

## EXTENSIONS OF REMARKS

REPRESENTATIVE GEORGE E. BROWN ADDRESSES BERKELEY GRADUATING CLASS

HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 1988

Mr. DELLUMS. Mr. Speaker, our esteemed colleague, the Honorable GEORGE BROWN, recently addressed the 1988 graduating class of the College of Natural Resources at the University of California, Berkeley, which is located in my district. Almost 400 graduates attended the ceremonies, held outdoors on the afternoon of Saturday, May 21. Mr. BROWN pointed out the need for interdisciplinary research and a whole systems approach to earth sciences if we are to understand global environmental problems, such as climate change. He also noted that efforts at the local level, including changes in human behavior, will be needed to solve global problems. Although the message was a sobering one, the graduating class responded to the address with a standing ovation. I would like to take this opportunity to share his outstanding remarks with my colleagues in the House of Representatives:

A NEW ERA FOR EARTH SCIENCE AND HUMAN BEHAVIOR

Good afternoon, and congratulations. You have made it through one of the finest and most rigorous educational institutions in the world. You worked hard, and those of you who didn't are such geniuses that you deserve to be here anyway.

I feel deeply honored to be with you on this felicitous occasion. As one who speaks mostly to other Members of Congress, I am not accustomed to addressing such a bright and talented group of people as we have here today.

I have a confession to make to you. Although many members of my family, including my late wife and I, are graduates of the University of California, this is actually the first graduation exercise of the University that I can recall attending. As an undergraduate student in those hectic days immediately preceding World War II, I did not pay much attention to graduation requirements. But I recall very well that after nearly five years away from the University, and beginning to see the possibility of a return to civilian life in late 1945, I wrote a nostalgic letter to the Registrar saying, "I expect to be discharged from the military in the next few months and would like to enter graduate school at that time. Did I ever get a degree?" In a surprisingly short time, probably due to the lack of any significant number of males on campus, I received a nice note saying in effect, "The University has approved your petition for a degree. Please come back." I have never experienced such prompt action from the University since. Despite such a warm welcome, I still missed the graduation exercise.

To be a successful legislator is to be, above all, a generalist, and a good one at that. We are called upon to make decisions that span a multitude of topics. In the midst of a virtual explosion of information and technological innovation, the choices to be made seem to increase in complexity every year. To guide my thinking, I must depend on the advice of experts. That is where you come in. It is clear to me that one of the most important and challenging problems of our day concerns the interaction of the human species with the environment. As the pressure to solve environmental and natural resource problems mounts, the demand from legislators and from society for the knowledge and expertise you have gained here will continue to grow.

Many of the experts I rely on for guidance are telling me that our current, global pattern of energy and natural resource use is unsustainable. A number of organizations periodically check and report on the earth's vital signs. Every year, for example, the Worldwatch Institute in Washington publishes its report on the *State of the World*. As in past years, this year's outlook is grim. European forests are damaged and dying from the effects of acid rain and air pollution. Children the world over are starving. Thousands of plant and animal species are disappearing from the face of the earth each year. Tropical rainforests are burned and bulldozed at alarming rates. Hazardous and toxic chemicals threaten our surface and ground water supplies. The protective ozone layer is thinning, allowing dangerous ultraviolet radiation to reach the earth's surface. And scientists believe that the average temperature of the earth may be rising to levels never before experienced in human history. We seem to be on a collision course with disaster.

Whether or not you accept this pessimistic view of the health of our planet, one truth is evident. We are entering an era of global change. Remarkable worldwide economic expansion characterized the years between 1950 and 1980. During this short time, world population and food production doubled, fossil fuel use worldwide quadrupled, and electrical generation multiplied eightfold. Meanwhile, the ability of natural systems to absorb the effects of these technological and economic activities is being heavily taxed. We are altering the delicate balances among the chemical, physical, and biological processes that sustain life. For example, within just the past few generations, we have modified the composition of the atmosphere, with tremendous climate change implications. Indeed, the human species today has assumed the role of an active participant in earth's evolution, and some scientists argue that life forms have always had that role.

Over the past several decades, our understanding of the earth has advanced very rapidly, relying upon the traditional and specialized disciplines. Geologists, chemists, and biologists have concerned themselves primarily with one component of the earth's changing systems. Subdivisions of these fields of expertise created even more specialized and narrow views of the earth system.

We seem to be entering a new era in the earth sciences. Recently, researchers have begun to show a renewed interest in studying the earth as an integrated whole. The traditional, disciplinary approach to the earth sciences is being displaced by an interdisciplinary one. Cooperation and communication between earth science specialists occurs more frequently. Increased interest in the whole systems approach has also been spurred on by technological developments such as satellite imagery and supercomputers, which have permitted unprecedented data collection and analysis. Reminded again that "everything is connected to everything else," we acknowledge that the processes governing the dynamics of the earth do not act separately, nor does it make sense to study them exclusively in that way.

I do not want to appear to discount the value of disciplinary research. A complete understanding of natural processes requires knowledge of a highly specialized nature. However, making sense of the highly complex and dynamic interactions between all components of the earth system will also require an integrated and interdisciplinary approach that includes the capability for increasingly accurate modeling of the entire system.

The College of Natural Resources at Berkeley is a perfect example of the trend toward interdisciplinary research in our universities. Almost every program of study here combines the talent of those with varied expertise to form an integrated study approach. Unfortunately, many colleges and universities are still locked into the traditional, "pigeon-hole" method of teaching and are reluctant to change. A deeply ingrained reward system is much to blame: the research of the specialist is much more likely to be funded, published, or lead to tenure than that of the generalist.

Clearly, if interdisciplinary research is to compete successfully in our educational system, the definition of quality with respect to research must be modified. Understanding how various chemical, biological, and physical processes interact is a very difficult endeavor and requires a great deal of training and intellectual stamina. Understandably, many highly qualified scientists are reluctant to stray from their specific area of expertise. Steven Schneider, a leading climatologist, has called for an educational environment conducive to interdisciplinary research in order to help us confront the major environmental problems that loom before us. In his words, "In order to create the necessary pool of talent, we must remove the institutional barriers to interdisciplinary research and encourage our young scientists to broaden their horizons. And those of us already well established in our fields will have to lead the way by expanding our own horizons."

At this point, you may be asking yourselves, why is a U.S. Congressman so concerned about our approach to earth science research? Simply stated, I believe our national and international future may depend on it. The single, most important global change facing us could be a global warming,

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

or the "greenhouse effect." By releasing tremendous quantities of carbon dioxide, methane, and other gases to the atmosphere, we have initiated a vast planetary experiment that may have unforeseen and potentially disastrous consequences. Our success in dealing with this problem will depend largely on our ability to understand earth system processes and mechanisms involved in the warming.

Imagine the following scenario sometime in the distant future. Sea levels have risen, flooding thousands of square miles of prime coastal property and urban settlements; the grain belt has shifted to the north and left behind a dust bowl; the frequency of temperature extremes, floods, and droughts has increased, and our ability to predict them has decreased. The fishing industry has been severely affected. Altered growing seasons and rainfall patterns have forced relocation of other crop-producing regions. The economic balance among nations has been drastically changed. Perhaps worst of all, ocean circulation patterns have begun to change, wreaking havoc on our climate system. And if that scenario is not unsettling enough, some well-known climatologists predict that, instead of experiencing a gradual warming, future climate changes could occur in sharp steps with complicated and unpredictable geographic patterns.

The moderating effect of the oceans on climate produces a lag time between greenhouse gas emissions and higher temperatures. Thus, greenhouse gases emitted today commit us to a certain amount of global warming decades from now. As early as 2030, a doubling of the preindustrial level of carbon dioxide (or the equivalent when the effect of trace gases is taken into account) could commit the earth to a global temperature rise from 1.5 to 4.5 degree Celsius. The most recent projections approach the high end of this range. A three degree average global temperature rise would place the earth's climate conditions outside the realm of human experience. We know the planet will get warmer. We just don't know when, or by how much, or what the precise consequences will be.

The threat of a global warming has attracted the attention of scientists and policymakers worldwide. The issue is very much alive in Washington, where a half dozen conferences on the topic have been held during the past few months. The predictions of a warming have also helped to boost interdisciplinary earth sciences in the international arena, and has created a recent surge in cooperative scientific activities with the Soviets.

Preparations for an exciting, new earth sciences research program are underway. The International Geosphere-Biosphere Program, or the IGBP, was unanimously and enthusiastically endorsed in 1987 at the 21st General Assembly of the International Council of Scientific Unions in Berne, Switzerland. The operational phase of the IGBP will begin in 1992 and last at least a decade. The official objective of the program is:

"To describe and understand the interactive physical, chemical, and biological processes that regulate the total Earth system; the unique environment it provides for life; the changes that are occurring in that system; and the manner by which these changes are influenced by human activities."

A fundamental component of the IGBP is an ambitious climate research program that will bring together a vast array of earth science specialists. Thomas Malone, president

of Sigma Xi, has written that the hallmark of the IGBP "is integration—breaking down the barriers that have traditionally compartmentalized the study of the atmosphere, oceans, solid part of the earth, solar-terrestrial interaction, fauna and flora, and humankind."

The International Geosphere-Biosphere Program offers an exciting opportunity to increase our understanding of complex biogeochemical cycles of carbon, nitrogen, sulfur, and other elements essential to life. Moreover, the program will encourage technological innovation, producing new observational and analytical tools for studying the earth system. For example, advancing capabilities in remote sensing from satellites are making possible global, synoptic measurements of important climate parameters, such as cloud distribution, atmospheric temperature profiles, agricultural patterns, and forest cover. Supercomputers are being developed capable of processing the enormous amount of data collected from satellites as well as ground stations.

In conjunction with scientific research, a thorough policy analysis that incorporates human responses to global climate change is badly needed. We cannot afford to wait for conclusive proof of the warming trend—the proof itself would bring disaster. A close look at a complex matrix of both preventive and adaptive strategies, with an eye toward the social and economic costs of each, should begin now.

