

from the Santa Clarita Valley Junior and Senior High Schools are recommended by teachers and principals based on their observations of the student exhibiting positive behavior.

The students that are selected exhibit the qualities that we are looking for in future leaders of our nation. These students, many of whom have had previous problems of one sort or another, have made remarkable improvements in many different areas. I am pleased to honor these students today here on the House floor.

On June 2, 1999 the "Hero of the Week" program honored 47 members of my community for their outstanding activities that truly made them heroes in our neighborhood. These students have faced serious obstacles and, in many cases, faltered in the face of adversity. However, none of these students gave up. Their hard work and determination have truly earned them the title "Hero" in our community.

Mr. Speaker, I would like to conclude these remarks by listing the 47 students honored by the city last week. I congratulate them and the sponsoring organizations for such a wonderful, positive program.

HERO OF THE WEEK HONOREES

Neal Abrams, Canyon High School
 Jose Avila, Arroyo Seco Jr. High School
 Monica Barajas, Placerita Jr. High School
 Allison Barlow, La Mesa Jr. High School
 Adrian Becerra, La Mesa Jr. High School
 Chris Butterick, Sierra Vista Jr. High School
 Brett Cain, Arroyo Seco Jr. High School
 Raymond Cano, Hart High School
 Anthony Cisneros, Sierra Vista Jr. High School
 Keith Farley, Canyon High School
 Dylan Foley, Placerita High School
 Sherrylene Go, Saugus High School
 Ashley Hope, Sierra Vista Jr. High School
 Jared Kennedy, Arroyo Seco Jr. High School
 Kristian Kimoto, Hart High School
 Russell King, Arroyo Seco Jr. High School
 Johnny Lara, Hart High School
 Chris Lockwood, Valencia High School
 Selena Lopez, Saugus High School
 Ashlie Madden, Placerita Jr. High School
 Luis Marin, Placerita Jr. High School
 Ana Medrano, Bowman High School
 Denika Mercado, Saugus High School
 Charisse Miranda, La Mesa High School
 Michele O'Kray, La Mesa Jr. High School
 Emily Osborne, Arroyo Seco Jr. High School
 Andrew Pacheco, Bowman High School
 Jimmy Perry, Canyon High School
 Erik Plessner, Saugus High School
 Brittney Potes, Hart High School
 Marina Preciado, Saugus High School
 Naji Qammou, Bowman High School
 Mike Raiman, Sierra Vista Jr. High School
 Daniel Rettig, Saugus High School
 Jorge Rodriguez, Bowman High School
 Danielle Sozio, Canyon High School
 Sean Pennala-Taylor, Sierra Vista Jr. High School
 Denny Tucker, Valencia High School
 Adriana Varela, Saugus High School
 Jorge Vargas, Hart High School
 Rene Vasquez, Placerita Jr. High School
 Jaclyn Vigeant, Arroyo Seco Jr. High School
 Danielle Walters, Sierra Vista Jr. High School
 Joe Young, Sierra Vista Jr. High School
 Megan Young, Placerita Jr. High School
 Oscar Zapata, Canyon High School

MASSACHUSETTS SENIOR ACTION COUNCIL DOCUMENTS HARM DONE BY MEDICARE CUTS

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 14, 1999

Mr. FRANK of Massachusetts. Mr. Speaker, during the Congressional recess, I spent a very useful two hours at the University of Massachusetts-Dartmouth meeting with a large number of older people at a rally called by the Massachusetts Senior Action Council. One of the very impressive aspects of that rally was a series of short, poignant examples given by members of the Council of the terrible harm that is being done by the cut backs in Medicare that we are now inflicting on older people, most of which are a direct result of the terribly mistaken legislation adopted by Congress and signed by the President in 1997.

Younger people reading this might not be aware of a central fact: as currently constituted, Medicare includes no payment for prescription drugs. We in Massachusetts used to have a law which required that HMOs provide prescription drugs, but that was crudely abolished by the 1997 so-called Balanced Budget Act as part of the effort to cut Medicare to make funds available for other purposes. And that bill also required for the same reason severe cut backs in home health care. I ask that these examples of the terrible damage that is being done by the 1997 Act be printed here, in the hopes that it will influence our colleagues to join those of us who are seeking to undo the grave error Congress made in 1997 in cutting Medicare.

TESTIMONY GIVEN AT THE MASS. SENIOR ACTION COUNCIL RALLY TO PRESERVE AND PROTECT MEDICARE AND SOCIAL SECURITY, JUNE 1, 1999

Armando and Alexandria Demelo live in Fairhaven. They are 75 and 78 years old. They both have life threatening medical conditions. Their prescription drug costs are currently \$6,000 per year.

William Kirby lives in East Wareham. He is 83 years old. He has emphysema. His prescription drug costs are over \$800 per month.

Arthur and Mary Travassos live in Fall River. They both have serious health problems and Arthur is currently in the hospital. They were lucky enough to be able to switch out of their HMO in time to another plan which is now closed. Between the two of them they pay over \$7,000 yearly in prescription drug costs.

