

would be issued on August 10, 1996, exactly 150 years from the actual date of the act of Congress which established the Smithsonian Institution. The issue of Smithsonian sesquicentennial commemorative coins will provide an opportunity for the American public to obtain a valued memento while at the same time supporting the Institution mandated to preserve its cultural and historical patrimony. Just as importantly, the funds derived from the issuance and sale of these commemorative coins would transfer the financial responsibility for sesquicentennial activities from the American taxpayer to voluntary collectors.

Funds raised through the coin sale will enable the Smithsonian to showcase its 150-year service to the Nation and will also, hopefully, help the Institution meet the anticipated budgetary challenges which could threaten the current level of service to the public. It will assist in continuing education programs that reach all strata of our society. In addition, the legislation would authorize that 15 percent of the total proceeds remitted to the Institution would be designated to support the National Numismatic Collection at the National Museum of American History. This component of the legislation is strongly supported by the numismatic community and in a very tangible way demonstrates appreciation for their support of all congressionally authorized commemorative coin programs.

Without exception, we all have constituents who visit, communicate with, and otherwise benefit from the Smithsonian every day. From eager first graders to learned scholars and researchers to out senior citizens, the public is consistently served by the vast resources and expertise of the Smithsonian and its staff. Successful enactment of this legislation will guarantee the American people the benefits and wonder of, as well as continued free access to this multifaceted institution.

Mr. Speaker, I urge all my colleagues to join with me and with Congressmen LIVINGSTON and JOHNSON in sponsoring this legislation, so important and beneficial to Americans throughout our great country.

IN MEMORY OF RUBY ODESSA  
CAESAR

**HON. THOMAS M. FOGLIETTA**  
OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES  
*Wednesday, March 1, 1995*

Mr. FOGLIETTA. Mr. Speaker, it is with great sadness that I rise to announce the passing of Mrs. Rubye Odessa Caesar. I would like to take this opportunity to pay tribute to a great woman who made significant contributions to the people and communities of the city of Philadelphia.

Mrs. Caesar first moved to the city of Philadelphia in the early 1960's with her husband. The Caesars were active members of the New Central Baptist Church and later the Good News Baptist Church. After her husband's death in 1974, Mrs. Caesar continued her activity at Good News. She received much recognition and many awards for her devotion to her church.

In addition, Mrs. Caesar contributed greatly to her community working as a volunteer with the Headstart Program and working to stop gang activity in North Philadelphia. Mrs. Caesar worked hard to improve her community

and was especially proud of the establishment of the Lower Tioga Community Council Emergency Food Referral and Kitchen Cupboard, one of her greatest accomplishments, which will live on into the future.

Mrs. Caesar provided for and nurtured many young people in Philadelphia as a crossing guard and as a foster parent. She also served as the judge of elections for the 43d ward, 10th division and helped organize many voter registration drives. Mrs. Caesar always responded to calls for help from many political leaders and candidates.

Although she suffered from many illnesses, Mrs. Caesar maintained a positive spirit and believed that more work could always be done to improve the community.

I ask my colleagues to join me in extending our most sincere condolences to her brother Mr. Joseph Battle, Sr., her sisters Mrs. Lois Wyatt and Mrs. Doris Elizabeth Eaddy, her sisters-in-law, her children, Mr. Eddie Reni Battle, Ms. Serita Caesar, Ms. Jeanette Mash-Battle, Mrs. Tanya Irene Stewart Caesar and Mrs. Arlene Daniels Caesar. Mrs. Caesar is also survived by her companion of many years, Mr. Eldridge Robbins, and many grandchildren and other family members. Mrs. Caesar will be greatly missed by all who knew and loved her.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS AND RESCIS-  
SIONS FOR THE DEPARTMENT  
OF DEFENSE FOR FISCAL YEAR  
1995

SPEECH OF

**HON. LYNN C. WOOLSEY**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 22, 1995*

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 889) making emergency supplemental appropriations and rescissions to preserve and enhance the military readiness of the Department of Defense for the fiscal year ending September 30, 1995, and for other purposes:

Ms. WOOLSEY. Mr. Chairman, I rise to strongly oppose this bill to punish the American people for the management errors of Congress and the Pentagon. Of course we need to fund military readiness, and of course we have to pay for our peacekeeping operations. But it is not acceptable to do this by stealing money from environmental cleanup, defense conversion, job training, and school funding for our kids. We are punishing the children and punishing our communities because Congress can't find enough money in the \$260 billion defense budget to pay for readiness.

I oppose cutting these programs because they are not the reason we might be short on readiness funding. Let me tell you what has really been damaging readiness:

The Trident D-5 nuclear missile, a \$5 billion cold war relic, designed to hit targets which no longer exist in the former Soviet Union.

The Star Wars Program—a Reagan dream which hasn't given us a single concrete result after \$36 billion worth of wasteful spending since 1984—more than the entire annual budget for the Department of Education.

