

exposed to inordinate amounts of violence, sex, and vulgar language on television. Hopefully, this bill will encourage the entertainment industry to do what is right for our Nation's children, and ultimately our Nation's future.

#### INTRODUCTION OF LEGISLATION

HON. WILLIAM M. THOMAS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 5, 1997*

Mr. THOMAS. Mr. Speaker, today, I am reintroducing legislation that will permit the city of Tulare, CA's Tulare Redevelopment Agency to end a blight in the city's downtown area. This bill will give the agency control over Federal reversionary interest in railroad rights of way bisecting the very heart of the city.

Tulare is a city of 39,772 centrally located in California, approximately 45 miles south of Fresno, and 63 miles north of Bakerfield. The city and surrounding county face the daunting prospect of trying to provide jobs in an area that has an unemployment rate of over 16 percent. If allowed to redevelop land adjacent to the rail line, Tulare's Redevelopment Agency believes that it could generate over 370 jobs in 6 years because of the agency's plan to create a retail shopping area. Adding new businesses would end local citizens' need to travel to other cities for important family needs.

Unfortunately, the city cannot gain control over the core of its downtown area without this legislation. In the last century, Congress extended rights of way to railroads in order to encourage the creation of a rail transport system. The Southern Pacific Railroad received rights for tracks and land adjacent to those tracks within what is now Tulare. Because the Federal Government has a reversionary interest in the right of way and surrounding properties, the redevelopment agency cannot obtain control of all the 12 parcels of land along the rail line that the city wishes to redevelop. The city cannot condemn the Federal interest and as a result, cannot make use of anything the community might secure from the railroad.

The railroad and its successor, Union Pacific, run over 30 trains per day through the center of the city and as a result the trackage will probably never be abandoned under the law. The railroads will continue to argue that they also control the parcels of land along side the tracks because abandonment has not occurred. These adjoining parcels that the agency needs, however, are about as barren as barren can get.

Because the Federal Government has this reversionary interest, we have about 200 feet of weeds and sand on each side of the railroad tracks today. Commercial development of small shops east of the rail line and a cotton seed mill and family homes on the other side look out on blighted property. There is a vacant gas station, a root beer stand, and a railroad storage building in the area sought by the city but that is about all. The root beer stand operates on a short-term lease. The Tulare Redevelopment Agency's plan would preserve the railroad tracks while allowing this empty space in the center of town to be turned into more productive use.

The bill I am introducing clears the path for redevelopment. First, it gives the city clear title

to one piece of property which Tulare already purchased from Southern Pacific before learning that railroad law clouded the title. Second, it gives the city the Federal reversionary interest in 11 other parcels so that the city can then deal with the railroad owner and secure the remaining properties.

It is essential that we pass this bill without modification because the redevelopment plan cannot be made to work piecemeal. Following the practices of the past and confirming title in someone who has already bought a clouded title only solves part of the city's problem. To ensure coherent development of properties along the rail corridor, the redevelopment agency has to control all 11 parcels of land so planning, marketing, and community financing of the development are possible. Giving the city title to one piece of property will deny the city resources to continue developing. Forcing the city to come back to Congress each time an interest is transferred is a waste of the city's time and ours.

I urge my colleagues to join me in moving this legislation as fast as possible. Tulare wants to take control over its own economic destiny by putting lousy land to better use. Unless this bill is enacted, Congress will be in the way of a city that badly needs our help.

#### INTRODUCTION OF A BILL REQUESTING FAIR REPRESENTATION ON FEDERAL JUDICIAL CIRCUIT COURT OF APPEALS

HON. NEIL ABERCROMBIE

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 5, 1997*

Mr. ABERCROMBIE. Mr. Speaker, today I am reintroducing legislation which calls for fair representation on all Federal Judicial Circuit Court of Appeals. This legislation is a companion bill to S. 382, the Fairness in Judiciary Appointments Act of 1997. Furthermore, it is identical to H.R. 3045, which was introduced in 1996.

Currently, only the State of Hawaii does not have representation on their circuit court of appeals. In fact, it's been over 10 years since Judge Herbert Choy of Honolulu retired from the Ninth Circuit Court of Appeals. Some States like Montana have only recently had a resident granted a judgeship. My bill would require that each State have at least one judge appointed to its circuit court of appeals. That way, all States would always have representation on the bench. The bill does not affect the President's historic power to appoint Federal judges.

Having each State represented on its respective circuit courts helps ensure that justice is blind and impartial. A report entitled "The Long Range Plans for Federal Courts," completed by the Judicial Conference of the United States in December 1995, noted, "Federal judicial credibility and accountability are fostered when appellate judges are drawn primarily from the region they will serve." This bill would add to the judicial credibility of the courts, because each State would have at least one judge representing and understanding its State law, business, and customs.

