also provided their fellow students with better access to the Internet.

What started as a partnership between the Northwest Regional Education Services District and Intel was encouraged to grow by our governor and State legislature. The success of the program spread quickly, and the consortium of organizations expanded to include the Oregon Department of Education, Portland General Electric, and US West. There are now 94 StRUT programs around Oregon with 1,500 students involved, and over 22,000 computers have been placed by this program in our K–12 system.

This Friday, I will be meeting with teachers from around Oregon who will be trained in this exciting new program. I look forward to hearing their advice on how Congress can implement these kinds of programs at the Federal level. In fact, StRUT is already being replicated in Washington, California, New Mexico, Arizona, and Congresswoman JOHNSON's home state of Texas.

By allowing students access to these essential technical and business skills, and by providing their fellow students with improved access to the Internet, we can help prepare our children to be successful citizens in the information age.

CLEAN WATER TRUST FUND ACT

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 1999

Mr. VISCLOSKY. Mr. Speaker, today I am proud to introduce a measure which I have supported since the 103rd Congress. This bill, the Clean Water Trust Fund Act, would put all funds collected through Clean Water Act fines and penalties into a trust fund to be used specifically for cleaning up polluted waters. This common sense measure links environmental penalties with environmental remedies, and ensures that money collected for environmental violations will not be lost in Washington.

In Northwest Indiana, one of the most unique and naturally beautiful coastlines in the world has been the site of a major industrial center for over a century. With the advent of environmental regulation in the last fifty years, the companies which had before polluted the waters with impunity had to reform their manufacturing processes and begin paying fines and penalties if their new procedures did not decrease their pollution emissions to an acceptable level. The residents of my hometown were comforted by the understanding that these new rules would protect our environment—our coastline and groundwater and potable water supply—and keep us from being poisoned by the very industries on which we relied for work. But it just has not worked the way it should. Instead of working together, the hand that fines and the hand that cleans are attached to different bodies. Money collected for polluting drinking water can be used for anything from mohair subsidies to McDonalds' overseas advertising. This is clearly not the heroic role of environmental regulation envisioned by my friends and neighbors when we first supported the Environmental Protection Agency's control over how much and what an industry could dump into our nation's waters.

My bill would begin to repair this disconnect. Under the Clean Water Trust Fund Act, residents of Northwest Indiana who read about millions being paid by a local company in Clean Water Act fines will know that money will come back to the region and be used to repair the environmental damage. It is as simple as that. The measure instructs the EPA Administrator to work with the states and turn the funds collected in fines and penalties into environmental remediation for the areas affected.

We can have no higher priority than creating a society where our citizens have the opportunity to live safely and healthily. Making sure that everyone has access to safe, clean water is one of the most basic requirements of civilization. This measure, which would reconnect penalties to relief, is an important first step. Mr. Speaker, with the support of over thirty of my colleagues from both sides of the aisle, I am pleased to introduce the Clean Water Trust Fund Act.

CHILDREN'S MEMORIAL DAY

HON. ELLEN O. TAUSCHER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 1999

Mrs. TAUSCHER. Mr. Speaker, I rise today in support of the Children's Memorial Flag Project and hope that my colleagues will join me in supporting the establishment of a National Children's Memorial Day where we remember all children who die by violence in our country.

The Children's Memorial Flag Project originated in Alameda County, CA, part of which falls in my Congressional district. This project is dedicated to remembering the children who die as a result of abuse, neglect, and homicide. Each time a child dies as a result of violence, the Children's Memorial Flag is flown at half-staff and a young oak tree is planted in the Children's Memorial Grove. This county effort has become a national effort and I would like to acknowledge the efforts of my dear friend, Alameda County Supervisor, Gail Steele, who created the project. Last year, 25 states flew the Children's Memorial flag over their state capitol on the fourth Friday in April which they designated as Children's Memorial Day. I am working with several Bay Area colleagues to introduce legislation that would adopt the Children's Memorial Flag and establish the fourth Friday in April as a national Children's Memorial Day.

Tragedies such as the school shooting which occurred recently in Littleton, Colorado, remind us of how precious our children are. We cannot let these children, nor the thousands of other children who die of violence, be forgotten. I urge my colleagues to join me honoring the memory of children lost to violence this Friday, April 23rd and to adopt this day as National Children's Memorial Day. I hope honoring and remembering these children will be the driving impetus for us to work together as a nation to keep America's children safe from violent crime.

NATIONAL FAMILY CAREGIVER SUPPORT ACT

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 1999

Mr. WAXMAN. Mr. Speaker, I rise today to encourage my colleagues to sponsor H.R. 1341, ''The National Family Caregiver Support Act of 1999.'' Last month, I joined my colleague, MATTHEW MARTINEZ, in sponsoring this important piece of legislation.

