

genuinely appreciative for the opportunity of so doing. However, the greatest joy is when I contemplate the opportunities and potential that the immediate future affords our party to contribute to making our community, State, Nation and world a better place for our children and their children.

This contemporary popular political phenomenon we are experiencing as a result of November 8, and the apparent rediscovery of the tenth amendment of our Bill of Rights, is indeed promising. However, the implementation of reclaiming all reserved powers for the States and the people is going to be one enormous challenge, after 60 years in the opposite direction.

The accumulated vested special interests created, enlarged and entrenched during three score years are awesome! Accomplishing such a feat is only possible by retention of the inordinate cooperation and oneness of purpose shared by republicans in the last election.

Our failure to seize upon and well perform during this brief unique opportunity will only serve to further diminish the confidence in the two party system that so fragilely underpins this great Nation and its perceived destiny. Elections are only vital as pre-requisites to providing good government.●

In closing I would like to say that I believe the City of Indianapolis, the State of Indiana and our Nation owe L. Keith Bulen a debt of gratitude for this years of unselfish service. The country would do well to have a thousand people like Keith Bulen active in the political process.

STORMWATER MANAGEMENT IMPROVEMENT ACT OF 1995

HON. BLANCHE LAMBERT LINCOLN

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 1995

Mrs. LINCOLN. Mr. Speaker, I rise today to introduce the Stormwater Management Improvement Act of 1995, legislation to assist small cities and small businesses in their compliance requirements under the Clean Water Act.

Under the Clean Water Act, cities and industries must obtain permits for stormwater discharges. This act has required cities serving a population of 100,000 individuals or more to comply with the permit requirement. However, as of October 1994, smaller cities are also technically required to comply with this section of the law even though the Environmental Protection Agency [EPA] has not issued regulations for the cities with populations less than 100,000.

While the smaller cities have received assurances from the EPA that it will not enforce the stormwater requirements, many cities fear that citizens will file suits against them for not complying with the act.

The objective of the Stormwater Management Program is to ensure that runoff from city streets and parking lots into stormwater drainage pipes and ditches meets the water quality standards set out in the act. Under a stormwater discharge permit, cities must adopt programs to reduce the amount of pollution entering our waterways. These programs include street cleaning, household hazardous waste pickup, leaf pickup, cracking down on illicit discharges of raw sewage and other pollutants and public education. These manage-

ment plans are worthwhile, but very expensive to implement.

According to the National League of Cities, the average cost of obtaining a permit is \$625,000. In Little Rock, AR, it cost \$525,000 over three years to get the permit and it is estimated to cost an additional \$125,000 per year to run the program. These costs for a small community would be disastrous. In a rural area, where financial resources are scarce because of the limited tax base, these requirements would detract from other essential programs, such as sewage treatment and safe drinking water requirements. With scarce resources, these small communities need to focus on the bare necessities to preserve the health and safety of their residents.

The Stormwater Management Improvement Act of 1995 would provide the needed relief from this permit requirement for cities with population less than 50,000 individuals by exempting them from the permit requirements. The bill would also delay permit requirements for cities with population between 50,000 and 100,000 until October 1, 2001, and instruct the EPA to promulgate regulations for these cities. Nonurbanized areas are completely exempt from the permit requirements.

In addition, industries must also comply with the stormwater permit requirements. However, we run into the same situation where the requirements apply equally to both the large industrial polluters and the small businessmen. Again, one size does not fit all. In my own congressional district, a small businessman who runs a portable sawmill was required to obtain a stormwater permit. He travels from tree stand to tree stand to harvest the timber. In the process, he leaves some sawdust behind. This man is not a point source nor do his activities contribute to the degradation of the quality of the surrounding waterways. However, he is forced to obtain an expensive permit that results in very little water quality control and is treated in the same way as the large lumber mills.

My bill would exempt the small business or industry that employs no more than 25 people from the permit requirements unless the EPA or delegated state agency determines that the facility contributes to a violation of a water quality standard or is a significant contributor of pollutants to waters of the United States.

I am not an advocate of promoting dirty industry over the health of our environment, nor do I want to see polluted waterways. However, I do want to ensure that we get the biggest bang for our buck by focusing on the big problems. I urge my colleagues to support this bill to ease the Federal mandates imposed on our smaller cities and businesses.

