Fire Safety Act of 1991, unless the building is protected by an automatic sprinkler system or equivalent level of safety.

(4) RENOVATION.—No Federal funds may be used for the renovation of a Federal employee office building of 5 or more stories unless after such renovation the Federal employee office building is protected by an automatic sprinkler system or equivalent level of safety.

(5) HOUSING.—

"(A) No Federal funds may be used for the construction, purchase, lease, or operation by the Federal Government of housing for Federal employees or their dependents in the United States, unless—

"(I) in the case of a multifamily property acquired by the Federal Government after the date of enactment of the regulations implementing this subsection, the housing is protected by an automatic sprinkler system and smoke detectors; and

"(II) in the case of housing with 4 or fewer residential units, the housing is protected by smoke detectors.

"(B) No Federal funds may be used for the rebuilding by the Federal Government of housing for Federal employees or their dependents unless after the rebuilding that housing has fire safety protection as provided in subparagraph (A)(I) and (II).

"(2) HOUSING ASSISTANCE PROGRAMS.—(A) No Federal funds may be used for housing assistance to public or assisted housing for which that Federal agency owns or leases the United States Postal Service or the United States Postal Service.

"(B) The Administrator, within 18 months of the date of enactment of the Federal Fire Safety Act of 1991, shall promulgate regulations implementing this section within 18 months of the date of enactment of the Federal Fire Safety Act of 1991, unless the building is protected by an automatic sprinkler system or equivalent level of safety, and shall, to the extent practicable, base those regulations on nationally recognized codes.

(6) PROTECTION OF GOVERNMENT HOMES.—Nothing in this section shall be construed to limit the power of any State or local government to regulate or tax the possession or operation of any private property for the purposes of fire safety, and shall, to the extent practicable, base those regulations on nationally recognized codes.

(7) REPORTS TO ADMINISTRATOR AND CONGRESS.—(1) Within 3 years after the date of enactment of the Federal Fire Safety Act of 1991, each Federal agency (including the United States Postal Service) shall report to the Administrator describing the level of fire safety in the Federal employee office buildings for which that Federal agency owns or operates.

"(A) housing for Federal employees or their dependents unless after the rebuilding that housing has fire safety protection as provided in subparagraph (A)(I) and (II).

"(B) the Administrator shall submit a comprehensive report to the Congress detailing the progress of each agency in implementing this section.

(8) (2) Within 10 years after the date of enactment of the Federal Fire Safety Act of 1991, each Federal agency providing—

"(A) housing for Federal employees;

"(B) housing for Federal employees;

"(C) rental assistance;

shall submit a report to Congress on the progress of that agency in implementing subsection (6) and plans for continuing such implementation.

THE PRESIDENT SHOULD COMPROMISE IN LATEST UNITED STATES-ISRAELI ESTRANGEMENT

HON. WAYNE OWENS
OF UTAH
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 17, 1991

Mr. OWENS of Utah. Mr. Speaker, for reasons which are still not clear 3 days after the event, President Bush, late last week, began an intensive media crusade to delay by 120 days America's long-promised loan guarantees to Israel for Soviet Jewish immigrants.

No one can figure out why he undertook the high-profile, last-minute delay, raising the issue to the front pages of public concern, and to enhance dramatically the prospects of this country, either in support of or in opposition to the loan guarantees.

The Salt Lake Tribune, in an excellent, thoughtful editorial yesterday entitled "Latest United States-Israeli standoff means Americans are coming out on the losing side," pointed out that "it's time to cool this sort of rhetoric."

James Baker would not have initiated this unnecessarily and indecisive blast at the Israeli Government at this delicate time of preparations for the peace conference, and to him falls the difficult task of repairing and rebuilding the bridges which the President has chosen to tear down.

This debate is not good for this country, it is not good for Israel, and it is, most of all, not good for the Middle East. This time, President Bush must somehow repair a widening U.S.-Israeli rift when he convenes personally Monday in Israel with Israeli Prime Minister Yitzhak Shamir.

Just a few short months after another triumphant U.S.-Israel alliance—victory over Saddam Hussein in the Persian Gulf War—the two long-time friendly nations are barking complaints at each other. Needlessly as well as dangerously.

The source of the conflict is Israel's request for a $10 billion loan guarantee from the United States, the authorization planned as help for settling Jewish immigrants streaming into Israel from the Soviet Union. While no serious objection to the proposal currently exists in Washington, D.C., President Bush was forced to delay it for at least 12 months until a comprehensive Middle East peace conference is arranged. He foresees the delay lasting no longer than until the first of next year.

Unfortunately, discussions prompted by the possible delay have degenerated into a test of political wills. Mr. Shamir, in his inimitable style, immediately rejected the notion as a "gift to the Arabs," connecting the issue to the very Mideast struggle Mr. Bush's preferred peace conference is supposed to dispense with. The U.S. president, responding to that kind of pressure, trotted out his favorite reprise—a White House veto of any loan guarantee enacted "prematurely" by Congress.

Inevitably, partisans on all sides weighed in with arch comments of their own. One newspaper in Israel went so far as to characterize the Bush statement as "a declaration of war." It's time to cool this sort of rhetoric.

Yet, the United States-Israeli Estrangement Needs the James Baker Touch. Once again, a U.S. secretary of state carries an extraordinary task to meetings in the Middle East. This time, James A. Baker III must somehow repair a widening U.S.-Israeli rift when he convenes personally Monday in Israel with Israeli Prime Minister Yitzhak Shamir.

A recent Washington Post/ABC News poll found that Americans now prefer peace talks in the Mideast. This time, James Baker should say that he will support the $10 billion guarantee—which does not cost the taxpayers anything—in January, and that he will not try to link it to the peace process. He has hinted at both points. He should now make his support clear, and the current impasse can be resolved.

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EXTRACTIONS OF REMARKS

September 17, 1991

TWINS FIND SUCCESS IN OPENING "TISKETS AND TASKETS"

HON. ILEANA ROS-LEHTINEN
OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 17, 1991

Ms. ROS-LEHTINEN. Mr. Speaker, I am pleased to recognize today two of my constitu­ents, Connie Dahms and Ms. Joanna Sguros, who recently were featured in the Miami Herald for their successful Coral Gables gift shop, Tiskets and Taskets. The article "Friendly service is twins' secret to success," tells the story of how two twins gave up the corporate life to open a successful small busi­ness:

"Friendly Service Is Twins' Secret to Success"

Twins Connie Dahms and Joanna Sguros, owners of Tiskets 'N Taskets Inc., a gift shop in Coral Gables, aren't identical in their ways of running a business. That, they say, is the secret of their success.

"I am running the financial savvy of Sguro's and the buying savvy of Dahms makes the business appealing to their clientele, they said.

"We live together and work together and we may have heated arguments, but we make up in five minutes and compromise quickly to move on the business," Dahms said.

"My partner is someone I can trust. There's no one I'd have gone into business with so close to her. We think differently but I can agree on what needs to be done to get the business ahead," Sguros said.

The store, at 241 Miracle Mile, offers a wide variety of items: baskets, baby bibs, stuffed animals, key chains, books, tote bags and art note cards. Twenty percent of the items, such as the country wood plaques and ceramic pieces, are made by local artisans.

"You can come in and get a gift for anyone on your list," Dahms said.

"I just love it," said Louise Camperty, a Gabres resident shopping in the store. "I like the children's items, the candles, everything—I'd like to just buy up the store."

The sisters opened their first store in May 1989 at 2351 Salzedo St. They moved to their present location on Miracle Mile in March and tripled their business. More than 400 customers drop in weekly.

"When we first started the business, we didn't have the management experience. We thought we had better start small so we opened the store on Salzedo. It was a learning process, but we made our mistake on a small basis," Dahms said.

The Coconut Grove residents said they wanted to open a gift shop because there are many high-end stores and they saw a need for items suited for people on a tight budget.

The most popular items are the Seagull pewter line and dried floral arrangements.

Most Items In the store cost $15 to $25. The most expensive is a pewter brush and mirror set for $35.

Before getting into the business, Sguros managed a laboratory at Coral Reef Hos­pital since renamed Deerfield Hospital. Dahms worked for Eastern Airlines, planning and scheduling at a reservation center. Both quit their jobs in December 1987 and spent a few months researching.

"Neither of us wanted to go back to corporate life, especially after a year of travel­ing places like Alaska. We always talked about opening a gift shop, so we did it," Dahms said.
September 17, 1991

Their future goal is to open a tea and gourmet shop.

Currently, they are building a section of goods that promote the preservation of natural resources, such as books on oceans and forests, and towels made by companies that support their dream through hard work and determination.

**RESOLUTION SUPPORTING ARMENIAN PEOPLE**

HON. STENY H. HOYER OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 17, 1991

Mr. HOYER. Mr. Speaker, I have just returned from chairing a Helsinki Commission delegation trip to Vienna, where the new round of Confidence and Security Building Measures (CSBMs) talks has begun, to the Baltic States, which are celebrating the restoration of their long-sought independence, to Georgia and Armenia, and finally, to Moscow, where the delegation attended the opening session of the third meeting of the Conference on the Human Dimension of the CSCE.

We found Armenia to be a republic that is no less dedicated to its freedom and independence than the Baltic States. This ancient people has maintained its sense of national identity through the centuries, in the course of which it has endured many disasters and horrors, especially in 1915. Today, after seven decades of stifling centralizing control by the Kremlin, Armenia stands on the brink of becoming an independent state. In August 1990, a democratically elected parliament passed a declaration on transition to independence. The next step in the process will be a referendum to which the Helsinki Commission will also send observers.

Mr. Speaker, the Armenian people have set a firmly democratic course toward independence, which promises to yield a welcome addition to the growing number of democratic countries in the international community. On October 16, there will be a multiparty, multicandidate election, in which the people of Armenia will elect a president, and to whom the Helsinki Commission will also send observers. Our delegation met with President Ter-Petrosyan, as well as with leaders of opposition parties that will field candidates. We were deeply gratified to hear all of them pledge their commitment to democratic principles.

Currently, they are building a section of goods that promote the preservation of natural resources, such as books on oceans and forests, and towels made by companies that support their dream through hard work and determination.

**EXTENSIONS OF REMARKS**

JUSTICE DEPARTMENT'S NEW MIRANDA WARNING

HON. PAUL E. KANJORSKI OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 17, 1991

Mr. KANJORSKI. Mr. Speaker, the U.S. Justice Department has developed a new Miranda warning for admitted Panamanian drug pilot Daniel Miranda and five of his cronies. You have the right to remain in the United States. You have the right to receive your pilot's license back. You have the right to an attorney. If you cannot afford an attorney we will provide one for you, along with a $510,921 signing bonus.

These are among the benefits the U.S. Justice Department has proposed bestowing upon Miranda and a handful of other drug kingpins with ties to former Panamanian dictator Manuel Noriega and the Medellin drug cartel. If these defendants declare their willingness to stay in the United States they should spend their time in Federal penitentiaries, not on the streets. Yet the Justice Department's policies will turn a number of them loose on the streets again, and will even give them preferential immigration treatment over the millions of hard-working, law-abiding foreigners who seek—and are denied—admission to the United States each year.

I would like to share with my colleagues an article from the Washington Post by Michael Isikoff describing the sordid details of the Justice Department's proposed special deals for these admitted criminals, as well as the text of a letter a number of my colleagues and I will send to INS Commissioner Gene McNary protesting preferential treatment for aliens who break our laws and then seek a haven in the United States.

Dear Commissioner McNary,

We are writing to express in the strongest possible terms our outrage over the Justice Department's request that Daniel Miranda, Louis del Cid, the family of Ricardo Bilonick, and other individuals who are admitted drug smugglers and money launderers be given preferential immigration status in the United States.

Emma Lazarus' inscription on the Statue of Liberty reads, "Give me your tired, your poor, your huddled masses, yearning to breathe free." It says nothing about drug smugglers and money launderers.

At a time when the Immigration and Naturalization Service is running a lottery to give honest men and women a chance for a new life in the United States, and when less than one percent of all applicants in that lottery will be successful, it is gross injustice that preferential immigration status may be given to convicted drug dealers, racketeers and families. What message are we sending to the world when we encourage individuals to break the law in order to gain admission to the United States?

We urge you to stand up for the principles for which our nation was founded by rejecting these applications for preferential immigration status.

[From the Washington Post, Sept. 9, 1991]

PLA BARGAINS, FEES FOR WITNESSES AGAINST NORIEGA QUESTIONED

(By Michael Isikoff)

MIAMI—Lawyer Michael O'Kane said he had no trouble last month when he sat down with federal prosecutors to resolve the case against his client, accused Panamanian drug pilot Daniel Miranda.

"We gave them a list of demands and they basically agreed to everything," O'Kane said.

Last Wednesday, Miranda pleaded guilty to one count of transporting $800,000 in drug proceeds. In exchange for prosecutors recommending leniency, he agreed to turn over to the United States Garita Chirinos, a Panamanian drug dealer, Manuel Noriega and the Medellin drug cartel.

The propriety of these deals had already emerged as an issue by the time jury selection began last week in Noriega's trial on drug and racketeering charges. The prosecution team for the famous drug kingpin now has several witnesses who claim to have been promised freedom in exchange for testifying against their client.

Moreover, say critics, not only have prosecutors dropped counts and offered dramatically lower sentences to Noriega's codefendants, but prosecutors also have paid $1.5 million in "fees" to another six men—most of them convicted drug traffickers and pilots—for information and potential testimony against Noriega. The prosecutors informed Noriega's lawyers of the fees in a letter.

One of the six was Tony Alzupr, a Panamanian drug pilot who began to implicate Noriega after Alzupr's cocaine-filled plane was forced down in Florida four years ago. Since then, Alzupr has received $510,921 from the U.S. government.

"I think they are doing a better job of giving the courthouse away," said Jeffrey Weiner, a Miami lawyer who is president of the National Association of Criminal Defense Lawyers. "There is no ethical barrier to what they are doing when the court is so desperate to get higher-ups as those of drug cartel kingpin Carlos Lehder in 1988 and Medellin drug trafficker Bayfay Edmond III in 1989, they noted."

