

# EXTENSIONS OF REMARKS

## AMERICAN LONGSHOREMAN JOBS

**HON. LINDA SMITH**

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 20, 1995*

Mrs. SMITH of Washington. Mr. Speaker, I take the well of the House today to talk about American longshoreman jobs that are being needlessly lost. The Secretary of State is charged with compiling a list of countries who reciprocate with the United States in allowing their longshoremen work while in a host port. That list is fatally flawed.

The Government Accounting Office [GAO] has been very critical of the Secretary of State for the manner in which the State Department compiled its reciprocity list. A better analysis of the situation and the rendering of a new list, as required by law, would keep potentially large numbers of American longshoremen jobs from being lost. Currently, the work product of the Secretary of State has led to opportunities for crew members aboard foreign commercial vessels to perform longshore work in American waters. The potentially high job losses caused by the Department of State's misinterpretation of Congress' intent to protect American longshore jobs could be disastrous for our workers.

According to my esteemed colleague, the senior Senator from Washington State, SLADE GORTON, the Department of State's misinterpretation of the reciprocity law "may open the door to allowing more foreign crewmen to perform longshore work in the U.S." I agree with Senator GORTON. Now is not the time to allow more American jobs to flow overseas, certainly not at the hand of our own State Department and certainly not contrary to the intent of Congress.

Now is the time for the Secretary of State to revisit the reciprocity issue and consider the GAO's recommendation to evaluate industry practices and collective bargaining agreements which reserve longshore work exclusively for foreign crews. Starting in the 1980's, foreign ship owners began to tie up their ships and load logs using their own crews. Before the 1980's, this work had always been reserved for American longshoremen. The U.S. Court of Appeals for the Ninth Circuit upheld the International Longshoremen's and Warehousemen's Union position that this practice violated several Immigration and Naturalization Service [INS] regulations. Still, this practice goes unchecked by our State Department despite the intent of Congress to rectify this situation.

Mr. Speaker, we don't need another legislative answer to this problem. Congress has already addressed this issue by passing bipartisan amendments to the Immigration and Naturalization Act which affirmed the rights of American waterfront workers. What we need today is action by the Secretary of State in reviewing the list of countries who grant reciprocity to American longshoremen and publish a new list which is fair to the American worker.

I ask all my colleagues who value the sanctity and preservation of American jobs to urge the Secretary of State to review the reciprocity list and preserve the intent of Congress to keep American jobs from needlessly being lost to foreign crew members.

## FAIR TAX TREATMENT FOR HARD APPLE CIDER

**HON. RICHARD E. NEAL**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 20, 1995*

Mr. NEAL. Mr. Speaker, today Congressmen ENGLISH, HOUGHTON, and I are introducing legislation that will provide fair tax treatment for hard apple cider. The purpose of this legislation is to clarify the tax treatment of draft cider.

Under current law, draft apple cider is taxed at a much higher rate than beer despite the fact the two beverages have a similar alcohol level. Hard apple cider is taxed as wine and is subject to a tax of \$1.07 per wine gallon. Whereas, beer is subject to a tax of 22.6 cents per gallon.

Hard apple cider has an alcohol level below 7 percent and this is much lower than the alcohol level of beer. Also, beer and hard apple cider are packaged and marketed in a similar fashion. Hard apple cider is becoming a popular alternative to beer.

This legislation will tax apple cider at the same rate as beer. The Joint Committee on Taxation has estimated this legislation would cost \$5 million over 5 years. This small tax change would allow hard apple cider producers to compete fairly with beer. The current tax prohibits many apple growers from producing cider. Apple growers and producers in our districts would prosper because hard apple cider is made from culled apples, the least marketable apples.

Senator LEAHY is introducing companion legislation. I urge you to cosponsor this legislation which will provide equity to the draft cider industry.

## SHRINERS HOSPITALS HONORED WITH PRESTIGIOUS NOVA AWARD

**HON. HAROLD ROGERS**

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 20, 1995*

Mr. ROGERS. Mr. Speaker, the Shriners Hospitals for Crippled Children have always been recognized for the quality medical care they deliver in their 22 orthopaedic and burn hospitals located throughout North America. Recently, I was pleased to learn that the Shriners Hospitals have been honored for their latest initiative as the 1995 recipient of the prestigious NOVA Award sponsored by the American Hospital Association.

Since being founded almost 75 years ago, the Shriners Hospitals have been providing completely free care to their young patients without any Government payments, any insurance payments or payments from any third party. All expenses are covered through the generosity of the American people.

The Shriners Hospitals have received the 1995 NOVA Award for their innovative CHOICES program. CHOICES is the acronym for Children's Health Care Options Improved through Collaborative Efforts and Services, and it represents a new era of public-private partnership in the delivery of health care services.

