

garden, farm, and animals. All helped pick blueberries, can garden vegetables, and put up wood for heat and cooking. Every child received a good education and graduated from Mountain Iron High School. Most went on to college to become professionals in their work, which ranged from teachers to nurses, and to become outstanding members of their communities. Ed and Frank served in World War II, as did Rose, a civilian radio instructor.

The Cerkvenik family has a strong tradition of public service in northern Minnesota; sons Anton and Frank served the City of Mountain Iron as Clerk and Mayor; the next generation of Cerkveniks has also continued to serve the state of Minnesota and the country. Second generation members Paul worked in Congress at the Democratic Study Group; Peter served on the Mountain Iron City Council; Steve was elected to the School Board; and Gary and his wife Kim both worked in my congressional office. Gary was also elected to the St. Louis County Board and Kim ran for Lieutenant Governor of Minnesota.

In addition to Kim, other spouses who have joined the Cerkvenik family have participated actively in politics and government, including Ann Mulholland who worked for the Democratic Congressional Campaign Committee and on Paul Simon's presidential campaign, and Kathleen Murray who has worked on Mayor Richard Daley's campaigns. On the Iron Range in Mountain Iron, Tony and his wife Mitzi opened a grocery store and meat market which has continued under Frank and his family. For nearly 40 years, Cerkvenik's Super Market has been known for great meats, good service, and a fair trade. Most importantly, it became a center of political and social life in Mountain Iron.

Other descendants continue to make their unique marks on our country. One Cerkvenik family member, Barrett, graduated from West Point and helped negotiate the START treaty. Others are business owners, computer specialists, bus drivers, teachers, lawyers, designers, advertisers, civil servants, biologists, and mothers and fathers. Together, they are a proud Slovene family who have not forgotten their roots and heritage.

Now there are four generations of Cerkvenik descendants in the United States of America. They are truly part of the unique fabric of lives and histories that make America the richest and most vibrant nation in the world. As they gather on Minnesota's Iron Range this July, I salute the Cerkvenik family for their invaluable contributions to this great land of ours.

#### TRIBUTE TO RABBI MORRIS RUBINSTEIN

**HON. HOWARD L. BERMAN**

OF CALIFORNIA

**HON. HENRY A. WAXMAN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 27, 2000*

Mr. BERMAN. Mr. Speaker, today my colleague, Mr. WAXMAN, and I pay tribute to an extraordinary individual and good friend, Rabbi Morris Rubinstein, who was honored this Sunday by the Valley Beth Israel Synagogue for his twenty eight years of dedication, leadership and service. The occasion will mark his retirement and will be celebrated with a "gala farewell dinner" attended by family, friends and congregants.

Throughout Rabbi Rubinstein's forty-one year rabbinical career he has demonstrated—through both his words and his deeds—an unwavering commitment to Torah and Mitzvos. For the past twenty-eight years, we in the San Fernando Valley have been blessed by his leadership, guidance, knowledge and understanding. He and his wife Miriam created a family-like atmosphere for all of the Valley Beth Israel congregants. Together they not only helped insure that Valley Beth Israel achieved a stellar reputation, but they made certain that the synagogue remained a unique and special place to worship, learn and congregate.

In addition to his character, intelligence and hard work, Rabbi Rubinstein successfully accomplished so much at Valley Beth Israel because he was able to apply lessons learned from an impressive and diverse background. He graduated as a rabbi and teacher with a Master's Degree in Hebrew Literature in 1959. He entered the Air Force Chaplaincy as a First Lieutenant in the same year and his first assignment was in Ankara, Turkey. His next assignment was Kessler Air Force Base in Biloxi, Mississippi where he became involved in the civil rights movement. There, at a clergy conference, he joined with Dr. Martin Luther King, Jr. in singing "We Shall Overcome" in Hebrew and English.

After Biloxi, he left the military chaplaincy to take a civilian pulpit. Between 1964 and 1972, when he joined Valley Beth Israel, he served as the spiritual leader at synagogues in Mattawan, New Jersey and Scottsdale, Arizona. He and Miriam, his loving wife and partner of forty-three years, have raised five wonderful and accomplished children.