"Within reason and common sense, you do what you can to be doing the right thing," said Neal Taylor, a former assistant U.S. attorney who represents another Noriega codefendant who has pleaded guilty—Medellin drug trafficker Roberto Lehder. "As Taylor and others have noted, with secret videotaped or written documentation proving that Noriega dealt drugs, prosecutors are not as willing to make deals with drug dealers, money launderers and other felons.

[From the Washington Post, Sept. 9, 1991]
Nevertheless, many defense lawyers here say the bargains for testimony have rarely been as overt and across-the-board as in the Noriega case. With Miranda’s plea last December of defendant who would have been looking at crimes committed in less than seven. These who is expected to be released from prison has long sought to protect its most valuable witnesses through such vehicles as the federal witness protection program. In this case, Panamanian and Colombian co-defendants have him cooperate and then deport him back to Colombia. Galley last month arranged a deal for another co-defendant, David Rodrigo Ortiz-Hernida, a Colombian drug pilot serving a 15-year sentence in France for smuggling cocaine through Guadeloupe. Prosecutors said they would recommend a 10-year sentence for him but agreed that it could run concurrently with his prison time in France. Galley said he is not surprised by the government’s behavior. “There’s probably never been a trial where the stakes are as high,” he said.

RETRIEVAL OF ROGER GUFFY
HON. IKE SKELTON
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 17, 1991

Mr. SKELTON. Mr. Speaker, September 30, 1991 will mark the end of a distinguished career for one of our country’s outstanding financial leaders. Roger Guffy, president of the Federal Reserve Bank of Kansas City, will retire following a 23-year term of service with that institution. His term of more than 15 years as president of the bank is the second longest of the current Reserve Bank presidents and he is the dean of the Federal Open Market Committee.

Roger Guffy and I were in law school at the University of Missouri and became friends, developing a bond that has lasted through the years. I have followed his career and have appreciated the wisdom of those who recognized his talent, and recruited and promoted him within the Federal Reserve system. He has proven his ability repeatedly. His leadership can be measured successfully through the review process of the board of governors, which has rated the Kansas City bank as outstanding for the last five consecutive years. He has put together an organization at the Kansas City Fed that he proudly points to as the crowning accomplishment of his administration at the bank.

An instinct for working positively with others has served Roger well. The relocation of the president’s office within the building is illustrative of the man and his style. The ground floor office, which he refused to vacate, was vacated. While the employees used to have to go by his office each day. He now has to go by theirs, and he enjoys the resulting relationships. The lobby has been converted into a visitor’s center with exhibits and information about the operation of the Federal Reserve system.

In response to a reporter’s request to describe a good day, Guffy said: A good day would have been a busy day; it would have been full of contact with people. It would have produced a substantive result rather than just “paper work.” But a day like that was not every day inasmuch as a good day your work really has added up to something, and you walk out satisfied that you’ve done your best with the tools you have. That would be a good day.

It is my sincere belief that description applies to the days that make up the career of Roger Guffy with the Federal Reserve Bank system. He has ably served the Nation in a difficult, challenging position. I want to use this record to state my appreciation for the work he has done for us all.

TRIBUTE TO JAMES W. LILLEY, JR.
HON. ROBERT E. ANDREWS
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 17, 1991

Mr. ANDREWS of New Jersey. Mr. Speaker, I rise today to pay tribute to a great American, James W. Lilley, Jr., the retiring superintendent of schools in Gloucester Township, N.J.

I am submitting for the RECORD a description, written by Mr. Joseph J. Del Rossi, of some of Mr. Lilley’s invaluable contributions to our community.

JAMES W. LILLEY, JR.
A quiet dignified man, James W. Lilley, Jr. has dedicated his life to the schools and community of Gloucester Township. Mr. Lilley’s vision and diligence in his role as an educator, in addition to this active participation in community groups and service organizations have made him a well-respected and revered leader in Gloucester Township.

After graduating from Glassboro State College in 1951, an eager Jim Lilley embarked on his career as a teacher. His first employment began in 1951 as a teacher in the Cinnaminson public school system. After a four year tenure at Glassboro High School, he became the Blackwood Elementary School. Thus began a most important and eventful relationship between James W. Lilley, Jr. and the Gloucester Township public school system. After a four year tenure at Blackwood, Mr. Lilley was named Assistant Superintendent of the district. He served in this position for just three years; he then received the distinction of being named Superintendent of schools in 1954. As Superintendent, Mr. Lilley has personified excellence in education, leading the district through more than twenty-five years of growth and change. His keen perception and “eagle eye” combined with his boundless energy have enabled him to keep a pulse on the needs of the schools, the community and families which he has served.

Mr. Lilley has always emphasized the school community relationship, encouraging
EXTENSIONS OF REMARKS

JAMES LILLEY as one of "500 Out-standing Citizens." The Rotary, which Jim served so well honored him in 1982 with the "Rotary Foundation Citation for Meri­torious Service." The year 1985 also saw him named a "Distinguished Graduate" of the Glassboro State College "Distinguished Alumni Award." Most recently, James was presented with the "American Legion Appreciation Award for Distinguished Service" in 1986. Herbert Hoover in 1956 stated, "No greater nor more affectionate honor can be conferred on an American than to have a public school named after him." This most prestigious honor was bestowed upon Jim Lilley in 1968 when the Gloucester Township Board of Edu­cation approved the name of its newest building "James W. Lilley, Jr. Element­ary School.

Although Mr. Lilley has faithfully served the Gloucester Township community, his family has always remained a most impor­tant and central part of his life. Married for thirty-nine years, James Lilley has been a dedicated family man—a loving husband to his wife, Tina, and a wonderful father to their six children. Today, he and Tina enjoy the pleasure of twelve grandchildren. When he is not at the office, Jim engages in various sporting activities. He has been a well-known catcher for various baseball (am) and has held membership in the Rose­dale Rod and Gun Club, including service as its President. Currently, Jim is an avid golf­er teeing off regularly at the Woodbury Country Club and has chaired the Gloucester Township Day Golf Committee for the past three years.

James W. Lilley, Jr., through his lifetime of dedicated service to the community of Gloucester Township and his outstanding achievements as an educator, has truly earned a place of respect and honor in the eyes of those who know him. Mr. Lilley's depth of character and his willingness to serve stand as an extraordinary example for all. His lifetime contributions will be long remembered by those who know him and will have an everlasting effect on the community of Gloucester Township.

CHANGE IN UNEMPLOYMENT PROGRAM

HON. DAVE CAMP
IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 17, 1991

Mr. CAMP. Mr. Speaker, I voted in favor of H.R. 3040 because I believe it is important to provide additional relief to families who have been struggling with unemployment. My home State, Michigan, is always among the States hit hardest by an economic downturn, and this most recent recession has been no exception. The hardworking men and women of Michigan who want jobs and are looking for work, but are unable to find jobs. This legislation will provide needed assistance to families who are feeling the pain of a recession and have been unable to return to the work force.

I must say, however, that I would prefer that this legislation provide assistance on a tem­porary basis, as is our tradition of temporarily extending jobless benefits during recessionary times. It is my hope that our friends in the Senate will take this issue into consideration and that a final bill providing a temporary change to unemployment benefits will emerge from conference committee.

The House has taken an important step today toward providing needed help to those who have been hurt the most by economic misfortune. But let us be careful in future de­velopment of this legislation, with respect to an extension of benefits, to take into consider­ation the long-term effects of a change in the unemployment program, and let us be mindful of the difference between a permanent and a temporary change in law.

OLDER AMERICANS ACT REAUTHORIZATION

HON. JOAN KELLY HORN
OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 17, 1991

Ms. HORN. Mr. Speaker, I recently wrote to all of the senior citizens in the Second Congres­sional District. In that newsletter I said that I, as their representative in Washington, was going to do what I can to see that they receive the services and benefits to which they are entitled. As part of this commitment, I recently voted in favor of the Older Amer­i cans Act Reauthorization (OAA). With the passage of this bill, we are assured that, at least for the next 3 years, senior citizens will continue to receive vital services under the OAA.

These services such as meal delivery, legal assistance and in-home caregiving are essen­tial programs that help keep older Americans living in their homes and in familiar family sur­roundings. I am pleased that the House has moved in an efficient manner to fund these programs at reasonable levels. I am also pleased that there are no cost-sharing provi­sions in this bill and that seniors will not be faced with fees for services under the OAA.

This reauthorization contains other important provisions to provide better services to seniors in the future. The new Federal Ombudsman Centers will do research and make rec­ommendations to Congress and the adminis­tration on legislation for older Americans. This bill will require that the President call a Na­tional Conference on Aging. This conference will allow seniors themselves to make rec­ommendations to reform programs. Major legis­lative initiatives have come out of the last three conferences and I hope this one will be as productive.

Demographics indicate that older Americans are the fastest growing sector of our popu­lation. People are living longer and in the next few years there will be growing difficulties in providing sufficient services for seniors. While this bill will do a substantial amount of good, we realize that in the future we must make a larger commitment to providing programs for older Americans. When that time comes, I will be ready to make that commitment.
HON. BOB CLEMENT
OF TENNESSEE
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 17, 1991
Mr. CLEMENT. Mr. Speaker, today, 68 years to the day that he was born, I rise to pay tribute to one of the greatest musical geniuses in history, Hank Williams.

This afternoon in Montgomery, AL, Hank Williams, Sr., will be honored by the city where his musical legend began.

Mayor Emory Fulmer and the Montgomery City Council dedicated a plot in the city park across from city hall to house a life-sized statue of the immortal Hank Williams.

Hank Williams music has become part of our national heritage. The songs he wrote and performed not only changed the face of country music, they became part of America and live on today in the United States and throughout the world.

I’d like to share with my colleagues an outline of how the career of this musical genius began.

Born on September 17, 1923, in Mount Olive, AL, Hank Williams was the son of a poor rural family. He spent his childhood years in a log home listening to his mother, a church organist, whose hymns and southern gospel were Hank’s first introduction to music.

By the age of 7, due to the ill health of his father, Hank worked in the street selling peanuts and shining shoes to help provide a meager income for his family. He learned to play guitar from a street musician named Teetol.

At age 11 he learned to accompany himself on a $3.50 guitar his mother bought him as a birthday present. The following year he won first prize in a songwriting contest with his original composition of “WPA Blues,” and by age 14 he formed his own band playing local hoedowns and dances. “Hank Williams and the Drifting Cowboys” became regulars on Montgomery radio station WSFA.

During the early and mid-1940’s Hank Williams tried jobs ranging from rodeo rider to working in the Mobile shipyards.

Hank returned to Montgomery in 1944 where he formed another band also named the “Drifting Cowboys” which included his wife Audrey.

From that time Hank Williams continued to write and perform songs that would make him a legend. Through highs and lows in his career and personal life, Hank Williams continued to display a God-given talent and ability—a gift that comes along maybe once in a lifetime—to write and perform music that touched people’s souls.

Although he could never read or write music, Hank Williams forged a career that people remember today. The author of 125 songs, this man who came from humble roots in the Alabama countryside, will be honored in the city where he first began his career.

Hank Williams, Jr., nicknamed Bocephus by his father, selected Doug and Sandra McDonald of Mabank, TX, to create the bronze sculpture of his father that will be unveiled this afternoon. Ralph Houdlitch, a Montgomery resident, created the special base for the statue.

ST. JOHN’S CHURCH: 300 YEARS OF SERVICE TO YONKERS

HON. NITA M. LOWEY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 17, 1991
Mrs. LOWEY of New York. Mr. Speaker, we are still a new country in a new world, and we have few institutions that have 300-year histories. One of those is St. John’s Church at Getty Square in Yonkers, NY, which is beginning its tercentenary celebration this Sunday.

As it does so, it is a vibrant institution making important contributions to its parishioners and to the community at large.

In the 1690’s much of what is now Westchester County was part of the vast Phillipse Manor estate. Yonkers, then a small hamlet surrounded by farmland, was part of that land when it was constituted as a parish of the Church of England in 1683, the beginning of what became St. John’s.

The church building was begun in the 1750’s, and finished in time to serve as a hospital for wounded soldiers during the Revolution. In 1782, it was formally named St. John’s. As Yonkers grew over the next century, St. John’s grew as well. Several additions were made to the building, culminating in a major rebuilding in 1872, when the church acquired the beautiful appearance that it maintains to this day.

Through the years, St. John’s has played a valuable role in Yonkers’ civic life. The church built the first hospital in the city, St. John’s Riverside, in 1872, established a home of the aged, and nurtured innumerable local charities. Its members have included many of Yonkers’ leading citizens. That record of service, I am confident, will continue in the centuries ahead.

This weekend, St. John’s will begin the celebration leading up to its 300th anniversary. I am proud to represent such a venerable and important institution, and I join all of the members of St. John’s in recognizing the important accomplishments of their church as it prepares to enter its fourth century of service. They have a fine history, which provides a firm foundation for a future of continued service to the people of Yonkers.

OMNIBUS TRANSPORTATION EMPLOYEE TESTING ACT OF 1991

HON. LAWRENCE COUGHLIN
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 17, 1991
Mr. COUGHLIN. Mr. Speaker, today I am delighted to be joined by my distinguished colleague, BILL HUGHES, to introduce critically important legislation requiring mandatory drug and alcohol testing of transportation professionals.

The Omnibus Transportation Employee Testing Act of 1991 will require testing for drug and alcohol use by the operators of aircraft, railroads, commercial motor vehicles, and mass transportation vehicles. It protects the rights of those tested by incorporating guidelines established by the Department of Health and Human Services (HHS) on laboratory accuracy, as well as protections for individual privacy.

In 1989, the Department of Transportation (DOT) issued final rules to require drug testing of nearly 4 million transportation workers. While this is certainly a step in the right direction, this legislation will provide the DOT with the statutory authority necessary to prevent court challenges. It will also require the DOT to supplement their program with requirements for alcohol testing.

The evidence of drug and alcohol use in the transportation industry is overwhelming. Just last month, 5 people were killed and at least 130 others were injured when a New York City subway train derailed and crashed. The motor vehicle involved had a blood alcohol content [BAC] of 0.21 percent—twice the legal limit in New York State—when he was tested 13 hours after the accident.

In the wake of this terrible tragedy, I want to commend Sonny Hall, president of the Transport Workers Union Local 100, for his public recognition of the need for random testing stating that his members “Have no fear of drug or alcohol testing.” It gratifies me greatly to see that union leaders who have traditionally been opposed to random drug testing are acknowledging that testing is a logical response to a very serious problem.