Every American family is doing more with less time—but none more so than the families who must care for an older relative with chronic illnesses like Alzheimer's or with mental or physical disabilities. Growing numbers of families are choosing to care for their own at home over placing sick relatives in institutionalized care settings.

This is what the New York Times calls ''a fundamental shift in health care.'' Today, dutiful children and caring spouses provide the staggering equivalent of $200 billion in direct care to their elderly or ailing relatives. At least 21 million Americans provide such free care—and the number is growing very quickly. In fact, one in four Americans currently provides care to a person with a chronic medical condition.

Perhaps the best way to understand this tremendous demand on our families is to think of the time required of them. All of us are familiar with the 40 hour work week. Setting aside the expense, the emotional demands and the need for training of family caregivers, we know today that four million American households offer at least 40 hours of unpaid family care to an older relative every week. Family caregivers of Alzheimer's patients spent an average 69 to 100 hours per week providing such care.

We must also bear in mind that these families are juggling multiple responsibilities. More than 40 percent of family caregivers also care for children under 18—and two-thirds are full-time or part-time workers. You may have heard the term, ''the sandwich generation'' applied to the many Baby Boomers who are struggling to balance work, children and care for their parents. This is having an important impact on the workplace as well; according to corporate executives surveyed last year by the Conference Board, elder care will soon top child care as a major concern by employees.

There is every indication that these demands on family caregivers will grow. Americans are living longer and the need for long-term care is growing quickly. Cost pressures in our health care system are reducing hospital stays and increasing outpatient care. These trends virtually assure that family caregivers will play an increasingly indispensable role in our health care delivery system.

That is why we introduced H.R. 1341. These families need help. Modest, targeted initiatives like H.R. 1341 can do the most to help them by building on existing, successful efforts to provide assistance. Let me give a few examples.

According to experts, ''the greatest need for most caregivers is rest.'' H.R. 1341 would provide them with quality respite care. States like California and Pennsylvania are leaders in providing assistance at ''one-stop shops.'' H.R.

1341 would expand these efforts through Federal-State partnerships. Local agencies, nonprofits and community groups currently provide family caregivers with training, counseling, referrals and crucial respite care. H.R. 1341 would reward outstanding, innovative programs and identify those of national significance.

1999 is the International Year of Older Persons. In recognition of this important milestone. I encourage my colleagues to demonstrate their commitment to securing the dignity and health of older Americans and their families by cosponsoring H.R. 1434, ''The National Family Caregiver Support Act of 1999.''

IN RECOGNITION OF CHILDREN'S MEMORIAL DAY

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 1999

Mr. STARK. Mr. Speaker, I rise today to introduce a House Resolution supporting the establishment of the fourth Friday in April as ''Children's Memorial Day.''

We are all saddened by the tragic shootings at Columbine High School in Littleton, Colorado. Unfortunately, violent acts against children are occurring with increasing frequency—destroying innocent lives and devastating families and communities. In the United States each day, five infants and children die from abuse and neglect, and seven teens are murdered. In fact, more children lose their lives to criminal violence in the United States than in any of the 26 industrialized nations of the world. This is unacceptable.

In Alameda County, California, which I represent, the County Board with the hard work and strong dedication of Alameda County Supervisor Gail Steele, adopted in 1996 the Children's Memorial Flag Project and established a National Children's Memorial Day on the fourth Friday in the month of April to remember all of the children who have died by violence in our country. The Child Welfare League of America has adopted Alameda County's Children's Memorial Flag and promotes it nationally. This year we anticipate 20 State Capitol Buildings will fly the flag at half-mast, with 13 others memorializing these children by other means this Friday, April 23rd.

We have lost far too many children in violent, preventable deaths, through gun violence, fire, automobile accidents, suicide, and physical abuse and neglect. From this moment forward, let us approach our work in Congress with renewed resolve. It is our responsibility and the responsibility of adults everywhere to protect children and to ensure that they have a full opportunity to become healthy and productive adults. Even one child lost is one child too many.

I urge my colleagues to cosponsor this resolution and to honor the memory of children lost to violence in this country. Let us condemn acts of violence committed against the children of our communities and pledge to safeguard the welfare of the children in our nation.

AGENTS WHO SERVED AMERICA SHOULD HAVE THEIR DAY IN COURT

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 1999

Mr. TRAFICANT. Mr. Speaker, today I am introducing legislation to mandate the establishment of a special federal judicial panel to determine whether cases involving breach of contract disputes between the U.S. Government and U.S. intelligence operatives should go to trial. The bill is identical to legislation I introduced in the last Congress.

