

their names now be entered into the CONGRESSIONAL RECORD.

Jason Franklin, 1992 Green Road, Cleveland, OH.

Ashirah Goldman, (helped tutor other students, also), 1643 Rydalmount Road, Cleveland, OH.

Marcia Green, 16321 Greyton Road, Cleveland, OH.

Aaron Gundersen, 1284 Argonne Road, Cleveland, OH.

Kaiser Hamelin, Jr., 20221 Blackfoot Drive, Euclid, OH.

Martha Jane Johnson, 19590 Euclid Avenue, Euclid, OH.

Susan Johnson, 1556 Ansel Road, Cleveland, OH.

Aron G. Kurlander, 3496 Bendemeer Road, Cleveland, OH.

Sarah Levensen, 14254 Cedar Road, Cleveland, OH.

Anna Lippman, 1411 Dill Road, Cleveland, OH.

Ellen Morrison, 931 Helmsdale Road, Cleveland, OH.

Angelo Nyiri, 1195 Monarch, Cleveland, OH.

Kim Ottino, 1549 Temple, Cleveland, OH.

Joseph Paszko, 4495 Ammon Road, Cleveland, OH.

Sarah Radcliffe, 2940 Washington Blvd., Cleveland, OH.

Arlana Robinson, 14009 Northfield Avenue, Cleveland, OH.

Solomon Rogers, Jr., 2452 Warrensville Center Road, Cleveland, OH.

Omar Santos, 13709 Blenheim, Cleveland, OH.

April Sellers, 11911 Browning Avenue, Cleveland, OH.

Carl Sims, 1687 Belmar Road, Cleveland, OH.

Stacy Spetrino, 995 Evangeline, Cleveland, OH.

Nellie Thomas, 1622 Coventry Road, Cleveland, OH.

Devorah Weisz, 3501 Bendemeer Road, Cleveland, OH.

#### INTRODUCTION OF H.R. 3952

HON. ROBERT S. WALKER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, August 2, 1996*

Mr. WALKER. Mr. Speaker, today we are introducing a bill to broaden the interpretation of language contained in the Florence Agreement, a multilateral international agreement regarding the importation of educational, scientific, and cultural materials. Signed by the United States, it allows for the duty-free importation of scientific apparatus into the United States, if used by U.S. approved institutions for educational, scientific, and cultural purposes.

The problem which has raised this issue involves two large optical telescopes now under construction in Hawaii and Chile. The Gemini International Telescope Project, managed by the Association of Universities in Astronomy [AURA], involves the United States, the United Kingdom, Canada, Chile, Argentina, and Brazil. The U.S. Customs Service has narrowly defined the words "scientific instruments or apparatus" not to include components of these instruments or apparatus.

The telescopes contain several components, one of which is an eight meter mirror which was manufactured in the United States. The mirrors were shipped to France for polishing before being returned to Hawaii and Chile for

final assembly. The U.S. Customs Service initially contended that the mirror was a component and that components are not eligible for duty-free entry. Chile, however, is not charging duties on the mirror destined for there. Following requests from Members of Congress and the administration, the U.S. Customs Service finally agreed to allow the duty-free import of the mirror, because it ruled that the mirror involved the essence of the telescopes. However, there are several other major components of the telescope that should receive duty free status. Separate legislation (H.R. 3951) has also been introduced to allow favorable treatment of these components.

While demonstrated by the difficulties encountered with the Gemini International Telescope Project, this bill addresses the broader problem of the interpretation of the words "instruments or apparatus" by the U.S. Customs Service. This bill states that separable components shall be included under the definition of "instruments or apparatus" and shall thus be eligible for duty-free import into the United States under the Harmonized Tariff Schedule of the United States. This bill will ensure that the United States fulfills the intent of the Florence Agreement.

#### TRIBUTE TO JUDGE MAYO MASHBURN

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Friday, August 2, 1996*

Mr. DUNCAN. Mr. Speaker, Judge Mayo Mashburn, a great Tennessee judge, recently passed away.

Judge Mashburn presided as a Criminal Court judge in McMinn County and the rest of the 10 Judicial District over the past decade. While Judge Mashburn was described as a "no nonsense" judge who was to the point, he was also a man who went out of his way to help people.

Judge Mashburn was one of the most respected citizens in east Tennessee and was loved by many people. A close friend, Dr. Bill Trotter was quoted in the Daily Post-Athenian saying, "Our community will miss him both as a judge and a man who served the community in many ways."

I request that a copy of the article which appeared in the Daily Post-Athenian be placed in the RECORD at this point. I would like to call it to the attention of my colleagues and other readers of the RECORD.

#### IN HONOR OF AMERICORPS GRADUATES FROM THE UNION CITY DAY CARE PROGRAM

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Friday, August 2, 1996*

Mr. MENENDEZ. Mr. Speaker, I rise today to pay tribute to an industrious group of individuals, the 1995-96 participants in the AmeriCorps Program of the Union City Day Care Program, Inc. and the Urban League of Hudson County who have chosen the selfless path of service to the community. A com-

mencement ceremony for these graduates will be held on August 5 at the Urban Starting Points in Jersey City, NJ.

