

WEDNESDAY OCTOBER 27, 1999

Rollcall No. 542. The Scott Amendment that sought to strike Section 101 that reinforces the existing standard for the legitimate use of controlled substances (rejected by a recorded vote of 160 ayes to 278 noes). Pain Relief Promotion Act. Yea.

Rollcall No. 543. The Johnson of Connecticut Amendment that sought to enhance professional education in palliative care; reduce excessive regulatory scrutiny; and carry out the Congressional opposition to physician-assisted suicide (rejected by a recorded vote of 188 ayes to 239 noes). Pain Relief Promotion Act. Yea.

Rollcall No. 544. House passed H.R. 2260, to amend the Controlled Substances Act to promote pain management and palliative care without permitting assisted suicide and euthanasia by a recorded vote of 271 ayes to 156 noes. Pain Relief Promotion Act. No.

THURSDAY, OCTOBER 28, 1999

Rollcall No. 545. Journal Vote: Agreed to the Speaker's approval of the Journal of Wednesday, October 27, by a yea and nay vote of 370 yeas to 49 nays, with one voting "present." Yea.

Rollcall No. 546. Further Continuing Appropriations. The House passed H.J. Res. 73, making further continuing appropriations for the fiscal year 2000 by a yea and nay vote of 424 yeas to 2 nays. Yea.

Rollcall No. 547. DC/Labor/HHS—H. Res. 345, the rule that waived points of order against the conference report, was agreed to by a yea and nay vote of 221 yeas to 206 nays. Nay.

Rollcall No. 548. CD/Labor/HHS—Rejected the Hoyer motion to recommit the conference report to the committee of conference with instructions to the managers by a yea and nay vote of 11 yeas to 417 nays with 1 voting "present." Nay.

Rollcall No. 549. DC/Labor/HHS—The House agreed to the conference report on H.R. 3064, making appropriations for the District of Columbia, and for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2000 by a yea and nay vote of 218 yeas to 211 nays. Nay.

MONDAY, NOVEMBER 1, 1999

Rollcall No. 550. (Suspension) H.R. 348, to authorize the construction of a monument to honor those who have served the Nation's civil defense and emergency management programs. 349 yeas, 4 nays. Yea.

Rollcall No. 551. (Suspension) H.R. 2737, Land Conveyance, Lewis and Clark National Historic Trail, Illinois. 355 yeas. Yea.

Rollcall No. 552. (Suspension) H.R. 1714, Electronic Signatures in Global and National Commerce Act, 234 yeas to 122 nays. Nay.

# INTRODUCTION OF H.R. 3163, THE SURFACE TRANSPORTATION BOARD REAUTHORIZATION ACT OF 1999

## HON. BUD SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 3, 1999

Mr. SHUSTER. Mr. Speaker, today, along with my colleagues Ranking Member JIM OBERSTAR, Chairman of the Subcommittee on

Ground Transportation, Mr. TOM PETRI, and Ranking Member Mr. NICK RAHALL, I am introducing, by request, the Administration's proposed legislation to reauthorize the Surface Transportation Board.

I evaluate the Administration's proposed changes to the law governing the Surface Transportation Board against the background of extensive hearings on these issues conducted by my Committee last year—over 1000 pages of testimony in 4 days of hearings.

The two clearest realities to emerge from those hearings were (1) the rail industry's resurgence and traffic growth since deregulation has made capacity constraints on their infrastructure a major problem for the first time in 3 decades; (2) to fund these huge infrastructure needs, the railroads must spend billions of dollars raised in private capital markets, but they are not attracting even the average earnings-multiples of industry at large on Wall Street.

A number of interests, some merely short-sighted and others opportunistic, have tried to use the reauthorization of the STB as a means to force down rail rates by legislative fiat. This effort occurs despite repeated authoritative findings by the General Accounting Office that rail rates have declined sharply, even in constant dollars, in recent years.

I am very disappointed that the Administration seems to have joined this effort. Instead of promoting the capital flow that will benefit both railroads and shippers through improved infrastructure, the Administration has sent to the Congress a bill that includes major portions of the "re-regulation" agenda.

By forcing mandatory access by one railroad over another's tracks in several types of situations, the bill would endanger the vital capital flow upon which the future prosperity of railroads, shippers, and rail labor depends.

Much of the effort that went into the ICC Termination Act four years ago was focused on streamlining federal regulation of railroads. Yet the proposed legislation would take a major step backward; it proposes to balkanize the authority to approve or disapprove rail mergers among multiple federal agencies. Even worse, the Administration's proposal sows the seeds of many debilitating disputes under state and local law, even for mergers that have received full federal approval.

Although the bill pays lip service to "small" shippers, it could literally destroy a major segment of American small business—the short-line railroads that serve so many smaller cities and towns. That is because the Administration wants to fund the entire \$17 million STB budget out of the so-called "user fees." The STB already defrays \$1.6 million of its costs through filing fees, and we have received numerous complaints about those charges from shippers. Now the Administration would impose more than 10 times that burden on "users." We don't know who the users are, since the bill doesn't even attempt to identify them.

