

enabled the National Guard field hospital to talk to Denver General Hospital via television monitor. Denver General provided needed medical information.

The National Guard provided the personnel, the tents, and the medical equipment. For the National Guard it was an ideal training opportunity in field medicine that allowed them to treat the needy in their own community rather than the needy in a foreign country. It is a win-win situation for all.

Unfortunately, this will be the last year for the National Guard's clinic in downtown Denver, and in cities in the other 15 States that have implemented GuardCare programs. Because the National Security Committee, in their zeal to fund unneeded weapons systems, zeroed out the budget for these useful and economically efficient National Guard training opportunities in the authorization bill. The goal of GuardCare was to accomplish mission-essential readiness while rebuilding America. Which part of this goal does the committee find so unworthy of funding? I'll bet it is not the readiness part.

### HEALTH INSURANCE HORROR STORY FROM TEXAS

#### HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 7, 1995

Mr. STARK. Mr. Speaker, over the years, I've entered a number of letters from fellow citizens detailing the outrageous failures of our current health insurance system.

I'd like to share with you a letter from the Carawan's of Aransas Pass, TX, which details the crushing increase in health insurance premiums for a family which has had health problems but which has incurred little health expense in the last few years. Clearly, their insurance company wants to force them into giving up their policy—but with no protection against pre-existing condition exclusions, the Carawan's have no where to turn.

Their family policy started 8 years ago at \$3,096 a year with a deductible of \$2,000. It is now \$3,645.90 a quarter with a \$3,000 deductible.

Mr. Speaker, I regret we did not pass H.R. 3600 last year. It would have required the kind of open enrollment, no-pre-existing condition, community-rated policies which would save the Carawan's and millions of other Americans from being priced-out of the insurance market. Following is their moving letter on why we so desperately need health insurance reform:

DEAR CONGRESSMAN: Today we received notice that our health insurance was going to be increased by 30% on July 1, 1995. In January, 1994, our quarterly premiums for my husband and I for a \$3,000.00 deductible were \$1,770.00. The quarterly premium on July 1, 1995 for the same coverage will be \$3,645.90 or \$14,583.60 a year. Eight years ago when we purchased this plan for our family the premiums were \$258.00 quarterly or \$3,096.00 a year. (Note the deductible at that time was \$2,000 and has been increased not by our choice to \$3,000.00). I have spoken to my insurance carrier and they claim the large increase is due to the high loss ratio in the group we are in. Since January, 1994, my husband and I have paid in a total of \$12,641.00 in premium and had a total of \$584.10 in claims.

The stress from this impossible increase will surely increase our chances of recurring

illness. My husband and I both have had cancer and we know what a financial strain a serious illness can cause with health insurance coverage and we can't imagine how we could handle such a situation without any protection. We also realize that we cannot qualify for another plan even though it has been over six years since either of us have been hospitalized. Do we pay the increased premiums until we deplete all our financial resources or do we save the premiums and try to self-insure knowing we could not possibly save enough for a possible needed heart or liver transplant. There is not a simple answer.

My husband who is age 55 and I, age 54, are both self-employed. I am an insurance agent and my husband is a commercial shrimper. My husband is a veteran of the Vietnam war with 8 years service to our country. We have always worked, paid our taxes, and tried to be responsible Americans. We have always tried to protect our family with insurance coverage and have never asked for a free handout from our government. It is not fair at this time in our life to be faced with such a dilemma from no fault of our own.

As a representative of our country, I plead with you to take note of the health care problem and act on what is happening. We cannot keep on much longer the way things are now. If something is not done soon, only the rich and the poor (those on disability or very low income supplemented by our government) will be able to receive medical care. What will happen to the middle class worker that has no company benefits?

Respectfully,

FRANCES R. CARAWAN,  
Aransas Pass, TX.

### EXPERIENCES AND IMPRESSIONS OF ISRAEL

#### HON. MICHAEL P. FORBES

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 7, 1995

Mr. FORBES. Mr. Speaker, I was privileged to join other Members of the House of Representatives on a tour of Israel during the August recess. Attached is an account of my experiences and impressions of Israel while visiting the country.