FEDERAL DIRECT STUDENT LOAN PROGRAM

HON. PAT WILLIAMS

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 1995

Mr. WILLIAMS. Mr. Speaker, there's been an awful lot of talk recently about the new Federal Direct Student Loan Program. As you recall, we enacted this program last Congress. It's currently being phased-in, and we're beginning to get some results from this phase-in. This school year 104 colleges and universities

are direct lenders. Their students are able to get all of their student aid needs addressed at one location, the college financial aid office. From what people in my home State of Montana tell me, the program is good for students and parents, and it's bringing some simplicity to a student aid system that is often too complex. The only complaint I hear in Montana is that not enough schools are direct lenders. Starting this coming July, another 1,400 schools will become direct lenders. This is a big jump in participation rates, but from the preliminary reports we're getting I don't think it's an impossible hurdle to overcome. Recently the Association of Community College Trustees surveyed community colleges who already are direct lenders. The results from this survey are impressive: Direct loans appear to serve students better; schools benefit more from this program; and the Department of Education appears to be running the program quite well. I'm enclosing a copy of this report for my colleagues review. I urge you all to read it.

COMMUNITY COLLEGES AND DIRECT LENDING

(By Melanie Jackson, Director of Federal Regulations, Association of Community College Trustees, February 1995)

BACKGROUND—HISTORY

Community colleges have supported the concept of a direct loan program as an additional choice or option (with institutional participation voluntary) for the distribution of federal guaranteed student loan funds since the proposal for a small, pilot program was launched by the Bush Administration in 1991. The 1992 Amendments to the Higher Education Act, signed on July 23, 1992, included the Bush proposal for a pilot program. However, before it could be implemented, the new Clinton Administration took office and pushed for legislation to change to a full-blown system of direct lending, with the federal government making loans to students through their colleges. The Clinton proposal eliminated banks, secondary markets, and guaranty agencies, and claimed the federal government would save billions in costs by this move. Although the 103rd Congress was eager to apply the billions in savings toward deficit reduction, concerns were raised about possible disruption in the financial markets and the ability of the U.S. Department of Education to effectively and efficiently manage a full-blown program.

Congress and the Administration compromised, and the 1993 Budget Reconciliation bill yielded a dual program. The current bank-based system was continued, but federal subsidies to lenders and guaranty agencies were reduced. Expanded authority was given to the Department of Education to implement a direct government loan program for students, but a five-year phase-in was required and caps were set on the amount of loan volume allowed to be handled by the government for each year. The program was to start small in the 1994-1995 academic year, with a first-year cap at 5 percent of the loan volume, rising to 40 percent the second year (plus institutional demand), and a fifth-year cap set at 60 percent (plus institutional demand). One hundred and four schools, nine of which are community colleges, were selected by the Department of Education to participate in the program's initial year.

THE CURRENT POLICY CLIMATE—CONFLICTING PROPOSALS

Just as the second semester of the first year of direct lending got underway (January 1995), winds of change for the program appeared to be blowing again from Washington. The Administration is pushing for a

complete switch to direct lending. Included in the President's Fiscal Year 1996 budget is a proposal calling for participation in the direct loan program to be expanded to include 80 percent of loan volume in academic year 1996-97, with full implementation of the program (100 percent) in academic year 1997-98. The budget projects that a move to full implementation of direct lending (and the elimination of the bank-based program) would save the government an additional \$6.8 billion (on top of previous savings already achieved—more than \$4 billion) by the year 2000. However, the 104th Congress appears to be heading in a different direction. Some in the Republican-controlled Congress are suggesting that the federal government's involvement in this program is inappropriate and therefore the program should be ended altogether. Others in Congress want to insure that the dual program continues; they are proposing to lower the maximum participation cap to a ceiling of 40 percent of loan volume (the authorized level for the 1995-96 academic year).

Meanwhile, as these conflicting proposals are being tossed about in Washington, more than 125 community colleges that volunteered (and were approved by the Department) to become participants in the program for the 1995-96 academic year are planning, training, and gearing up to become loan originators.

THE ACCT COMMUNITY COLLEGE DIRECT LENDING SURVEY

To enable trustees (and ACCT staff) to respond effectively to Congressional office and press inquiries about how community colleges view the direct lending program, and how community college students might be affected if the program were reduced or eliminated, the Association of Community College Trustees conducted a survey of the nine schools currently participating in the program: Cloud County Community College, KS; Cuyahoga Community College, OH; Delaware Technical and Community College, DE; Gaston College, NC; Hudson Valley Community College, NY; Lehigh Carbon Community College, PA; New Mexico Junior College, NM; Red River Technical College, AR; and Tarrant County Junior College, TX.