In January 1987, a crash between a Conrail freight train and an Amtrak passenger train at Chase, MD, resulted in 16 fatalities and 170 injuries. The Conrail train’s engineer and brakeman subsequently testified that they had been smoking marijuana in the cab prior to the fatal accident. The National Transportation Safety Board [NTSB] found: that a probable cause of the accident was the engineer’s failure, as a result of impairment from marijuana, to stop the train in compliance with cab and wayside signals.

In March 1990, a Southeast Pennsylvania Transportation Authority [SEPTA] train crashed, killing 3 people and injuring 94. Transit authorities subsequently announced that one of the motorists on the subway train tested positive for cocaine use.

A recent incident involving substance abuse in the aviation industry was the sentencing in 1990 of three Northwest Airlines pilots who had flown a jettliner with 81 passengers on board while intoxicated. Fortunately, the plane landed without incident. Two hours after the flight ended, the blood alcohol content [BAC] of the crew’s captain was 0.13 percent. It was only because airport authorities were able to test under Minnesota law that the pilots were found not to be legally intoxicated.

The inspector general of the Department of Transportation has reported that 10,300 active, FAA-certified airmen had their driver’s licenses suspended or revoked for driving while intoxicated between 1980 and 1987.
During 1990, the first year that private sector drug testing was conducted under DOT's aviation drug testing rules, 120,642 drug tests were conducted and 571 airline workers tested positive. In 1991, 767 workers were tested and none of these workers were drug or alcohol impaired.

In 1991, the National Transportation Safety Board (NTSB) announced the results of a 1-year study of fatal truck crashes in eight States. The NTSB found that 33 percent of the truckdrivers who were involved in these crashes were drug or alcohol impaired.

These threats to public safety are why the U.S. Supreme Court has found testing programs to be within the limits of the Constitution. Federal Railroad Administration postaccident testing of railway workers, FAA testing of persons holding safety-sensitive positions in the aviation industry and U.S. Customs Service drug testing requirements for employees seeking promotions.

Moreover, the Court has let stand several appeals court rulings including one upholding the constitutionality of the DOT internal random drug testing program for those agency employees in safety-sensitive positions.

The fact is that large numbers of transportation employees work in an environment with a significant potential for drug use. For these workers, the threat of detecting and sanctioning for drug and alcohol use is, therefore, a necessity.

We rely upon the vigilance of trained employees to remain alert to occurrences that might endanger our safety. Those who drink alcohol or use illegal drugs simply have no business holding a sensitive travel or public safety job through which they assume responsibility for innocent lives.

Mr. Chairman, the presence of alcohol and illegal drug use in the transportation industry poses far too serious a threat to ignore. Drug and alcohol testing is the only method we have to reasonably ensure that transportation professionals will not use drugs or alcohol.

The fact is that random testing works. Since the Department of Defense instituted random testing, drug use has decreased 82 percent—dropping from 27 percent in 1980 to 4.5 percent in 1988. The National Transportation Safety Board started random testing in 1983 and has been a drop in drug use from 10.3 percent to 0.41 percent in 1990.

Further, the public supports testing. A recent Gallup Poll found that 80 percent of all Americans surveyed favored testing of those in public safety positions. Moreover, this bill will require rehabilitation programs that give employees the opportunity to come forward and get help before they are identified through testing as a drug or alcohol abuser.

This legislation is identical to S. 676, introduced by my colleagues, Senators Hollings and Danforth. The Hollings-Danforth legislation has passed the Senate 11 times since it was first introduced in 1987. Unfortunately, the House leadership has consistently denied the opportunity to speak on this serious issue.

Mr. Chairman, the need for this legislation is obvious and the time for action is now. Enactment of this legislation will strengthen efforts already underway in the transportation industry. The potential for disasters created by those who abuse alcohol and illegal drugs while employed in safety sensitive transportation positions mandates that we do everything we can to eliminate the cause of the threat—before more innocent lives are lost. I urge my colleagues to consider the importance of this issue and join me in this effort.

1991 OUTSTANDING COMMUNITY OF PENNSYLVANIA

HON. THOMAS J. RIDGE OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 17, 1991

Mr. RIDGE. Mr. Speaker, it is a great pleasure of mine to extend my personal congratulations to this year's recipient of the Outstanding Pennsylvania Community Award, Titusville, PA.

Titusville has been selected from an outstanding field consisting of 2,750 cities, boroughs, and townships from the beautiful Commonwealth of Pennsylvania. The Pennsylvania Chamber of Business and Industry has long recognized the key roles played by local communities in the economic development of the State. Titusville has epitomized this role and has truly earned this auspicious award.

Titusville has great reason to be proud. The community has experienced all facets of growth and development, while surviving depression and troubled economic times. It has gone from being the center of the oil producing universe in the 19th century, to an area with a few struggling industries in the 1960's, to a thriving community that is successfully preparing itself for the diversity that will be needed to survive well into the 21st century.

Titusville possesses the ability to attract and maintain new business and industry, a quality that can be attributed to its quiet, healthy rural setting. I have no doubt that it will continue to prosper as a talented and caring community.

Once again, congratulations to the city of Titusville. As is known, the Commonwealth of Pennsylvania is a beautiful, diverse and wonderful part of our Nation and it is truly an honor to receive the recognition for our community as "Pennsylvania's Community of the Year." I send my best wishes to the community of Titusville and look forward to its very bright future.

HON. JAMES A. TRAFICANT, JR. OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 17, 1991

Mr. TRAFICANT. Mr. Speaker, I rise today to pay tribute to Branch 259 of the First Catholic Slovak Union of my 17th Congressional District of Ohio. As this branch prepares to celebrate its 95th anniversary, I feel that it deserves recognition for its devotion to the community and the Catholic Union.

During the last quarter century, the Mahoning Valley and the surrounding area experienced a large influx of Eastern European peoples. With nearly a million new people of Slovak extraction in the area, there was a need to create a social and cultural society. Branch 259 quickly emerged to fulfill this cultural gap. The leadership helped to unify the Slovak peoples by building religious centers. They were responsible for the building of the Holy Trinity Church, which began construction in 1900 and was dedicated in October 1907. Perhaps the most grateful legacy that the founders left to later generations was the founding of the Holy Church, and today it stands as the symbol of Slovak brotherhood and community.

When it became necessary to consider building a new church and school, again the 259th was focal to the construction and completion of these projects. Under the watchful eye of Rev. Thomas Sofranic, the First Catholic Slovak Union aided in the planning of the church and the site selection.

Lodge 259 has also distinguished itself as extremely patriotic and loyal to the values of America. One of their initial purchases was an American flag. At the time, there were only 45 States in the Nation, but the 259th still displays its 45-star flag proudly.

The branch has also been actively involved with the supreme general council of the First Catholic Union for over 30 years. Attorney Ted Maciejko, former law director for the city of Struthers, has been elected to the council and represents Mahoning Valley and Branch 259 proudly. Once again, I salute Branch 259 of the First Catholic Slovak Union for their dedication to the community and to America and the values we treasure.

A TRIBUTE TO THE VOLUNTEER FIREMEN'S ASSOCIATION OF FREEPORT, PA

HON. JOE KOLTER OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 17, 1991

Mr. KOLTER. Mr. Speaker, it is with special pride that I rise to pay tribute to the Volunteer Fireman's Association of Freeport, PA. Comprised of the Freeport Volunteer Fire Department, the Ladies Auxiliary, and the Freeport Ambulance Service, these three groups of the association are celebrating anniversaries this year.

First organized in 1886, the Freeport VFD provided early fire protection for local residents using leather buckets to form brigades taking water from the nearby canal. Reorganized in 1916, the Freeport Firemen are now celebrating their 75th anniversary. Today, the VFD boasts over 50 men and women who volunteer their services and "put it on the line" for their community.

Since 1941, the Freeport Ambulance Service has answered the call of those in need of emergency care. More than 50 years of emergency medical service, the Freeport Ambulance Service was the first of its kind to be established in Armstrong County. Thanks to the generosity of area residents and a well-trained staff, Freeport Ambulance is recognized as the finest ambulance service in the area. Three years ago, the Allen-Kiski Valley Freeport Ambulance Service presently responds to nearly 1,000 urgent calls a year in portions of Allegheny,

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Armstrong, Butler, and Westmoreland Counties.

And where would these rescue workers be without the excellent support from the Freeport Firemen's Auxiliary? Since 1951, these dedicated ladies have been there when needed. Providing assistance at the fire hall during emergencies and raising funds of equipment purchases, the Freeport Ladies Auxiliary is, this year, commemorating 40 years of selfless commitment.

Therefore, Mr. Speaker, I ask my colleagues to join me in praising the members of the Freeport Volunteer Firemen's Association and congratulate them for their respective anniversaries.

WHITNEY HIGH SCHOOL RECEIVES NATIONAL RECOGNITION AWARD

HON. ESTEBAN EDWARD TORRES
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 17, 1991

Mr. TORRES. Mr. Speaker, I rise today to call my colleagues attention to the fact that on September 25, 1991, the U.S. Department of Education, through the second time, Whitney High School, in the ABC Unified School District, the National Recognition Award. On September 22, 1991, Whitney students, faculty, and parents will celebrate this occasion with a banquet.

For the second time in 4 years, Whitney High School will receive this prestigious honor of being selected for the National Recognition Award. Whitney is 1 of 19 secondary schools in the Nation to receive this award twice. This award is the highest honor given to schools throughout the Nation, by the Department of Education.

The Whitney community has much to be proud of by this latest academic achievement. The strong parental support that exists in the community is an essential component in our young peoples education. Whitney High School continues to achieve academically and exert high ideals and high expectations.

Mr. Speaker, Whitney High School has been and continues to achieve academically. Whitney High School is an extraordinary institution representing academic achievement and high ideals. I take great pride in congratulating them in their achievement and ask my colleagues to join me in commending Whitney High School for their dedication and determination and wishing them continued success in the future.

BELINDA MASON: REST IN PEACE

HON. PETER H. KOSTMAYER
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 17, 1991

Mr. KOSTMAYER. Mr. Speaker, Belinda Mason, a mother, a wife, and a member of the President's National Commission on AIDS, died of the disease last week.

The Washington Post described her in its obituary as "an activist who was the only member of President Bush's National Commission on AIDS who was infected with the virus."

She lived in Utica, KY, and became infected with the virus in January 1987, while receiving a blood transfusion during the birth of her second child. She was diagnosed as having AIDS in October 1988. Ms. Mason was president of the National Association of People With AIDS and the founder of Kentuckiana People With AIDS, the first group in Kentucky dedicated to finding a cure for the dreaded disease.

She distinguished herself, Mr. Speaker, on two counts. First, though a member of the National Commission on AIDS, she was critical of the Bush administration for treating AIDS as a moral issue rather than a health issue. In fact, in August she wrote to the President asking him to use his influence to keep people with AIDS from being stigmatized; advice he has so far not heeded.

Ms. Mason distinguished herself not only in her policy positions, but also in her personal approach to others with AIDS. Explaining, this past summer, why the President chose her for the Commission, she said, "I was perfect, I was southern, I was white, I was articulate, and I got AIDS in a nice way." Yet, in the words of Carlisa Cunningham of the AIDS Action Council "She never tried to separate herself from every other person with AIDS who got it through drug use of sexual activity." She tried, Mr. Speaker, to change the face of AIDS and to some small degree she succeeded.

She refused to distinguish people by the way they contracted the disease and she urged that it not be a cause for prejudice and discrimination, but rather for love and compassion and understanding.

Her death was tragic not only because she was a mother and a wife and a daughter and a sister, but because in spite of her own tragic personal circumstances, she chose compassion over cruelty and understanding over prejudice. What an extraordinary person she must have been.

TRIBUTE TO PATRICK YOUNG

HON. MEL HANCOCK
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 17, 1991

Mr. HANCOCK. Mr. Speaker, Mrs. Doris Yeakey of Joplin, MO, recently called my office to relate a story about a brave young man who saved her husband's life.

Mrs. Yeakey explained that on March 1, 1988, at 5:30 a.m., Patrick Young responded to her husband's calls for help after Mr. Yeakey had fallen into a lake.

Mr. Yeakey said he "was just about ready to give up" when he heard Patrick respond to his calls. Patrick, then only 14, then rescued Mr. Yeakey with the aid of his mother.

That young man, Patrick Young, is now, appropriately, serving in our Nation's military. He is also to be married on September 19 of this year.

It is always encouraging to hear true-life stories of bravery and heroism. And it is good to know that young men of Patrick's character and courage are serving our Nation in the military.

THE DEPOSIT INSURANCE IMPROVEMENT AND TAXPAYER PROTECTION ACT

HON. C. THOMAS McMILLENN OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 17, 1991

Mr. McMILLEN of Maryland. Mr. Speaker, as a member of the Energy and Commerce Committee, and a former member of the House Banking Committee, I have been following the banking reform legislation very closely. Furthermore, I have generally been supportive of this endeavor. I believe it is important to authorize legitimate additional powers for banks to improve their competitive position in the growing global economy.

I do have problems, however, with the way the restructuring legislation has been shaped up. We are expanding the powers of our Nation's financial institutions without effectively addressing the underlying problems of taxpayer exposure.

I had hoped that the Banking Committee would have addressed the issue of deposit insurance in a more effective manner than it did. Consequently, those of us on the Energy and Commerce Committee, are forced to place tighter restrictions and an increased regulatory burden on such affiliations so that taxpayer exposure is minimized.

Furthermore, expanded bank powers are not all they are cracked up to be. Neither the insurance industry nor the securities are very profitable at the moment. As I have said many times before, we need to be cautious to avoid the repeating the problems of the past. I, for one, do not want to revisit these issues down the road in the form of another taxpayer bailout.

Quite frankly, I am skeptical as to whether or not the reform effort will accomplish the original goals of the Treasury proposal: That of making banks more competitive, safer and less encumbered by regulation.

The real key to reform and to controlling taxpayer exposure is deposit insurance. Unfortunately, we are now faced with a legislative proposal which does not significantly change the deposit insurance system, while allowing security firms to affiliate with holding companies—companies which own banks backed by taxpayer dollars.