We had some experience with such fees imposed on our small railroads several years ago by the Federal Railroad Administration. Our Committee found that these small companies—the ones that literally are the only way to keep rail service in small communities—were paying up to 17 percent of net income in so-called "user fees"—on top of their state and federal taxes. That's why we ended those FRA fees, and I see no reason to impose a

similar burden on struggling small businesses through STB fees, as the Administration now proposes.

While I cannot endorse much of what the Administration has proposed in its STB bill, I remain hopeful that a compromise can be reached on the contentious issues that have prevented an STB reauthorization bill from being enacted.

## HONORING JOHN PAKCHOIAN, GROWER OF THE YEAR

### HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 3, 1999

Mr. RADANOVICH. Mr. Speaker, I rise today to honor John Pakchoian, as American Vineyard's Grower of the Year for 1999. Mr. Pakchoian began farming in 1938 in a vineyard near Fowler, California. He is 82 years old and still farming.

John Pakchoian's favorite thing to talk about is farming. He was born into a farming family where he learned the responsibilities of hard work at the young age of six, after his father died. Pakchoian was the oldest child and the only boy. He worked before school and after school to help support the family.

John Pakchoian enlisted in the Marine Corps when World War II broke out. As Private First Class, Pakchoian belonged to the 26th Regiment, 5th Marine Division. His heroic performance in Saesbo, Japan on July 21, 1944 earned him a Bronze Medal.

The raisin industry went through a tough time at the start of World War II, prices were deteriorating and growers were losing hope. Raisin growers were called upon to produce raisins for the troops overseas, which boosted prices. In 1937 under the Federal Marketing Order Act, a federal marketing order for raisins was formed in 1949.

It has been 50 years since the marketing order was formed, and the raisin industry has come a long way, facing many challenges along the way. These challenges prompted Pakchoian to get involved in industry issues. He along with Ernie Bedrosian and Dick Mitchell helped draft the by-laws of the Raisin Bargaining Association, RBA. John Pakchoian was the fifth chairman of RBA and served on the Fresno County Farm Bureau Raisin Committee for 10 years.

John and Clyde Nef were the driving force behind the Raisin Industry Diversion Program in the mid 80's, known as RID. Pakchoian said the industry needed RID because too much raisin tonnage was being sold for cattle feed. In recent years there hasn't been a need for RID. The focus of the market now is to hold on to its markets and explore new ones.

Pakchoian has grown every crop you can grow in the San Joaquin Valley and the only ones that have carried him through were the table grapes, wine grapes and raisins. Raisins have been the one crop that has kept John in business all of these years. Pakchoian likes nothing more than farming.

Mr. Speaker, I want to recognize Mr. John Pakchoian as Grower of the Year, 1999. He has worked hard to promote the raisin industry and bring it to where it is today. I urge my colleagues to join me in wishing John Pakchoian many more years of continued success.

TRIBUTE TO THE LATE FRANCIS  
WHITAKER

**HON. SCOTT McINNIS**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, November 3, 1999*

Mr. McINNIS. Mr. Speaker, I rise today to tell you of a man who epitomizes the values and traditions that this country was built upon. Francis Whitaker was known nationally for his accomplishments as a blacksmith and locally for his contributions to the community. Though he is gone, he will live in the hearts of all who knew him and be remembered for many years by those who have heard his amazing story.

The life accomplishments of Francis Whitaker are many. He was named a National Heritage Fellow by the National Endowment of the Arts, the nation's highest traditional arts award. In 1995, he received the Governors Award for Excellence in the Arts as a Master Folk Artist. In 1989, Colorado Rocky Mountain School dedicated the Blacksmithing School with its six forges and library to Francis Whitaker. The former Governor of Colorado, Roy Romer, nominated him for the 1998 National Living Treasure Award, for which he was one three finalists. He has published three books on blacksmithing and has appeared on television several times.

Although his professional accomplishments will long be remembered and admired, most who knew him well will remember Francis Whitaker, above all else, as a friend. It is clear that the multitude of those who have come to know Francis as a friend will be worse off in his absence. However, Mr. Speaker, I am confident that, in spite of this profound loss, the students, family and friends of Francis Whitaker can take solace in the knowledge that each is a better person for having known him.

SUPPORTING GIFTED AND  
TALENTED PROGRAMS

**HON. DAVID M. McINTOSH**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, November 3, 1999*

Mr. McINTOSH. Mr. Speaker, I rise today to commend my colleagues for voting to expand gifted and talented programs. On October 21, we passed H.R. 2, the Student Results Act, which reauthorized the Jacob K. Javits Gifted and Talented Students Education Act.

When I spoke before the Indiana Association for the Gifted last year I stated I was going to make gifted and talented programs one of my highest priorities. I want to thank my colleagues who voted for proposal and pledged their support for gifted and talented children.