Such a policy analysis will not be an easy endeavor. The sources of greenhouse gases are diffuse, difficult to quantify, and firmly woven in the social fabric. Energy production through the burning of fossil fuels, agriculture, and industrial processes all contribute heavily to the problem. There is no single technological fix, no easy solution. Clearly, this could be the most challenging environmental, economic and political issue we have ever faced.

However, we can begin to do some things now to slow the warming trend. Increasing energy efficiency is one of them. The oil embargo of the early 1970's taught us the enormous potential energy savings to be had in energy efficient technologies. Since that time, the nation's economic output has grown by 30 percent, yet the amount of energy we consume has remained essentially constant. The remaining potential for increasing energy efficiency is even more impressive. For example, one energy expert claims that 40 large U.S. power plants could be given early retirement simply by installing energy efficient lighting in private and commercial buildings nationwide. Moreover, we would enjoy other environmental benefits such as reduced acid rain. Another relatively simple strategy we could employ is fuel switching, primarily from coal to natural gas. And we need to step up our research and funding for the development of renewable energy technologies such as solar and wind power. Moreover, it is imperative that we slow the rate of deforestation, and stop removing this most important carbon sink.

Since some amount of global warming is inevitable, we need to begin to devise effective adaptive strategies. Because agriculture could be so severely affected, much thought should be devoted to developing crops resistant to temperature extremes and other climate effects. Genetic engineering could be employed to achieve this end. Another strategy might be to enhance and enlarge our germ plasm reserves to preserve biological diversity. Natural seed migration will not be fast enough to respond to abrupt changes in

climate; human intervention may be required.

I am convinced that our survival will depend on our ability to delay, reduce the rate of, and adapt to global warming. I am also convinced that major modifications in human behavior will be required to do so. As we study the earth system at the global level, we should be mindful that many of the preventive and adaptive strategies for dealing with a warming must be carried out at the local level. Most of us just don't realize that the way that each of us lives—spending money, using energy, consuming material products, and disposing of wastes—cumulatively affects the health and stability of the planet. Environmental education in this country throughout all grade levels is severely lacking. Tremendous environmental benefits could be gained if each person conserved more energy; recycled more products; and used his or her purchasing power to demand more durable, high quality goods that require less replacement. Since some modification of human behavior will be an essential component of the solution to climate change, an analysis of policy options should include the expertise of social scientists.

Any comprehensive policy analysis must also include the economist's perspective. The solid link between environment and economic development is made clear in a new report by the World Commission on Environment and Development, *Our Common Future*. The report addresses the issue of sustainable development on a global scale. Although economics and ecology have traditionally clashed, according to the Commission, we are now recognizing that "ecology and economy are interwoven—locally, regionally, nationally and globally—into a seamless net of causes and effects." For example, ecological stress, manifested in degraded soils, contaminated water, and dying forests, threatens economic prospects. And depressed economies result in environmental degradation because of unavailable resources for environmental protection.

We must also remember that global warming is not just a problem for the industrialized nations. Developing nations struggling to raise the standard of living for their people should be encouraged not to make the same mistakes we made on the path to development. Recognizing the global nature of the environment and the economy, and that poverty itself is a form of environmental degradation, we must work with governments of developing countries to find less energy-intensive and less wasteful strategies for development. Raising living standards in these countries is not incompatible with but rather essential for environmental protection.

We must also be ready to follow our own advice. We Americans are setting a very poor example for the rest of the human race. Although we comprise only five percent of the world population, we consume 25 percent of the energy and use over 30 percent of the world's natural resources. The United States accounts for one-fifth of the worldwide carbon emissions from fossil fuel use. This inequitable distribution of energy and resources is clearly unsustainable from a global point of view.

I realize that the message I am leaving with you on this happy occasion is a sobering one. The delicate machine we live on is in danger of breaking down, and we're not even sure how it works, let alone how to maintain or fix it. But I also want to leave you with the prospect of an exciting chal-



lenge. You have acquired an important set of intellectual tools to understand the earth's intricate web of processes and reactions, and to formulate effective solutions to complex problems such as global warming. And you understand the importance of promoting stewardship of the earth rather than exploitation. It is an exciting time for the earth sciences. The opportunities for international and multidisciplinary cooperation are endless. And there is enough work to do for hundreds of Berkeley graduating classes for decades to come.

#### TRIBUTE TO DAVID COURSON

### HON. DONALD E. "BUZ" LUKENS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 1988

Mr. DONALD E. "BUZ" LUKENS. Mr. Speaker, the enthusiasm of David Courson, president of the Christian Emergency Relief Team, is contagious. Mr. Courson has been leading teams of volunteers to Honduras and Nicaragua since 1974 when he drove a converted school bus loaded with volunteers from Seattle, WA, to the village of Olanchito, Honduras, when Hurricane Fifi took the lives of 10,000 people there and left northern Honduras village in shambles.

Ever since the Communist Sandinista dictatorship seized power in Nicaragua in 1979 the Christian Emergency Relief Team has been faced with another disaster, this time man made. Mr. Courson and his volunteers are challenged with the task of helping more than 50,000 Nicaraguan refugees who have fled their homeland for the safety of the jungles in Honduras along the Coco River.

Mr. Courson recently returned from his 23d mission to the Honduras-Nicaragua border. More than 230 American volunteers on CERT missions have been eyewitnesses to the scars of anti-Christian religious persecution and torture, the genocide campaign against the Miskito Indians, and the complete destruction of Nicaraguan villages. All this and more was done by the Communist Sandinista dictatorship of Nicaragua with the advice and assistance of the Soviet Union, Cuba, the PLO, and Libya.

In face of all of the misery which David Courson has seen you may wonder what he is enthusiastic about.

Let me ask you, have you ever sat down to eat dinner across from a dozen starving children who are staring at you and hoping that you will drop a crumb so that they will have something to eat? These are the conditions under which the volunteers of the Christian Emergency Relief Team operate.

David Courson is enthusiastic about saving the lives of men, women, and children who are dying in the jungles of Honduras and Nicaragua. He is enthusiastic about being an ambassador of friendship from the people of the United States to the victims of Communist repression who are living in poverty in makeshift refugee camps.

The Christian Emergency Relief Team gives medical, humanitarian and spiritual aid to the poorest of the poor. They travel to areas where no other groups dare to tread. Most of the people who are served by Mr. Courson's

organization never even saw a Norte Americano until they felt the healing hands of the volunteers of the Christian Emergency Relief Team.

Mr. Courson is enthusiastic about the doctors like Dean Rust of Lancaster, PA; Dr. Richard Gladden of San Diego, and Dr. Andy Anderson of Lansing, MI, who volunteer their time and money to travel to these remote villages by dugout canoes, motor boats and by hiking through jungles with 70 pounds of medical supplies on their backs.

After just a few moments talking with Mr. Courson you begin to feel his burning desire to help these poor people regain their freedom to worship God, and their right to live in their homeland without being terrorized by Communist Sandinista soldiers and their Cuban advisers.

Why do doctors, nurses, paramedics, firemen, housewives, beauticians, teachers, and even Las Vegas blackjack dealers sacrifice their time, money and comfort to participate on a 2-week mission? Perhaps it is because of children like Roberto.

The Christian Emergency Relief Team volunteers found Roberto living in agony in a jungle camp. Roberto had parasites in his belly probably 8 to 10 feet long. They were robbing him of all nutrition. He was in danger of his intestines being blocked completely. If the volunteers had arrived a week later, Roberto would have died.

But because of the compassion of David Courson and his volunteers who arrived in time, and because of 25 cents worth of medicine paid for by generous American contributors to Mr. Courson's organization, Roberto's life was saved.

The Communist Sandinista dictatorship had driven Roberto out of his home and burned his village to the ground. They had made orphans out of his friends. And the miserable conditions which Roberto was forced to escape to—no safe water supply, no reliable source of food, no doctors, no medicine—was about to rob Roberto of his young life. Instead, Mr. Courson's angels of mercy returned Roberto to health.

Mr. Speaker, the Christian Emergency Relief Team and Mr. Courson do not wear their religion on their sleeves. They do not debate and wring their hands over what should be done. Instead, they put their religion into action relying upon their Creator for guidance, strength, and protection.

I am proud to associate myself with the Christian Emergency Relief Team. It is my honor to support the heroic efforts of David Courson and his Christian Emergency Relief Team. What a different world we would live in if only we had a few hundred more people such as David Courson.

#### SUPPLY-SIDE ECONOMICS: IT'S STILL WORKING!

### HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 1988

Mr. CRANE. Mr. Speaker, well, President Reagan was right. He ran on the platform of

supply-side economics and its ability to control inflation, create capital which in turn creates jobs and lower-interest rates. Eight years later we have 4 percent inflation, more people in jobs than ever before, and interest rates near 9 percent. We have had 60-plus months of continued economic growth. The only problem with overbounding success is that opposition to economic prosperity always talk of gloom, crashes and recession. The media continue to detract from the successes and are leading the post-Reagan era of gloom. There is no reason for the people of this country to accept this doomsday forecast. We must continue to follow the path of prosperity and economic soundness. Dr. Paul Craig Roberts comments on the media and their role to down play the success of the President's economic policies. The article follows:

[From the Washington Times, Mar. 25, 1988]

#### SUPPLY-SIDE TIDE SWEEPS ON AND ON

(By Paul Craig Roberts)

"The reason for the worldwide trend toward lower top rates of tax is clear," British Chancellor of the Exchequer Nigel Lawson declared last week. "Excessive rates on income tax destroy enterprise, encourage avoidance and drive talent to more hospitable shores overseas. As a result, far from raising additional revenue, over time they actually raise less. By contrast, a reduction in the top rates of income tax can, over time, result in a higher, not lower, yield to the Exchequer."

With that, he announced that Maggie Thatcher's Britain was slashing the top tax rate by 33 percent and moving to a two-bracket system of 25 percent and 40 percent.

What The Wall Street Journal called "the tax-troglodyte editors of the [London] Financial Times" could hardly stand it. After years of public hand-wringing over the Reagan tax cuts and ignored calls for higher U.S. taxes, it is galling indeed for the Financial Times to find that it has no influence on the British government either.

