

commitment to honoring Raoul Wallenberg has been an inspiration to all throughout the world who honor this great Swedish humanitarian. Jan is the founder and president of the Raoul Wallenberg Committee of Chicago, an organization that is dedicated to humanitarian education. Mr. Muller is the founding president and managing director of the NordicCenter, dedicated to enhancing Scandinavian cultural arts and business in North America.

Mr. Speaker, I invite my colleagues to join me in commending Jan Muller and the City Council of Chicago for this outstanding and appropriate tribute to Raoul Wallenberg.

TAIWAN ANNIVERSARY

HON. BILL RICHARDSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Friday, September 27, 1996

Mr. RICHARDSON. Mr. Speaker, October 10 marks the 85th anniversary of the founding of the Republic of China [ROC]. In Taiwan, October 10 is known as National Day and is a day of celebration and remembrance. I think it is important my colleagues and I take a moment to send our congratulations to the 21 million people on Taiwan for promoting market-orientated solutions to their economy and developing a strong participatory democracy.

Mr. Speaker, three decades ago Taiwan was an underdeveloped nation. During the past 30 years, the people on Taiwan have worked diligently, saved much, and invested wisely. Today, the ROC is the United States' sixth largest trading partner and enjoys a standard of living which approaches the United States. Ten years ago, the ROC also began a political transformation to democracy beginning with legislative elections. These reforms culminated with the popular, direct election of Li Teng-hui as Taiwan's President.

Mr. Speaker, Taiwan has always shown that it can overcome adversity and achieve success. Taiwan proved that again earlier this year when the People's Republic of China [PRC] attempted to interfere in Taiwan's presidential elections by staging military maneuvers in the Taiwan straits. The people of Taiwan, however, did not permit the PRC to tamper with this exercise of their democratic rights. The strength and perseverance of the people on Taiwan is a lesson for all the world. I hope my colleagues will join me in wishing the ROC continued success.

FASCIST AND COMMUNIST ERA CONFISCATIONS

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, September 27, 1996

Mr. SMITH of New Jersey. Mr. Speaker, today I am introducing a resolution that takes up the difficult, complex, and challenging issue of property claims arising from Fascist and Communist era confiscations. Joining me as original cosponsors are Representatives PORTER, WOLF, FUNDERBURK, SALMON, HOYER, MARKEY, and CARDIN and we welcome others who would want to cosponsor the measure. The resolution brings focus to points long

raised by Americans who have unresolved property claims and particular issues which were the subject of a hearing on property claims in Central and Eastern Europe held in July by the Helsinki Commission, which I chair.

In convening that hearing, Mr. Speaker, the Helsinki Commission sought to address two specific questions. First, as Central and East European countries privatize and, in some cases, make restitution of, or compensation for, property that had been wrongly confiscated in the past, are the interests of American citizens being adequately protected?

Second, we sought to examine the situation of Holocaust survivors in Central and Eastern Europe. While survivors in the West and in Israel were, in general, able to receive some compensation—primarily from Germany—at the end of World War II, survivors in the East found themselves twice victimized: first by the Nazis, and then by Communist regimes which prevented them from pursuing compensation claims and often prevented them from regaining lands expropriated by the Nazis. Our second question, therefore, was this: Can compensation now be made available to these survivors—in time to help them live their remaining days in dignity?

The Commission received expert testimony from two individuals who lead our Government's efforts in this area: Stuart E. Eizenstat, Undersecretary of Commerce and Special Envoy for Property Claims in Central and Eastern Europe, and Delissa A. Ridgway, Chair of the Foreign Claims Settlement Commission.

Mr. Speaker, our witnesses' testimony, augmented by significant information provided by nongovernmental sources, provided clear answers to our questions. While some progress has been made in every country in Central and East Europe, more progress is needed. Our resolution seeks to send that message to the countries of Central and Eastern Europe and, in particular, calls for the urgent return of property formerly belonging to Jewish communities as a means of redressing the especially compelling problems of aging and often destitute survivors of the Holocaust.

Also, in some countries, the rights of Americans are clearly not being adequately protected. I understand, of course, that property restitution or compensation is a very complex subject, and I commend those countries that have sought to address it and sought to correct the past wrongs of Fascist and Communist regimes. But those efforts will fall far short of their mark if they perpetuate a new form of discrimination—discrimination against individuals who dared flee communism and sought refuge here in the United States. Accordingly, this resolution calls for countries to remove from their books restrictions which require claimants seeking compensation or restitution to have the citizenship of, or residency in, the country from which they seek compensation or restitution.