The Javits program supports national research efforts and awards grants to school corporations, state departments of education, institutions of higher education, and other public and private agencies and organizations to help meet the needs of gifted and talented students in elementary and secondary schools.

Several of my colleagues and I on the Education Committee led the effort to expand this program and succeeded in adding a significant

state component. During the drafting state of the Student Results Act, we included provisions from the Gifted and Talented Students Education Act, a bill we co-sponsored earlier this year. This important legislation provides grants to states to help them implement successful research findings and model projects funded by the Javits program over the past ten years.

Mr. Speaker, gifted and talented programs are a proven method of helping children to meet their potential, while preventing drop-outs and other risk behaviors. Gifted children greatly benefit from being exposed to challenging and enriched curricula taught by trained staff who understand their special needs.

In Indiana, we have some very talented educators working with gifted and talented children. Indiana is one of only a few states that has a two year public residential high school for high-ability students, the Indiana Academy for Science, Mathematics and Humanities located at Ball State University in Muncie Indiana. In addition, Indiana has summer and week-end programs for these students.

In several school districts such as Southwest Allen County located in Fort Wayne Indiana we are fortunate to have a comprehensive program for gifted students, beginning in kindergarten. This type of K-12 program is unique and provides a model for other school districts.

While there are many excellent programs in Indiana, not all schools offer programs or services to meet the educational needs of gifted and talented students. The Javits program will provide Hoosiers with additional funds to reach out to students who currently do not have access to gifted and talented programs.

I greatly appreciate those who have joined me in opening up opportunities for gifted children.

CONFERENCE REPORT ON H.R. 3064,  
DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 2000

SPEECH OF

**HON. MELVIN L. WATT**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 28, 1999*

Mr. WATT of North Carolina. Mr. Speaker, I rise in opposition to the conference report on fiscal year 2000 appropriations bill for the District of Columbia and the Departments of Labor, Health and Human Services, and Education.

Let me first say that the process by which this bill came to the floor is very troubling. We are here today voting on a conference report for fiscal year 2000 for Labor-HHS and Education when the bill was never considered or voted on by the House of Representatives. This unheard of procedure has not provided sufficient time for debate and consideration of amendments to allow us to participate in the process. Bypassing the normal procedures has shut Members out of having any opportunity to assist in crafting and improving this bill.

I am also troubled by some of the funding levels included in this bill. This bill makes funding cuts to programs which are vital to the

well being of many American families. The people most hurt by this bill are the very people who need our assistance and support the most. This bill would cut funding by over \$1 billion to social service programs for the elderly and low-income Americans; would not provide funding to immunize over 300,000 children against childhood diseases; and would cut funding for over 5,000 teachers who provide educational assistance to disadvantaged children.

Perhaps my biggest concern with this bill is that it does not include emergency assistance for those people in the eastern part of my state who are suffering from the floods of Hurricane Floyd. Thousands of people in North Carolina are still dealing with the aftermath of the floods. Entire towns have been destroyed, thousands have lost their homes, and many farmers have lost all of their crops and livestock. While this bill includes over \$2 billion in emergency spending, it cuts out the \$508 million in emergency assistance for agricultural damaged caused by Hurricane Floyd. This assistance would have been a start in providing people in North Carolina with the opportunity to begin to rebuild and recover. This bill represents an opportunity lost. I urge my colleagues to oppose the conference report.

WIND HAZARD REDUCTION  
CAUCUS.

**HON. RALPH M. HALL**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, November 3, 1999*

Mr. HALL of Texas. Mr. Speaker, I would like to alert my colleagues to the formation last month of a very important new organization, the Wind Hazard Reduction Caucus. The caucus is cochaired by our colleagues, Representative DENNIS MOORE of Kansas, and Representative WALTER B. JONES of North Carolina. Both of these gentlemen have a great deal of first hand experience in helping their neighbors recover from the ravages of tornadoes and hurricanes. These Members are to be commended for their efforts to sensitize their colleagues to the extent to which the problems these storms cause are avoidable with proper planning. This caucus will be dedicated to achieving a 75 percent reduction in damage from windstorms by the end of the coming decade. Remarks of Mr. James E. Davis, executive director of the American Society of Civil Engineers and also the remarks of Congressmen JONES and MOORE, which were made last week at a reception celebrating the formation of the caucus are found below.

WIND HAZARD REDUCTION CAUCUS RECEPTION  
REMARKS BY REPRESENTATIVE DENNIS MOORE  
(D-KS) CAUCUS CO-CHAIR

*October 27, 1999*

To paraphrase Mark Twain, everybody talks about the weather but *this caucus* does something about it. All 50 states are vulnerable to the hazards of windstorms. During Hurricane Floyd alone, North Carolina lost 48 lives, more than twice the number of deaths along the entire Eastern Coast for the 1998 hurricane season and is now faced with staggering economic damages in the billions of dollars. In 1992, Hurricane Andrew resulted in \$26.5 billion in losses and 61 fatalities. In 1989, Hurricane Hugo resulted in \$7