Del Silvia worked as a stitcher in the Fall River mills for 37 years. She is 63 years old. She is on nine prescription drug medications in order to keep her lungs functioning. Before Del got out of her Medicare HMO she had over \$10,000 in prescription drug costs per year.

An 84 year old Portuguese woman who lives in New Bedford was admitted to the hospital in the middle of the night with severe cramping in her abdomen. Thank God she did not have a serious obstruction. Her HMO denied payment for her care in the hospital.

An 85 year old woman from Southeastern Mass. was discharged from the hospital after an operation for colon cancer. She had been in the hospital a full month. She was approved by Medicare for only 4 home health visits.

A 73 year old woman from Fall River returned from the hospital after knee surgery.

She was denied home health services by her HMO.

Loretta Lamond from New Bedford passed away last year. She was 85 years old. She was diabetic and blind and could not fill her own insulin needles. Medicare cut off her nurse who came to the house to assist her with the needles.

These are only a few of the countless stories we hear every day. The sickest and most vulnerable—those who can not always speak for themselves are hit the hardest.

Something must be done!

LEGISLATION TO EXTEND MANDATORY COVERAGE OF THE INDEPENDENT COUNSEL LAW TO JUSTICE DEPARTMENT EMPLOYEES

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 14, 1999

Mr. TRAFICANT. Mr. Speaker, today I am introducing legislation to require the U.S. Attorney General to call for the appointment of an independent counsel to investigate allegations that Justice Department employees engaged in misconduct, criminal activity, corruption, or fraud. The bill is similar to legislation I authored in the last three Congresses.

The independent counsel provisions of the Ethics in Government Act of 1978 require the Attorney General to conduct a preliminary investigation when presented with credible information of criminal wrongdoing by high-ranking executive branch officials. If the Attorney General finds that further investigation is warranted or makes no finding within 90-days, the Act requires the Attorney General to apply to a special division of the U.S. Court of Appeals for the appointment of an independent counsel. The Act also gives the Attorney General broad discretion in seeking the appointment of independent counsel with regard to individuals other than high ranking executive branch officials. However, the Attorney General is not required to do so in such cases.

My bill amends the Act to treat allegations of misconduct, corruption or fraud on the part of Justice Department employees in the same manner as allegations made against high-ranking cabinet officials. My goal is to ensure that, when there is credible evidence of criminal wrongdoing in such cases, these cases are aggressively and objectively investigated.

I am very concerned over the growing number of cases in which Justice Department employees have been accused of misconduct, corruption or fraud. In several cases I have personally investigated, innocent men fell victim to overzealous or corrupt federal prosecutors. No action has ever been taken against the prosecutors.

The 1992 Randy Weaver incident that took place in Ruby Ridge, Idaho is perhaps the most notorious and disturbing example of Justice Department employees, in this case, high-ranking officials, acting in a questionable manner, and receiving no punishment other than disciplinary action. In the Randy Weaver case, an unarmed woman holding her infant child was shot to death by an FBI sharpshooter acting on orders from superiors. Former FBI deputy director Larry Potts allegedly approved the decision to change the rules of engagement

the FBI sharpshooters and other federal officials at Ruby Ridge were acting on. The decision allowed FBI sharpshooters to shoot on sight any armed adults—whether they posed an immediate threat or not. As a result of this decision, Vicki Weaver was shot to death while holding her infant daughter.

While several officials, including Mr. Potts, were disciplined—some forced to leave the department—no criminal charges were ever filed against any of the officials involved in the Ruby Ridge incident. I would point out that at the outset of the incident a 14-year-old boy was shot in the back by U.S. Marshals. In August of 1996 the federal government agreed to pay the Weaver family more than \$3 million—but did not admit any wrongdoing in the incident. The Ruby Ridge incident served as a stark reminder that the Justice Department does not do a very good job in objectively and aggressively investigating potential criminal acts or misconduct on the part of Justice Department employees. This is especially true of actions involving Justice Department attorneys.

In 1990, a congressional inquiry found that no disciplinary action was taken on 10 specific cases investigated by the Justice Department's Office of Professional Responsibility (OPR) in which federal judges had made written findings of prosecutorial misconduct on the part of federal prosecutors. Several federal judges have expressed deep concern over the lack of supervision and control over federal prosecutors. In 1993, three federal judges in Chicago reversed the convictions of 13 members of the El Rukn street gang on conspiracy and racketeering charges after learning that assistant U.S. attorneys had given informants alcohol, drugs and sex in federal offices in exchange for cooperation, and had knowingly used perjured testimony. No criminal charges have ever been made against the federal prosecutors nor has OPR taken any meaningful disciplinary action, other than firing one U.S. attorney.

Unfortunately for our democracy, over the years the Justice Department has built a wall of immunity around its attorneys so that it is extremely difficult to control the actions of an overzealous or corrupt prosecutor. In many instances, the attorney general has filed ethics complaints with state bar authorities against nongovernment lawyers who complain about ethical lapses by federal prosecutors. How has Congress let this agency get so out of control?