The United Kingdom's decision to end its long-standing policy of punishing its success should have been front-page news in the United States. But American journalists, now into their eighth year of ideological set-against President Reagan's supply-side economic policy, are embarrassed by the British development and buried the story in the back pages.

If our "watchdog press" has its way, no one will ever know that Mrs. Thatcher's Britain has cut the top tax rate from 98 percent to 40 percent.

Two days before Mr. Lawson announced Britain's sweeping tax cuts, the left-wing Washington Post carried a story by Paul Blustein trumpeting the demise of supply-side economics. "Little Demand Seen for Supply-Side Ideas," "Supply-Side, Survival at Stake," said the headlines.

Robert Solomon of the Brookings Institution and Alan Blinder of Princeton brashly predicted that supply-side economics was about to "disappear from the face of the earth," which goes to show what wonderful forecasters economists are.

The Washington Post "story" was a rewrite of a Wall Street Journal tract by Alan Murray. A pupil of Joseph Minarik, a so-called-successful advocate at the Urban Institute in Washington, D.C.

Mr. Murray did his best to bury supply-side, but the body would not lie still. While

he shoveling, the supply-side sprang up in France, where the government adopted the policy and elevated a top Reagan taxcutter to the Legion of Honor "for the renewal of economic science and policy after a half century of state interventionism."

Equally determined to embarrass itself, Newsweek magazine assigned its normally objective columnist Robert Samuelson to write a supply-side diatribe just in time for the British tax cuts. The magazine further hurt its credibility by refusing to publish a letter correcting factual misstatements.

American journalists can hardly bear it that none of the Democrats running for their party's presidential nomination will call for the repeal of the Reagan-Kemp tax cuts. Both The New York Times and The Washington Post have offered their editorial protection to any candidate who will campaign against the tax cuts, but they have had no takers.

English-speaking journalists are alone in the world in their preference for high taxes. The explanation for this peculiarity is that they learn economics in journalism schools.

There they are taught that the proper way to run an economy is to fix wages and salaries while pumping up demand with government spending. In this view, taxation has no economic role. Rather, it is a social mechanism for giving back to the poor the money stolen from them by the rich. To such simple-minded folk, the supply-side, with its emphasis on low tax rates, is an abomination.

American journalists are drowning in their own spite. Throughout Mr. Reagan's two terms they have predicted the imminent demise of the U.S. economy. Meanwhile, the economy recovered from the Keynesian stagnation of the 1970s and has gone on from victory to victory.

Abroad, socialist India, France, Labor New Zealand and Australia, and now staid conservative England have cut taxes, privatized and decontrolled. While journalists and professors rant, the supply-side revolution sweeps on.

Germany will be the next to succumb. Its anti/growth, high tax policies are untenable in the face of the restructuring of incentives in the United States, France and the United Kingdom.

Germany is already experiencing difficulty in attracting its own investment capital, and its partners in the European Monetary System are rebelling against the leadership that has produced zero employment growth during the 1980s. Germany can go supply-side or wither on the vine.

The Germans have been held back by the heady stream of disinformation pumped out by American journalists about the "crisis of the Reagan economy."

Once the growth miracle of Europe, Germany was tricked into believing that Mr. Reagan has an inflationary policy that threatened Germany with a new round of imported inflation.

Mistaking a journalistic anti-Reagan political campaign for fact, Germany protected itself with deflationary policies against an American inflation that never materialized.

American journalists did not succeed in wrecking the Reagan economy, but their propaganda has prevented any employment growth in Europe during this decade. The American liberal wears his anti-Reaganism as a badge of his morality, but his real ac-

complishment is to have denied opportunity to a generation of Europeans.

#### A TRIBUTE TO THE NEWTON-TRUMBULL DEMOCRAT CLUB

**HON. JAMES A. TRAFICANT, JR.**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 1988

Mr. TRAFICANT. Mr. Speaker, today I rise in order to pay tribute to the Newton-Trumbull Democrat Club, a very special organization in my 17th Congressional District. I had the supreme honor of being the main speaker at their appreciation dinner. Please allow me a few moments to inform you about this outstanding group.

Their appreciation dinner was held at Newton Falls Community Center in Newton Falls, OH, on Saturday, April 16, 1988. At this dinner, I had the great privilege of giving congressional certificates to three very close friends of mine who are active members of the Newton-Trumbull Democrat Club—Martha Hulvey Marshall, Alva Beard Bash, and Katarina Kokat Luketic. All three have been loyal and dedicated Democrats for over 50 years, and Martha and Alva served as Democratic precinct committeepersons for over 30 years.

In addition, each of these women exemplify the American dream. Martha was born in Czechoslovakia and Katarina was born in Yugoslavia, and each have been extremely successful in this Nation. Alva prospered for many years as the owner of her own dress design business in Newton Falls. It was indeed a moment of great pride for me when I presented the certificates to these three wonderful individuals.

The officers of the Newton-Trumbull Democrat Club are President Edward Monroe, Vice President Frank Pliska, Secretary Barry Baer, and Treasurer Edwin Ballas. Each of these persons are doing a great job in making their organization a powerful and influential force in both Trumbull County Democratic politics and Ohio Democratic affairs. The dinner committee—composed of Chairperson Frank Pliska, Rosemary Greathouse, Betty Atkin, Dale Martin, President Monroe, and Treasurer Ballas—deserves great praise, for they were responsible for the excellence of the appreciation dinner.

Thus, it is with thanks and special pleasure that I join with the people of the 17th Congressional District in saluting the strongly patriotic individuals who compose the Newton-Trumbull Democrat Club.

#### WIDE SEIZURE NET SNAGS WAR ON DRUGS

**HON. CHARLES B. RANGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 1988

Mr. RANGEL. Mr. Speaker, I recently read an article from the Wall Street Journal of May 27, 1988, on the Coast Guard's controversial

zero tolerance policy. The article entitled, "Wide Seizure Net Snags War on Drugs" was written by Mr. Mark Thompson. I ask that Mr. Thompson's article be printed in the CONGRESSIONAL RECORD for the information of Members and the public.

The article follows:

[From the Wall Street Journal, May 27, 1988]

#### WIDE SEIZURE NET SNAGS WAR ON DRUGS (By Mark Thompson)

After the Coast Guard conducted some well-publicized seizures of yachts and other craft this spring when minute quantities of drugs were found on board, the Customs Service quickly released most of the boats when their owners paid modest fines. The Coast Guard now says it will not seize boats outside the U.S. 12-mile territorial limit unless it finds a quantity of drugs that indicates an intent to smuggle them into the country. It has hedged a bit on its policy within U.S. waters.

The Coast Guard's retreat from its "zero tolerance" crackdown on drugs apparently stems from a concern that the federal government's forfeiture laws, if applied to the property of casual drug users, would suffer a series of damaging setbacks in court.

The policy generated a lot of heat both in the press and within the Coast Guard, which recently suffered a 50% cut in funds for the interdiction of drug supplies. Some federal prosecutors had hinted that they wouldn't back up the forfeiture of yachts and other conveyances found with minute quantities of drugs if large numbers of dispossessed owners sought judicial review. If the cases were to get to that stage, judges would have good excuses to put limits on the tough statutes. And if taken to a jury, cases involving seizures of valuable property from casual drug users most likely would be shot down.

#### SUPREME COURT DECISION

Forfeiture laws, fortified by a 1984 congressional act that allowed forfeitures to be carried out in conjunction with criminal proceedings, have been a major boom to law-enforcement agencies' efforts against drug dealers. While federal courts have ruled—following several court challenges—that real-estate seizures must be proportionate to the drug offense perpetrated, there is no such limit on forfeitures of other property.

According to a 1974 Supreme Court decision, *Calero-Toledo v. Pearson Yacht Leasing Co.*, any conveyance, no matter how valuable, can be seized by the government even if it is carrying just a trace of an illicit drug. An owner can escape the sanction only by demonstrating that he neither knew nor had reason to know that any drugs were on the conveyance. Civil forfeiture statutes, which were the only such statutes at the time of the court decision, permit federal law-enforcement agencies to process the seizures in quick administrative hearings, with the property owner bearing most of the burden of proof on appeal.

In Los Angeles, the city with the most drug-related forfeitures, U.S. Attorney Robert Bonner says his office has 300 forfeiture cases—both civil and criminal, involving both real estate and other property—pending against traffickers. He hauled in \$45 million in assets last year, and expects to take in \$50 million this year.



The laws haven't been applied only against big-time dealers. In some cases, even small-time buyers have felt their sting. Local authorities in New York, for example, in conjunction with the Drug Enforcement Administration, recently completed their 1,000th seizure of an automobile driven by someone observed purchasing drugs. In Los Angeles, Police Chief Daryl Gates has set a 5,000-car target for a similar joint local-federal forfeiture drive that began last October.

But these programs work only because they have been implemented in such a way as to keep most cases out of the courts. Authorities have returned cars quickly to owners whose guilt wouldn't be easy to prove in court. People who have lost their cars have been so clearly guilty that few have bothered to appeal the seizures. In New York, only three cases have come under judicial review, says Pam Dempsey, an assistant U.S. attorney in Manhattan, and prosecutors have won each time. None of the dozens of auto forfeitures carried out in Los Angeles have been appealed, says Mr. Bonner.

Largely satisfied with the successes they've achieved, many prosecutors don't want to press their luck with the forfeiture laws. Yet the Coast Guard's zero-tolerance drive would have forced them to do just that.

Peter Nunez, the U.S. attorney in San Diego—where the oceanographic-research ship *Atlantis II* and other expensive vessels were seized over tiny quantities of marijuana—is bluntest in his criticism of the policy. He was "hit cold" with the Coast Guard seizures, he says, adding that he made it clear that his office "will not be able to follow through on a large volume of such cases if they reach the court stage." Some of the cases, he says, wouldn't stand up in court.