We are honored today to ask our colleagues to join with us in saluting Rabbi Rubinstein for his dedicated service and tireless leadership. We wish him good health and every joy in his retirement.

#### PASSING THE CONSERVATION AND REINVESTMENT ACT

**HON. JOHN D. DINGELL**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 27, 2000*

Mr. DINGELL. Mr. Speaker, today one of my hometown newspapers, the Detroit Free Press, published the following editorial urging the other body to pass H.R. 701, the Conservation and Reinvestment Act (CARA). As my colleagues know, the House approved CARA last month by an overwhelming bipartisan margin.

The House bill may not be perfect, but clearly it is a strong foundation for a landmark conservation bill. The other body should proceed expeditiously so as not to let this once-in-a-generation opportunity pass us by.

[FROM THE DETROIT FREE PRESS, JUNE 27, 2000]

LAND PLAN

WORTHWHILE CONSERVATION ACT STUCK IN COMMITTEE

The country's best chance in a century to commit to conservation is staring it in the face, and yet the means to make it happen may not survive the U.S. Senate.

The Conservation and Reinvestment Act, which provides hundreds of millions of dollars for land acquisition and recreation projects nationwide, sits in committee, where it landed after the House passed it by

a 3-1 margin. The full Senate seems likely to approve CARA, if it gets sprung from the committee.

The act does not require any new money to fund it. Rather it is the revival of a decades-old promise that royalties from oil and gas drilling on federal property would go toward land preservation. In the meantime, the money has been used to help mask the country's deficit-spending habit, a maneuver that's no longer needed and ripe for Congress to fix.

Some Western-state senators in key positions see CARA as a federal land grab, although only a sixth of the money would go toward federal purchases, and acquisitions would require the consent of both the owner and Congress. Far more would get funneled to the states, to set their own balance between buying land and improving existing public spaces.

One of CARA's most exciting aspects, in fact, is the ability to focus on smaller projects than the federal government normally would, including urban green spaces, walkways and small slices of important habitat. For those with visions of a walkable riverfront in Detroit, or selective preservation of natural spots in the path of development, CARA is a dream come true—if the senators controlling its fate will set it free.

#### HONORING HARRIS COUNTY COMMISSIONER JIM FONTENO AND THE EAST HARRIS COUNTY SENIOR CITIZENS

**HON. KEN BENTSEN**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 27, 2000*

Mr. BENTSEN. Mr. Speaker, today I honor Harris County Commissioner Jim Fonteno and the East Harris County Senior Citizens, which celebrates its 25th anniversary this month. The East Harris County Senior Citizens program, which Commissioner Fonteno built from the grassroots up, is a truly unique organization that has touched the lives of thousands of seniors in the eastern portion of Harris County, Texas for a quarter of a century. I commend Commissioner Fonteno for starting this vital program, and as we celebrate its anniversary, we also celebrate the career of Fonteno himself, the "Dean" of the Commissioners' Court, who, after 25 years, recently announced that he will retire in 2002.

The East Harris County Senior Citizens began in 1975, when the then newly-elected Precinct Two Harris County Commissioner Jim Fonteno offered his vision to create a program to give back to area seniors. His vision, inspired by his desire to give the people "what they asked for and what they needed," was to create a vehicle to deliver programs and services to thousands of senior citizens and veterans in the community. Despite the naysayers who claimed it couldn't be done, Fonteno's inspiration grew into a self-supportive, nonprofit organization that now boasts more than 350 senior citizens groups within its boundaries. With the help of private organizations and many community partners and volunteers, the East Harris County Senior Citizens program is a model for the nation, and is still growing strong.

Throughout its history, the East Harris County Senior Citizens program has been

dedicated to encouraging social and physical activeness in seniors so that the humanity, dignity, independence, and strengths of each senior citizen is realized to the fullest. Through the program, thousands of senior citizens who otherwise would be unable to continue to develop new friendships and remain a vital force in their community, either because they lack transportation or appropriate places to meet, can reconnect with the world and continue to contribute their considerable talents to the community. The benefits of the community involvement and services offered by the East Harris County Senior Citizens to the lives of the elderly are immeasurable.