And, Mr. Chairman, if you truly want to be intelligent about paying for readiness and peacekeeping, you should do it by cutting the inflated intelligence budget.

We wouldn't have a readiness problem if Congress and the Pentagon could just stop wasting billions of taxpayer dollars on these cold war relics. These are the programs we should be targeting to offset this supplemental appropriations bill.

Instead, H.R. 889 attacks programs that are essential to the future of our children and the health of our economy. I am truly ashamed that despite the end of the cold war, and despite the fiscal crisis facing our public school system, we are now considering a bill which takes money away from the \$30 billion Department of Education budget and puts it into the \$260 billion military budget. We're finally beginning to see the fine print in the contract on America.

Not only does this bill propose to cut important domestic programs to make up for military waste, it cuts important programs within the defense budget as well—programs that are vital to the economic future of California and the rest of the Nation.

I am not the only Californian who feels this way. Allow me to read a quote about H.R. 889's cuts in environmental cleanup funding from California's Republican Governor:

The continued erosion of cleanup funding inevitably will threaten the health of armed services personnel and civilians who work at military bases where contamination is present. It will also exacerbate economic suffering in communities that are struggling to redevelop closing bases.

The cleanup of military bases is not a partisan issue, Mr. Chairman. It should be recognized as an essential ingredient in the economic recovery of California and the rest of the Nation, and it should not be cut.

Another essential ingredient is the technology reinvestment program, the cornerstone of President Clinton's landmark defense conversion initiative. In two short years, this program has moved California's economy forward by helping defense firms produce goods and services that can be used in the civilian sector. Despite the TRP's importance for California's economy, and indeed America's economy, H.R. 889 slashes funding for this as well.

This bill, along with the National Security Revitalization Act which was passed last week, is sending the military budget back to the Dark Ages by preserving cold war relics and cutting the programs that are vital to our economic future. I urge my colleagues to vote against H.R. 889, and to fund readiness and peacekeeping by cutting the truly wasteful military programs.

TRIBUTE TO RAYMOND "RED"  
FULARCZYK

**HON. GERALD D. KLECZKA**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 1, 1995*

Mr. KLECZKA. Mr. Speaker, it is with great pride that I rise today to pay tribute to my long-time friend, Raymond "Red" Fularczyk.

Red and I have a lot in common. We were both born in Milwaukee and attended Don Bosco High School, on the city's south side.

Over the years, we have shared a commitment to the working men and women of Wisconsin and our Nation. For example, Red joined the Teamsters at the tender age of 16, and became a union steward just a few short years later. In 1968, he joined the staff of Teamsters Local 200. Throughout the years, Red served as the local's president and secretary-treasurer. He was the principal officer of Joint Council No. 39 until 1990, when he joined the staff of the Central Conference and became director of the Food, Dairy and Warehouse Division and secretary-treasurer.

Red's desire to further serve the American worker manifested itself in his political activities. An ardent supporter of workers' rights, he has always backed candidates on the municipal, county, State, and national levels who shared his views. A true bipartisan, Red was appointed by Wisconsin's Governor to represent labor on the State's Jobs Council Committee.

In continuing his service to the citizens of the Milwaukee area, Red was on the board of directors of both the Milwaukee War Memorial and the Performing Arts Center.

I am pleased to add to the many tributes and commendations Red has received and will continue to receive throughout his retirement.

Congratulations on a job well done. Best wishes as you spend more time with your family and many friends.

#### CRIME LEGISLATION

### HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 1, 1995*

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for Wednesday, March 1, 1995, into the CONGRESSIONAL RECORD.

#### CRIME LEGISLATION IN THE 104TH CONGRESS

Crime ranks as the biggest perceived problem in the country. Although overall crime rates have decreased, most Americans still believe crime should be a priority of the federal government. While law enforcement, courts, and prisons are dealt with primarily by state and local governments, Congress has taken a number of steps in recent months to assist in these efforts.

Last fall, Congress passed anticrime legislation that authorized \$30.2 billion in assistance over the next six years, with 75% of the funds for law enforcement and prisons, and 25% for local crime prevention efforts such as drug education programs or domestic violence shelters. The centerpiece of this law is the program to put thousands of new police officers on the streets. Ninth District sheriffs and police chiefs recently received some \$2.5 million for 44 additional police officers. More assistance will be available in coming months. Indiana is also eligible for funds to increase prison capacity and establish military-style youth boot camps.

The House recently considered a series of six additional crime-related bills, which were based on proposals in the House leadership's "Contract with America".

#### VICTIM RESTITUTION ACT

This bill would require those convicted of a federal crime to pay damages to their victims. Current law permits such restitution, but does not require it. Compliance with court-ordered payments would be a condition of probation, parole, or release. This bill passed with my support.

#### CRIMINAL ALIEN DEPORTATION ACT

This bill would reimburse state and local costs for incarcerating illegal immigrants who have committed crimes. It also would make it easier for the government to deport criminal aliens to their country of origin. With my support, the House passed this bill by a large margin.