Ron Sinoway, a California defense attorney who specializes in defending marijuana-cultivation cases, almost wishes the government would push the zero-tolerance policy to the limits. "I think if they keep it up," he explains, "they'll find some judges who won't go along with them." If judges decide to extend to the seizure of conveyances the rule that a forfeiture must be proportionate to the offense, "zero tolerance would be meaningless," Mr. Sinoway says. He adds that the 1974 Supreme Court decision, because of peculiarities of the facts of that case, could be interpreted to apply only where the conveyance apparently had been used in a smuggling operation.

"The government is scurrying to take reasonable positions. [Prosecutors] don't want to face a judge with one of these cases," says Peter Robinson, a Santa Rosa, Calif., defense lawyer, referring to the recent spate of yacht seizures. "They go to such an extreme that they will offend most law-abiding citizens."

Mr. Robinson learned first-hand how low many citizens' threshold of tolerance for government seizures of property can be. For 1981 through 1987, he was an assistant U.S. attorney who specialized in attempting to seize the buildings and land of Northern California's industrious marijuana growers. In a drive to destroy the region's \$1 billion annual crop, the joint federal-state Campaign Against Marijuana Planting has rooted out nearly 3,000 gardens since 1983.

Though federal authorities still talk tough about seizing entire land holdings if a pot patch is found anywhere on the property, in practice such efforts have never fared well. Only a dozen or so farms have been

taken over by the government, and those have involved sophisticated commercial plantations with hundreds of \$5,000-plus plants. In these cases, proportionality was met.

Mr. Robinson says that in the one land-seizure case in Northern California that headed into a jury trial, in 1986, prospective jurors were openly hostile to the prosecution when told the case would involve an attempted government grab of a local resident's land. The government accepted a fine and returned the land in a plea bargain. Since then, prosecutors have returned dozens of tracts upon payment of fines.

Prosecutors might well run even greater risks in taking zero-tolerance cases to a jury. Even in a civil forfeiture proceeding, an owner could seek a jury trial on grounds that the loss of valuable property over a tiny quantity of drugs is a "quasi-criminal" penalty, explains Donald Re, a Los Angeles criminal defense lawyer. "When the government oversteps the bounds of reasonableness, [prosecutors] have to be concerned about whether jurors will go along," he says.

#### A BACKLASH

While polls indicate that many people are concerned about drug abuse, Mr. Re believes the seizures have been taken to such an extreme that they will provoke a backlash. As he sees it, many jurors will view as unreasonable any seizure of valuable property from a recreational drug user. "When you impose that kind of sanction for conduct that most people don't consider all that horrendous," explains Mr. Re, "it shows that the government has lost touch with its own people."

U.S. Attorney Bonner has broader criteria in considering whether to pursue a forfeiture case against a drug user. "We are definitely going to pay attention to the maximum sentences that Congress has set," even for those caught with user-quantities of drugs, he says. "But there are limits to what we can do." He says that there is "an enormous backlog" of forfeiture cases against traffickers. In forfeiture cases against drug users, he adds, "You can definitely get into something that's a question of being so disproportionate that you'd have to think of a sanction short of forfeiture."

#### INTRODUCTION OF THE SOLANO PROJECT INDEBTEDNESS PREPAYMENT ACT

HON. VIC FAZIO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 1988

Mr. FAZIO. Mr. Speaker, today I am introducing a bill to authorize and direct the Bureau of Reclamation to sell the facilities of the Solano project, a water project in northern California. The sale would be made to Solano County, CA, and the Solano Water Authority [SWA], a joint-powers entity comprised of all the public entities responsible for delivering urban and agricultural water in Solano County.

I am pleased that the terms of sale implicit in this bill would benefit both the Federal taxpayer and the citizens of Solano County. The Government would benefit because SWA and the county are proposing to pay a price almost twice what the project is actually worth

to the Government. SWA and the county would gain because the purchase will allow savings and efficiencies in water use, as well as other benefits attributable to an owner's control over water supply.

This bill only calls for the sale of Monticello Dam and other Solano project water delivery facilities downstream. It does not propose that the Bureau sell Lake Berryessa, the reservoir behind Monticello Dam.

This legislation will not affect Napa County, which lies northeast of Solano County and in which Lake Berryessa is located. Ownership of the lake will remain the same. Use of the water will remain the same.

This bill will not alter water rights. The California Water Resources Control Board has jurisdiction over water rights in my State. Under State law and practice, water users in Solano County will continue to receive 201,000 acre-feet of water from the Solano project. Napa County will continue to have rights to 33,000 acre-feet of water the water resources control board has reserved for it in the upstream watershed. The University of California, Davis, will continue to receive the 4,000 acre-feet of water it now receives through the Solano project. By buying the dam and downstream facilities, Solano County water users would not be buying any water, or getting any new water, or taking any water now used by somebody else.

Similarly, this bill provides that all other benefits currently being enjoyed by any entity from the project will continue to be provided. Flood and other protections for Winters, CA, are in this category.

Finally, this bill should not be viewed as a precedent for the sale of Federal facilities. The Solano project stands by itself; it does not have physical or financial links with any other water project. There are no commingled debts to disentangle, no water supplies to divide or reapportion. Solano County water users pay for the project, operate the project, use water from the project and utterly depend on the Solano project. All these factors make the sale of the Solano project unique. This proposal, in my judgment, need not and should not be looked upon in the context of the privatization issue. It simply a local issue.

Sale of the Solano project would not really involve any other uses—such as hydroelectricity—which might conflict with Solano's ownership. One of Solano County's water delivery entities, the Solano Irrigation District, already owns the powerplant at the base of Monticello Dam, and will continue to own it whether or not the Government sells it, regardless of whom the Government might sell it to. Because of Solano's water allocation and its ownership of the powerplant, there can be no other buyer for the project. If this sale takes place, both parties—Federal and local—will be better off. If this sale does not take place, both parties will be worse off.

Mr. Speaker, the price being offered to the Bureau of Reclamation by the Solano water users is fair and no other interests would be affected by its sale. I urge my colleagues to support this legislation.

# MEDICARE CATASTROPHIC COVERAGE ACT OF 1988

## HON. BILL SCHUETTE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 2, 1988

Mr. SCHUETTE. Mr. Speaker, I rise today in support of this conference agreement to provide protection against catastrophic illness for our Nation's 31 million elderly and disabled. The centerpiece of this important measure—the cap on out-of-pocket hospital and Medicare-covered physician expenses—will offer protection to senior citizens who might otherwise be financially devastated by unexpected illness requiring extended hospitalization or physician care. This legislation will provide many new benefits resulting in a much-needed sense of security and peace of mind not previously afforded to our Nation's elderly.

The conference agreement before us today has significantly improved the earlier House-passed catastrophic health care bill. I voted against that measure for several reasons, most importantly because of my concern over the increased costs it would have imposed on middle-income senior citizens. The lack of cost controls which would have threatened the solvency of the Medicare trust funds also caused me much concern, as did the lack of coverage for nursing home care. Although this conference agreement does not address nursing home care, I believe the changes to the original House measure have resulted in a good bill that will provide much needed protection to our Nation's seniors.

The bill extends hospital coverage under Medicare to 365 days from the current limit of 90 days—plus the lifetime reserve of 60 days. Hospital costs are limited to payment of one deductible per year, which will be \$564 in 1989. Annual out-of-pocket costs for Medicare-covered physician expenses will be capped, limiting these costs to \$1,370 in 1990.

A new benefit provided in the bill phases in coverage for prescription drugs. After the phase-in is complete, Medicare will pay 80 percent of most prescription drugs after payment of an annual deductible—\$600 in 1991.

A provision I was particularly pleased to see included in the conference agreement is the protection against spousal impoverishment. We have all heard the stories of an elderly spouse taken ill and in need of long-term care. The healthy spouse must spend down the couple's assets and income before they can qualify for Government assistance. This is a disheartening situation, and one which I am very pleased to see addressed. Under the bill, the income that may be retained while continuing to qualify for Medicaid, will gradually be raised. In addition, the spouse at home will be permitted to keep at least \$12,000 worth of the couple's combined assets, as well as the couple's house.

Other important benefits contained in this conference report include expanded home health benefits, respite care services, extended hospice care and skilled nursing facility care, mammography screening, and addi-

## EXTENSIONS OF REMARKS

tional benefits for the elderly and disabled with incomes below the poverty level.

Although this bill is not perfect, it does contain many good provisions which will help millions of our Nation's elderly. Mr. Speaker, I urge my colleagues to support this conference agreement. It is a much-needed and positive step forward toward alleviating the devastating impact of unexpected and extended illness.

## IN HONOR OF THE CAPITOL BALLET COMPANY'S 27TH AN- NIVERSARY

## HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 1988

Mr. DELLUMS. Mr. Speaker, on Friday, May 13, 1988, the Capitol Ballet Company, the Nation's oldest predominantly black ballet company, celebrated its first concert in 5 years at the University of the District of Columbia Auditorium. The Capitol Ballet Company, founded in 1961 by Doris Jones and the late Claire Haywood, was forced to close in 1983 due to financial setbacks.

During the Capitol Ballet's 22 years in existence, it provided the first performing outlet for the professional development of the too often neglected talented black ballet dancers. Included in its enormous list of alumni are Sandra Fortune-Green, first black American ballerina to compete in international dance competitions in Moscow, Soviet Union, and Varna, Bulgaria; Sylvester Campbell, former premiere danseur with several international ballet companies including the Royal Ballet of London, Royal Netherlands Ballet, and Maurice Bejart's Ballet of the Twentieth Century in Belgium; Hinton Battle, two-time Tony award winner and star of "The Tap Dance Kid," and "Dreamgirls"; Chita Rivera, Tony award winner and star of "West Side Story"; and Louis Johnson, choreographer of the movie version of "The Wiz."

The new 12-member company is under the artistic direction of founder Doris Jones and eminent choreographer/director/producer Billy Wilson with Dance Theatre of Harlem and Alvin Ailey alumnus Nathaniel Orr and former Capitol Ballet prima ballerina Sandra Fortune-Green serving as ballet master and ballet mistress respectively. The highlight of the company's inaugural concert was the courageous act of defiance on the Montgomery bus which prompted the civil rights movement of the 1960's. "Rosa," as well as the remainder of the performance, received numerous ovations from the enthusiastic audience present.