The ACCT Direct Lending Survey instrument consisted of six simple questions: how many loans were originated (and corresponding enrollment numbers compared to the prior year), how the direct lending program better serves students (if it does), how direct lending benefits institutions, the perception of the quality of service rendered by the Department of Education (and its ability to manage the program), advice that could be offered to institutions who are considering participation in direct lending in future years, and finally, what message the participating institution would send to the 104th Congress that evaluates or describes their experience with the program.

The ACCT survey questionnaire was distributed by fax to the financial aid administrators at the nine colleges, after they had been notified by telephone of its purpose. Eight to the nine community colleges completed the survey (Delaware Technical and Community College was the only non-respondent).

THE COMMUNITY COLLEGE SURVEY RESULTS

Overall, the survey responses demonstrated that community college aid administrators like the new direct loan program. All responses to the questions asked about the program's benefits to students and institutions were favorable. Similarly, all responses were positive to the question about the Department's management of the program and quality of service rendered. The general advice that was repeatedly offered by survey respondents for colleges that might

be considering participation in direct lending in the future: plan early, get top-of-the-line computer hardware and software, and attend all training sessions offered! The message current program participants would send to the 104th Congress: the program works, it is simple, we like it, and the students like it.

The following is a compilation of the survey questions and responses ACCT received. The comments listed (to all but the first question regarding number of loans and enrollment) are direct quotes from community college aid administrators. Their responses are presented in random order for each question, to retain anonymity.

NUMBERS OF LOANS AND INSTITUTION SIZE—A CAUTIONARY NOTE

The community colleges participating in this first year of direct lending range in size from very small (less than 1,000 headcount enrollment) to very large (over 26,000 headcount enrollment), but four (half of the respondents), fell in the 3,000-4,000 enrollment range. The number of direct loans originated by each institution did not correlate to the size of enrollment at the institution. (For example, the number of loans originated at the smallest institution was more than 200, while the smallest total number of direct loans originated by a community college this first year was 60, from a college with 4,000 headcount enrollment.) The total number of direct loans originated by the eight respondent colleges was just over 8,500. The colleges reported a previous year's total of students with loans (from the bank-based program) of approximately 6,400. This represents a 25 percent, one-year increase in the number of community college student borrowers (from these eight institutions). Although this percentage increase is based on a small sample, it does seem to illustrate a continuing trend of upward growth in borrowing by community college students to meet their educational expenses. (In 1993-94 the number of community college borrowers increased by 31 percent over the 1992-93 academic year.)

SURVEY RESPONSES ABOUT HOW DIRECT LENDING SERVES STUDENTS

"Students (and the parents of dependent students) are very pleasantly surprised by the ease and efficiency associated with the Direct Loan Program. There are times when a student can walk in to the Financial Aid Office and walk out with a Direct Loan. Borrowers know when disbursement will occur, since the school is drawing down the funds versus waiting for a lender to disburse a check or wire-transfer funds. It is simple, quick, and less confusing."

The application process is simplified. The repayment options are greater than those in the Stafford Loan Program. The loan is held by the Department of Education and will not be sold to a secondary market. We have been able to spend more time with students exploring other financial aid options and debt management issues since we have implemented the Direct Loan Program.

Faster delivery of loan dollars to students. Direct lending currently offers the income contingent repayment option not available under Stafford. Also, direct loans eliminate the need for a student to deal with a middleman, the bank. Everything is handled through the school. They deal with one service.

One lender is very beneficial. Students are able to keep track of their loan responsibilities. In the past, valuable time was spent locating information. Consolidation is very available to students. Repayment options are extended.

One stop for all student financial aid. Less time required from time student comes in until he/she receives loan.

We are our students personal contact from the initial loan application until disbursement. Our disbursements to our students are much sooner. Adjustments are completed and processed in a more timely manner.

The process is simpler and more direct for the student. We can control the disbursement process so we can be sure that the students receive their funds on a timely basis.

SURVEY RESPONSES ABOUT DIRECT LENDING'S BENEFITS TO INSTITUTIONS

Direct Loan has enabled us to offer aid to more students more quickly than processing FFELP loans, therefore allowing more needy students to enroll. Despite a decline in enrollment at the college, financial aid has awarded more money to more students. Direct loan has also improved cash flow to the college and the student. Is it easier to administer? No! It's different, but no easier this first year—maybe next year. We need to tie our business office into our computer network to facilitate cash flow and reconciliation.

Saves time. Does NOT necessarily save on institutional costs.

Electronic transfers, crediting student accounts in a timely fashion, provides good tracking and records for auditing purposes. It saves time. Disbursement rosters allow the Business Office to date loan checks on a schedule. Students appreciate the personal service and exact date concerning disbursements. The students are informed of disbursement dates and come that day to get their loan checks rather than call and come by numerous times checking to see if checks are in.