Mr. Speaker, at a time when America is aging and our parents are growing older, it is imperative that programs such as the East Harris County Senior Citizens exist to nurture and support the elderly. Our elderly are a tremendous asset and a source of great talent and inspiration. I commend the East Harris County Senior Citizens, Commissioner Fonteno and all the volunteers for their good works and for the organization's great contributions to the community, and I celebrate with them in honor of their 25 years of public service.

#### PROFILES OF SUCCESS HISPANIC LEADERSHIP AWARDS

##### HON. ED PASTOR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 27, 2000*

Mr. PASTOR. Mr. Speaker, I rise to recognize a special event in the State of Arizona, the Annual Profiles of Success Hispanic Leadership Awards presentation. This special event is Arizona's most prestigious Latin Awards event. The luncheon is held in conjunction with National Hispanic Heritage Month and coordinated by Valle del Sol, Inc., a community-based organization in Phoenix. This year marks the 10th anniversary for Profiles of Success.

Award recipients are selected for their sustained service over a period of years. They are considered for significant time devoted to activities, services or issues beyond work or family responsibilities; challenges met by the nominee that were unusual; motivating others through personal commitment and/or exemplary performance; creativity in devising new and better ways of performing volunteer assignments or meeting the needs of the community; and leadership and betterment of the community through undertakings that have wide impact on a large number of people.

In the last 10 years, Profiles of Success awards have been conferred in four categories upon the following individuals:

Hall of Fame: Honorable Raul Castro, Maria Luisa Urquides, Adam Diaz, Bennie M. Gonzales, Dr. Maria Vega, Ruben Perez and Silvestre Herrera, a Congressional Medal of Honor recipient.

Exemplary Leadership: Toni-Maria Avila, Rosie Lopez, Dr. Eugene Marin, Clara Ruiz Engel, Roger C. Romero, Mary Rose Garrido Wilcox, Ernest Calderon, Jose L. Conchola, Dr. Elizabeth Valdez, Dr. Mary Jo Franco-French, Jaime Gutierrez, Dr. Santos Vega, Jose Cardenas, Tom Espinoza, Patricia Ruiz, Dr. J. Oscar Maynes, Jr., Tommy Nunez, Glo-

ria G. Ybarra, Sandra Ferniza, Daniel Ortega, Jr., Art Othon, Patricia Escalante Garcia, Martin Sanmaniego, Tony Astorga, Eduardo Delci, Armando Flores, and Hilda Ortega-Rosales.

Special Recognition: Margie Emmermann, Cesar E. Chavez, Silvestre Herrera, Eugene Brassard, Manuel "Lito" Pena, Jr., Raul Lopez, Jess Torres, and Lorraine Lee.

Manuel Ortega Young Leaders Award: Marisa Calderon.

This year's recipients are: Eduardo "Lalo" Guerrero for Hall of Fame; Norma Guerra, Joe Elias and Lucia Madrid for Exemplary Leadership; Isabel Gonzales for the Manuel Ortega Young Leaders Award; and John Valenzuela, a South Tucson police officer who lost his life in the line of duty, who is posthumously receiving Special Recognition.

Each of the Profiles of Success recipients have stood out in the Latino community and demonstrated uncommon courage against tremendous odds. Words like dedication, integrity and compassion are synonymous with their names. Profiles of Success is the Latino community's opportunity to honor these champions. Therefore, Mr. Speaker, I ask you and my colleagues to join me in congratulating the Profiles of Success winners and extending them best wishes.

#### DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 2001

SPEECH OF

##### HON. JOE KNOLLENBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 26, 2000*

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 4690) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2001, and for other purposes.