[From the Jewish World, Sept. 1-7, 1995]

CAN ISRAEL ACHIEVE STABLE PEACE AMONG ENEMIES?—FACT-FINDING TRIP UNCOVERS SOME ANSWERS

(By Michael P. Forbes)

News of the suicide bombing on a Jerusalem city bus came over the radio early Monday morning. Fifteen members of the United States Congress, including myself, and our guests, were traveling at the time from Kibbutz Nof Ginossor on the Sea of Galilee to the Golan Heights up north. My heart broke as I heard the updates: four people dead, 106 wounded; the culprit thought to be a woman suicide-bomber who carried a pipe bomb in her bag. American Joan Davenny, 47, of Connecticut, in Israel to visit her parents and take up Jewish studies at Hebrew University, was among the innocent killed.

Hamas, the Islamic fundamentalist terrorist group, claimed responsibility on Damascus Radio and promised similar attacks through the November 1996 Israeli elections. Their goal is to force Prime Minister Yitzhak Rabin out of office because, they say, he has declared war against Islam. A growing number of Israelis blame Rabin and his peace endeavors for inspiring frequent attacks and Hamas apparently sees oppor-

tunity in the deepening fissures of Rabin's popularity resulting from each of the atrocities. All the while, some suggest the region is on the threshold of a lasting peace; that those enemies whose every breath was once dedicated to the destruction of the state of Israel are now her "partners in peace." But I ask myself, why then is this happening?

In a hardworking, seven-day visit to Israel characterized by back-to-back meetings that ran from the early morning through working lunches to well past midnight, we, members of Congress and our guests, came to understand the difficulties Israel faces in this war-prone region and to learn firsthand more about her history and gain unique insights into the dynamics of her politics, economy and daily life.

It serves this nation's interest to continue to support \$3 billion in aid to Israel for security and economic development. Six hundred thousand immigrants, largely Russian Jews, have arrived in Israel since 1990. The United States has provided \$80 million for refugee settlement and \$10 million in loan guarantees for housing. Five million dollars for a joint U.S.-Israel scientific technology commission will further both nations' research endeavors. Finally, efforts to provide a lasting peace in the Middle East have been bolstered by forgiving \$275 million in debt owed by Jordan and \$100 million as the U.S. share of multilateral economic assistance for the Palestinians.

I'm proud of this nation's support for Israel. Remembering the tragedy that occurred in Oklahoma City is convincing evidence that, while the Cold War period in which we knew our enemies is over, the world faces a far greater threat from illogical, fanatical terrorist groups. Many have their origins in the Middle East and the world has no better expert in dealing with terrorism than Israel. Our nation's investment there is a good one.

For me, this was a return visit to America's greatest ally in one of the world's most troubled regions and an opportunity to see what changes had taken place in the nine years since I was last there. My ties to Zionism were nurtured in a visit to Israel in 1986 after uncovering a long forgotten family fact that my great-grandfather, Rabbi Max Moses, had emigrated to the United States in the last 19th century from Esslingen, Germany and is today buried in a New Orleans Jewish cemetery.

On August 15, in a trip paid for with private funds, a delegation that included me, my friend from Long Island Congressman Dan Frisa; fellow New Yorkers Congressman Bill Paxon and his wife, Congresswoman Susan Molinari; House Republican Whip, Congressman Tom DeLay of Texas, and 10 other congressional colleagues and guests departed for an exciting, information-packed week of taking in and land and its people. Starting at Mt. Scopus with a tour of the 3,000-year-old capital city of Jerusalem and a meeting with Mayor Ehud Olmert, to the administered territories of Judea and Samaria and a visit there to the settlement of Ma'aleh Adunim with its 200 families, our sightseeing took us from the lowest point on earth (1,298 feet below sea level) at the Dead Sea to the heights of Masada and Golan.