Again, it eliminates the middleman; less room for error, fewer contact persons. Currently it does not save time operationally because I have no interface from PC to VAX. Cost factor minimal.

We have more control over the program. Administering the program is more efficient. Our cost is less and we have satisfied students.

Easier to deliver. More efficient. Can do more loans with less human resources.

We have found that direct lending saves costs. However, it does not take additional staff or resources to implement the program. We have been able to shift staff time to other areas such as debt management. Students receive the greatest benefit in the direct lending program. That is, the application, disbursement, and repayment process is greatly simplified.

The software provided by the Department enables us to do electronically what would be time consuming and expensive manually. Simple tasks that needed three copies sent various places now just demand one notification.

COMMENTS FROM AID ADMINISTRATORS ABOUT PROGRAM MANAGEMENT AND INSTITUTIONAL SERVICE RENDERED BY THE U.S. DEPARTMENT OF EDUCATION

Nothing short of excellent.

With direct lending the U.S. Department of Education has shifted their emphasis from prescriptive methods to regulating outcomes. Our experience has been that the Department can provide the necessary service to this program. We have received the training and support needed to implement this program from the Department of Education.

Our school relations group has provided excellent service to us. Our calls were returned and personnel were very patient, courteous, helpful and supportive.

Seems to be running relatively smoothly. Of course being a year-one school has meant our share of bugs to work out.

It appears to have gone well in the first year. Both the Department and the services have been very supportive.

The Department service has been good and timely. Our services have been very supportive, helpful, and extremely courteous and polite.

"Department has been very responsive. They have listened to our suggestions and modified the software when needed. The draw down of cash has been simple."

"Very good service! Everyone has been helpful and responds quickly. We have been very pleased. This was one area I had a concern about, but Direct Loan Task Force, NCS, and the Direct Loan Servicer have been responsive and very professional."

TIPS OFFERED FOR COLLEGES PLANNING TO BECOME FUTURE PARTICIPANTS IN DIRECT LENDING

"Plan ahead! Test your plan! Take advantage of training opportunities. Make sure you involve the financial aid office, business officers, and computer technology staff from the beginning!"

"Take the time to plan. Call those of us involved now. Get top-of-the-line computer for software."

"We honestly feel this program is successful and should be continued in 100% participation. This program provides students with funds for education in an efficient, responsible, and cost-efficient system."

"Start early planning. Buy the biggest/fastest hardware you can afford."

"Attend all training sessions. Conduct on-site visits to first-year schools comparable to yours."

"The process is more efficient and timely. Our students receive disbursement in a more timely manner. Out staff enjoy working with the program because it is computerized."

"Yes, we recommend this program. Our advice is to plan for several months prior to implementation. That is, set up institutional task force (financial aid, business office, computer support, etc.) and review current operating procedures. How will these change? How will the tasks be split among the various offices? Contact like institutions already in the program."

THE MESSAGE COMMUNITY COLLEGE AID ADMINISTRATORS WOULD SEND TO CONGRESS

"Do not cap this program. Interest groups are lobbying for a cap on the direct lending program. Who would benefit from a limit on this program? Ask current participants to evaluate the program. Let the FFELP and William D. Ford Direct Loan program exist together and schools will choose the program that best meets the needs of their students."

"Direct lending should be encouraged at the legislative level. It is refreshing to think that a program like this is more efficient, cost effective, and a valuable service to the student. Many programs never reach the students as rapidly as this has. Be bipartisan and keep the best interest of the students up front."

"This is the first time in my experience that a program was started where institutions could select how they participated and really had institutional flexibility and control. This program works and works well for students. It does not depend upon outside agencies as to whether institutions participate, drop from the program, merge with others, farm out originations, or sell to various other agencies. It is easy for the student to grasp the concept that they owe the federal government. I truly believe that this simplification will go a long way toward helping with 'paper' defaults."

"This has been the freshest breath of air in a long time. Finally, a program that the financial aid office controls. We like that and the students like it."

"I have been very pleased with the program. I enjoy the fact that there is no third party."

"Finally, financial aid offices have a program that works with us and not against us. Also, this loan program is student friendly."

"My school's experience with Direct Loan has been a positive one. We are pleased with the benefits this program offers the students and the school. We experience far fewer difficulties than we did with FFELP, i.e., many problems with lenders, slow or a lack of response from guarantors, big problems with servicers that provide students with little or no service, and enormous paperwork."