The artistic excellence and creative genius that the new Capitol Ballet Company displayed makes me hopeful that the new company will be able to continue the tradition of providing a professional training ground for talented dancers of all races while remaining a living legacy of black artistic expression through classical dance.

## NORWEGIAN CONSTITUTION DAY

## HON. DONALD E. "BUZ" LUKENS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 1988

Mr. DONALD E. "BUZ" LUKENS. Mr. Speaker, I would like to pay tribute today to "Syttende Mai," or Norwegian Constitution Day.

One hundred and seventy-four years ago, in 1814, Crown Prince Christian Frederick and the determined citizens of Norway joined forces to gain independence from Sweden. They did this by calling a constitutional assembly. On April 10, 1814, this group came together in Eidsvoll and by May of that year they had drafted the new Norwegian Constitution. On May 17, the document was signed and Christian Frederick was chosen as king of the new, independent nation, Norway.

In many ways, this new Norwegian Constitution resembled the American Constitution. It provided for three separate branches of government: executive, legislative, and judicial. Most importantly, this document guaranteed several basic civil and human rights to the citizens of Norway.

Although it has been altered several times since its original adoption, the Norwegian Constitution still provides for the basic structure of government and is highly respected by the people of Norway.

On May 17, Norwegians the world over show their respect and love for this document and the ideals that it encompasses through parades and celebrations. The most impressive festivities are held in the capital city of Oslo. Each year, thousands of children gather in the streets, carrying flags, and parade before the royal palace to pay tribute to the monarch. This activity is accompanied by other parades, wreath laying ceremonies, the decorating of buildings, and, the flying of the national banner.

On this special day, I would like to pay tribute to Norwegians everywhere for their strong sense of patriotism and determination which brought them independence over a century ago.

## RUINING PANAMA BY FLOUN- DERING IN A SEA OF IGNO- RANCE

## HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 1988

Mr. CRANE. Mr. Speaker, by now we are all aware of the debacle that U.S. foreign policy has flung itself into with regards to Panama. It is without a doubt that we have backed ourselves into a corner. James P. Gallagher, a foreign affairs policy analyst with the Republican Study Committee, has provided some current points that all Members of Congress should be made aware of:

In 1988, 18 percent of U.S. exports and 10 percent of imports will transit the canal.



The Panama Canal is considered by military observers to be a strategic choke point. If closed, ships would have to make a 13,000 mile journey around the southern cone to either U.S. coast.

There are close to 13,000 American troops deployed in Panama to preserve the security of the canal zone.

The current crisis in Panama began in June 1987, when General Manuel Noriega's second in command accused him of political murders, corruption, and drug trafficking.

Noriega has been accused by his former chief political adviser in Senate testimony of amassing a fortune of \$300 million, while receiving a salary of under \$50,000.

Noriega was indicted by two Federal grand juries of drug trafficking, money laundering, and racketeering.

Since the beginning of the crisis, the United States has supported the opposition National Civic Crusade to peacefully oust Noriega.

It is clear to me that we have been unsuccessful in our attempts peacefully to return Panama to a self-governing state. Noriega has a firm grasp on his country and is admired by many of the country's citizens. We have broken ties with Panama. We have frozen \$48 million in Panamanian Government funds and established escrow accounts for canal payments that prevent Noriega from receiving them. U.S. corporations have won approval to withhold tax payments to the Panamanian Government. Still, like a bad stench, Noriega lingers.

In fact, Noriega has done so well that the press community in this country has hailed him a victor over U.S. foreign policy. In this day and age of "say no to drugs," we have unfortunately said yes to Noriega, a vote for the evergrowing drug trade. The time has come for the President to take the initiative and forget about Noriega. He is not important. What the President needs to do is liberate the Panama Canal from the hands of this dictator. We need to reestablish complete and total control of the canal and the zone and preserve it for world use. The security of this country should not hinge on the needs and desires of a druglord and his cronies.

#### A TRIBUTE TO JOHN AND SHIRLEY DIPRESTA

**HON. JAMES A. TRAFICANT, JR.**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Friday, June 10, 1988*

Mr. TRAFICANT. Mr. Speaker, today I rise in order to pay tribute to John and Shirley DiPresta, two very special residents of my 17th Congressional District. John and Shirley exemplify deep humanitarian concern for little children of all races. It is one of my proudest and most humbling moments as a Member of Congress to have the great honor of informing my fellow Members of the U.S. House of Representatives about these two outstanding human beings.

John and Shirley DiPresta have five children of their own, and have deprived themselves of every possible luxury in order to make sure their children received the best education pos-

sible. For this, Mr. and Mrs. DiPresta are to be highly commended. However, the heart-warming story of this family does not end there.

One cold evening, John found a young black child living and sleeping in an abandoned car. Without hesitation, he took the little boy into his home and made him part of his family. He later did the same for a white boy he found living in the streets. John and Shirley raised these two children as their very own, without a second's thought about the additional financial burden.

I also must note that John and Shirley did an outstanding job raising them. Their black son is now enrolled with Jobs Corp in Pittsburgh and the white child is studying at the New Castle School of Trades.

I salute John and Shirley DiPresta for their great sacrifices and prejudice-free concern for humanity. It is with abounding pride that I recognize their achievements. Thus, it is with thanks and special pleasure that I join the people of the 17th Congressional District in paying tribute to the outstanding accomplishments and extremely admirable characters of John and Shirley DiPresta.

#### THE COLOR OF CRIME

**HON. CHARLES B. RANGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Friday, June 10, 1988*

Mr. RANGEL. Mr. Speaker, a recent article published in the Wall Street Journal painted for us a bleak picture of crime in America. Most other articles, reports, and studies that we see on crime and violence in America tend to tell us what we already know—that crime is on the rise or something of that sort. But in the May 10, 1988 Wall Street Journal article, "Do Black Crime Victims Matter?," we are told about the color of crime in America. And this too is a tragedy.

The point of this article, Mr. Speaker, is that many disparities exist today in the way black crime victims and defendants are treated by the system as compared to those who are white.

For example, according to this very insightful article, the FBI's uniform crime report for 1986 tells us that blacks accounted for 44.2 percent of all murder victims in the country. So often we are led to believe that blacks only commit crime and are not the victims. But as this figure indicates, we are a major portion of those who are victims of America's most violent offense.

Further, Mr. Speaker, this article points out that in a 1983 study of the South Carolina penal system, requests for the death penalty were made in cases in which a black killed a white a total of 49 percent of the time. In cases where one black killed another black, the death penalty was sought only 11 percent of the time. The inevitable question becomes, is a black life worth less than a white life in America?

In a 1980 analysis, two social scientists discovered that homicides are often described and classified according to the race of both the victim and the defendant. In a study of Florida homicides, from 1972 to 1977, these

men discovered that homicides not committed in the course of another felony were upgraded to felony status in 69 percent of the cases where a black was charged with killing a white. But when a black was charged with killing another black, only 13.3 percent of the cases were upgraded to felony status.

These are just a number of studies and reports cited in this Wall Street Journal article, Mr. Speaker. What is important to note here is that this information all points to one thing—that race is a very important factor in determining the way that crimes are classified and in the way that defendants involved in these crimes are sentenced.

In 1988, Mr. Speaker, I say to my colleagues, that we can ill afford as a Nation to continue to facilitate these horrible and unjust trends in our justice system. The United States is the greatest country in the world, and we have grown together and come through a lot together as one. Unfortunately, our justice system, which promises justice for all, still has a way to go to catch up with the rest of America in terms of battling back the racism that once characterized and dominated our Nation's history.

For the purposes of information of all my colleagues in this distinguished body, Mr. Speaker, I ask that the Wall Street Journal article be placed in the RECORD on this date.

[From the Wall Street Journal, May 10, 1988]

#### DO BLACK CRIME VICTIMS MATTER?

(By Christopher Muldor)

In Washington, followers of Louis Farrakhan, frustrated by policy inaction, turned violent while attempting to rid a housing project of drug dealers. In Brooklyn, another Black Muslim sect has used patrols to make a square block safe for women, children and storeowners. In Los Angeles, minority leaders claim that gang crime was ignored until a young woman was murdered in well-off Westwood.

These are spot indicators of growing impatience among blacks with a criminal-justice system that gives them short shrift as victims. Certainly, they bear a disproportionate share of the burden of crime. For example, the FBI's Uniform Crime Reports says blacks constituted 44.2% of all murder victims in 1986, the latest year for which figures are available.

Are crimes involving black victims treated with unjustifiable leniency? Are there significant racial disparities in sentencing?

#### SUBSTANTIAL DISPARITIES

One of the few studies of noncapital sentencing suggests so. Gary LaFree in an October 1980 study in American Sociological Review examined the processing of 881 men charged with forcible sex offenses from 1970 through 1975 in an unidentified, large Midwestern city. He found that assaults by blacks on other blacks were treated the most leniently, while assaults by blacks on whites met with the most punitive response. Assaults by whites on whites fell somewhere in between. (Because assaults by whites on black constituted only 1.2% of the sample, they were excluded from the study.)

Mr. LaFree noted that the sentencing disparities were substantial: "Black men accused of assaulting black women accounted for 45% of all reported cases, but for only 26% of all men sentenced to the state penitentiary and for only 17% of all men who re-

ceived sentences of six or more years. By contrast, black men accused of assaulting white women accounted for 23% of all reported rapes, but for 45% of all men sent to the State penitentiary and for 50% of all men who received sentences of six or more years."

Unfortunately, data on victim-based racial disparities in noncapital cases are very limited. To further pursue the question of sentencing fairness in crimes with black victims, it is necessary to focus on the extensive research done on death-penalty cases, primarily in the South. Most of this research has been done on cases from the 1970s that followed the passage of new capital-punishment statutes.

Several aspects of the criminal-justice process have been examined. One is prosecutorial behavior: Will the prosecutor, in a case that qualifies for the death penalty, actually seek it?