We explored below-ground excavations of the two and a half miles of walls that encircle the Old City of Jerusalem and, on the eve of the Sabbath stopped to pray at the Western Wall, site on an annual pilgrimage by Jews to mourn the destruction of Herod's Temple Mount and their 2,000 years of exile. At the Israel Museum, we took in the Dead Sea Scrolls exhibit and later stopped by the highly-touted Israel Arts and Science Academy, where innovation programs for gifted and talented high school students are in

their fifth year. Our travels took us to the holy sites of Bethlehem and Nazareth; to one of the earliest synagogues, dating from the fourth century at Capernaum and to the Church of the Beatitudes, both at the nearby Sea of Galilee.

We made a detour to the port of Haifa and out into the Mediterranean to visit American Navy personnel on the *USS Roosevelt*. Home ported at Norfolk, Virginia, this magnificent aircraft carrier was commissioned in 1986, saw duty in Operation Desert Storm and today continues to be a stabilizing force for peace in the Middle East. The nuclear-powered ship is home to some 80 aircraft and, for this Long Islander, it was with tremendous pride that I spotted Grumman-built planes: the E-2C Hawkeyes (an early warning all-weather defensive plane with a rotating dome) and the supersonic F-14 Tomcat fighter. It was wonderful to meet some New Yorkers while on the carrier and to experience this tremendous asset to the greatest Navy in the world.

In several dozen high level meetings with policymakers, we took the opportunity to get behind-the-scenes insights into a myriad of issues that impact on Israel's security, her future, peace negotiations with the Palestinians, the Syrians and the status of her dealings with surrounding countries. As an ardent supporter of Israel and a member of the House Appropriations' Foreign Operations subcommittee, I very much wanted assurances that Middle East policy decisions made by the United States were not only beneficial to my own country but also to the best interests of our ally Israel. Over dinners with such luminaries as Prime Minister Rabin, Foreign Minister Shimon Peres and U.S. Ambassador Martin Indyk, we were assured Israel and her once-threatening neighbors were moving like never before toward an unprecedented peace.

Where Israel was once isolated, treated like a pariah by its neighbors, today it has treaties with Egypt, Jordan and, if Prime Minister Rabin and Chairman Arafat have their way, before too long will have a treaty in place with the Palestinians. Ambassador Indyk is hopeful that the second phase of the Oslo Accords will be signed in Washington soon. In making his pitch for Congress to keep from undermining the peace negotiations maintaining the U.S. commitments to Israel (something about which this group didn't need convincing) Indyk noted Israel is more than willing to bear the added costs of putting an end to territorial hostilities.

He cited as an example, an "Oslo II" provision that involves redeployment of Israeli military forces out of Judea and Samaria at a cost of \$300 million. While telling us of his past advocacy of Jerusalem as the site of the U.S. Embassy, a move I've been pushing in Washington, Indyk now chastises the Congress on the question saying it has "no business" pre-empting negotiations with the Palestinians. If other hopes are realized, a once impossible agreement with Syria might even be in the offing. As Indyk put it, "... this is the 'new Israel' ... the state of siege has been lifted."

If it is indeed a new day, as officials of the prime minister's Labor party government repeatedly suggested, then why are so many Israelis unhappy with Rabin and his proposed terms of a peace agreement? This fact-finding trip was one way I would learn more.

In drawing distinctions between himself and Rabin, Binyamin "Bibi" Netanyahu, member of the Knesset and leader of the Likud party, suggested he is for autonomy in the administered territories of Judea and Samaria, not the creation of a Palestinian state, and characterized the Rabin position as advocating a Palestinian state there rather than autonomy. The Likud leader vehemently

opposes any agreement with the Palestinians to surrender land that not only possesses an historical legacy intertwined with Zionism but is of strategic military importance. Specifically referring to the PLO (now referred to as the Palestinian Authority), Netanyahu questioned, "... how do we achieve a stable peace among a sea of enemies?"