To address this point, I am introducing legislation which would create a market based pricing mechanism to insure deposits above and beyond the $100,000 level currently offered by the FDIC. The original proposal was drafted to prohibit securities firms from affiliating with holding companies whose insured banking affiliate is not a narrow or core bank and which does not have deposit insurance with a market based pricing structure. Although the core bank is not essential to my bill—and not included in it—the core bank is logically consistent with the underlying goals of this legislation.

By narrowing the banking functions and by creating a sound deposit insurance system—one which infuses market discipline and minimizes the public subsidy inherent in deposit insurance—the holding company will be safe enough to allow affiliation with securities firms. Consequently, the debate over specific fire-
September 17, 1991

walls or other such provisions becomes much less important to the underlying safety of the system.

Specifically, the legislation I am introducing today would maintain current deposit coverage, but would also offer the depositor the option of buying deposit insurance in unlimited amounts for deposits in excess of $100,000—though the bank would charge market-based insurance rates for that coverage. This extra coverage would be priced through a private sector mechanism.

In order to price the insurance for deposits above $100,000, the FDIC will obtain competitive bids from private insurance companies for coverage of 5 percent of the total amount of the insurance purchased on terms that put the insurance company at risk equal to the FDIC's risk.

For example, Jane Doe deposits $150,000 in ABC national bank. She has $100,000 in Federal coverage, and purchases an additional $50,000. The FDIC will lay off $2,500 to Prudential, which will set the premium at 82 basis points for banks in ABC's risk category.

The bank would collect the $310 from Jane and forward the premium to FDIC. FDIC would, in turn, forward $15.50 to Prudential. If ABC goes under, FDIC would pay Jane the full $50,000 and collect $2,500 from Prudential.

After the resolution of ABC is complete and the recovery cost is known, the FDIC will forward the recovered amount to Prudential. If, in this example, 50 percent is recovered after ABC's resolution is complete, Prudential would receive a check for $1,250.

The driving force behind this idea is the need to address the deposit insurance issue, and particularly the need to infuse market forces into the pricing of deposit insurance. Obviously, this would cut both ways. For instance, there are many banks in Maryland which would qualify for insurance at a rate of 5 or 10 basis points. Under the foregoing example, this would mean an insurance fee of $25 to $50 for extended coverage as opposed to the $310 fee in the example. Thus, the safer the bank, the more attractive it will be for such deposits.

Currently, we have a de facto too-big-to-fail policy where this extra $50,000 is insured at taxpayer expense. The legislation I am introducing is the first step toward weaning banks off this Federal subsidy, and beginning the transition to a market-based pricing system for deposit insurance.

This theme exemplifies the kind of changes which need to occur throughout the banking industry. There is a role for regulation and for insurance. But the market handles many problems more efficiently, and will address potential problems before they really get serious. Finding the right balance is crucial. The restructuring of the financial industries demands that a similar balance be found. One which creates new opportunities for banks, but uses market forces to keep the new powers in check—avoiding a situation where the associated risk is pushed off to the United States.

EXTENSIONS OF REMARKS

THE REWARDS OF SMALL TOWN LIVING

HON. JOHN T. MYERS
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 17, 1991

Mr. MYERS of Indiana. Mr. Speaker, Attica, IN, an attractive, small community will celebrate its 125th year of existence this Sunday, September 22. It will do so with the ceremony, emotion and joy with which only a town like Attica can commemorate a long and happy life.

There will be all the usual proclamations by State officials, including Indiana's Governor, who urges "appropriate citizen recognition and participation in this celebration and rededication to the fundamental tenets of American freedom which continue to be unique and unmatched anywhere in the world."

There will be parades and banquets. The women and men who served our Nation as well in Desert Shield and Desert Storm will be honored; their latest Song of Freedom will be underscored by a military band from Chanute Air Force Base.

Near as old as the community itself is Margaret Nave Johnson, who on September 14, entertained dancers, bands and well wishingers at her Monroe Street home. Her longevity attests amply to the temporal benefits to be derived from life in a truly decent small community.

Attica's football fans can join their Attica High gridiron warriors on a September 21 trip to the Hoosier Dome in Indianapolis for a contest with nearby Fountain Central.

May I paraphrase Daniel Webster who, arguing a famous suit on behalf of his alma mater, Dartmouth College, noted "it is a small place but there are those of us who love her." Webster might well have been speaking of Attica, whose anniversary reminds us that there is much to be derived from the pleasures of small town living. Attica and her people express and represent the best of those values.

It is most appropriate that a celebration of these small town values pauses to incorporate a "hurrah" for the selfless men and women who so recently gave life and limb in the Middle East—for those same values that have always underpinned the Atticas of our land. The tree of freedom has always grown softly, slowly and well in these places. The values of such communities are interwoven throughout the fabric of America herself and remain our finest national "export" in time of war or peace.

Happy Birthday, Attica, her citizens and her heritage.

IN RECOGNITION OF COX CABLE OF HAMPTON ROADS

HON. OWEN B. PICKETT
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 17, 1991

Mr. PICKETT. Mr. Speaker, I rise today to commend Cox Cable of Hampton Roads for the outstanding record of public and community service that they have established in serving the people of southeastern Virginia.

The company and its employees have worked hard to be a good corporate citizen. Few organizations or individuals in our region have worked more to improve the general betterment of our community. In 1990 alone, Cox donated air time for community-based programs worth more than $3.8 million. Included were feature profiles of volunteer leaders in Hampton Roads and programs designed to inform area residents about everything from local civic league developments to the availability of important public services. In showcasing the achievements of volunteer leaders in our community, Cox Cable has strengthened the commitment to public and community service that is so important to our national life.

Cox has also initiated the Cox Naval Air Project (CNAP), which offers programs on matters of particular interest to the thousands of Navy families living in Hampton Roads. These programs were immensely popular earlier this year when so many of our people were deployed to the Persian Gulf. Cox Cable has also committed $60,000 for audiovisual activities in the local public schools.

The local director of communications for Cox Cable, former Norfolk Mayor Irvine Hill, has worked tirelessly on these civic, educational, and cultural programs, as well as on many other projects that benefit our region.

The infectious spirit of community service that is present at Cox Cable has motivated the company's employees to form groups that work in food banks, in our local Adopt-A-School Program, and in the Make-A-Wish Foundation.

Mr. Speaker, in recognition of these and other public service achievements, the Virginia General Assembly adopted a resolution earlier this year acknowledging the contribution made by Cox Cable of Hampton Roads to the civic, educational, and cultural development of the growing community that it serves. I wish them continued success in these endeavors.

THE OLDER AMERICANS ACT

HON. CHESTER G. ATKINS
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 17, 1991

Mr. ATKINS. Mr. Speaker, my remarks today are to congratulate the Congress for its overwhelming support in passing the Older Americans Act on Thursday, September 12, and to recognize the many wonderful programs established by that legislation. Since its first passage in 1965, the Older Americans Act has provided millions of elderly Americans a variety of daily supportive services ranging from in-home nursing care and home delivery of meals to legal assistance and community services jobs programs for low-income older workers. Not only do these services provide daily assistance for basic needs that you and I might take for granted, but they allow older Americans to maintain a sense of security and dignity in their lives.

Americans are a compassionate people who believe in caring for those in need. The Older Americans Act is a testament to the compassion of the American people and a vindication of our belief that older people, like all members of our society, have a right to joy and to dignity in old age.

Some of the programs that I am especially proud of are programs established by the Older Americans Act to serve the special needs of the elderly poor. I believe that it is one of our Nation's highest priorities to see that each American have the chance to live a life of dignity and security in old age. The Older Americans Act helps us do that.

Ms. Pauline L. Harrell, executive director of the Eastern Shore Council on Aging, has been the driving force behind the creation of the Senior's Network, a program that helps older adults live independently. The program has helped thousands of older people remain in their homes and communities.

The Older Americans Act also provides a broad range of programs to help older Americans maintain their health and independence. These programs include transportation services, nutrition services, and adult day care.

I am also proud of the Older Americans Act's commitment to the well-being of older women. The Older Americans Act provides services to help older women remain independent and active in their communities. These services include transportation, adult day care, and nutrition services.

The Older Americans Act also provides a wide range of services to help older Americans maintain their homes and communities. These services include housing, home health care, and transportation.

In conclusion, I wish to express my gratitude to my colleagues in the House and Senate who have worked so hard to pass the Older Americans Act. I also wish to express my gratitude to the many organizations and individuals who have worked so hard to make our Nation a more caring and compassionate place. I believe that the Older Americans Act is a testament to our Nation's compassion and a vindication of our belief that older people, like all members of our society, have a right to joy and to dignity in old age.
Americans Act is clearly an example of the good that Congress can do to create a healthier living environment for all Americans, in particular, for Americans who have paid their dues for so many years. The Older Americans Act will continue to provide funding for nutrition programs and in-home care. The act has also taken significant steps in the area of respite care for those families, who provide around the clock care to a frail elderly family member. The passage of the Older Americans Act assures families that the Federal Government is there to assist them in their efforts to keep an elderly family member at home, avoiding the need for nursing home care. This new provision provides a breather to the home care giver so that he or she may continue to lead a productive life. The Older Americans Act also provides funding for demonstration projects for multigenerational activities, enabling senior citizens the opportunity to make a positive impact on our youth in the areas of child care, family, and juvenile delinquency.

Through the Older Americans Act, a network of 655 area agencies has developed across the country. These agencies have established an even larger network of local community organizations and church groups working together to provide basic services to the elderly. The Federal dollars Congress appropriated for the Older Americans Act go far beyond $1.3 billion. It would be nearly impossible to measure the value of all the volunteer hours given by both young and old. It would be nearly impossible to measure individual expenses for gasoline, and wear and tear on personal automobiles used to deliver "meals on wheels." If the Federal Government had to pay for all those hours and out of pocket expenses, the costs would be astronomical.

The Older Americans Act will have a direct impact on my State of Massachusetts. In Massachusetts, roughly 33,000 needy elderly citizens receive assistance every month from a dedicated corps of the volunteers. In the Merrimack Valley, made up of 23 cities and towns, 1,500 meals are provided daily; 900 of which are home delivered. In Framingham, the Baypath Senior Citizen Services Center serves roughly 1,260 congregate meals and home delivers 1,835 meals weekly. The State, along with all the local community organizations and church groups, would not be able to reach all these people if there were no Federal assistance.

Over the last few years, Massachusetts has seen its elder services budget cut by as much as 25 percent. These cuts have a human face—older men and women who receive less and less basic care and support. Federal funding through the Older Americans Act will bolster elder services in Massachusetts in the wake of substantial State budget cuts. This Federal money will also help the State provide additional services to some of those people who would not otherwise receive them.

Mr. Speaker, it was with pride and commitment that I cast my vote for the Older Americans Act and I congratulate the Congress for its passage of this legislation. I also wish to commend the many volunteers and administrators who make these programs work. Their time, caring, and dedication in providing these services on a daily basis underscore the spirit of this legislation.

GULF '92

HON. GREG LAUGHLIN
OF TEXAS

IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 17, 1991

Mr. LAUGHLIN. Mr. Speaker, today I am introducing legislation that designates 1992 as the year of the Gulf of Mexico. I grew up on the Gulf of Mexico and throughout my life have come to appreciate it for its many values. However, the gulf's resources benefit people far beyond its borders. The Gulf of Mexico produces 40 percent of the Nation's seafood. The gulf produces 90 percent of U.S. offshore oil and gas. In fact, revenues from Outer Continental Shelf oil and gas leases in the gulf rank second only to the Federal income tax as a revenue source for the U.S. Treasury. Gulf ports handle 45 percent of U.S. import-export shipping tonnage. And the gulf draws millions of tourists from all over the country to fish and enjoy its beaches. Unfortunately, many people do not realize that the gulf has been environmentally impacted by activities occurring all over the country. Two-thirds of the continental United States drains into the Gulf of Mexico, and the environmental quality of the gulf is beginning to deteriorate. We are losing wetlands, estuaries, and fisheries at an alarming rate. It is clearly in the best interest of all Americans to preserve and enhance the natural and economic resources of the Gulf of Mexico. I hope my legislation raises the awareness of the need to preserve this national treasure.

WORLD'S LONGEST PENCILS MADE IN SHELBYVILLE, TENNESSEE

HON. JIM COOPER
OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 17, 1991

Mr. COOPER. Mr. Speaker, this past weekend I attended a remarkable event in my hometown of Shelbyville, TN. Shelbyville is known as "Pencil City, USA" because so many manufacturers of writing instruments, imprints, and suppliers are located there.

The event last Saturday was the kickoff for Bedford County's 1991 United Way campaign. The highlight of the morning was the production of two 1,091-foot long pencils by the workers at Empire Berol USA, one of Shelbyville's leading pencil companies. These are believed to be the longest pencils ever made in the world.

One pencil was carried to the town square by 140 volunteers as it came off the production line. Despite its enormous length, this pencil was flexible enough to be curved and twisted because it was made by Empire's unique "E-71" process. At the normal 8-inch length, however, the pencil is virtually indistinguishable from pencils made of wood.

The other, 1,001-foot pencil, which had been manufactured a few days before, was mounted in a light spiral on display board at the Empire plant.

If either of these pencils were used to make a continuous run, the board would be 99,046 miles long, nearly four times the Earth's circumference.

As a witness to this event, I can assure you, Mr. Speaker, that these pencils were incredibly long. They were carefully measured by Frank Robinson of Shelbyville, who was assisted by our local Judge Lee Russell. Their documentation will be sent immediately to the Guinness Book of World Records for possible inclusion.

These pencils were truly amazing, but more important than the pencils' length was the depth of our community's generous spirit. In 1990 the United Way of Bedford County raised nearly $47,000, which resulted in grants to 18 local health and human service agencies.

For 1991, our United Way campaign cochair Karen Thrasher has announced a fund-raising goal of $82,600. At the campaign kickoff Mr. Bill Bohall explained the process by which last year's campaign funds were distributed. Campaign chairwoman Janice Cooper and Mayor Henry Feldhaus honored the local pencil industry and presented plaques to Empire Berol USA Vice-president Roger Thomas recognizing the company's contribution to the United Way campaign effort.