When Raymond Paternoster, in a study published in the fall 1983 *Journal of Criminal Law and Criminology*, examined the activities of prosecutors in South Carolina over several years, he found evidence that race was a major factor in the prosecutor's decision to seek capital punishment. Death requests were made in 49% of the 111 cases of capital murder (a homicide with at least one statutory aggravating circumstance, usually an accompanying felony) in which a black killed a white. Death requests were made in only 11% of the 76 cases of capital murder in which a black killed a black. A 1984 study by Mr. Paternoster in *Law and Society Review* showed similar results.

Mr. Paternoster noted that "prosecutors seek the death penalty in over 70% of multiple felony, interracial homicides and where whites kill whites. However, they request a death sentence in less than 40% of the multiple felony homicides in which blacks kill blacks."

Another way to gauge racial disparities in capital sentencing is to examine the degree to which police descriptions of a homicide are changed in court data by the prosecutors. William Bowers and Glenn Pierce, in their October 1980 analysis in *Crime and Delinquency* of homicide cases, found startling racial disparities. In Florida (December 1972-December 1977), when the police reported no felony circumstances—i.e., the homicide was not committed in the course of another felony—nearly 69% of the cases were upgraded to felony status in the court data when a black killed a white; by contrast, only 13.3% of these cases were upgraded when a black killed a black. When the police reported a suspected felony circumstance, all cases in which a black killed a white were upgraded to felony status by the court, but only 16.7% were so upgraded when a black killed another black.

Michael Radelet, in the December 1981 *American Sociological Review*, examined 1976-77 homicide cases in Florida and found that while the probability of a first-degree murder indictment (required for imposition of the death penalty under Florida law) was higher for white than for black defendants (80% vs. 69%), this occurred only because most homicide victims were slain by members of their own race. The probability of a first-degree murder indictment against a black who killed a white was 92.1%, but for blacks who killed other blacks, that probability dropped to 54.4%. (These figures excluded homicides occurring among family members, friends, ex-lovers, etc.)

Samuel Gross and Robert Mauro, who conducted an unusually exhaustive analysis

of capital sentencing patterns in several states (1976 through 1980), published their results in 1984 in the *Stanford Law Review*. They found consistent and sustained evidence of racial disparities based on the race of the victim, and these disparities did not disappear when they controlled for other relevant variables. An advantage of their study is that it covered a Northern industrial state, Illinois, as well as several Southern states.

Major disparities were apparent in each state examined. For those homicides committed in the course of another felony, death sentences were roughly five times as likely in Georgia when the victim was white as when the victim was black. In Florida, white-victim cases were about four times as likely to draw the death penalty; in Illinois, three times as likely.

Several conclusions can be drawn from the data of these and other studies:

First, the prime racial disparity in capital sentencing centers on the race of the victim, not the race of the defendant.

Second, the great majority of these studies attempt to rule out competing explanations for the sentencing disparity, such as a difference in the relationship between murderer and victim.

Third, the finding of the same basic pattern again and again, by a variety of researchers controlling for a host of other variables, lends credence to the view that the disparities reflect a real and robust phenomenon.

Various explanations of victim-based racial disparity are possible. Some researchers and commentators blame overt racism of Southern white judges and juries. Messrs. Gross and Mauro, however, have provided the more cogent and troubling explanation. Members of a particular race, they note, will identify with victims who belong to their own group more readily than with those who do not, even in the absence of any conscious prejudice. The makeup of the jury in capital cases is significant: Blacks, already a minority, are disproportionately excluded from capital cases since they are more likely than whites to oppose the death penalty.

If Messrs. Gross and Mauro are correct—and both common observation and much work in psychology and sociology suggests that they are—the resulting conundrum for criminal-justice policy may prove exceedingly difficult to resolve.

#### CONSTITUTIONALLY INTOLERABLE

Former Justice Lewis Powell, in *McCleskey v. Kemp* (1987), stated that the court would not interfere with a state's capital sentencing system unless evidence of discriminatory purpose in specific cases could be demonstrated. Jack Boger, an attorney who represented Warren McCleskey in his appeal of a Georgia death sentence, remarked that direct evidence could come only by "breaking the sanctity of the jury room." But breaking that sanctity, as extreme as that would be, probably still would not produce any direct evidence if, as Messrs. Gross and Mauro suggest, the tendency to have greater sympathy for victims more like oneself operates on an unconscious level.

At the same time, the results of that tendency are found in the marked race-of-victim sentencing disparities that exist, even when the legal circumstances of the crime in question are similar. These disparities, convincingly demonstrated in a variety of studies, would appear to be "constitutionally intolerable," to quote Justice John Paul Stevens in his *McCleskey* dissent. Sentencing decisions, particularly those that involve a choice of

life or death, should not hinge on the circumstances of the victim's race.

The problem of sentencing disparity must be viewed in the context of the enormous costs of crime to the black community. Although it is impossible to gauge these costs exactly—the noneconomic factors are extremely difficult to quantify—there can be little doubt that they are enormous. The FBI revealed a few years ago that one out of every 28 blacks males in the U.S. dies as the result of a homicide. The time has come to give much more serious thought to how crimes against blacks can receive the attention and punishment they deserve.

#### NATIONAL NHS— NEIGHBORWORKS WEEK

#### HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 1988

Ms. KAPTUR. Mr. Speaker, it is with great pleasure today that I congratulate the Neighborhood Reinvestment Corporation and the local Neighborhood Housing Services organizations in 138 cities across the country during this National NHS—NeighborWorks Week. Since its inception in the early 1970's, the NHS approach to the housing problems of urban America has been to bolster homeownership and support substantial moderate-income neighborhoods by funneling funds into home purchases and repairs. It is a wonderful partnership at the national and local level that joins community organizations, lending institutions and public officials to save and strengthen urban neighborhoods.

I especially want to recognize the accomplishments of Neighborhood Housing Services of Toledo which has two active programs—one in the old West End, the other in the historic South Side. Through these two groups, 157 residential properties have been rehabilitated, \$1.8 million has been committed from the local NHS revolving loan fund and local lending institutions have invested \$28 million in first mortgage and home improvement loans. The city has spent \$200,000 in community development block grant funds for capital improvements in the two NHS areas. Over 40 vacant and vandalized properties have been rehabilitated for new owner-occupants.

The Toledo NHS has an active home weatherization program to help low-income families, the elderly, and handicapped to reduce their energy costs. Over 4,500 energy audits have been performed by the Toledo NHS with the support of Federal, State and private funds. Working with a special program of Columbia Gas of Ohio, the HNS has replaced old and deficient furnaces in 40 properties for low-income families or the elderly who otherwise could not have afforded to improve or replace their heating systems.

The Neighborhood Housing Services approach illustrates that self-help and initiative works and that homeownership is the key to stabilizing and strengthening neighborhoods. I am proud to be a longtime supporter of the Neighborhood Reinvestment Corporation and



wish it and its local NHS organizations continued success.

## LET'S USE SURPLUS CROPS TO FEED THE HUNGRY

**HON. BYRON L. DORGAN**

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 1988

Mr. DORGAN of North Dakota. Mr. Speaker, I am introducing a bill today that will help us better utilize the extraordinary food-producing capacity of our farmers to feed America's hungry.

As my colleagues are aware, we are trying to work our way out of a period of large agricultural surpluses. But even though we're making headway, the government's Commodity Credit Corporation [CCC] still holds very substantial amounts of wheat and corn, this country's most important food crops.

### HUNGER IN AMERICA CONTINUES

At the same time, in the land of extraordinary agricultural productivity, poverty and hunger persist, and our current food assistance programs are only meeting part of the need.

Of the rural American households whose income is below the poverty level, only 16 percent are receiving Aid to Families with Dependent Children [AFDC]; of the urban households whose income is below the poverty level, only 35 percent receive AFDC. Of these poor rural households, only 40 percent are participating in the Food Stamp Program; and only 46 percent of the poor urban households are participating.

In addition, 41 percent of all households receiving food from the Temporary Emergency Food Assistance Program [TEFAP] consider that program their regular source of food.

### TEFAP USES SURPLUSES TO COMBAT HUNGER

TEFAP was established in 1983 precisely to meet this need by using the surplus agricultural commodities being accumulated by the U.S. Department of Agriculture. Over the past 5 years, the program has distributed cheese, evaporated milk, honey, and rice to needy individuals through food banks, school lunch, and school breakfast programs, programs for the elderly, and other programs. As I've just indicated, this food has been extremely important in helping those people whose needs are not fully met by other Government programs.

But now, in 1988, surpluses of dairy products, honey, and rice have been diminishing, and the Department of Agriculture has announced that it will reduce its TEFAP distribution of these commodities to various recipient agencies. Understandably, this has provoked concern among many groups who wonder how we will fill the gap that will result when TEFAP distributions are reduced.

The bill I am introducing today will encourage one creative solution to this dilemma. TEFAP has focused on dairy, honey, and rice because these products are almost ready-to-use when the Government acquires them, and, therefore, neither the Government nor the recipient agency incurs much additional

expense in processing the food for final distribution. But, as I noted earlier, we still have large stockpiles of wheat and corn.

It is costing the Federal Government a lot of money to store these surplus commodities. For instance, in the fall of 1986, over half a million bushels of corn were trucked to Grand Forks, ND, from Iowa, where there was no more room to store it. About 325,000 bushels of corn are still sitting in Grand Forks, at a total cost to date of over \$3 per bushel. The current market price for corn is only about \$2 per bushel. Wouldn't it make more sense to process surplus grain to feed the hungry of this country, rather than storing it for years and paying costs well beyond what the commodity is worth?

### TURNING SURPLUS DURUM INTO PASTA FOR NEEDY

A nonprofit organization in Minnesota has done just that. Tri-Valley Opportunity Council has obtained 27,500 bushels of durum wheat from the CCC, and arranged for it to be processed into pasta products at reduced cost at the Noodles by Leonardo Co. in Cando, ND. Local farmers agreed to haul the grain to Cando for free, and now Burlington Northern Railroad has agreed to transport the finished product for no charge. Tri-Valley is now distributing the pasta to needy people through food bank networks in North Dakota and Minnesota, and has had requests from as far away as Texas and Ohio.