The legislation directs the Chief Justice of the U.S. Supreme Court to assign three federal circuit court judges, senior federal judges, or retired justices to a division of the U.S. Court of Appeals for the District of Columbia for the purpose of determining whether an action brought by a person, including a foreign national, in an appropriate U.S. court for compensation for services performed for the U.S. pursuant to a secret government contract may be tried in court. The bill provides that the panel may not determine that the case cannot be heard solely on the basis of the nature of the services provided under the contract.

Currently, the Totten doctrine bars these types of cases from even going to trial. The Totten doctrine is based on the 1876 Supreme Court case of *Totten* versus *United States*. The case involved the estate of an individual who performed secret services for President Lincoln during the Civil War. The court dismissed the plaintiff's postwar suit for breach of contract, stating, in part:

> The service stipulated by the contract was a secret service; the information sought was to be obtained clandestinely, and was to be communicated privately; the employment and the service were to be equally concealed. Bathe employer and agent must have understood that the lips of the other were to be for ever sealed respecting the relation of either to the matter . . . It may be stated as a general principle, that public policy forbids the maintenance of any suit in a court of justice, the trial of which would inevitably lead to the disclosure of matters which the law itself regards as confidential, and respecting which it will not allow the confidence to be violated.

Other court rulings over the past 120 years have affirmed the Totten doctrine as it applies to breach of contract disputes arising form espionage services performed pursuant to a secret contract. Mr. Speaker, as a matter of policy, the Totten doctrine is unfair, unjust and un-American.

For the most part, U.S. intelligence agencies do a good job of fulfilling commitments made to U.S. intelligence operatives. However, there have been some disturbing lapses.

During the Vietnam War the Pentagon and the CIA jointly ran an operation over a seven-year period in which some 450 South Vietnamese commandos were sent into North Vietnam on various espionage and spy missions. The CIA promised each commando that, in the event they were captured, they would be rescued and their families would receive lifetime stipends. Due to intelligence penetrations by the North Vietnamese, most of the commandos were captured. No rescue attempts were ever made. Many of the commandos were tortured and some were killed by the North Vietnamese. Beginning in 1962, CIA officers began crossing the names of captured commandos off the pay rosters and telling their family members that they were dead. Many of the commandos survived the war. After varying periods of time they were set free by the Vietnamese government. Two hundred of the commandos now living in the U.S. filed a lawsuit last year asking that all living commandos be paid $2,000 a year for every year they served in prison—an estimated $11 million. In 1996 the CIA decided to provide compensation to the commandos. Unfortunately, even after this decision was made, the CIA continued to invoke the Totten doctrine to avoid payment.

I have encountered numerous cases in which the CIA has reneged on commitments CIA agents made to foreign nationals who put their lives on the line to provide valuable intelligence to the United States. Absent Congressional action, the Totten doctrine allows the CIA and other intelligence agencies to ignore legitimate cases, and have these cases summarily dismissed without a trial.

In a paper published in the Spring, 1990 issue of the Suffolk Transnational Law Journal, Theodore Francis Riordan noted that ''when a court invokes Totten to dismiss a lawsuit, it is merely enforcing the contract's implied covenant of secrecy, rather than invoking some national security ground.'' The bottom line: the U.S. government can, and has, invoked the Totten doctrine to avoid solemn commitments made to U.S. intelligence operatives.

Existing federal statutes give the Director of Central Intelligence the authority to protect intelligence sources and methods from unauthorized disclosure. I understand the importance to national security of preventing unauthorized leaks of information that could compromise U.S. intelligence sources and methods. That is why my bill directs the special judicial panel to take into consideration whether the information that would be disclosed in adjudicating an action would do serious damage to national security or would compromise the safety and security of U.S. intelligence sources. In addition, the bill provides that if the panel determines that a particular case can go to trial, it may prescribe steps that the court in which the case is to be heard shall take to protect national security and intelligence sources and methods, including holding the proceedings ''in camera.''

Supporters of the U.S. intelligence community have criticized court involvement in intelligence cases by noting that most federal judges do not have the expertise, knowledge and background to effectively adjudicate intelligence cases. In fact, in the United States verse Marchetti, the Fourth Circuit took the position that judges are too ill-informed and inexpert to appraise the magnitude of national security harm that could occur should certain classified information be publicized. I must respectfully and strenuously disagree with this type of reasoning. Federal judges routinely adjudicate highly complex tax cases, as well as other tort cases involving highly technical issues, such as environmental damage caused by toxic chemicals. It's absurd to assert that judges can master the complexities of the tax code and environmental law, but somehow be unable to understand and rule on intelligence matters.