The United Way of Bedford County is a partner organization within the United Way of Middle Tennessee. I am extremely proud of their effort during the first year of operation, and I wish them continued success for the future.

TRIBUTE TO HONORABLE CALVIN P. SCHMIDT

HON. C. CHRISTOPHER COX
OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 17, 1991

Mr. COX of California. Mr. Speaker, I rise today to pay tribute to the memory of the Honorable Calvin P. Schmidt, one of California's best-loved judges and Orange County's longest sitting jurist.

Judge Schmidt was known as the "people's judge" because of his love for his community and his humorous and sensitive—but firm—dispensation of justice. Because of his empathy with ordinary people, he preferred to remain on the municipal court bench, rather than be elevated to the superior court. There, he could deal directly with the many individuals who represent themselves without counsel, as is the norm in that court. His efficiency, humility, and sense of fair play were a model of humanitarian court administration.

While acting as a board member of the Girl Scouts, both nationally and locally for more than 25 years, Judge Schmidt was instrumental in acquiring and developing summer camp facilities and programs to attract young women around the country. He also helped to establish a successful youth diversion center in Orange County to counsel families whose children were in trouble with the law, while at the same time serving on the boards of dozens of...
other organizations, many devoted to youth services and health care.

A past president of the California Easter Seal Society and judge adjutant to the national board of the Navy League, Judge Schmidt also chaired the California State Alcoholism and Orange County settlement committee, served on the board of the Hoag Hospital 552 Club, and skippered the Commodores Division of the Newport Harbor Chamber of Commerce in Newport Beach. He was also a member of the California Judges Association, the American Bar Association, and the Orange County Bar Association.

In keeping with his respect for all human beings, regardless of creed or social status, Judge Schmidt devoted many hours to the National Council on Alcoholism, supported numerous treatment programs, and often personally followed the recovery of alcoholics who appeared in his courtroom. He regularly received testimonial letters from individuals who credited their recovery to his creative sentencing and personal interest. It was not unusual for “Judge Cal” to make arrangements for an indigent defendant to stay overnight at a local hotel, rather than to spend the night on the street.

Judge Schmidt was born and raised in Glendale, CA. He received his baccalaureate and law degrees from the University of Southern California. After a tour of duty in Morocco with the Air Force, he practiced law in Los Angeles and Orange County from 1957 through 1986, when he was appointed to the bench by former Gov. Edmund G. Brown. He is survived by his daughter, Tracy Lynn Schmidt, of Palo Alto, CA.

Mr. Speaker, Judge Calvin P. Schmidt exemplified the highest ideals on which this country was founded: honesty, kindness, loyalty, humor, and charity. Although he is deeply missed by family and friends alike, his lessons will inspire us to serve our country honorably and decently. I can think of no better tribute to his gracious and generous spirit.

THE C-17 TRANSPORT

HON. DANA ROHRABACHER
OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 17, 1991

Mr. ROHRABACHER. Mr. Speaker, the new U.S. Air Force C-17 transport plane, which made its maiden voyage on September 15, 1991, provides extraordinary capabilities not currently available in the military’s fleet.

For starters, the C-17 will enable the Air Force to transport all types of today’s Army equipment from the United States to the most remote airfields. The C-17 will allow the direct transport of troops and equipment to major airbases, instead of having to transport them overland or in the C-130’s. Trppo fatigue, costly time delay and equipment wear associated with overland transport overland will become a thing of the past.

In battle situations where runways are nonexistent or have become cratered, the C-17 is capable of performing an airdrop of large equipment needed to sustain troops. In any forward battlefield, there is competition for space. The C-17 is agile and capable of performing great ground maneuverability. Also, the C-17 loadmaster can reconfigure the airlifter’s cargo compartment in 1 hour or less, in flight, making it possible to carry passengers on one trip, then shift the mission to cargo or airdrop for the next.

While the C-17 will excel in delivering equipment to the soldiers, it also can transport the wounded to medical services. The C-17’s on-board Med-evac capability would allow for immediate evacuation of wounded troops. As many as 48 litters can be installed in the plane if necessary.

Mr. Speaker, these are all significant achievements in our military’s aviation capabilities. While we marvel at the advances of our military, let us not forget the company and its employees who have made it all possible – McDonnell Douglas.

Numerous McDonnell Douglas facilities, as well as subcontractors who produce parts for the C-17, are located in my congressional district. When the C-17 took its maiden voyage from Long Beach, CA, out over the Pacific Ocean, and finally touched down at Edwards Air Force Base, thousands of McDonnell Douglas workers and neighbors were thrilled to see, at last, the fruits of their labor.

Hats off to all who contributed to this magnificent achievement.

IN HONOR OF THE STERLING HEIGHTS FIREFIGHTERS LOCAL 1557 RETIREES

HON. DENNIS M. HERTEL
OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 17, 1991

Mr. HERTEL. Mr. Speaker, I rise today to pay special tribute to four members of the Sterling Heights Fire Fighters Union, who are retiring after many years of dedicated service to the community. Lt. Larry Furlow, Lt. Gerald Miller, Capt. Merle Newberry, and Lt. Gerald Zupan will join with family and friends this Friday, September 20, 1991, to commemorate their careers and contributions to the people of Sterling Heights.

Lieutenant Furlow’s retirement will mark nearly 24 years of service to the Sterling Heights Fire Department. Lieutenant Furlow was hired as pipefitter on March 13, 1967, and over the course of the next two decades, his career has been distinguished. Described as professional, enthusiastic, and resourceful, the correspondence and letters in Lieutenant Furlow’s personal file illustrate his dedication as a fireman. Among his every day duties, Lieutenant Furlow used his knowledge and skills to instruct employees on the proper use and maintenance of ropes and to improve training methods. His efforts certainly helped ensure the maximum safety for all fire department employees.

Lieutenant Furlow’s career is also marked by awards and achievements. Included is an award for perfect attendance from July 1, 1968 through June 30, 1989, and a commendation from the chief, recognizing his efforts in the construction of stretchers for the department. Lieutenant Furlow was named employee of the month for May 1988.

Promoted to lieutenant on November 21 of the same year, it is my honor to join with his wife, Sherry, and his children, David, Cynthia, and Dawn, in saluting Larry Furlow for his outstanding career.

Lieutenant William J. Miller first entered the force on September 17, 1965. Over the course of his 26 years of service, Lieutenant Miller illustrates the quintessence of dedication and well rounded service to the fire department. Lieutenant Miller received many thanks from citizens and other members of the force for his willingness to offer his time to help others, whether it was technical assistance or to fill in for other departments so their men could attend a funeral for a fallen brother. Lieutenant Miller’s antique fire truck was also a popular attraction both inside and out of Sterling Heights and he received many thanks for his willingness to donate his time.

Throughout his career, Lieutenant Millers has been recognized for his professional expertise. He received numerous letters of appreciation for his work toward continuous repairs of various firefighting equipment and providing regular maintenance on all equipment and tools. In 1979, Lieutenant Miller completed the Air-Pak self contained breathing apparatus training. He is also a recognized expert on Health/Safety Products of Scott Aviation, and was named employee of the month for August 1986.

Capt. Merle Newberry, known to many as “Smokey the Bear,” came to the force in June 1966. His distinguished career includes a promotion to sergeant in July 1974, perfect attendance from July 1988 through June 1989, and a promotion to captain in September 1986. His many duties involved testing, repairing, and maintaining fire hoses, assembling listings of medical supplies and equipment, and overseeing supplies at station 4.

Captain Newberry received many letters of commendation and appreciation over the course of his career for assistance at fires and medical emergencies, including a letter from Detroit Edison for exceptional cooperation and professionalism during an incident in September 1988 when two linemen were injured when they came into contact with a high voltage conductor. Captain Newberry is married to Santina and has seven children. I join with them in saluting Merle for his long and dedicated service to the community.

Finally, Mr. Speaker, I rise today to honor Lieutenant Gerald Zupan, a firefighter serving for more than 20 years with the force. Lieutenant Zupan, who retired in February 1991, joined the Sterling Heights Fire Department in 1969. He served for several years before being promoted to lieutenant on March 10, 1989.

Lieutenant Zupan was very much involved with educational programs in schools and with adult groups. His dedication to helping the public learn about fire safety earned him many letters of appreciation and commendation. Gerald Zupan and his wife, Pat, have four children.

Mr. Speaker, it is my highest privilege to pay tribute to these four men. Their career epitomizes the debt we all owe to the sacrifices and bravery displayed by the men and women of our firefighting forces. I join with the family and friends in offering my most sincere best wishes for a long and prosperous retirement.
TRIBUTE TO A. WILLIAM BAILEY, JR.

HON. JACK FIELDS
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 17, 1991

Mr. FIELDS. Mr. Speaker, I rise today to pay tribute to A. William Bailey, Jr., who has just completed his term as president of the Independent Insurance Agents of America [IIA]. Bill Bailey is a citizen of Waco, TX, where he is chairman of Bailey Insurance and Financial Services.

This week in Hawaii, Bill will step down from his elected post of president of IIAA after many years of distinguished service to that association. I congratulate him on a job well done. During his years with IIAA, Bill has served in a variety of capacities, including president of the Waco Association of Independent Insurance Agents, director of the Texas State Association, State National Director, and chairman of the Government Affairs Committees.

Many of my colleagues know Bill Bailey for the numerous times he has testified before congressional committees. Bill has represented the 220,000 members of his association with distinction, providing straightforward and articulate information on the concerns of small business people across the country. Most recently, Bill testified before the House Banking Committee and the Federal Reserve Board, and as usual, his comments were informative and compelling.

I have had the pleasure of knowing Bill for a number of years in another capacity since we both serve on the Baylor Board, and as chairman of the Waco Rotary Club. He is still a leader in community activities. But, this is truly an exceptional man who builds a successful business, contributes his time to a professional association, serves on numerous civic and community organizations and still has time to be an advocate on a national scale.

I know that Bill will continue to be active on behalf of independent agents and will remain a leader in community activities. But, this week I hope he will enjoy this paradise of Hawaii with his lovely wife, Roberta. I congratulate my friend Bill for a job well done.

RTC FUNDING

HON. MARGE ROUKEMA
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 17, 1991

Mrs. ROUKEMA. Mr. Speaker, today I am introducing legislation which will provide an additional $80 billion in loss funds and working capital for the Resolution Trust Corporation and would incorporate several structural changes to the operation of the RTC which I believe will help move the resolution process forward on an expedited basis.

These funds and changes are necessary and will allow the RTC to continue the difficult and costly process of cleaning up the savings and loan debacle.

Last week, the Financial Institutions Subcommittee of the Banking Committee heard testimony from both the Treasury Department and the RTC Oversight Board on the urgent need for this funding bill. Admittedly, this request should have been formally submitted to the committee by the Oversight Board and the Treasury Department. But this does not deny that the RTC will be short of working capital by the end of this year and will need these funds.

In our hearing last week, Chairman William Seidman stated that the RTC expects to resolve some 85 additional thrift institutions by the end of October and thus will have expended nearly all of the funds previously approved.

Unnecessary delay in moving forward with this legislation will force action on numerous insolvent thrifts and delay the RTC's ability to develop plans to try and sell assets.

Since the delay we encountered earlier this year in enacting a funding request submitted around this time last year resulted in a loss of several million dollars, it is no wonder the American taxpayer is screaming about the ultimate cost of this effort.

Now for those of my colleagues who simply do not wish to support any RTC funding bill, I can only ask what is their alternative. This bill, this cost of cleanup is not something new. We debated this matter at length when we considered the FIRREA bill 2 years ago. At that time we made no illusions that somehow this effort was going to be inexpensive. It was clear from the beginning that the S&L cleanup would cost the American taxpayer.

Yes, the S&L debacle was an indictment of deregulation. It is not some never-ending black hole into which our precious resources are being dumped. In fact, Treasury Under Secretary Robson testified last week that he felt this would in fact be the last funding request the RTC would have to make of the Congress.

Contrary to what some may think the RTC is not some never-ending black hole into which our precious resources are being dumped. In fact, Treasury Under Secretary Robson testified last week that he felt this would in fact be the last funding request the RTC would have to make of the Congress.

Since its inception, the RTC has taken over some 500 troubled thrifts and has sold or liquidated over 350 of these. Within the total of thrifts sold or merged, it would cost the Government billions just to pay off the depositors of those failed institutions. But because of RTC action, that expense was not necessary to a large degree.

In other words, the RTC works, maybe not perfectly or as effectively as some would want. But it does work and it does need funding.

Finally, a number of structural changes. Most importantly, it authorizes the Oversight Board to appoint a new CEO for the RTC. This CEO would replace the FDIC as the overseer of the cleanup and would result in the concentration of the day-to-day decision making for the RTC in one responsible and dedicated individual. I can only suggest that while many would prefer to stick to a clean capitalization bill, I believe these modest changes should be made.

Mr. Speaker, this is no time to interject politics and pet policies into such an important piece of legislation. I urge my colleagues to support an RTC funding bill now so we can get on with the job of cleaning up the S&L mess.

BUSH'S BIGGEST SHAME

HON. DON EDWARDS
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 17, 1991

Mr. EDWARDS of California. Mr. Speaker, President Bush and his administration have opened yet another front in their war on abortion rights. The Administration's all-but-enforcement of Operation Rescue's tactics is a disturbing occurrence.

In following a political agenda, the Bush Justice Department relies on a questionable legal technicality to rob the clinics of their ability to exercise their legal options. As Michael Kinsley writes in a Washington Post editorial "Bush's Biggest Shock," September 12, 1991, "Is it really possible that Federal judges lack the authority to protect citizens from organized mobs systematically denying them the ability to exercise their constitutional rights?" Abortion is a constitutionally protected freedom, but Operation Rescue continues to terrorize anyone and everyone involved in the process.

I recommend the following article to the attention of my colleagues in hopes that the constitutional rights of those seeking medical advice and treatment are protected by those who are charged with doing so.

[From the Washington Post, Sept. 12, 1991]

BUSH'S BIGGEST SHAME
(By Michael Kinsley)

One of the most mendacious chapters of the Reagan administration was the Bob Jones University episode of 1982. That was when the Justice Department reversed a longstanding government policy denying tax-exempt status to private schools that exclude blacks. Although the reversal was in response to a campaign by southern conservatives, the administration piously insisted that its action implied no endorsement of tax exemptions for racist schools. They did not want. They would sincerely like to deny these tax exemptions, Reagan officials maintained, but the law gave them no such authority. The Supreme Court soon ruled otherwise, 5-1.