This legislation is about maintaining the integrity of our third branch of government, fairness, and representation. I strongly urge my

colleagues to support this bill and press for its passage.

#### SENSE-OF-CONGRESS RESOLUTION TO PRESERVE THE ANCESTRY QUESTION ON THE 2000 CENSUS LONG FORM

HON. CONSTANCE A. MORELLA

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 5, 1997*

Mrs. MORELLA. Mr. Speaker, I am proud to introduce a resolution today, along with 14 of my colleagues, to express the sense of Congress that the ancestry question on the census long form should be preserved.

In crafting this legislation, I have worked closely with my friends from the Working Group on Ancestry in the U.S. Census. Together, they represent all of America. I especially want to recognize the National Italian-American Foundation and the Arab-American Institute for their work in bringing people together today.

It is critically important that we preserve the ancestry question. We aren't trying to add to the census—we just want to ensure that the ancestry question is not omitted in 2000. The Census Bureau must submit to Congress by April 1, 1997, the material to be included on the 2000 census questionnaire. Since the 1990 census, there has been much debate over the long form, and quite frankly, I am afraid some of my colleagues want to eliminate it.

The census long form—including the ancestry question—is sent to approximately one in six households. It only constitutes about 6 percent of the census budget; it is far more costly to omit these questions. It is an important source of social and economic data about our population. The decennial census is the only reliable source of information about the ethnic composition of our Nation's population.

Members of Congress depend on accurate information. The ancestry question gives us insight into our communities and ethnic constituencies. We know the value of statistics on ethnicity and the importance of maintaining a national reservoir of accurate and up-to-date information about our society's changing demographic make up. If this data is not collected in Census 2000, we will lose the only reliable and nationally comparable source of information on ethnicity. Both the private and public sectors rely on the census long form for accurate information on our population.

Those who use ancestry data include: State, county, and municipal agencies; educators and human service providers; corporations; researchers; political leaders; and Federal agencies. They need this information to ensure that programs are inclusive, representative, and serve the needs of local populations. The U.S. Commission on Civil Rights needs the data to monitor discrimination based on national origin. Without the ancestry question, I fear that data on ethnicity will be incomplete or skewed.

We are a proud nation of immigrants, and the ancestry question helps us to preserve knowledge about our ethnic heritage for present policymakers and for future generations. The ancestry question provides important insights into who we are as a people, how our neighborhoods are constituted, and how

we are changing demographically. Knowing this will help us move toward a society that is inclusive and best serves the diverse needs of our American family. Please join me in supporting this resolution to preserve the ancestry question.

CONGRESSWOMAN DEBBIE  
STABENOW COMMENDS STEVEN  
SPEILBERG, FORD MOTOR CO.,  
AND NBC FOR AIRING  
"SCHINDLER'S LIST"

### HON. DEBBIE STABENOW

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 5, 1997*

Ms. STABENOW. Mr. Speaker, I rise today in response to Congressman TOM COBURN's assertion that the airing of the Academy-award winning film "Schindler's List" was an all-time low for network television.

Twenty-five years ago, I walked through the Dachau concentration camp and was overwhelmed with emotion. I could not understand how something like the Holocaust could have happened. I could not understand the hate. I could not understand the loss of lives. The visit had a tremendous effect on me. Watching "Schindler's List" on Sunday evening, I had the same deep sense of how something so unspeakably horrible could have happened.

I speak out not only as the Representative of the Eighth District of Michigan, who believes we all need to fight against hatred and social injustice, but also as a mother who has seen the great effects the movie "Schindler's List" can have on our children. My daughter, a junior at Sexton High School in Lansing, recently watched "Schindler's List" in her world history class. I was extremely impressed with how her teacher used the movie to document examples of the Holocaust, so the students could see, first-hand, the gruesome reality of what occurred. My daughter came home from school after seeing this movie and said, "Mom, how could this have happened?"

These are the questions we need to ask if we are going to learn from the past. We need to make sure that the Holocaust is never forgotten. As a parent, I appreciated my community and my daughter's teacher for showing "Schindler's List". "Schindler's List" opened the eyes and minds of my daughter and her classmates to the harsh realities of the past.

We all, young and old, can learn from "Schindler's List". I am proud that Steven Spielberg, the Ford Motor Co., and NBC had the courage to show the truth. I commend them for instilling an important message: "To be educated, to learn from the past, and to strive to make sure that a Holocaust never happens again."

### RETIREMENT OF MAJ. GEN. RAYMOND PENDERGRASS

### HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 5, 1997*

Mr. SKELTON. Mr. Speaker, Maj. Gen. (MO) Pendergrass prepares to retire more than 48 years after first donning a uniform. A

native of Booneville, AR, he first joined the armed forces as a member of the Air Force Reserves in September 1948, then joined his hometown Army National Guard unit, the 217th Medical Collecting Company, a litter bearer unit. The unit was called to active service in August 1950, and deployed to Korea, where General Pendergrass served with them through June 1952.