Finally, Mr. Speaker, this resolution would be incomplete if it did not also address the related problem of those financial institutions, notably Swiss banks, which are known to have converted for their own use, financial assets rightly belonging to Holocaust victims. The measure I introduce today calls on such financial institutions to restore this property to its rightful owners. A resolution of this inexcusable wrong is long overdue.

Mr. Speaker, I urge my colleagues to support this resolution.

IN HONOR OF ST. JOSEPH'S SCHOOL FOR THE BLIND: CONTINUING TO MAKE A DIFFERENCE IN THE LIVES OF SO MANY IN THE STATE OF NEW JERSEY

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, September 27, 1996

Mr. MENENDEZ. Mr. Speaker, I rise today to pay special tribute to St. Joseph's School for the Blind, an institution devoted to educating individuals with blindness and visual impairments for more than a century. The school's services and facilities have done much to bring a sense of hope and accomplishment to many special students in New Jersey. On October 7, 1996, the St. Joseph's School for the Blind will hold a dedication ceremony celebrating the opening of their new residence facility.

As the only school for the blind in the State of New Jersey, St. Joseph's continues to make a difference in the lives of many students in need of services not available in standard academic institutions. The school has become more than a learning institution for these special students, it has become a home, a place where caring individuals provide an opportunity for students to reach their fullest potential in life.

The opening of the new residence facility and the services that it will provide are important to the progress of this institution as we approach a new millennium. This new facility allows the school to offer not only a residential and functional academic education, but also the opportunity to master activities for everyday life. These services aim to help the students become fully integrated members of their communities following their graduation from the school.

I would like to commend the efforts and contributions of the city of Jersey City, the County of Hudson, and the Department of Housing and Urban Development. Their support has helped bring this new facility to fruition.

It is an honor to recognize the unique contributions of this outstanding learning institution. I ask that my colleagues join me in honoring St. Joseph's School for the Blind and all that it has done to keep the dreams of so many children alive.

THE HEALTH CARE RESEARCH AND DEVELOPMENT AND CONSUMER PROTECTION ACT

HON. BERNARD SANDERS

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Friday, September 27, 1996

Mr. SANDERS. Mr. Speaker, the U.S. taxpayer is the single largest supporter of biomedical research in the world, spending \$33 billion—in 1994 alone—for biomedical and related health research. Yet the taxpayer is not getting a fair return on their investment—paying twice for health care inventions, first as taxpayers and second as consumers.

It is incumbent upon the Secretary of Health and Human Services to require a reasonable relationship between the pricing of drugs, the public investment in those drugs, and the health and safety needs of the public. Unfortunately, taxpayer accountability was tossed aside when the Nation's reasonable pricing policy on drugs—which was put in place by the bush administration—was dropped in April 1995.

The reasonable pricing clause was dropped after extensive review of the policy, even though the review resulted in no certain recommendations. The rationale for this decision was that "the pricing clause had driven industry away from potentially beneficial scientific collaborations with the Public Health Service." Yet, there was no hard evidence given during the review to show that this was the case—only anecdotal stories by the drug industry.

When 42 percent of all U.S. health care research and development expenditures is paid for by the taxpayer, and 92 percent of the cancer drugs developed since 1955 were developed with Federal funding, we owe it to the taxpayer to give them a fair return on their investment with a reasonable price on the drugs they paid to develop. The Health Care Research and Development and Consumer Protection Act reinstates the reasonable pricing clause and gives the Secretary of HHS the authority to waive the clause when it is determined to be in the public interest to do so.

In determining a reasonable price for a drug, the Secretary shall consider—

The public interest in continued health care research and development;

The contribution of the person marketing such drug to the drug research and development expenses, including the amount, timing, and risk of investment in such research development;

The contribution of the Federal Government to the research and development of such drug, including the amount, timing, and risk of investment in such research and development;

The therapeutic value of such drugs;

The number patients who are expected to purchase drug;

The cost of producing and marketing of such drug;

The cost of therapies which are similar to the therapy using such drug; and

Other relevant factors.

In addition to restoring the reasonable pricing clause, this legislation will promote the research and development of new drugs by requiring the Secretary of Health and Human Services to adopt rules which set out minimum levels of reinvestment in research and development for persons engaged in the manufacture of drugs sold in the United States.

I urge my colleagues to restore accountability to the U.S. taxpayer and support The Health Care Research and Development and Consumer Protection Act.

"IT MATTERS WHEN AMERICA TAKES THE LEAD"—MADELEINE K. ALBRIGHT

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 27, 1996

Ms. ESHOO. Mr. Speaker, in an era of increasing interdependence, no one nation

alone can solve problems that cross national borders. That's why the United Nations [U.N.] was founded 50 years ago. In the last half of this century, the U.N. continues to address international social and economic problems such as terrorism, nuclear proliferation, the spread of disease, environmental degradation, and illicit drug trafficking.