The current controversy over Operation Rescue is the Bush administration's Bob Jones case. As in that earlier disgrace, the president and his associates are pandering to extremists while pretending with wide-eyed innocence that they are merely upholding the technicalities of the law.

Operation Rescue is the antibirth group that physically shuts down abortion clinics by blocking the entrances, lying under cars, demonstrating and otherwise intimidating patients and so on. Last month in Wichita, Kan., Operation Rescue shut down three abortion clinics. A
a constitutional provision. Congress ought to pass a new statute, stripped of all the complications. If Bush were presented with the bald proposition, in the form of a bill, that the federal government ought to be able to protect people in the exercise of their federal constitutional rights, would he dare to veto it? If the Democrats were a bit faster on their feet, they could have a bill like this on Bush's desk in a week. It would leave him in a bind he truly deserves.

THE AMERICAN SAMOA STUDY COMMISSION ACT

HON. ENI F.J. FALEOMAVAEGA

IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 17, 1991

Mr. FALEOMAVAEGA. Mr. Speaker, I rise today to introduce the "American Samoa Study Commission Act."

For several years, I have been concerned that the only unincorporated, unorganized territory of the United States, the actual political status of American Samoa is not known. This problem is not simply one because what is now known as the Territory of American Samoa was really ceded to the United States by two separate treaties. As Samoa and the other territories continue to explore new options in their relationships with the United States, it seems crucial to me that Samoan's current status be known and well defined.

Today's legislation will establish a federal commission to provide a comprehensive review of fundamental issues affecting Samoa's interests.

OREGON EMPLOYMENT DIVISION VERSUS SMITH: A TRESPASS OF RELIGIOUS FREEDOM

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 17, 1991

Mr. ANDERSON. Mr. Speaker, on April 17, 1990, the Supreme Court handed down an opinion in Oregon Employment Division versus Smith that radically undercut the fundamental right of each and every American to the free exercise of religion as embodied in the First Amendment to the Constitution. In the words of the dissent in the Smith decision, this "holding dramatically departs from well-settled First Amendment jurisprudence . . . and is incompatible with our Nation's fundamental commitment to individual religious liberty." The free exercise clause of the Constitution reads, "Congress shall make no law . . . prohibiting the free exercise of religion." Through the 1st amendment clause, Congress, in the name of the people, has committed itself to protect the right of each and every American to the free exercise of religion, as protected by the First Amendment to the Constitution.

In the Smith decision, the Supreme Court handed down an opinion in Oregon Employment Division versus Smith that radically undercut the constitutional right of each and every American to the free exercise of religion as embodied in the First Amendment to the Constitution. In the words of the dissent in the Smith decision, this "holding dramatically departs from well-settled First Amendment jurisprudence . . . and is incompatible with our Nation's fundamental commitment to individual religious liberty." The free exercise clause of the Constitution reads, "Congress shall make no law . . . prohibiting the free exercise of religion." Through the 1st amendment clause, Congress, in the name of the people, has committed itself to protect the right of each and every American to the free exercise of religion, as protected by the First Amendment to the Constitution.
against all original intent of the Founding Fa-
thers and the history of American law, Smith
allows majorities to trample on individual reli-
gious freedoms without any recourse to the
courts for constitutional protection.
If the Smith case had followed precedent, a
majority of the Court could have found the
State of Oregon had an overriding and com-
pelling interest in restricting the trade and use
of beer, but the Court chose otherwise. They came
to the conclusion that no religious freedom exception could be made for these two men. The answer to the
question: "will exempting respondents from the State's general criminal prohibition 'unduly interfere with fulfillment of the govern-
mental interest'" could then have been "yes" and
precedent would have been preserved.
But the majority of the Court didn't even want
that question asked, believing the Court has
no place in limiting the will of the State even
if that will may impinge upon the constitutional
rights of these two men.

Somehow the Rehnquist Court, in an opin-
ion written by Judge Scalia, came to the con-
clusion that if an exception to Oregon's drug
laws were made for this religious case an "ex-
traneous governmental interest" would be cre-
tated. For fear that this "extraordinary right" would be created, the Smith opinion allows no limited exceptions even if the religious practice which conflicts with State law is central to the practice of that
religion. Judge Scalia notes:
Nor could such a right be limited to situa-
tions in which the conduct prohibited is "central" to the Individual's religion, since
that would emmesh judges in an impermis-
sible inquiry into the centrality of a particu-
lar belief or practices to a faith.
While the Court's desire to refrain from
the examination of what is and what is not
"central" to any particular religion is natural, the illogical refusal to examine any State in-
fringements on religious practices is disastrous to those religious practices which may not con-
form to general law and do not have the
popular support to find politically granted
exceptions. Though an unlikely example due to
our society's majority Judeo-Christian com-
position, the drinking of sacramental wine may be
forbidden to minors because of related liq-
kor laws, though this sacrament is clearly central to the teachings of the Christian
church.
Indeed, the last few years have seen restric-
tions on our constitutional freedoms to protect societal
order. Heretofore, this process of weighing
would seem to have forced the Court to judge
the importance of the religious practice, and
then again weigh the importance of protecting
that practice against the need of the larger so-
cial order to regulate for the benefit of all
citizens. What Justice Scalia would like to do is
unburden the Court from that role. He
writes,
It is no more appropriate for judges to de-
termine the "centrality" of religious beliefs
than it is for judges to determine the "importance" of ideas in the free exercise field, than it would be for them to determine the "importance" of ideas in the free speech field.

Essentially, because he believes this deter-
minalization can't be done, he won't do it; thereby
throwing the baby out with the bathwater be-
cause protection of our constitutional rights is
not always an easily workable formulation.
Judge Scalia defends his argument by stat-
ing,
Any society adopting such a system (of a
compelling interest standard) would be
courtling anarchy, but that danger increases
when the compelling interest is one of reli-
gious or religious beliefs, and its determina-
tion to coerce or suppress none of them. Pre-
cisely because "we are a cosmopolitan na-
cion made up of people of almost every con-
ceivable religious preference," * * * and

precisely because we value and protect that reli-
gious divergence, we cannot afford the lux-
ury of either ignoring it or presumptively invalidating, as ap-
p lied to the religious objector, every regula-
 tion of conduct that does not protect an in-
terest of the highest order. The rule respond-
ents favor would open the prospect of con-
stitutionally required religious exemptions from
civic obligations of almost every con-
ceivable kind.

Unfortunately, his is an argument based on
fear, not principle. Even Judge Scalia admits
that this possible anarchy was strictly limited
even under the Sherbert compelling interest
requirement. In rebuttal to Justice Scalia, Jus-
tice O'Connor has been quite capable of strik-
ging sensible balances between religious liberty and competing state
interests. * * * Essentialiy, Justice Scalia is con-
tent to ignore the constitutional rights of two men because the precedent he fears it
might set for mass exceptions to other gen-
 erally applicable laws. What Justice Scalia
fails to realize is that providing exceptions to
generally applicable laws does not necessarily
weaken those laws, while refusing exceptions
clearly would undermine a faith's consti-
tutional right to freedom of religion.

This question may be looked at, not from
the angle of inquiry into centrality, but through
the question of severe impact. Is the burden
constitutionally significant? Instead of examin-
ing how this case may affect generally appli-
cable laws, we should examine the cases im-
pact on future ability to sustain our consti-
tutional right to freedom of religious expression.
Traditionally, we have been protected by the
Court from this severe impact. Justice Scalia
would like to remove the Court's role and have
us rely on the States for our protection. His
opinion states a "society that believes in the
negative protection accorded religious belief
can be expected to be solicitous of that value
as well. The States have been willing and able
to accommodate to the political process will place at a relative dis-
advantage those religious practices that are
not widely engaged in."
Scalia would not have us worry, believing an "unavoidable con-
sequence of democratic government must be
preferred to a system in which each con-
science is a law unto itself or in which judges
weigh the social importance of all laws against
the centrality of all religious beliefs."

Unfortunately, Justice Scalia is apparently
not a student of history, which unequivocally
demonstrates that it is States which are the
greatest trespassers of our constitutional rights, not its greatest protectors. States have
been notorious for not respecting the rights of
individuals, often poor and powerless. In haste
to please the demands of either the powerful or
the many. The Bill of Rights was created
expressly to protect those fundamental rights
that majority government had a long history of
trampling for reasons of political expediency.
In large part due to individual States' inability
to protect individual rights, the fourteenth
amendment was enacted. I am not to re-
view any infringement on religious liberties as
infringement by State laws is an absolute abdia-
tion of the Supreme Court's role as guardian
of the Constitution. As stated by Justice Jack-
son in 1946:
The very purpose of a Bill of Rights was to
withdraw certain subjects from the vicissi-
tudes of political controversy, to place them
beyond the reach of majorities and officials
and to establish them as legal principles to
be applied by the courts. One's right to life,
liberty, and property, to free speech, a free
press, freedom of worship and assembly, and
other fundamental rights may not be sub-
mitted to vote; they depend on the outcome of
no elections.

Justice Scalia would like us to believe that
because of this Nation's religious plurality, we
cannot afford the luxury of protecting the first
amendment. While Justice Scalia may rep-
resent the majority on this conservative Court,
we should not let his radical views undercut
our commitment to preservation of the Con-
stitution. Thankfully, Justice Blackmun, author of the second dissenter in the Smith
decision, understands that constitutional pro-
tection of the free exercise of religion is not a
"constitutional anomaly." Indeed it is a "pre-
f erred constitutional activity."
The dissent in this case firmly rejects Jus-
tice Scalia's opinion, noting that his argument
not only is warped in its use of precedent, but
fundamentally undermines all preceding juris-
prudence on the first amendment's free exer-
cise clause. In separate dissenting opinions,
Justices O'Connor and Blackmun reinforce the
need to protect religious minorities, especially
when the assaults are in the firm of laws mak-
cing certain religious acts criminal. These in-
trusions require "heightened judicial scrutiny," on
a case-by-case analysis; not blind rejection. In
response to Justice Scalia's fears about in-
quiry into religious centrality, Justice O'Connor
writes,

The distinction between questions of cen-
trality and questions of sincerity and burden
is admittedly fine, but it is one that is an es-
 tablished part of our free exercise doctrine,
and one that courts are capable of mak-
ing.

As to Justice Scalia's fears about potential
anarchy, Justice Blackmun notes.

This Court's prior decision's have not al-
lowed a government to rely on mere specula-
tion about potential harms, but have de-
manded evidentiary support for a refusal to
allow a religious practice whose
conclusion.

Justice O'Connor also highlights the need
to "apply this test in each case to determine
whether the burden on the specific plaintiffs
before us is constitutionally significant and
whether the particular criminal interest
asserted by the State before the compelling * * * the first amendment at least requires a case-by-case determination of the question sensitive to the facts of each particu-
lar claim."
The Supreme Court has long, though not al-
ways, upheld the government's power to
constitutional rights, even in instances of conduct
that general society may find repugnant. Smith
is a dangerous opinion because, in the interests of judicial simplicity and enforcing antidrug laws, the Court is content to forget the Constitution. In this Nation of individuals; in all the creeds and races and differences in outlook, opinion, and belief, we persevere as a single entity because of the notion that the sanctity of individual liberty is a greater promoter of our social welfare than any government-designed policy of social cohesion. The Court in Smith takes both a narrow reading of the Constitution and an expansive reading of the force of State law on individual liberties. Indeed, there will be times when the extent of our constitutional freedoms must be limited for societal ends. But on each occasion, we must navigate this course with care and circumspection. The emotions of the day cannot defeat the aims of freedom and liberty to which our Founding Fathers strove. Oregon Employment versus Smith is a case contradictory to our constitutional principles; it must be overturned. I urge my colleagues to lend their support to the Religious Freedom Act and to set us back on a proper course.

EXTENSIONS OF REMARKS

Tuesday, September 17, 1991

Mr. Speaker, esteemed colleagues, I am here today to pay tribute to a man who has not only done a great service for the Second District of Pennsylvania, but who has also dedicated his time and effort pursuing avenues to create a better and fair society in America.

I have been lucky enough to serve with Congressman Bill Gray since 1978. In this time, I have come to know a man whose drive and determination is like none other I have ever come across. Bill possesses a sense that all of us wished we had. A sense that enables him to see many avenues of opportunity and permits him to mold different views and ideologies together to create a finished product that we can all stand by. This sense gives him the ability to eventually come out on top and succeed.

It is obvious in the time that Bill was here, that many of his views and ideas rubbed off on all of us. With his leadership at the majority whip position, Bill was able to rekindle the fire of who and what the Democrats are and what we stand for.

I can remember in the height of the Reagan years, when the American economy was reeling from the Reagan revolution, I watched Bill mold four consecutive budget agreements that effectively ended the Reagan stranglehold on middle class America. The amazing story behind this is that in those 4 years, a combined total of only 77 Democrats voted against the agreements. Less than 20 Democrats a year.

Considering the diversity of the Democratic party, that in itself is an astounding achievement.

The success of Bill Gray does not come from luck, it comes from a harmonious combination of personality, vision, and intelligence. With his abilities, Bill has proven that he can take a view, an idea, or a fragmented thought and create something concrete and beneficial. Something that will help people succeed and society to together in order to create something new.

I am not only speaking for myself when I say Bill is a true leader of the people. Ask around the halls of Congress and the Members will tell you what a fair, hard-working, and engaging leader he is. Although the House of Representatives will be losing a great leader and potential speaker, the United Negro College Fund will be gaining a man who will tirelessly strive to assist black Americans.

Bill Gray will not leave this body as a beleaguered politician, resting on the laurels of where he has been and what he has done. This man will exit this body with his head high and his eyes wide open; he will leave as a champion looking for new obstacles to overcome, other missions to climb, and new campaigns to wage.

In closing, I would like to extend my sincerest congratulations and gratitude to Bill and also wish him the best of luck with the endeavors he must yet face.