He said distinctions must be made between a "true peace" and a "false peace," referencing the late 1930s when for "peace in our time," British Prime Minister Neville Chamberlain agreed in the Munich Pact to trade land for peace. This left Czechoslovakia vulnerable and set the stage for the madman Hitler to march through Europe in the worst conflagration the modern world has ever known. Clearly, a poignant example of what turned out to be a "false peace." Netanyahu wondered whether the Arabs are genuinely interested in a lasting peace and, if so, are there sufficient security conditions to hold a peace?

Syrian President Hafez el-Assad may profess interest in a peace agreement that includes handing over the Golan Heights, but it's fair to question the wisdom of surrendering northern Israel's three highest hills that directly overlook Syria and, according to military commanders in the region, are a critical line of defense to protecting Israel in the event of another war. Prior to Israel's success in 1967's Six-Day War, Syria occupied the area where it erected an impressive base of operations.

We saw several of those Syrian-built bunker installations during our visit to the Golan Heights and from those locations, developed a clear impression of the tremendous vulnerability many Israeli communities must have experienced during the numerous times they were under military attack with no fall back position. Today, we're reminded of the region's significance with word that Syrian peace talks remain in limbo because they refuse to reconsider a demand that Israel totally withdraw from the Golan.

The Samaritan mountains above Jordan offer a similar line of defense that provides security to a peace and most importantly, deters war. We were told by Yossi Beilin, Peres' former deputy at the Foreign Ministry and now minister of Economy and Development, that there have been no terrorist incidents or killings in the secured Golan since taken by Israel in 1967. Ramona Bar Lev, coordinator of the Golan Residents Committee that is opposed to annexation of the area by Syria, reiterated that point. Nonetheless, Netanyahu reminded us that, since 1993, 170 lives have been lost to terrorism, largely emanating from the Arab-dominated hotbed of Gaza, and the toll continues to rise.

In an age of very sophisticated technology, AWACs (airborne warning and control systems), early warning systems, satellite photos and radar, Israel's military commanders were surprisingly candid in telling us there is still no substitute for processing the highest mountaintops and observing the movements of the enemy with one's eyes. Airpower, missiles and selective strikes can cause tremendous damage and distract the enemy, but as we were reminded, the U.S. liberated Kuwait and won the Gulf War with its ground troops and ultimately it is the ground troops that must move in and take an area. In Israel's case, a longstanding point was being sustained that her best defense rests in keeping the strategically important mountains and hills.

As possible terms of an Israel peace accord are floated about and the potential for that nation to shrink from 40-55 miles wide to a narrow enclave of just 9-15 miles wide, conventional thought about the strategic impor-

tance of land to Israel's security are challenged. It's tough for outsiders like us to fathom a new way of looking at Israel's defense, even when respected leaders of the Labor government shift their views and now say the best tactical approach is monitoring actions at the Jordan-Saudi border 400 miles away.

Our tour included a visit with Dr. Saeb Erekat, a highly-placed representative of the Palestinian Authority in Jericho and a negotiator in Eilat for Arafat. I found Erekat to be more defensive than conciliatory when questioned by our delegation. He was asked about speeches attributed to Arafat in which he called for a continued jihad. According to Peace Watch, a newsletter monitoring the peace process, in a January 1995 speech to Palestinian laborers Arafat was quoted as saying, "all of us are willing to be martyrs along the way, until our flag flies over Jerusalem, the capital of Palestine. Let no one think they can scare us with weapons, for we have mightier weapons—the weapons of faith, the weapons of martyrdom, the weapons of jihad."

Erekat dismissed that and a series of similar outrageous statements with a convoluted explanation that jihad actually has two meanings: one refers to "little jihad" as the holy war the PLO leader long advocated that ends in the destruction of Israel; the other refers to "big jihad" as massive economic, social and educational changes he wants to bring to the Palestinian people. It is the latter, said Erekat, to which Arafat referred. When Israel's Labor party officials were queried on the issue, they gave a similar answer.