Launched in 1988 at the Shriners Hospital in Lexington, KY, in collaboration with the Kentucky Commission for Children with Special Health Care Needs, the CHOICES program coordinates the care of special needs children to avoid duplication of services for some and lack of care for others.

CHOICES helps to fill this gap in services through facilitated referrals and coordinated care between the Shriners Hospitals and community-based government providers. At the conclusion of CHOICES' Phase I, 4 Shriners Hospitals and 10 State programs were participating in the partnership. Phase II will involve six more Shriners Hospitals and the States that they serve.

The CHOICES program stands as an example of the type of creative, comprehensive response we need to meet the challenges of health care delivery for the 21st century. I am proud to congratulate the Shriners Hospitals for their forward looking approach and for their seven decades of commitment to the special children they serve.

## TRIBUTE TO EDWIN L. ZEHNDER

**HON. DAVE CAMP**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 20, 1995*

Mr. CAMP. Mr. Speaker, it is with great pleasure that I rise today to honor a man who has devoted much of his life to helping and brightening the lives of others. On July 25, Mr. Edwin Zehnder will celebrate his 75th birthday. On this historic day, citizens of Frankenmuth will also celebrate the vast contributions which Edwin has made to his community.

Since 1965, Edwin and his wife, Marion, have been the proprietors of Zehnder's of Frankenmuth restaurant, one of the most famous and top 10 independent restaurants in total sales in the United States. Throughout the century, the Zehnder family has maintained its commitment to friendly service and the best oven-roasted chicken in Michigan.

In the three decades that Edwin has run Zehnder's, he has taken the Michigan landmark created by his father, William, and expanded it into the largest tourist location in Michigan's historic Frankenmuth. The 84,000-square-foot restaurant now accompanies a retail gift store, a retail food store, and a bakery.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Vacationers from around the country have stopped at world-famous Zehnder's for a sample of the outstanding cuisine and festive atmosphere.

Edwin's commitment to community service does not stop at the doors of his Frankenmuth restaurant. Edwin and Marion have remained active in their community and their church for years. As owner of one of the greatest tourist spots in Michigan, Edwin has spent his career making contributions to the State's hospitality-tourism industry.

Mr. Speaker, Edwin's dedication to his community, his family, and his business have served over the years as an inspiration to all who know him. I know you will join my colleagues and I in wishing Mr. Edwin Zehnder a happy and healthy 75th birthday. May his future be marked with continued success.

#### INTRODUCTION OF THE FEDERAL SERVICE PRIORITY PLACEMENT PROGRAM ACT OF 1995

### HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA  
IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 20, 1995*

Ms. NORTON. Mr. Speaker, today I am introducing the Federal Service Priority Placement Act of 1995. This bill directs the Office of Personnel Management [OPM] to establish a governmentwide interagency placement program for Federal employees affected by reductions-in-force [RIFs]. I believe that the immediate enactment of this legislation is essential to respond to the needs of employees who, through no fault of their own, will be adversely affected by the massive downsizing of the work force ordered in the Federal Workforce Restructuring Act of 1994 (P.L. 103-226) and increased under the recently passed budget resolution for fiscal year 1996. Recall that no plan or rationale that matched the number of employees to be eliminated with the administration's National Performance Review efficiency objectives was ever offered. Indeed, the number kept changing, going from initially 100,000, then to 272,900, and will undoubtedly go even higher under the new Congress, giving the downsizing the appearance of deficit reduction without efficiency goals. As such, RIF's may well be inevitable in the future, notwithstanding the widespread use of buyouts by Federal agencies.

The purpose of the legislation is to ensure that the Federal Government selects its own displaced employees over outside hires when filling vacant positions. RIF'ed employees are a valuable resource of dedicated civil servants in whom the Government has invested training and knowledge. It is in the Government's best interest to take advantage of the continued positive contribution these employees can make rather than to discard the Government's investment and start all over with new hires. We will not achieve a government that works better and costs less if the talents and energies the government has helped to produce are not rechanneled where they are needed in the government. The Federal Service Priority Placement Program Act of 1995 would facilitate the placement of RIF'ed employees at other agencies by requiring that those agencies with vacant positions within RIF'ed employees' commuting areas offer jobs to such qualified employees first.

Last fall OPM launched its new Interagency Placement Program [IPP], an initiative that combines the old Displaced Employee Program and the Interagency Placement Program. I believe that the new IPP is sure to be as ineffective as the two programs it replaced because OPM only refers registrants for vacancies to be filled by competitive appointment. Most important, agencies need only consider, and are not required to hire qualified OPM referrals. Agencies can avoid hiring the RIF'ed employee by simply filing an objection with OPM. In the context of the most extraordinary downsizing in the Federal Government's history, this hardly seems fair to qualified employees RIF'ed to satisfy an undocumented quota having nothing to do with their own qualifications or record of service.