TRIBUTE TO WILLIAM J. MARSHALK

HON. DAVID DREIER
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 17, 1991

Mr. DREIER of California. Mr. Speaker, on July 12, William J. Marschalk, an executive vice president of Great Western Corp., died following treatment for Hodgkin’s disease. Over the past 2 months, I’ve had the opportunity to reflect upon the life and career of a remarkable individual whose legacy is one of giving and caring.

Since 1986, I had the pleasure of working with Bill on a number of issues that were before the House Banking Committee. During that time, I came to admire his professionalism and his commitment to his country and his community. His advice was sound and his instincts were usually right. During the many
of the federation which honors him so deservedly this year. As the federation's president, Anthony Castiglia successfully lobbied for Federal funds to teach the Italian language and culture in the Buffalo public schools. He managed to recruit and sponsor a world acclaimed "Leonardo's Return to Venice" art exhibit featuring works of Leonardo da Vinci—an exhibit that was seen by more than 100,000 people during its 6-week showing at the University of Buffalo.

In 1981 he initiated a major communitywide fundraising effort that brought thousands of dollars of much needed assistance to hundreds of homeless and suffering earthquake victims of southern Italy.

Mr. Castiglia takes special pride in his work on behalf of Santa Maria Towers—a 115 unit apartment complex for senior citizens located in the heart of Buffalo's Italian-American community. In 1984 President Ronald Reagan personally visited and dedicated Santa Maria Towers and praised those associated with it...* for their devotion to God, country, and family—a theme which had the familiar ring of Anthony Castiglia's childhood.

Anthony Castiglia has received many of his most enduring accomplishments, however, will be the joy of his marriage to his lovely wife, Loretta and the fruits of that marriage—his three sons: Patrick, Charles, and Eric; two grandchildren, Alyssa and Cody, also bless the Castiglia home.

On this Columbus Day we salute the Federation of Italian-American Societies and its 1991 "Man of the Year" for reminding us that America's future will always be bright because people like Anthony Castiglia nobly dedicate their lives to the cherished values of God, country, and family.

MEYERS NOT A COSPONSOR OF H.R. 1330

HON. JAN MEYERS OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 17, 1991

Mrs. MEYERS of Kansas. Mr. Speaker, I rise today to express my appreciation, and, I share the same last name in pronunciation—and even our first names sound similar. Our names are spelled differently, but minor confusions occur nonetheless. For example, he receives some of my mail and I get some of his.

Recently, however, a larger problem surfaced because of the similarities of our last names. On June 28, 1991, my name was listed in the CONGRESSIONAL RECORD as a cosponsor of H.R. 1330, a bill to establish a system for classifying wetlands. I am not a cosponsor of H.R. 1330 and have never been a cosponsor of the bill. My friend from Indiana, JOHN MYERS, however, is a cosponsor of H.R. 1330. And when he decided to correct the record, the sponsoring office submitted the wrong name to the LEGIS office. Although the LEGIS office record has been corrected, there is nothing I can do to correct the June 26 CONGRESSIONAL RECORD, except to offer this explanation.

Mr. Speaker, it is my hope that in the future my colleagues and their staffs will be sure to remember the distinction in the spelling of my name and my Indiana colleague's name.

INSTITUTE FOR INTERNATIONAL PUBLIC POLICY

HON. ELEANOR HOLMES NORTON OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 17, 1991

Ms. NORTON. Mr. Speaker, today I am proud to join my colleague, Mr. HAYES of Illinois, in introducing legislation designed to increase the participation of minorities in the foreign service. Currently, those choosing a career in foreign service will find that this is one of the areas of Federal service that minorities have found most difficult to penetrate. The most recent statistics from the foreign service show that the total percentage of African-Americans, Hispanics, Asian-Americans, and American Indians employed in career positions is a mere 12 percent, while collectively these groups comprise approximately 25 percent of the population.

The legislation would take steps to increase this low number of minorities currently serving in the foreign service by amending the Higher Education Act of 1965 to establish a program for minority foreign service professional development. This program would be developed through an undergraduate consortium of universities to be based at Howard University, here in the District of Columbia. The majority of universities in the consortium have student bodies composed predominantly of minorities. Features of the legislation include a junior-year abroad program, Ralph Bunche Fellow­ship Program providing $15,000 fellowships for study at the masters degree level, a cooperative program to prepare graduates for the Foreign Service examination, and the creation of an Institute for International Public Policy at Howard University to concentrate on producing minority international/foreign policy analysts.

The Foreign Service needs our best and brightest. Unfortunately, many minorities have not been given the opportunity to prove that this is exactly who they are. Our legislation is intended to remedy this problem. I urge my colleagues to support it.

TECHNOLOGY ADVANCEMENT AND THE QUALITY OF LIFE

HON. DON RITTER OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 17, 1991

Mr. RITTER. Mr. Speaker, I am pleased to announce the formation of the Technology Advancement Association [TAA], a not-for-profit association of professionals in science, engi­neering, law, finance, economics, public edu­cation, public information, government affairs, and social/behavioral sciences. TAA members are actively committed to advancing technology through a network of local, national, and international affiliates of the primary organiza­tion.
EXTENSIONS OF REMARKS

TAA's mission is profound in its simplicity. That mission is "to advance the quality of life by advancing technology." The relationship between the state of technology and quality of life is one that TAA holds as par excellence, and it is one that TAA has placed at the special attention that TAA proposes to give it. Moreover, an interdisciplinary organization designed to assure and enhance the application of technology to quality of life concerns will be infinitely beneficial to our society and mankind. TAA intends to accomplish its mission in a variety of ways. It will develop a full range of media and public information programs to better inform and educate the public. TAA will also provide a forum to identify and address problems, issues, and concerns that cut across a broad spectrum of technologies. This forum will encourage interdisciplinary, holistic approaches to technological issues. Finally, TAA will serve as a vehicle for integrating the efforts and expertise of professionals from all fields of technology toward the resolution of complex and significant technological issues.

The organizational structure of TAA is as unique as its mission and objectives. Since its structure includes professionals engaged in a broad cross-section of technical and non-technical disciplines, TAA development and activity cut across a remarkably wide point of view on technology issues. Moreover, TAA seeks a balance among the three principal segments of the technology community, that is, industry, government, and academia as well as the general public. TAA's interdisciplinary philosophy will be applied in both of its major organizational components, TAA/US and TAA International. TAA's structure supports a holistic approach to problem solving and is designed to insure more balanced positions on technology issues.

Mr. Speaker, I commend the Technology Advancement Association for its unique organization and highly laudable objectives. It is an organization that I am sure will come to hold a prominent voice on science and technology issues. TAA is certain to make a difference in helping to assure that advances in technology are applied in such a way as to truly enhance the quality of life.

INTRODUCTION OF THE MINORITY FOREIGN SERVICE PROFESSIONAL DEVELOPMENT PROGRAM

HON. CHARLES A. HAYES
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 17, 1991

Mr. HAYES of Illinois. Mr. Speaker, I rise today to introduce a very important piece of legislation which seeks to increase the numbers of minorities serving in the Foreign Service, as well as other international career opportunities. In spite of alleged efforts on the part of the State Department, minority representation in the Foreign Service is truly dismal. The overall minority representation is 18 percent, and the overall African-American representation is only 6 percent, in spite of the slight improvement over the past 5 years. Mr. Speaker, the Foreign Service is by no means representative of the American people at large. It has been said time and again that the State Department needs to do more to correct racial imbalances in the elite 9,400-member Foreign Service. However, not much has been done. This legislation is meant to directly address this issue.

Today, I introduce the Foreign Service Professional Development Program, along with my colleague Representative ELEANOR HOLMES NORTON, because a serious effort must be made by this Congress to increase the presence of all Americans in international career options. Mr. Speaker, for the record, I would like to insert an outline of this legislation in the RECORD at this point:

SECTION-BY-SECTION SUMMARY

MINORITY FOREIGN SERVICE PROFESSIONAL DEVELOPMENT PROGRAM

Part D. NAME: Names the program the Minority Foreign Service Professional Development Program and also establishes the Institute of International Public Policy at Howard University in Washington, D.C.

Section 631(a) authorizes the creation of a program (as defined in section 1201 of the Act) to make funds available to the institutions of higher education in the United States who are members of the consortium referred to in section 631(b), and who offer courses, seminars, and training opportunities in an international arena including international voluntary agencies, international public policy formulation, and international information dissemination. This section also establishes at Howard University in the District of Columbia the Institute for International Public Policy (hereinafter the INSTITUTE) to serve as the administrative and academic arm of the consortia of twenty-six undergraduate/graduate institutions of higher education that will implement the program.

Section 631(a) identifies the twenty-six institutions forming the consortium as: Benedict College, Bennett College, California State University, California State University at Los Angeles, Chicago State University, Cleveland State University, Columbia College, Georgetown University, the Johns Hopkins University of Advanced International Studies, Howard University, Lehman College, Florida International University, University of Pennsylvania, Anat M. Mendes Education Foundation (Turabo University), Morgan State University, John Jay College of Criminal Justice, New Mexico Highlands University, Northeastern Illinois University, Spelman College, Tougaloo College, University of Texas, Southwestern (Pan American University), the University of the District of Columbia, Upsala College, Wayne State University, West Virginia State College, Wilberforce University, and Xavier University of New Orleans.

Section 631(b) provides for the participation of any institution of higher education (as defined in section 1201 of the Act) in the program authorized as a "cooperating" institution except the academic internship program.

Section 631(a) outlines the academic program as including but not being limited to: international policy formulation, foreign service training, education, foreign language study, international economics and politics, public information communication and dissemination, junior year abroad, academic year and Intercollege, cooperative fellowships, undergraduate identification program, and U.S. Foreign Service Examination Preliminary Preparatory Program.

Section 631(b) defines the Junior Year Abroad program as being open to all minority students in attendance at historically black colleges or universities, tribally controlled Indian community colleges and other institutions of higher education of African-American or other significant minority student populations." Eligible students must attend institutions which have entered into a Memorandum of Understanding (MOU) with Howard University, which will pay for a portion of the cost of the Junior Year Abroad from appropriated funds, while the student's nominating institution must pay the balance.

The Junior Year Abroad program will provide up to a nine-month experience, including academic study, as well as social, familial and political activities intended to foster a greater understanding of and familiarity with the culture, language, economics, and politics of the country or countries in which the student studies.

Section 632(c)(1) authorizes a Masters Degree program leading to the award of a Masters Degree in International Relations at Howard University or any other institution which enters into a MOU with Howard University. This MOU will outline the program of study at the cooperating institution to ensure conformity with theynism of Howard University. This MOU will outline the program of study at the cooperating institution to ensure conformity with the Masters Degree in International Relations. The fellowship is limited to two years and may only be awarded to full-time students in attendance at Howard University or other institutions who enter into a MOU with Howard University, which provides that the student has a baccalaureate degree and intends to enter the U.S. Foreign Service for two years for each one year of fellowship assistance received.

Section 632(d) authorizes academic and professional internships at the institutions in the consortium and would provide a work-related experience with international voluntary, U.S. government agency or international agencies.

Section 632(a) establishes the Board of Visitors for the Institute program. The membership of the Board shall include an individual designated by the President of each institution in the consortium and the President of Howard University, as well as the designee of the Secretary of Education. That report shall include a statistical analysis of the progress made in placing minorities in the U.S. Foreign Service.

Section 633(b) sets forth the qualifications of the members of the Board of Visitors. They shall include: prior experience in the Foreign Service or other international service; academic experience, either instructional or research, in the international academic arena; practical or professional experience in the foreign service; or government voluntary work; or government experience in the foreign service or international voluntary service.

Mr. Speaker, I rise today to introduce a very important piece of legislation which seeks to increase the numbers of minorities serving in the Foreign Service, as well as other international career opportunities. In spite of alleged efforts on the part of the State Department, minority representation in the Foreign Service is truly dismal. The overall minority representation is 18 percent, and the overall African-American representation is only 6 percent, in spite of the slight improvement over the past 5 years. Mr. Speaker, the Foreign Service is by no means representative of the American people at large. It has been said time and again that the
the amount of the total provided by the Federal government, which shall come from non-federal sources, but may be in the form of cash, services, supplies or equipment.

Section 638 authorizes the President of Howard University to receive private gifts and donations on behalf of the Institute and to maintain such private gifts and donations, which are to be used for the support of the Bunche Fellowship Program or the Junior Year Abroad Program, at the Independence Federal Savings Bank or similar financial institution.

Section 638 provides for the delegation of the responsibility of providing a preparation course for the Foreign Service Examination to a non-profit entity in the District of Columbia.

Section 637 provides definitions for several key words used in the bill, including "eligible student," and "affiliated institution."

Section 638 authorizes $25 million dollars to carry out the purposes of the program in FY 1992 and "such sums" as may be necessary in each succeeding fiscal year.

Mr. Speaker, the idea for this legislation originated during the House Education and Labor Committee's series of field hearings on the reauthorization of the Higher Education Act of 1965. President Dolores Cross of Chicago State University expressed an interest in this legislative proposal at the field hearing held in my congressional district. As other hearings were held nationwide, the Committee heard time and again of the need to address this matter.

As the Congress moves forward in the process of reauthorizing the Higher Education Act, it is my hope that members will join with me in supporting this legislation, recognizing the need to provide true access to all aspects of education for all Americans.

TRIBUTE TO THE GRAND COUNCIL OF HISPANIC SOCIETIES IN PUBLIC SERVICE

HON. JOSÉ E. SERRANO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 17, 1991
Mr. SERRANO. Mr. Speaker, I would like to take this opportunity to congratulate and praise the Grand Council of Hispanic Societies in Public Service, Inc. for their 24 years of unrelenting dedication and service in the community.

Based in New York, the grand council was originally established by representatives of five fraternal Hispanic organizations who wanted to promote the contributions and advancements of Hispanics in the community.

Building on the premise that "in unity there is strength," the council's founders mobilized to create an umbrella organization that would incorporate the values set forth in their constitution. They formed an executive board and appropriate bylaws to guide them in carrying out a very specific set of objectives.

WHEREAS: In unity there is strength, we, the Representatives of various fraternal groups and societies, composed of Civil Service Employees of Hispanic-American origin or lineage, serving in the various spheres of Federal, State and Local Government, feel the need to create an organ-

EXTENSIONS OF REMARKS

September 17, 1991

ment use of capital and strengthen the fiscal position of our Government.