By the time he moved to Missouri, General Pendergrass had been commissioned and served with signal and armor units. Locating in Rolla, MO, he joined the 1438th Engineer Company, and later would command the company.

He moved up through the ranks, and at the time of his retirement as a colonel in February 1986 was deputy commander of the 35th Engineer Brigade. His time in the retired ranks lasted 7 years almost to the day. Missouri Governor, Mel Carnahan, recalled him to duty and he became Missouri's Adjutant General in February 1993.

Immediately, General Pendergrass had to deal with tough reorganization decisions facing the National Guard as a result of the post-cold war reductions being made to the Army and Air Forces. But in only 4 months a more acute challenge faced him, the Great Flood of 1993.

Beginning in July 1993 and for the next 2 months, General Pendergrass led the men and women of the Missouri National Guard in its largest State emergency mission ever as both the Missouri and Mississippi Rivers overran their banks and everything in front of them.

General Pendergrass and the men and women of the Missouri National Guard worked with scores of State and Federal agencies to provide a response capability unequalled anywhere during that massive multistate disaster.

General Pendergrass applied his leadership skills to ensure that the forces of the Missouri National Guard were equally accessible for Federal missions. During his tenure as Adjutant General, units and individuals from the Missouri National Guard have served with distinction from Germany to the Balkans in Operation Joint Endeavor, and earlier in Somalia, Haiti, and Rwanda. During the same period his units led our Nation building efforts in Latin America, building roads and schools and providing medical care to families in isolated rural areas from Belize to Panama.

Through all his years of service to our Nation, Raymond Pendergrass has been more than a military leader, more than a man who knows that leading involves teaching. He has served as a gentleman willing to answer the call time after time, even returning from well earned retirement. He is more than one of the last to remain in uniform with a Korean war combat patch on his right shoulder. He is a leader whose distinguished career is surely in the finest tradition of the American Citizen Soldier.

### THE IMPORTANCE OF RESEARCH AND DEVELOPMENT

### HON. NANCY L. JOHNSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 5, 1997*

Mrs. JOHNSON of Connecticut. Mr. Speaker, today I, along with Representative ROBERT

MATSUI and over 40 other House Members, introduced legislation to permanently extend the research and development tax credit. This proposal will make permanent provisions included in last year's Small Business Job Protections Act, which restructured the existing research credit by providing among other things, an alternative credit increasing small businesses' and high tech industries' accessibility to this important investment incentive.

Congress has reaffirmed its commitment to the research credit by extending it seven times since 1981. However, the existing credit is scheduled to expire in less than 3 months. It is imperative that Congress address this issue before the credit expires on May 31, 1997.

Today, the single biggest factor behind productivity growth is innovation. Two-thirds to 80 percent of productivity growth since the Great Depression is attributable to innovation. In an industrialized society, research and development is the primary means by which technological innovation is generated. However, because firms cannot capture fully the rewards of their innovation—the rate of return to society of innovation is twice that which accrues to the individual company—the market activity alone creates under-investment in R&D. The situation is aggravated by the high risk associated with R&D. Eighty percent of such projects are believed to be economic failures. Therefore, economists and technicians who have studied the issue are nearly unanimous that the Government should intervene to bolster R&D.

If the United States fails to provide U.S. companies with competitive incentives to conduct R&D, many U.S. firms in key industries— aerospace, electronics, chemicals, health technology, and telecommunications, to name a few—will find it harder to compete in an increasingly globalized marketplace, jeopardizing their leadership positions.

For the past 16 years we have had an R&D tax credit, designed to provide an incentive for companies to conduct additional R&D in the United States. As the marketplace changes and industries mature, we must continue to improve the effectiveness and utilization of this important program. Most importantly, we must remove the uncertainty surrounding the credit's extension and once and for all permanently extend the provision. Study after study has established that the credit's uncertain future reduces its ability to continue stimulating additional increases in R&D expenditures.

To the extent that researchers in American laboratories are able to pioneer the new technologies, processes, and products that will drive global markets, we will be able to offer skilled and highly paid jobs to the next generation of Americans. That is why we must now underscore our permanent commitment to a leadership role in global technological advancement. If we fail to act, the R&D credit will expire in June of this year. Such failure is the opposite message we should be sending to U.S. businesses that are gearing up to meet the challenges of rapidly changing, global marketplace.

In Connecticut, where 100 percent of all research activity in the United States takes place, numerous companies have taken advantage of this critical legislation. Several large companies, including United Technologies, Pfizer, and Bristol-Meyers, have utilized this credit. In addition, several small companies, including Locknetics in Bristol, CT have used