The majority of Justice Department officials are hardworking, courageous and dedicated public servants. The unethical and criminal actions of a few officials and attorneys are tarnishing the reputation of the department. By allowing these actions to go unpunished or by not taking aggressive action in the form of criminal indictments, the department is eroding the public's confidence in government.

As the El Rukn case illustrated, in their zeal to gain a conviction, federal prosecutors overstepped the boundaries of ethical and legal behavior. As a result, dangerous criminals were either set free or received greatly reduced sentences. Such actions are unacceptable. The federal government needs to act in an unambiguous and aggressive manner against any federal prosecutor or official who betrays the public trust in such a blatant and damaging fashion. Sadly, that was not done in the El Rukn case, and countless other cases where Justice Department officials acted in an unethical or illegal manner.

The American people expect that the Justice Department—more than any other federal agency—conduct its business with the highest level of ethics and integrity. It is imperative that the Independent Counsel Act be amended to require that allegations of criminal misconduct on the part of Justice Department employees be treated with the same seriousness as allegations made against high-ranking cabinet officials. I urge all of my colleagues to support this bill.

H. CON. RES. 124 AND H. CON. RES. 111—CONDEMNING DISCRIMINATION AGAINST ASIAN AMERICANS

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 14, 1999

Mr. STARK. Mr. Speaker, I rise today to actively support both H. Con. Res. 124, which seeks to protect the citizenship rights of Asian Americans, and H. Con. Res. 111, which seeks to condemn all forms of discrimination against Asian Americans.

In response to recent allegations of espionage and illegal campaign financing by the Chinese government, H. Con. Res. 124 conveys the very important point that all Americans of Asian descent are vital members of our society and that they are to be treated fairly and equally as American citizens.

It is our duty to make the clear distinction between our relations with the government of China and how we treat Americans of Chinese descent. We must work together to prevent the rise of tensions similar to those existing during the World War II era with the internment of loyal Japanese Americans.

Asian Americans have made and continue to make significant contributions to our society in areas, such as the arts, education, and technology. H. Con. Res. 111 fully supports the continued political and civic participation by these citizens throughout the United States.

Organizations like the Oakland Chinese Community Council (OCCC) of the East Bay area work to not only help Americans of Asian descent assimilate into American culture, but help them to maintain their Asian heritage and identity as well. More specifically, OCCC has developed programs for career referral, voter registration, and training in efforts to aid new immigrants with successfully attaining their goals upon entering the United States.

I ask my colleagues to join with me in the outward condemning of discrimination against Asian Americans and in the protection of their rights as American citizens so that they may be treated with the equality and fairness that is rightfully expected and deserved.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2000

SPEECH OF

HON. TOM BLILEY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1999

The House in Committee of the Whole House on the State of the Union had under

consideration the bill (H.R. 1401) to authorize appropriations for fiscal years 2000 and 2001 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal years 2000 and 2001, and for other purposes:

Mr. BLILEY. Mr. Chairman, I rise today to express a number of concerns about H.R. 1401, the National Defense Authorization Act for FY2000, as well as about the process used to bring this legislation to the floor of the House. Key provisions of this legislation, along with a number of amendments made in order under the rule, address programs and activities of the Department of Energy that fall within the jurisdiction of the Committee on Commerce under the Rules of the House. Several examples will serve to highlight these areas of concern.

Section 3165 of H.R. 1401 consolidates responsibility for nuclear weapons activities, facilities, and laboratories under DOE's Assistant Secretary for Defense Programs. This effort to reorganize the responsibilities at the Department of Energy falls within the Committee on Commerce's responsibility for the general management of the Department of Energy, including its organization. The facts that have come to light about lax security controls at the Los Alamos National Laboratory highlight the dangers of a nuclear weapons laboratory trying to police its own security. Secretary Richardson is moving toward the appointment of a security "czar" at DOE headquarters who would oversee security for all DOE facilities, laboratories, and operations. This section of H.R. 1401, however, would run directly counter to that approach by giving the program office, Defense Programs, responsibility for its own safeguards and security operations. Separate from the merits of a particular organizational solution, we should also preserve the prerogative of the Secretary of Energy to adapt his organization to changing circumstances. H.R. 1401 locks in a particular structure legislatively.

The Commerce Committee has a long history of ensuring that DOE maintains a system of independent checks on its program offices, including its work on the Department of Energy Organization Act. The Commerce Committee believes it is essential to maintain the safeguard and security function independent from the Defense Programs office. The same is true of other oversight functions, such as environmental protection and occupational health and safety. These should not be integrated into the DOE program offices, but should maintain the independence necessary to do the job right.

Amendment No. 2, offered by Mr. SPENCE, requires preparation of a plan to transfer all of the national security functions of the Department of Energy to the Department of Defense. Such a move is unwise, as it would violate the long-standing policy in this country of keeping the development of nuclear weapons and materials under the control of a civilian agency, separate from the military departments which might have to employ those weapons. This policy dates back to the original Atomic Energy Act enacted shortly after the end of World War II. Integrating all of these functions into the Department of Defense is a risky policy, and represents an unreasoned reaction to the recent Chinese espionage problems. This amendment would also impose stricter controls on foreign contacts by DOE employees,