I attempted to get assurances from him that since they now have Gaza and Jericho and Rabin's support (though no final agreement) in their bid to control Judea and Samaria, would those be enough concessions to get the Palestinians to drop their opposition to a united Jerusalem within the state of Israel? He dismissed my question, saying that any final decision must await the last stage of negotiations set to begin in May 1996.

Congress will consider extending the Middle East Peace Facilities Act (MEPFA) later this month. It permits a waiver of U.S. laws prohibiting aid to terrorists and paid the Palestinians \$100 million upon signing the peace agreement with Israel. Enough doubts surrounded the Palestinians' willingness to comply with the Oslo Accords that Congress granted only short term extension of the act. What I've learned during this trip will weigh heavily as deliberations of NEPFA move onto the House floor.

The problem of water in this largely arid region has profound implications for Israel and several attempts to understand the Rabin government's position yielded few substantive answers. Israel is seriously dependent on its seasonal rainfall and three critical feeders into the national water system: Israel's only fresh body of water, Lake Kinneret at the Golan, the coastal plain aquifer and a mountain aquifer. The coastal plain is subject to salt and pollutants that reduce water quality, shifting an additional burden to the Golan lake and mountain ridges of Judea and Samaria for an adequate supply of water and making it the most important long-term source for the national water system.

The fate of Israel's water supply would be largely left to Arabs in the administered territories if tenets of the peace agreement with the Palestinians are realized. I remain unsatisfied with explanations offered for dealing with the dilemma, most notably that a triumvirate multinational entity might govern future administration of the region's water.

In what can best be described as wonderfully fun moments, we celebrated a Shabbat

dinner and spent a beautiful, cool, starry night sailing on the Sea of Galilee in a replica of "The Jesus Boat." Newly-emigrated Russian Jews entertained with their music as we danced the hora to the "Have Nagilah."

I was especially moved also by a breakfast meeting we had with former Soviet dissident Natan Sharansky, whose struggle against a totalitarian regime put him in prison for nine years. Sharansky's only crime was his practice of his religion and his growing commitment he had to Zionism. He became an icon in the struggle of Jews to leave for Israel—to make *aliyah*—and an international champion of human rights. He was sentenced to 400 days of isolation, in so-called punishment cells, conditions that compelled him to go more than 200 days on hunger strike. It was an honor for me to meet the hero Sharansky who is now enjoying freedom as a resident of Israel.

My most profound and emotional moments came during our visit to the Yad Vashem Holocaust Museum, a permanent memorial to the millions of Jews who, for the nature of their beliefs, were persecuted, suffered and died at the hands of history's greatest menace. Six million Jews died in all; 1.5 million were children. My friend, Congressman Jon Fox of Philadelphia, and I had the honor of placing a wreath at the Hall of Remembrance. I will carry with me forever the vivid memory of the Children's Memorial, where a soft but firm voice carefully read in Polish, German, English and Hebrew the names, ages and birthplaces of all those children known to be among the 1.5 million killed by the Nazis.

Ours was an extraordinary fact-finding mission. It has left an indelible impression on me to ensure a sustained American resolve that forever stands by Israel, our dearest friend and closest ally in democracy and freedom. From history's triumphs and tragedies, we must learn so that mankind does not repeat the mistakes of the past. And, most importantly, we must never, ever forget.

#### PROHIBIT THE FDA AND HHS FROM REGULATING THE SALE OR USE OF TOBACCO PRODUCTS

**HON. L.F. PAYNE**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 7, 1995

Mr. PAYNE of Virginia. Mr. Speaker, today I am introducing legislation to prohibit the Food and Drug Administration [FDA] or any agent of the Department of Health and Human Services from regulating the sale or use of tobacco products. The bill is in direct response to the proposed rule that the FDA announced last month. Under the Agency's proposal, the FDA would assume broad new powers over

tobacco advertising, marketing, and use—powers which Congress has steadfastly refused to grant to the Agency.

I am very pleased to be joined in introducing this bill by Representatives BALLENGER, BAESLER, BOUCHER, COBLE, ROGERS, HEFNER, ROSE, SPRATT, SCOTT, BUNNING, FUNDERBURK, JONES, GORDON, CLEMENT, CLYBURN, TAYLOR of North Carolina, CHAMBLISS, and WARD.