#### EFFECTIVE DEATH PENALTY ACT

Many Hoosiers believe that excessive, drawn-out appeals have made the death penalty ineffective as a deterrent to crime. The reforms in this bill would place a one-year limit for death row inmates to file federal appeals of state sentences. However, the bill does not go far enough to ensure that competent lawyers are appointed to argue death penalty cases. A large percentage of appeals result from mistakes made by inexperienced lawyers. Serious death penalty reform must deal with this problem. I supported this bill, but hope the Senate will pass more comprehensive reforms.

#### EXCLUSIONARY RULE REFORM ACT

The Fourth Amendment to the Constitution protects citizens against "unreasonable searches and seizures". In general, evidence obtained in violation of these procedures is excluded from trial unless 1) police officers had a search warrant and 2) believed they were acting in "good faith" compliance with the Fourth Amendment. The bill would create a broad loophole in the Fourth Amendment by permitting virtually all evidence obtained without a search warrant. Constitutional safeguards are not always popular with a public fed up with criminals going free on technicalities, but there have been many recent cases in which law enforcement agencies have violated civil rights in unreasonable searches. I have serious concerns about the implications of this bill on individual liberty, and did not support the bill.

#### PRISON FUNDING

Like last year's legislation, this bill encourages states to adopt measures to increase the average time served in prison. Half of the grants would be reserved for states that enacted "truth-in-sentencing" laws. I support such laws. However, this bill would eliminate funding for drug courts and change the grant formula to reduce Indiana's share of federal money. It also runs counter to the spirit of the unfunded mandates bills passed earlier this year, by requiring states to rewrite their criminals laws before receiving federal support. This bill would reduce Indiana's funding, and I did not support it.

#### LAW ENFORCEMENT BLOCK GRANTS

This bill would eliminate the current community policing program and replace it with a \$10 billion block grant program for a variety of law enforcement purposes. Funds would be allocated on a formula based on the average number of violent crimes in a local jurisdiction.

I did not support this bill for two main reasons. First, law enforcement block grants have a long history of abuse. Under a similar program in the 1970s, local governments spent funds on yachts, airplanes, military tanks, and other frivolous uses. It was repealed in 1982. Such abuse is expensive to prevent. This bill includes \$300 million—about 3% of the total funds—for the Justice Department to police local governments for abuse. Second, the community policing program has been very successful, and one-half of the money is designated for small communities and rural areas. It should not be eliminated. The block grant formula in this bill would provide less funding for Indiana's counties and rural communities. I believe more police officers on the beat, along with keeping criminals in prison, is a most effective way to fight crime. The administrative

cost of the police grant program is just 0.08% of the total fund—which means less money in Washington and more money in local communities.

#### CONCLUSION

The House-passed proposal deserve a mixed review. The provisions for victim restitution, alien deportation, and death penalty reforms are long-needed, and they received my strong support. I am hopeful the Senate will take quick action. However, I am concerned about the exclusionary rule bill, which encroaches on important Constitutional protections against government intrusion. The funding provisions for prisons and block grants would hurt the Ninth District and Indiana, and block grants only increase the likelihood of fraud and abuse.

I have some doubts whether crime can be fought effectively with federal legislation. The primary responsibility for fighting crime belongs to state and local governments, and previous efforts from Washington have not generally been considered effective. But the public demand for action against crime is understandable, and Washington should do its part to help local and state officials reduce the threat of violent crime.

#### INTRODUCTION OF THE AMT DEPRECIATION RELIEF ACT OF 1995

### HON. BENJAMIN L. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 1, 1995*

Mr. CARDIN. Mr. Speaker, today I am introducing legislation to provide much-needed relief to American companies who currently are being penalized for investing in new plant and equipment.

Under the 1986 Tax Reform Act, Congress established an alternative minimum tax system for corporations. The purpose of the AMT was to prevent profitable corporations from escaping Federal income tax liability by making excessive use of tax preferences.

Unfortunately, the AMT has turned out to have a very different impact than was intended. Instead of ensuring that profitable companies do not escape Federal taxation, the AMT has worked, in many cases, as a trap, especially for capital intensive manufacturing companies.

The problems with the AMT arise principally because of depreciation differences. Under the regular tax system, companies are permitted to depreciate investments in plant and equipment under an accelerated system designed to encourage investment.

Regular tax depreciation schedules are structured to encourage companies to invest in new equipment and to enhance productivity. The effect is to help keep U.S. companies competitive by providing accelerated recovery of costs.

Under the AMT, however, we turn around and take away the tax incentives we have offered to encourage investment under the regular tax. The effect is that through the regular tax, we tell U.S. companies that we want them to invest in productivity-enhancing plant and equipment. Then, under the AMT, we tell them that if they act according to those incentives, and according to the dictates of their own competitive position, we will punish them. It makes no sense, and we should change the law.