The total cost to Tri-Valley is about 20 cents per pound of pasta, compared to 40 cents per pound wholesale, and 50 cents per pound retail. Thus, with monetary contributions Tri-Valley has raised for this project, the organization has been able to deliver at least twice as much food to those in need as if the organization had to buy the food at the wholesale or retail level.

Changing durum wheat into pasta is only one way of many possibilities. Tri-Valley Opportunity Council is considering making pancake mix, peanut butter, and other products under similar arrangements. For those who are creative and energetic, the list is almost endless.

### BILL WOULD USE SURPLUS INSTEAD OF STORING IT AT HIGH COST

My bill is very simple. It would require USDA to encourage this type of creative solution to our current hunger problems. Under this legislation, USDA would solicit applications at least once per year from organizations which would arrange for processing and distribution of surplus commodities. The basic idea is further promote the use of our surplus agricultural production to solve the continuing hunger problem in this country.

Once the USDA approves an application and provides the commodities, the distributing organization does the rest. It pays to have the food processed into end-use products, and arranged for transportation to the final distribution points. All it requires is for the Department of Agriculture to make the commodities available.

### SURPLUS IS A BLESSING

Our bountiful production should be seen as a blessing, yet recently it has been more often seen as a curse, due to the large surpluses our farmers have generated. If we could make better use of those surpluses, more people

would realize this country's agricultural productivity for what it is, a true blessing and one of the most basic foundations upon which this country is built. I invite my colleagues to co-sponsor this legislation.

## TRIBUTE TO BILL KINNEY

**HON. GEORGE (BUDDY) DARDEN**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 1988

Mr. DARDEN. Mr. Speaker, Bill Kinney, who is senior editor of the Marietta Daily Journal, my hometown newspaper, has been a leader in the life of our community for many years. That reputation for leadership and involvement was acknowledged again recently when Bill was named the 1988 distinguished alumnus of Marietta High School.

The school's students and faculty paid tribute to Bill for the 47 years of contributions he has made to the community life of Cobb County and Marietta since his graduation from Marietta High in 1941. I am especially pleased that he received this award; Bill and I have been friends for many years, and he is among the most respected members of metropolitan Atlanta's journalism community.

Mr. Speaker, I invite my colleagues to join me in congratulating Bill on his many years of service to his hometown. I would like to submit for inclusion in the CONGRESSIONAL RECORD a feature, from the June 4, 1988, edition of the Marietta Daily Journal, about Bill and his career.

The following article from the Marietta Daily Journal of June 4, 1988, further describes Bill's outstanding contribution to our community.

### NEWSPAPER SENIOR EDITOR IS DISTINGUISHED ALUMNUS

(By Peggie R. Elgin)

Bill Kinney, a senior editor for The Marietta Daily Journal, was named 1988 Distinguished Alumnus at Marietta High School at graduation ceremonies Friday.

The award program was established in 1984 by the Endowment for Educational Excellence in Marietta City Schools to recognize alumni from the city high school who have contributed to the community.

Kinney was singled out for this year's honor because of his contributions to Cobb County and Marietta over the 47 years since his graduation from Marietta High School, said Dr. Roy D. Nichols, Marietta superintendent.

"Bill has served actively in countless civic and community activities," said Dr. Nichols. "And we particularly recognize the significant role he played as a chairman of the City/County steering committee, which was responsible for locating the Southern College of Technology in Marietta."

A graduate of the class of 1941, Kinney later earned degrees in journalism and business administration from the University of Georgia.

Co-owner and publisher of the Smyrna Herald, now the Smyrna Neighbor, for nearly 10 years, Kinney has been employed at The Marietta Daily Journal for 40 years as an editor. He now is an associate editor

and writes editorials, personal columns and the "Around Town," column, published every Saturday.

A member of the Cobb Development Authority, he serves as a trustee at the Southern College of Technology. He also is a member of the Cobb Federal Savings Bank and has been a member of the Kiwanis Club for 36 years.

In 1957 Kinney was named as one of the state's five Outstanding Young Men by the Georgia Jaycees.

Other alumni honored as distinguished alumni in previous years are:

Lucille Suhr, editor of the first Marietta High School Yearbook and one of the first women to serve as a delegate to the National Democratic Convention; Jasper Dorsey, journalist and syndicated columnist; Dr. Fred C. Davison, former president of the University of Georgia; and Joe Mack Wilson, state representative.

Kinney and his wife, Alberta, live in Marietta. Their two children, Dr. Bill Kinney III, a veterinarian who lives in Kennesaw; and Pat, who teaches freshman journalism and English at Elon College in North Carolina, also are graduates of Marietta High School.

## REPEAL THE ANTI-APARTHEID ACT OF 1986

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 1988

Mr. CRANE. Mr. Speaker, I have been a longtime critic of apartheid because it limits the political and economic freedom of black South Africans. The United States must pursue a policy vis-a-vis South Africa which will help create the environment necessary to aid blacks in their quest to achieve freedom. Many legislators argue that sanctions will serve this end by isolating the South African economy from the world community and thereby forcing the whites to share power. While these legislators are certainly interested in helping black South Africans, I am concerned that their support for sanctions is founded more on good will than well reasoned analysis. In opposition to the arguments of my colleagues, I agree with Zulu leader Nongothu Buthelezi's contention that sanctions undermine the growth of black economic and political power while making the Government even more recalcitrant.

It has now been 18 months since Congress passed the Comprehensive Anti-Apartheid Act of 1986, and the results have not lived up to the expectations of its supporters. Far from making whites more willing to negotiate, sanctions have given the most reactionary parties ammunition to argue that South Africa's security is threatened. In their view, the Government must respond to this threat by curtailing any thought of allowing further liberalization.

The far rightwing parties have gained a significant number of seats in Parliament at the expense of the liberal Progressive Federal Party [PFP]. It is instructive to note that the current Government is considered moderate within the South Africa political system. Should this Government be defeated by its more reactionary opponents, black South Afri-

cans could well conclude that overthrowing the Government is their remaining alternative.

Sanctions have also increased the economic might of whites while undercutting the economic power of blacks. Since the imposition of sanctions, over one-half of all American firms have decided to sell their subsidiaries to white South Africans at fire-sale prices. The new owners have all too often responded by laying off blacks and abolishing the many progressive work rules, educational programs, and fair pay which blacks have come to expect from their American employers.

So far, trade sanctions have had their most profound impact on the coal and agriculture industries, both of which have experienced sharp falloffs of exports and rising unemployment. An estimated 10,000 mine workers, mostly blacks, have been laid off since sanctions were imposed on coal imports. If sanctions continue, it is a foregone conclusion that blacks in other sectors of the economy will also lose their jobs. Such a development would be particularly disturbing at a time when economists estimate that the South African economy will need to create 300,000 new jobs every year to absorb new black entrants into the job market. To achieve this goal, South Africa will need to more than double the growth rate of its gross national product from 2 percent to 5 percent, to prevent the existing unemployment rate for blacks from rising dramatically. Without foreign investment, South Africa cannot hope to increase its economic growth rate by even 1 percent.

I question the wisdom of diminishing the economic power of blacks when the recent history of South Africa has shown the clear correlation between increasing levels of economic growth and black freedom. As the economy has grown—most significantly during the 1970's—white-owned firms have recognized that apartheid in the workplace constrains their ability to expand because of labor shortages in the skilled, white community. White firms have thus promoted an ever increasing number of their black employees to white collar and supervisory positions out of sheer economic need. The Government has also responded to the pressures of an expanding economy by repealing apartheid in the workplace, legalizing black trade unions, abolishing the pass laws, and sanctioning interracial marriage. Some would argue that these are merely obstructionist reforms, designed to quell the anger of blacks without giving them any real political power. I would argue that these reforms represent significant advances given the realities of South African politics.

History has shown that once an oppressed people gain economic power, they are able to negotiate with their adversaries from a position of power for additional rights. Let us not forget, for example, that Chinese immigrants were treated poorly in California during the gold rush. Through hard work, they gained economic might and eventually established enough power to destroy discrimination in such areas as housing and education. American Jews once pursued a similar strategy to combat discrimination. Sound policy toward South Africa requires us to reevaluate the

wisdom of sanctions and consider other policy alternatives which will further increase the ability of black South Africans to negotiate with the Government from a position of economic power.

Hence, I have introduced a bill which will repeal the Anti-Apartheid Act of 1986. This bill will allow the United States and the Republic of South Africa to once again establish normal economic relations. Hopefully, American firms will be encouraged to do business with South Africa and continue their outstanding record of abiding by the Sullivan Principles, a code of fair labor practices to which most American firms adhere. American firms will thus have the opportunity to play a vital role in advancing the economic and social position of black South Africans.

By increasing the economic contracts between our two countries, we will increase our ability to support the reformers within the South African Government who seek to moderate and eventually dismantle apartheid. Americans tend to forget that the vast majority of South Africans, regardless of color, admire the United States and wish to be considered as part of the Western community. There is every reason to believe that our presence in South Africa and our adherence to the Sullivan Principles will indeed influence South African policy in a favorable manner. Such a gradual evolution toward a just society is far better than continuing a policy of sanctions which will only help fan the fire of revolution.

Few Americans understand the ramifications of a total civil war in South Africa. Many white South Africans, particularly those of Dutch descent, come from families that settled in South Africa over three centuries ago. They believe it is their land. To protect their country from both foreign and domestic attack, the Government has made the South African army into the largest and best equipped one on the continent. Many defense experts believe that South Africa possesses nuclear weapons. Should a civil war break out, white South Africans will use all the force at their disposal to ensure victory because they believe that defeat would leave them homeless. And their assessment would be correct, because unlike the white Rhodesians who were able to flee to South Africa after the Ian Smith government was defeated, no African country would welcome white South African refugees.

Let us move away from well intended but misdirected efforts which could well further incite violence in South Africa. We must adopt a policy which will enable South Africa to evolve into a more just society. We must not forget that it took us decades to resolve the many racial tensions which have plagued our own communities for years. Similar evolution toward complete democracy in South Africa will also take time. I am confident that South Africa will eventually create the type of society which will protect the fundamental rights of all of its citizens. Let us take a step forward and allow American firms to have a positive impact on South Africa. Let us repeal the Anti-Apartheid Act of 1986 now.