Under current revenue estimating procedures, the estimated loss of revenue from the enactment of this legislation is expected to be high. IRA II funds will not escape taxation, they are simply held in trust for the payment of taxes in the future. It must also be recognized that whatever the revenue loss might be, any growth in savings resulting from the same amount being available to the economy, where through investment new sources of tax revenue might be created. No one will deny that free market total rates of return, in the aggregate as over time, will exceed the Government's cost of money as reflected in, for example, Treasury bill rates.

In short, the Government's revenue estimating process shortchanges IRA type savings as an expense when, in fact, such savings are a vital asset, essential for the fiscal soundness of our Government and the stability and growth of our economy.

The Individual Investment Account Act calls out for immediate congressional consideration.

Mr. Speaker, I am asking for your complete analysis of IRA II's that highlights their important advantages for our Nation. I urge my colleagues to give this proposal their careful consideration.

SUPPLEMENT FOR INCLUSION WITH MR. JENKINS' CONGRESSIONAL RECORD SPEECH PERTAINING TO THE INDIVIDUAL INVESTMENT ACCOUNT ACT.

ANALYSIS OF IRA II's

(1) IRA II's require no new costly administration. They are simply a tax break from IRA's.

(2) $2,500 allowable deduction per person per year is linked to cost-of-living index.

(3) There's no need for limits on "non-deductible" contributions (e.g., current IRA max. of $2,000/yr). Uncle Sam will get his full tax whenever withdrawals are made. For example, there are no "limits" on non-deductible "E" bond purchases, and investing in private enterprise is far better for all.

(4) IRA II's have no surrender penalties. Surrender penalties disproportionately increase taxes on lower tax brackets (see Table) and needlessly keep people from saving. IRA II's make it easier and more attractive to save. IRA II's allow pre-tax savings, which makes it easier and more attractive to save. Thus, all IRA II non-deductible contributions come out last, without tax. This revised basis certainly removes a serious impediment to saving. We will see a surge in saving which will make it easier and more attractive to save. Therefore, all IRA II non-deductible contributions are considered to be withdrawn first, without tax. This revised basis certainly removes a serious impediment to saving, and that's a key step towards our nation's sound economic future.

(5) IRA II's have no requirement that beneficiaries be at an arbitrary age, such as 70½. As voters/taxpayers spend their money via plan withdrawals, Uncle Sam will get his full tax on investment growth and any untaxed contributions.

(6) IRA II's have a requirement that beneficiaries be at an arbitrary age, such as 70½. As voters/taxpayers spend their money via plan withdrawals, Uncle Sam will get his full tax on investment growth and any untaxed contributions.

(7) Home ownership enhances family and neighborhood stability, and home owners tax-free IRA II withdrawals of up to $15,000 for first-time buyers of a principal residence creates a tremendous incentive for
saving, particularly for young people. Additionally, it fosters real estate activity in all of its favorable dimensions. The taxpayer’s “basis” in his or her home is reduced by the amount of the tax-deferred roll over. (8) With IRA IIs, home sale proceeds can be “rolled over” within one year into the home owner's IRA II. Many voter/taxpayer senior citizens will welcome this favorable swap, because it can help them diversify their major asset without current tax. Thereafter, they can gradually withdraw money from their IRA IIs, as their IRAs IIs, as their needs and desires. Taxation of such withdrawals will reflect their home cost basis, which would be recovered first, without tax. This step also helps (1) unlock the serious real estate doldrums, (2) open up the market for first-time home buyers, (3) shift monies into productive resources via “non-home” IRA II investment, and (4) costs the government nothing (it gains), because all the transferred real estate gain will be taxed at ordinary income tax rates instead of at “capital gain” rates, or on a “stepped-up” basis. If some voter/taxpayers prefer not to use this IRA II “home transfer” alternative in order to maintain their capital gain basis, or “stepped-up” basis, IRA II’s are a true gain for national saving, particularly for young people. Addi­ (9) With IRA IIs, there is no income tax at death, but the beneficiary keeps the participant’s basis. There is no need for an income tax at death, because whenever the benefi­ ciary withdraws money from the IRA II, the investment growth and untaxed contrib­ butions will be fully taxed at ordinary rates. And, with IRA IIs there is no “forced” tax on life savings, and on death as is re­ quired under existing IRA law. With IRA IIs, there is no “stepped-up” basis upon death. From the government’s “proper and realistic” viewpoint, there is no loss under IRA IIs; it’s a true gain for national saving, particularly for young people. Addi­tional IRA II monies (children, grandchildren, etc.) will spend this money sooner or later (via plan withdrawals), and Uncle Sam will then collect his full tax on the un­ discounted lifetime growth and untaxed contributions. (10) Investment growth is fully taxed upon any withdrawal. While this results in a “dou­ ble tax” on any “non-deducted” contribu­ tions, it is far better for everyone (including the government) that the ordinary income tax treatment that “double taxes” savings far more efficiently. (11) The great bulk of voter/taxpayers save for “income” accumulations. Savers who “invest-for-income” are impacted by infla­ tion just as much as “capital gain” inves­ tors. And, of course, “capital gain” investors should not be taxed on “trades”, because they haven’t consumed anything. IRA IIs re­ move these highly negative taxation ele­ ments created solely by the current ordinary income tax system.

COMMENTARY

Not only do IRA IIs reflect good common sense and sound tax policy, they help create a dramatic economic shift away from reces­sion and toward sound, long-term economic growth. Revenue estimates have not been made, because the current governmental methodology for so doing is totally incorrect by treating the amount of taxpayer IRA-type “saving” as a wasted “expense”. In reality, revenue gains, rather than losses, are derived from IRA-type legislation.

IMPORTANT ADVANTAGES OF IRA II'S

It’s obvious that IRA IIs will greatly in­ crease saving and private capital, thereby reduc­ ing longer term interest rates. This also reduces the cost of national debt; a most im­ portant objective.

New IRA II saving creates tax revenue where none existed before, because this sav­ing would otherwise be spent. IRA IIs also help ameliorate the existing double and tri­ ple taxing of corporate dividends.

ILLUSTRATION OF THE NEGATIVE BIAS OF THE ORDINARY INCOME TAX (OIT) AS IT APPLIES TO SAVING

Example: $100 after tax saving at beginning of year one. 12% Return. 50 years after 30 years

PROTECTION OF YELLOWSTONE NATIONAL PARK AND OLD FAITHFUL

HON. PAT WILLIAMS OF MONTANA IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 17, 1991

Mr. WILLIAMS. Mr. Speaker, today I rise to introduce the Old Faithful Protection Act. My legislation is designed to halt the development of a geothermal hot water resource on Yellowstone National Park, within the known geothermal fault lines that carry the water that sustains the world renown geothermal features of America’s first national park.

In 1988 the U.S. Congress moved to protect Yellowstone National Park, along with other parks, from the damaging of significant geothermal features. This was an important effort that essentially stopped any development on Federal lands adjacent to Yellowstone. However, at that time there was a great deal of concern about the threatened development of geothermal resources on private land in what is known as the Corwin Springs-Known Geo­ thermal Area.

The Church Universal Triumphant, a local landowner, made application to the State of Montana to develop a hot water resource on their private property. Their application with the State proposed piping water from below the surface. The State entered into the permitting process and many of the same folks who were concerned about development of geothermal leases adjacent to Yellowstone also became concerned about the Corwin Springs KGA. But the Corwin Springs well was on private land and the State had sole jurisdiction. In the permitting process the State itself was concerned that they did not have sufficient data about the interconnection of the parks geothermal features with the Corwin Springs KGA. So the Corwin Springs development would probably have to permit. So then Senator Melcher, in conjunction with myself,
attached to both the Senate and House Geothermal Steam Act amendments of 1986, a prohibition on public and private development in the area was enacted. The bill also dictated that joint study be conducted by the USGS [United States Geological Survey] and the Park Service to determine the nature of the faulting structure below Yellowstone. The bill dictated the study should be done by December 1990 and that a 180 day review period would follow before the Federal ban on development was lifted. The legislation also specifically stated that if the study determined a risk to the features in the park, then the Interior Department would submit a plan for the acquisition of the right interests in the Coni Springs KGA.

Now some 9 months after the due date of the report, the Congress has not been presented with the required information and the 180 day review period may now be moot. This is an intolerable situation, that may, or may not, happen. I am also told that even when the report is presented there will be no discussion of how the Government might proceed if a risk is determined to exist.

I, for one, cannot wait any longer. Along with my colleague Senator BAUCUS I am presenting legislation that will establish a no risk policy for geothermal resources in Yellowstone Park, even if that means restriction of geothermal development on private land adjacent to the park. I am also asking, with the help of Senator BAUCUS, that the interior appropriation bill being considered in the Senate contain a reinstatement of the time necessary to review a report, if ever presented, and then also pass my legislation if appropriate.

This legislation is not a taking of private property rights only a guideline to the type of geothermal use that will be tolerated adjacent to Yellowstone Park. This legislation does not remove State authority, nor does it indicate that the Federal Court would not be able to, at any time, void the lease with no negative economic impact.

SENATE COMMITTEE MEETINGS

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

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

Meetings scheduled for Thursday, September 19, 1991, may be found in the Daily Digest of today's RECORD.

**SEMINARS SCHEDULED**

- **SEPTEMBER 20**
  - **9:00 a.m.** Agriculture, Nutrition, and Forestry
    - To resume hearings to examine the health impact of certain pesticides manufactured in the United States and exported to Third World countries.
    - Select on Intelligence
      - To continue hearings in closed session on the nomination of Robert M. Gates, of Virginia, to be Director of Central Intelligence.
      - **10:00 a.m.** Appropriations
      - SH-219
    - **Joint Economic**
      - To hold hearings to examine foreign direct investment activities in the United States.
      - **SD-538**

- **SEPTEMBER 23**
  - **2:00 p.m.** Finance
    - Health for Families and the Uninsured Subcommitte
      - To hold hearings to examine proposals to reform the health care system, focusing on ways to control health care costs and improving access to health care coverage.
      - **SD-215**

- **SEPTEMBER 24**
  - **9:00 a.m.** Veterans' Affairs
    - To hold joint hearings with the House Committee on Veterans’ Affairs to review the legislative recommendations of the American Legion.
    - 334 Cannon Building
  - **9:30 a.m.** Energy and Natural Resources
    - Energy Research and Development Subcommitte
      - To hold hearings on the status of the Department of Energy’s research and development on the Atomic Vapor Laser Isotope Separation technology and the outlook for transfer of that technology to the private sector for commercial deployment.
      - **SD-396**
    - Small Business
      - Business meeting, to markup S. 1426, to authorize the Small Business Administration to conduct a demonstration program to enhance the economic opportunities of startup, newly established, and growing small business concerns by providing loans and technical assistance through intermediaries.
      - **SR-428A**
    - Joint Printing
      - To hold hearings on the proposed consolidations of the Department of Defense printing establishment.
      - 2226 Rayburn Building

- **SEPTEMBER 26**
  - **8:45 a.m.** Office of Technology Assessment
    - Joint hearings to consider pending business.
    - **EF-100, Capitol**
  - **2:00 p.m.** Energy and Natural Resources
    - Public Lands, National Parks and Forests Subcommitte
      - To hold hearings on the proposed establishment of the St. Croix, Virgin Islands Historical Park and Ecological Preserve, and S. 1598, to establish the Mimbres Culture National Monument and to establish an archeological protection system for Mimbres sites in the State of New Mexico.
      - **SD-396**

- **SEPTEMBER 30**
  - **10:00 a.m.** Finance
    - Health for Families and the Uninsured Subcommitte
      - To resume hearings on proposals to restructure the American health care system, focusing on ways to control health care costs and improving access to health care coverage.
      - **SD-215**
September 17, 1991

OCTOBER 1
2:30 p.m.
Energy and Natural Resources
Public Lands, National Parks and Forests
Subcommittee
To hold hearings on S. 452, to authorize a transfer of administrative jurisdiction over certain land to the Secretary of the Interior, S. 807, to permit Mount Olivet Cemetery Association of Salt Lake City, Utah, to lease a certain tract of land for a period of not more than 70 years, S. 1162, to transfer jurisdiction of certain public lands in the State of Utah to the Forest Service, S. 1182, to reduce the restrictions on the lands conveyed by deed to the city of Kaysville, Utah, S. 1184, to direct the Secretary of the Interior to conduct a study to determine the nature and extent of the salt loss occurring at Bonneville Salt Flats, Utah, and how best to preserve the resources threatened by such salt loss, and S. 1185, to disclaim or relinquish all right, title, and interest of the United States in and to certain lands conditionally relinquished to the United States under the Act of June 4, 1897 (30 Stat. 11, 36).

SD-366

OCTOBER 2
9:30 a.m.
Joint Economic
Education and Health Subcommittee
To resume hearings to examine ways to reform the American health care system.

Room to be announced
10:00 a.m.
Commerce, Science, and Transportation
To hold hearings on the nomination of Ming Hsu, of Arizona, to be a Federal Maritime Commissioner.

SR-253

OCTOBER 3
9:30 a.m.
Rules and Administration
Business meeting, to mark up S. 289, to authorize an extension of the National Air and Space Museum at Washington Dulles International Airport, S. 1345, National Film Preservation Act, S. 1415, to provide for additional membership on the Library of Congress Trust Fund Board, S. 1416, to provide adequate authority in the Library of Congress for the provision of fee-based library research and information products and services, S. 239, to authorize the Alpha Phi Alpha Fraternity to establish a memorial to Martin Luther King, Jr., in Washington, D.C., and H. Con. Res. 172, providing for the printing of a revised edition of the booklet entitled “Our American Government.”

SR-301

OCTOBER 4
9:30 a.m.
Governmental Affairs
Oversight of Government Management Subcommittee
To hold hearings to examine the status of Great Lakes Federal programs.

SD-342

OCTOBER 8
9:30 a.m.
Governmental Affairs
Oversight of Government Management Subcommittee
To hold hearings to examine whether the Federal government is making environmentally conscious decisions in its purchasing practices.

SD-342

OCTOBER 23
9:00 a.m.
Veterans’ Affairs
To hold joint hearings with the House Committee on Veterans’ Affairs to review the Report of the Commission on the Future Structure of Veterans Health Care.

334 Cannon Building