The United Nations is essential: the U.N.'s work benefits the United States and advances America's foreign policy. As the only international organization seeking to save succeeding generations from the scourge of war, U.N. peacekeepers and human rights monitors have helped build democratic forms of government and prevented regional and global conflicts. In an era of stringent domestic budgets, it makes sense to work through the United Nations to solve transnational problems. The United Nations is an investment in the future of our children and the children of the world.

Making the United Nations more efficient: The United Nations has begun to implement internal reforms as the organization prepares for the next century, and yes, there is much that remains to be done. However we, as members of the United Nations, cannot seek reform when we have refused to meet our financial obligations. As U.N. Ambassador Madeleine Albright recently stated, "To achieve reform, you have to be a builder, not a destroyer; you have to embrace change, but you also have to understand that change does not occur without cost."

Our continued commitment: Our concerned constituents are sending personal checks to the United Nations to demonstrate their concern about our financial obligations to the United Nations. These Americans believe the U.N.'s goals are being hindered by the \$1 billion in back dues the United States has withheld. In fact, a recent poll conducted by the U.N. Association indicates that fully 64 percent of Americans believe the Congress should allocate enough resources to pay our dues in full and on schedule.

That's why I'm introducing a concurrent resolution recognizing the important of the United Nations and calling on the United States to meet our financial obligations in a full, timely, and consistent manner. Paying our dues and supporting the ongoing reform efforts will help the United Nations to effectively and efficiently meet the challenges of the 21st century. I urge my colleagues to support this important measure.

WHITE COLLAR REFORM ACT

HON. THOMAS E. PETRI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, September 27, 1996

Mr. PETRI. Mr. Speaker, today I am introducing a bill to clarify and modernize the white collar exemption in the Fair Labor Standards Act. I hope this bill will receive close attention in the next Congress.

The Fair Labor Standards Act enjoys a unique status among Federal labor laws. The rights it creates, including the minimum wage and the 40-hour workweek, have become as ingrained as constitutional guarantees. Any attempt to tinker with the FLSA is immediately perceived as an attack on these basic rights or at least is so portrayed by political opponents.

It is now becoming increasingly apparent, however, that more than a half century of hands-off politics has left a law that is seriously out of step with the times. No one is suggesting that the FLSA's fundamental precepts should be rethought in any way. Rather, it is the way the law achieves these ends that needs improvement.

Two relatively recent developments have brought the issue to a head. First, disgruntled employees have begun to use the FLSA's salary basis test as a tool—not for logically distinguishing exempt from non-exempt employees—but rather for seeking revenge. The problem would not be so bad if it were limited to a few individual overtime awards; but it is not. Instead, seizing upon a single two-word phrase in the regulations, employees have argued that everyone theoretically "subject to a technically flawed payroll policy is entitled to the same windfall—regardless of whether the flaw affected any particular employee's pay. Employers, of course, rarely issue separate payroll policies for different groups of exempt employees; thus, every employee, up to the top levels of the corporate boardroom, becomes an equally viable candidate for unexpected largesse. The potential overtime liability is as enormous as it is irrational.

Second, and just as disturbing, is the increasing arbitrariness of FLSA duties tests. Concepts such as discretion and independent judgment have always been difficult to define, but these problems seemed manageable in the era of assembly lines and hierarchical management structures. Today, however, technology has diversified job duties, service-based employment has proliferated, and even old-line manufacturing operations have moved to team management concepts. In this environment, employers can no longer rely on cookie-cutter paradigms in making duties judgments. Employers often have to guess—and too many are guessing wrong. Even the courts struggle to achieve consistency, reaching irreconcilable results in cases involving the growing ranks of quasi-professionals such as accountants, engineers, insurance professionals, and journalists.

The legislation I am introducing addresses these problems in three separate ways. First, my proposal will restore original understandings of the salary basis test by requiring the Department of Labor, and the courts, to focus on actual pay reductions rather than speculation as to potential deductions under some nebulous policy. The FLSA still will protect exempt employees from inappropriate practices, since regulatory provisions denying exempt status for actual salary deductions would remain unchanged. My legislation, however, will prevent employees from using a policy's theoretical application to extort huge overtime windfalls for company-wide classes of highly-paid employees who never could have imagined themselves as non-exempt laborers.

Second, my proposal will address perhaps the most confusing and indefensible requirement among the FLSA's duties tests: the attempted distinction between production and management workers. Under current regulations, for example, an administrative assistant might meet exemption standards simply by opening a management executive's mail and deciding who should handle it, because such a job is directly related to management policies or general business operations of (the) employer or (the) employer's customers. On