This joyous occasion marks the culmination of a extensive training program which prepares these men and women for careers attending to the needs of the children in their communities. When our honorees first entered the AmeriCorps Program, their expectations of success were modest. However, the educational experiences gained over the past year have tremendously increased their personal determination to handle any obstacle they may face.

The 1995-96 graduating AmeriCorps class consist of 22 dedicated individuals, including: Sabrina Arnold, Alberto Canal, Judith Concepcion, Yesenia Flores, Doreen Griffin, Waynette Harris, Luis Hernandez, Maria Hernandez, Tawanda Holmes, LaToya Leak, April Lewis, Brandi McCrea, Darcel McRae, Frank Meloi, Nicole Myrick, Lydia Nieves, Aida Paredes, Abdullah Payton, Dellar Reid, Wilma Sanchez, Yolanda Seruya, and Mylove Tetterton. The unique contributions these people will make in their neighborhoods will have an impact for generations to come.

Something as complex an undertaking as the AmeriCorps Program of the Urban League of Hudson County is never accomplished through the efforts of one person. This particular program has been successful due to the efforts of Elnora Watson, president and chief executive officer and her staff headed by director of the program Diane Fuller, Luis Mendez, Jeffrey, Lischin, Eloisa Lacson, and Richard Blas. They are exceptional community leaders.

The AmeriCorps graduates of the Union City Day Care Program exemplify the true meaning of community service. For their outstanding work and leadership, I ask my colleagues to join me in honoring these wonderful individuals. I am proud to have this valuable endeavor operating within my district.

#### INTRODUCTION OF THE FCC MODERNIZATION ACT OF 1996

HON. JACK FIELDS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Friday, August 2, 1996*

Mr. FIELDS of Texas. Mr. Speaker, in February of this year, we passed, and the President signed, the most sweeping change to our Nation's telecommunications laws in over 62 years—the Telecommunications Act of 1996, Public Law 104-104.

Earlier this Congress, I promised that after we finished rewriting our telecommunications laws the Subcommittee on Telecommunications and Finance would then focus its efforts on downsizing and reducing unnecessary underbrush at the Federal Communications Commission. Today, I introduce the FCC Modernization Act of 1996 for just that purpose.

Mr. Speaker, the FCC Modernization Act of 1996 is not an effort to revolutionize the telecommunications industry. We already did that, and the industry and the Commission are still feeling the effects of our changes. In fact, yesterday the Commission adopted its report and order to implement the centerpiece of the 1996 act—bringing competition to the local telephone market. The Commission has been

working long and hard on this proposal, and I am interested in seeing their results.

The FCC Modernization Act of 1996, instead, is about further reducing the regulatory burdens on a competitive industry and streamlining the operations of the Commission. More important, this bill is about asking the Commission to plan for the future—the future of the Commission in a competitive world. Specifically, section 2 of the bill requires the Commission to prepare and submit a detailed report to Congress on exactly what the Commission should look like once the 1996 act is implemented.

Mr. Speaker, a fully competitive marketplace will ultimately decrease the role of a Federal regulator. In my opinion, competition, if we have done our jobs right, should develop very, very quickly. Section 2 forces the Commission to prepare for the moment when markets are ruled by competition rather than by regulation; it asks the important questions before that moment is upon us.

This bill also reduces what I call the regulatory underbrush, those provisions of telecommunications law that no longer are applicable in an information age. For example, this bill would eliminate the requirement that telephone companies file every contract, agreement, or arrangement with another telephone company with the Commission, section 4. Instead, my bill retains the Commission's authority to file such information when it deems necessary. Thus, the bill eliminates an unnecessary provision of law without harming the Commission's ability to protect the public interest, convenience, and necessity.

The FCC Modernization Act of 1996 is another step forward in this Congress' effort to prepare for a competitive telecommunications market. I believe that providing further regulatory relief to our Nation's fast growing, most important sector will help create more high-technology, high-paying jobs for American workers. Further, it will stir industry investment and innovation that will only benefit consumers in the long run.

Mr. Speaker, I am happy to have my good friend, Mr. DINGELL, join me as an original cosponsor of the legislation. It is my hope that we can move this bill quickly through the legislative process and make it law. I urge all Members to support this bill.

#### H.R. 3816, 1997 ENERGY AND WATER APPROPRIATIONS BILL

HON. DAVID E. SKAGGS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Friday, August 2, 1996*

Mr. SKAGGS. Mr. Speaker, when the House debated the 1997 energy and water appropriations bill, I voted against an amendment to kill funding for the Animas La Plata project, in Colorado and New Mexico. I want the RECORD to reflect my reasons for that vote.