A 1992 GAO study makes clear that a clear and direct statutory mandate that agencies give RIF'ed employees a mandatory hiring preference over outside job applicants is warranted. Otherwise, it is not at all clear that agencies will voluntarily give up their prerogative under the existing OPM placement program to reject displaced workers and hire whoever they want to fill vacant positions.

The President's National Partnership Council, a new Federal labor-management organization, has likewise recognized the need for the Federal Government, in the midst of such massive downsizing, to be more activist in trying to place displaced employees. In a July report, the Council advocated a governmentwide placement policy that gave displaced or RIF'ed employees priority over outside hires. Similarly, in an NPR draft report entitled the "Federal Human Resource Management Reinvention Act of 1995," the administration endorses requiring agencies to give their own displaced employees and displaced employees from other Federal agencies placement priority over new outside hires.

The Federal Service Priority Placement Act of 1995 protects the Federal Government's sizable investment in personnel training and education while accomplishing the goal of governmentwide downsizing in the most orderly and humane fashion.

#### RADIO CITY MUSIC HALL ROCKETTES CELEBRATE 70TH BIRTHDAY

### HON. CAROLYN B. MALONEY

OF NEW YORK  
IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 20, 1995*

Mrs. MALONEY. Mr. Speaker, I rise today to honor the 70th birthday of the Radio City Music Hall Rockettes. Over its 70 year existence, the Rockettes have contributed greatly to the richness of culture in New York City, the country at large, and throughout the world.

When formed in 1925, the Rockettes were first known as the Missouri Rockets, Russell Markert's Girls, or the Roxyettes. Since 1934, the now-famous dance troop changed its name to Radio City Music Hall Rockettes and has called New York its home ever since.

Through the Roaring Twenties and the Great Depression, two world wars, and through the social, economic, and political upheavals of the past four decades, the Rockettes have endured. For many people, the Rockettes have come to symbolize a part

of the American dream. Generations of young dancers from small towns to the largest cities have wanted to become a part of the Rockettes.

Moreover, the Rockettes have evolved into an American icon recognized throughout the world. At the invitation of the French Government, they represented the United States in the 1937 Paris Exposition Grand Prix and won. Since then, the Rockettes have entertained millions of people performing not only at Radio City, but also entertaining our military troops, visiting international dignitaries, and heads of state and U.S. Presidents. In addition, they have also performed for several benefit groups, including the Heart Association, International Human Rights, and the Peter Allen AIDS Foundation.

The Rockette Alumnae Association is a not-for-profit organization whose membership of over 400 former Rockettes represents the seven continuous decades of working American women who have shared in the history of this uniquely American institution. A special anniversary celebration sponsored by the alumnae is scheduled for August 5, 1995, at the Plaza Hotel in New York City. Funds raised in this event will be donated to the Juliard School of Music, where the school's first dance scholarship was established and endowed by the Rockette Alumnae in the name of its founder, Russell E. Markert.

Mr. Speaker, the Rockettes' contribution to the cultural history of America is as broad as the many women who have been with the dance troop, and the millions of people who have attended its shows. I ask my colleagues to join me in saluting the Radio City Music Hall Rockettes on their 70th birthday, and wish them success as they continue enriching our lives into the 21st century.

#### TRIBUTE TO HERMAN O. WILEY, M.D.

### HON. FRANK PALLONE, JR.

OF NEW JERSEY  
IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 20, 1995*

Mr. PALLONE. Mr. Speaker, I rise to pay tribute to the late Herman O. Wiley, M.D., of Red Bank, NJ, who passed away last month.

Dr. Wiley was born on June 12, 1912, in the Bronx, NY, the only son of William and Ethel Wiley. He was educated in the public schools of New York and was a graduate of Virginia State University, where he met and married Maeble Harston Wiley, his devoted and loving wife of 60 years. He subsequently attended and graduated from Howard University Medical School. Dr. Wiley was a veteran of World War II, and served as a captain in the Medical Corps of the U.S. Army in Italy and North Africa.

A long-time resident of Red Bank, Dr. Wiley was elected to and served on the Red Bank Board of Education for 18 years. He was also active and held office in numerous civic and social organizations, and received many awards and commendations for his devoted service to his community. Among the awards were Alpha Phi Alpha Fraternity's Regional Man of the Year award, a Distinguished Service award of the Red Bank NAACP and the Westside Ministerium, and an award as Man of the Year from the Kiwanis Club. He was a