TRIBUTE TO LEON DAY

HON. KWEISI MFUME

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 1995

Mr. MFUME. Mr. Speaker, it is rare that you find an individual with talent, ambition and humility. But those are just some of the defining and wonderful qualities of Leon Day, one of Baltimore's true heroes.

Baseball legend Leon Day died this week, he was 78. It was only five days earlier that Leon had his day and was elected into the Baseball Hall of Fame. His sister said it was "what he was waiting for." He was the 12th Negro league star elected to the Baseball Hall of Fame and the first since 1987. His election into the Hall of Fame was a fitting end to a life of quiet achievement, pride and skillful performance.

For persons such as myself, who grew up in the little leagues and went on to coach inner city youngsters, Mr. Day was the personification of athletic excellence and someone who made us especially proud.

Leon Day moved to Baltimore in 1917 when he was 6 months old. His father worked in the segregated community of Westport and the family lived in Mount Winanas, a poor neighborhood in Southwest Baltimore. Although his house on Pierpont Street had no electricity or running water it was overflowing with both pride and purpose.

When Day was 12 or 13 he began playing baseball at a local athletic club. After two years at Frederick Douglass High School he left to play semi-pro ball with the Silver Moons. At 17 he joined the Baltimore Black Sox and was promised \$60 a month (in reality he was lucky to get paid \$2 or \$3 a week). The team soon disbanded and young Leon was off to play for the Brooklyn Eagles.

In 1963, the eagles moved to Newark and Mr. Day began getting paid regularly and was able to help his family financially. When he returned home to play against the Baltimore Elite Giants he was nothing short of a hero. He struck out 18 batters in one game and set the Negro National League record. The hometown fans went wild.

He defeated the legendary pitcher Satchel Paige in three of their four recorded meetings. And, he put his heart into every game. He was a players' player. Although Leon Day was known for his blazing fastball he was said to have a curve ball that dropped off the table. He had a unique talent of pitching the ball without winding up, which often made batters look bad, fooled and intimidated.

After the 1943 season, Mr. Day went to Europe to fight in World War II. After participating

in the Normandy invasion, Mr. Day played in an integrated game at Nuremberg Stadium against white major leagues. He pitched a four-hitter and bet the major leagues 2-1.

After the war, Day returned to the United States and the Eagles. Although the war had taken its toll on his strength, he was able to pitch a no-hitter on opening day against the Philadelphia Stars. After his victory, his teammates carried him off the field on the shoulders in triumphant recognition of an achievement few have ever realized.

In an era of social segregation he was a part of the athletic avant guard, who had rejected the mediocrity of second class citizenship. In doing so, he helped re-define the American past time as we know it, proving once and for all that only the ball was white.

When Mr. Day received word of his election into the Hall of Fame, tears of joy rolled his cheeks. To say he was elated, would be to overstate the obvious. "I never thought it would come," he said. "This has been in the back of my mind for a long time."

It did come and not a moment too soon. Mr. Day is and always will be one of baseball's quiet heroes. A man who strived to be his best, despite his humble beginnings. A man who showed excellence on the baseball field and unmatched modesty when off it. Mr. Day is a man all of Baltimore can be proud of.

On July 30th of this year in Cooperstown, NY, Leon Day will be officially inducted into the Baseball Hall of Fame. Although he will not be among the throngs of well wishers who will travel from across the nation to be there, let us resist the urge to mourn him.

Instead, on that hot July day, know that not far away still sits a field of dreams. A place where the men of winter become the boys of summer. Where for nine innings, the problems of the world go away. And, where Ruth, Cobb, Paige and Gehrig all rush to the mound to welcome their newest team-mate, Leon Day, the gentle giant from Baltimore.

THEATRICAL MOTION PICTURE AUTHORSHIP ACT OF 1995

HON. JOHN BRYANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 1995

Mr. BRYANT of Texas. Mr. Speaker, today I am pleased to introduce legislation, Theatrical Motion Picture Authorship Act of 1995, to amend the Copyright Act to add to the definition of author of motion pictures the director, screenwriter, and cinematographer—for non-economic purposes.

I am introducing this bill to stimulate discussion on an issue that remains contentious between film artists and film financiers; also between the United States and our advanced trading partners.

This is one of those hot button issues that invariably emerges at international copyright meetings as we try to achieve a higher degree of copyright harmony internationally.

This is also an issue which must be addressed as we move into the digital age of the information superhighway.

I am introducing this proposal because it is the right thing to do. Because of the work-for-hire doctrine under which our creative artists