Current law and legal agreements link the Animas La Plata project to settlement of long-standing Ute Indian water rights claims. These claims must be honored. The Federal Government must fulfill this obligation to native Americans. Voting now simply to kill the project would signal a default on that obligation, and I do not see that as a constructive or responsible step to take.

I am aware of the serious environmental and other problems of the project. That's why both last year and again this year, I made sure the legislative history of the appropriations bills clearly showed that all environmental laws will continue to apply to the project. There's been no decision on the adequacy of the latest supplemental environmental impact statement about the project, and I believe that there almost certainly will be a court challenge of that decision, whichever way it goes. Even with continued funding for the project, the environmental and other questions about it have to be and will be addressed and resolved—one way or another—before any significant construction can start.

Nonetheless, I think all parties should recognize that the House vote against funding Animas La Plata in 1997 clearly signals that it's increasingly unlikely that the project as now designed can be built or can assure resolution of the Indian water rights claims. The time has arrived for serious exploration of other ways to achieve that objective and to fulfill that commitment, ways that will be less problematic in terms of both environmental and money costs.

#### JIM DUNN: TWENTY YEARS AND COUNTING

HON. JAMES A. BARCIA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Friday, August 2, 1996*

Mr. BARCIA. Mr. Speaker, there is no substitute for experience when we want to get a job done, and get it done right. The Michigan Public Transit Association has for the past 20 years been ably represented by attorney James Dunn who has a stellar record of achievement in the area of transportation.

Jim Dunn started in public interest matters the way many accomplished people have: as a staff person. In his case, he served the Michigan Senate Transportation Committee for several years in the 1970's. His accomplishment allowed him to merit appointment by Governor Milliken in 1978 to the Michigan Transportation Needs Study Committee, and later by the Speaker of the House and the majority leader to the legislative ad hoc task force on transportation financing. His learned capabilities allow him to serve as an adjunct professor for Transportation Law at Thomas Cooley Law School in Lansing.

Along with these activities, since 1976 Jim Dunn has been with the Michigan Public Transportation Association, where he has participated in the development of public transit administrative legislation and funding proposals. As an individual who has worked with him as a member of the Michigan State House, the Michigan State Senate, and now as a Member of Congress particularly in my capacity as a member of the Transportation and Infrastructure Committee, I can tell you that Jim Dunn has always conducted himself in a thoroughly professional manner. He has always provided information that could be relied upon in critical situations.

It is no surprise to anyone that his arguments are always on target, with his having been trained at the U.S. Army Artillery and Missile Officer Candidate School. That discipline helps him recognize the objective, com-

pute the proper solution, and implement the response most effectively.

I have had the good fortune to work with many skilled individuals during my time in public office. I rank James Dunn among the best. Mr. Speaker, I urge you and all of our colleagues to join me in wishing him the very best on his anniversary of representation, and wishing him every success in the years to come.

#### HONORING NELLIE A. THORNTON

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Friday, August 2, 1996*

Mr. ENGEL. Mr. Speaker, Nellie A. Thornton was a wonderful person who labored long and hard for her community and the people in it. Her influence and good works spread beyond the borders of Mount Vernon, where she lived and taught, to being named as one of the 100 most influential black leaders in the Nation.

She was the first black woman principal to be hired in Mount Vernon, NY, and she served as a principal there for 22 years. She was the organizer and first president of the Greater Hudson Valley Chapter of Links, Inc., where she was instrumental in organizing a program to bring children to visit parents in the Bedford Hills Correctional Center.

As a member of the Grace Baptist Church, she was selected by the church to the Wall of Honor for her faithfulness and dedication. She was also invited to the signing of the 1991 Civil Rights bill by then President Bush and by President Clinton to his Inauguration. The city of Mount Vernon declared March 29, 1989, as Nellie Thornton Day.

She is especially missed by her husband, Daniel Thornton, and their children, Danielle and Gabrielle, and by all of us who know of the great work she has done. To further honor her memory, Mount Vernon is renaming a school in her honor and on May 29, 1996, will officially open the Nellie Arzelia Thornton Elementary School. What she has done is an inspiration to all who want to further the goal of making America a truly equal home for all its peoples. Her name and her spirit lives on, and for this we should all be thankful.

#### A SPECIAL SALUTE TO JUDGE CARL J. CHARACTER

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Friday, August 2, 1996*

Mr. STOKES. Mr. Speaker, I rise to pay tribute to the Honorable Carl J. Character, judge of the Cuyahoga County Common Pleas Court. Judge Character will be retiring from the Court in January, 1997. As he prepares to depart his post, plans are underway for special ceremonies and other events to recognize Judge Character's commitment to public service and this Nation. I am proud to participate in the tribute to Judge Character. I want to share with my colleagues and the Nation some information regarding this distinguished member of the judiciary.

Carl J. Character was appointed to the Cuyahoga Court of Common Pleas in 1987 by