The purpose of this bill is not to thwart legitimate efforts to curb youth smoking. Everyone knows that minors should not smoke cigarettes or dip snuff. Reducing youth smoking is a goal that is almost universally shared. All 50 States have enacted laws to prohibit youth smoking. And the tobacco industry itself has taken voluntary steps to eliminate the sale of tobacco to minors. On several occasions this year, I have actively encouraged the Clinton administration to work with the industry in expanding voluntary restrictions as an alternative to new and over-reaching regulations.

I have never met a tobacco farmer or warehouse employee who would want their children to smoke cigarettes. They want existing laws enforced, and they want voluntary measures to be given the chance to work.

What they do not want is for the Federal Food and Drug Administration [FDA] to use legitimate public concerns about teen smoking as the pretext for asserting its enormous regulatory jurisdiction over tobacco products.

Mr. Speaker, this bill is simple and straightforward. It simply bars the FDA from proceeding with any regulations governing the sale or marketing of tobacco products. Prohibiting the FDA from moving forward with these proposed regulations is not only consistent with existing law, it will send an important message to every other agency that attempts to issue regulations without express authority from the Congress.

This controversy is not new. In the last Congress, and in the Congress before that, legislation was introduced in the House and Senate to expand the FDA by creating a new regulatory category for tobacco products. Those proposals were rejected. In fact, throughout this century, tobacco's opponents have understood that their best chance to ban tobacco is to give unelected officials of the executive branch regulatory authority over this product. Time and again, such attempts have been rejected.

When Congress has enacted legislation dealing with tobacco, its delegation to the executive branch has been narrow and very specific. The FTC, for example, has carefully drawn duties with respect to assuring that the Surgeon General's warning are placed on cigarettes marketed domestically.

Furthermore, in enacting the Federal Cigarette Labeling and Advertising Act of 1965,

Congress declared that the act set up a "comprehensive Federal program to deal with cigarette labeling and advertising (15 U.S.C. 1331)." This language suggests strongly that actions not plainly authorized by the act are beyond the powers of the executive branch. It is difficult to understand how the FDA can proceed with new restrictions on tobacco advertising in light of this language.

Even the FDA has acknowledged its inability to regulate tobacco.

Unable to achieve victory in the halls of Congress, tobacco's opponents are now relying on the administrative powers of the executive branch to assert this new and potentially far-reaching authority over tobacco. Tobacco's opponents may celebrate the administration's action on tobacco right now, but they may rue the day when they allowed the executive branch to establish such a precedent.

Just imagine the outcry of tobacco's most vociferous opponents if another President at another time tries to use executive powers to circumvent the expressed will of Congress on such matters as environmental safety, workplace protection, and gender equity. They would cry foul and they would have every right to.

Beyond this important concern about the FDA's legal jurisdiction to act, it is also clear that the administration's proposal runs contrary to the whole focus of government right now. Americans want less government, not more. I find it ironic that as many agencies are downsized and eliminated completely, the administration would seek to expand the scope and mission of the Food and Drug Administration in this manner. Tobacco is already one of the most heavily regulated products in the United States. Regulation begins at the plant bed and runs well beyond the point of sale.

Finally, the FDA needs to re-order its priorities and focus on those issues which Congress has charged it with. We have all heard the reports of the FDA being unable to test and approve life saving drugs in a timely manner. It is an agency that should get its own house in order rather than trying to take on new projects in areas where it clearly lacks jurisdiction.

Mr. Speaker, I am proud to represent more than 5,000 tobacco growers. These hard-working farmers and their families don't want children to smoke. All they want is for Washington to treat them fairly.

The FDA's proposed rulemaking is not fair. It contradicts the plain intent of Congress and is a thinly-veiled attempt to regulate and ultimately destroy domestic tobacco products. I urge my colleagues from both parties and from all regions of the country to join me in sponsoring this important bill.