Mr. KNOLLENBERG. Mr. Speaker, I would like to include in the RECORD for the Commerce/State/Justice Appropriations bill a letter with legislative history of the Clean Air Act reported by Congressman JOHN DINGELL who was the Chairman of the House Conference on the Clean Air Act amendments of 1990. No one knows the Clean Air Act like Congressman DINGELL.

He makes clear, and I quote, "Congress has not enacted implementing legislation authorizing EPA or any other agency to regulate greenhouse gases."

*October 5, 1999.*

Hon. DAVID M. MCINTOSH, Chairman, Subcommittee on National Economic Growth, Natural Resources, and Regulatory Affairs, Committee on Government Reform, Washington, DC.

DEAR MR. CHAIRMAN: I understand that you have asked, based on discussions between our staffs, about the disposition by the House-Senate conferees of the amendments in 1990 to the Clean Air Act (CAA) regarding greenhouse gases such as methane and carbon dioxide. In making this inquiry, you call my attention to an April 10, 1998 Environmental Protection Agency (EPA) memorandum entitled "EPA's Authority to Regulate Pollutants Emitted by Electric Power Generation Sources" and an October 12, 1998 memo-

randum entitled "The Authority of EPA to Regulate Carbon Dioxide Under the Clean Air Act" prepared for the National Mining Association. The latter memorandum discusses the legislative history of the 1990 amendments.

First, the House-passed bill (H.R. 3030) never included any provision regarding the regulation of any greenhouse gas, such as methane or carbon dioxide, nor did the bill address global climate change. The House, however, did include provisions aimed at implementing the Montreal Protocol on Substances that Deplete the Ozone Layer.

Second, as to the Senate version (S. 1630) of the proposed amendments, the October 12, 1998 memorandum correctly points out that the Senate did address greenhouse gas matters and global warming, along with provisions implementing the Montreal Protocol. Nevertheless, only Montreal Protocol related provisions were agreed to by the House-Senate conferees (see Conf. Rept. 101-952, Oct. 26, 1990).

However, I should point out that Public Law 101-549 of November 15, 1990, which contains the 1990 amendments to the CAA, includes some provisions, such as sections 813, 817 and 819-821, that were enacted as free-standing provisions separate from the CAA. Although the Public Law often refers to the "Clean Air Act Amendments of 1990," the Public Law does not specify that reference as the "short title" of all of the provisions included the Public Law.

One of these free-standing provisions, section 821, entitled "Information Gathering on Greenhouse Gases contributing to Global Climate Change" appears in the United States code as a "note" (at 42 U.S.C. 7651k). It requires regulations by the EPA to "monitor carbon dioxide emissions" from "all affected sources subject to title V" of the CAA and specifies that the emissions are to be reported to the EPA. That section does not designate carbon dioxide as a "pollutant" for any purpose.

Finally, Title IX of the Conference Report, entitled "Clean Air Research," was primarily negotiated at the time by the House and Senate Science Committees, which had no regulatory jurisdiction under House-Senate Rules. This title amended section 103 of the CAA by adding new subsections (c) through (k). New subsection (g), entitled "Pollution Prevention and Control," calls for "non-regulatory strategies and technologies for air pollution prevention." While it refers, as noted in the EPA memorandum, to carbon dioxide as a "pollutant," House and Senate conferees never agreed to designate carbon dioxide as a pollutant for regulatory or other purposes.

Based on my review of this history and my recollection of the discussions, I would have difficulty concluding that the House-Senate conferees, who rejected the Senate regulatory provisions (with the exception of the above-referenced section 821), contemplated regulating greenhouse gas emissions or addressing global warming under the Clean Air Act. Shortly after enactment of Public Law 101-549, the United Nations General Assembly established in December 1990 the Intergovernmental Negotiating Committee that ultimately led to the Framework Convention on Climate Change, which was ratified by the United States after advice and consent by the Senate. That Convention is, of course, not self-executing, and the Congress has not enacted implementing legislation authorizing EPA or any other agency to regulate greenhouse gases.

I hope that this is responsive.

With best wishes,

Sincerely,

JOHN D. DINGELL,  
Ranking Member.