**TAR HEEL WINNER IN PROPELLER CLUB MARITIME DAY ESSAY CONTEST**

**HON. WALTER B. JONES**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 1988

Mr. JONES of North Carolina. Mr. Speaker, on May 24, 1988, the Propeller Club of the United States, Port of Wilmington, NC, commemorated National Maritime Day with a memorial service and other appropriate ceremonies at the Wilmington waterfront on the banks of Cape Fear River.

The Propeller Club's mission includes making Americans more aware of our country's need for the U.S. merchant marine and its associated industries. To promote this awareness, the club conducts a nationwide essay contest for high school students. At the Wilmington meeting one of the features was an introduction of a national and local winner, John Cumming Leete.

John is a 10th grader at E.A. Laney Senior High School in Wilmington. His teacher is Mrs. Peggy Price. John received as a national winner, a round trip cruise on a Keystone Shipping Co. vessel; as the local winner, he received \$150.

John's essay is an instructive one. I would like to submit it to the House for the consideration of my colleagues.

**REMARKS OF JOHN CUMMING LEETE BEFORE THE PROPELLER CLUB OF WILMINGTON, WILMINGTON, NC**

Americans are accustomed to having all of the necessities and basic needs of life; however, many people do not realize the vital role that the American Merchant Marine plays in bringing them these goods. U.S. merchant ships bring us raw materials, manufactured products, liquids and solids. Among these goods are food, clothing materials, steel, grain, crude oil and electrical appliances. Because the United States depends so strongly on the Merchant Marine, it is essential that we have a strong American Maritime Industry.

Among other reasons for needing a strong Merchant Marine is for military purposes. Without a Merchant Marine, America would be completely dependent on foreign merchant shipping industries to transport our trade. In the event of a war, foreign trade ships could cut off our supply of goods.

Although the United States Merchant Marine is so very important, it has been steadily declining as the maritime industries of other nations have been growing. The United States is the chief trading country in the world, yet only about 5 and one-half percent of its foreign trade is carried by American flag ships. One explanation for this may be that all ships registering under the United States flag must be American made and manned by American crews. But because building and operating ships manned by American crews costs about 50 percent more in the United States than in other countries, many American shipping companies purchase and register their ships in foreign countries. These ships are known to the shipping industry as convenience flag ships. But registering their ships in a foreign country, ship operators avoid using costly American crews, avoid strict U.S. safety regulations, pay no income tax to the country of registry and have little U.S. tax

liability. About 70 million deadweight tons of foreign registered ships are owned by American companies. This is about three times the tonnage of American registered ships. Crews of foreign registered ships are sometimes overworked and underpaid. The working conditions are often very dangerous as most of these ships do not conform to U.S. safety regulations. Many of the convenience flag ships do not meet international safety regulations designed to prevent collisions and disasters at sea.

Many American registered ships accept subsidies from the government. The government grants subsidies to U.S. registered shipping lines because of their great importance to the United States. These subsidies help American flag ships compete with foreign vessels. Subsidized shipping lines are controlled by the Maritime Administration. The Administration requires that the subsidized shipping lines provide regular service on trade routes that are essential to U.S. trade and defense. The subsidized lines are also required to pay half of all their profits over a specific amount. The Administration also requires that subsidized shipping lines replace ships that are considered too old for service. Because of all these restrictions and requirements, many American shipping companies buy and register their ships in foreign countries. As a result, only about two percent of the total gross tonnage of ships produced each year are manufactured by United States ship yards.

Tankers and bulk carriers make up the majority of American-owned foreign flag ships. These American-owned foreign flag ships carry about ninety-eight percent of U.S. bulk cargo, leaving room for only a few U.S. flag ships to carry low revenue bulk cargo. Most American-owned flag ships sail only the Great Lakes; however, a few of them are ocean-going vessels.

There are different types of United States Merchant Marine ships that all perform important tasks. The Great Lakes bulk carriers have greatly aided in the industrial development of the United States. The carriers transport goods such as steel, ore, coal, cement, and chemical products. They also transport the huge wheat crops of western Canada and the northern United States to milling centers in New York state and eastern Canada. The Great Lakes bulk carriers do not usually operate in the heavy winter months due to the icing up of lake harbors and straits.

Another important type of cargo transportation is by the towboats and barges of the inland waterway. More than 95 percent of all the cargo transported on the inland waterway travels aboard barges pulled by towboats. Most towboats are from about 65 to 100 feet long and can produce as much as 6,600 horsepower. The towboats are used to push a line of barges loaded with grain, salt, coal, or other bulk. Each barge is loaded with as much as 3,000 metric tons of goods. Because a large barge can hold as much freight as 50 or more freight cars, towboat and barge transport is more economical for bulky goods than railroads or trucks. Without these towboats, it would cost the United States a lot more to transport bulk goods.

Tankers, the largest classification of ships in the world today, carry liquids such as crude oil, petroleum, asphalt, bitumen, molasses, palm oil and wine. Some tankers are even equipped to carry dry-bulk goods such as bauxite, coal, grain and iron. There are three major classifications of tankers—oil tankers, ore-bulk-oil carriers, and liquefied natural gas carriers. All three types of tank-

ers play a major role in bringing the United States important goods such as gasoline and steel.

Oil tankers carry crude oil and petroleum products. The hull of the oil tanker serves as the outside wall of the tanks contained in the tanker. Bulkheads, or walls, run from the bow to the stern and from port to starboard to divide the tanks into compartments. This structure strengthens the hull and allows the ship to carry several different products at the same time, thus providing Americans with the many different goods needed for every day life. Another type of oil tanker, the supertankers, is used to transport large amounts of oil. The largest supertanker is over 1,300 feet long and 200 feet wide. It can carry over 500,000 metric tons of oil. Supertankers travel at speeds of about 15 knots. Supertankers are unloaded by underwater pipes provided by offshore ports. This efficient method of unloading saves the U.S. time and money.

The second major classification of oil tankers are the Ore-Bulk-Oil carriers. These carriers transport cargos such as bauxite, coal, grain, and iron as well as oil. These tankers are equipped to carry dry liquid cargos. Ore-Bulk-Oil tankers can carry oil in one direction and dry bulk cargo on the return trip. This versatile feature allows the ship to do the job of two ships, which saves time and money.

The last major classification of tankers are the Liquefied Natural Gas carriers. These ships carry natural gas that has been chilled to -260° Fahrenheit. The chilling of natural gas to temperatures of -260° F and below causes it to shrink to about 1/600 of its natural volume and to become a liquid. The liquid is pumped aboard the tanker into aluminum tanks. Natural Gas carriers provide America with the gas that is used by many for cooking and heating.

All three kinds of tankers are very important to the United States as they help supply America with gasoline for automobiles, fuel oils for power and heating, lubricants, jet fuels, kerosene and asphalt for road surfaces.

Because the American maritime industry is so vital to American commerce, world trade and national defense, I think that America should proudly stand behind and support its Merchant Marine. I also believe that America needs to wake up and realize what a great job its Merchant Marine is performing. The American Maritime industry is truly the heartbeat of commerce and world trade.

**TELECOMMUNICATIONS AND RURAL COMPETITIVENESS**

**HON. JIM COOPER**

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 1988

Mr. COOPER. Mr. Speaker, I was pleased to hear that the keynote speaker at a recent telecommunications convention in Atlanta highlighted the importance of telecommunications to rural economic development. I'm glad that an industry leader has begun to talk in those terms, and I'm especially proud that he's from my region.

BellSouth Chairman John Clendenin told several thousand telecommunications professionals that without access to advanced net-

works, rural communities would not be competitive in the coming decades. He hinted that his company might owe its rural customers access to advanced technologies for their future economic health.

I can only hope that this is the beginning of an even deeper commitment at BellSouth to include rural areas in its vision for fiber optic cable deployment and advanced technologies. BellSouth has a rich history of high-quality service to rural communities in my State, and I hope that tradition continues with advanced technologies.

Mr. Speaker, Chairman Clendenin is on target. I'm including his remarks here so that others will take note: one of our primary national communications policies should be ensuring that competitive telecommunications advantages develop equally in cities and in the country. As we in Congress consider the role of the Bell Operating Cos. in advancing our Nation into the Information Age, I will be looking to promote the cause of economic development in rural America.

I'm sure my colleagues from rural areas will be interested in Chairman Clendenin's words. I hope the other Bell Operating Cos. and industry leaders will take his ideas as a beginning and follow his lead in desiring to bring the best in telecommunications to rural America.

REMARKS BY JOHN L. CLENDENIN, CHAIRMAN AND CHIEF EXECUTIVE OFFICER, BELL SOUTH CORP., AS DELIVERED TO SUPERCOMM, ATLANTA, GA, MAY 25, 1988

Thank you for that kind introduction, and welcome to Atlanta and the first-ever SUPERCOMM!

This impressive gathering—the world's largest annual assembly of telecommunications professionals—represents the combined efforts of the United States Telephone Association and the U.S. Telecommunications Suppliers Association. A tremendous amount of effort from both these organizations has brought SUPERCOMM to reality, and we're all indebted to USTA and USTSA for their hard work and vision.

SUPERCOMM represents something else, too: Commonality. Since divestiture—when our rather tidy world was fragmented overnight—and since the telephone married the computer—when the services the dial tone could deliver multiplied exponentially—this industry has been thrust headlong into a bewildering swirl of ever-changing regulation and technology. Whatever common visions we share—and I happen to think we share quite a few—we've been too busy to define them, and I think SUPERCOMM might be a good time to pause and assess that situation.

We happen to have a profound responsibility to do so, and not only because we have a long heritage of public service. We have profound responsibility because we have profound potential.

Telecommunications—the industry born of that marriage between the telephone and the computer—is going to change the world. No two ways about it. Like the wheel and the wing, the artful science of telecommunicating shrinks space and time, and collapses the social structures supporting them. It's like a vortex, and its absorbing effect touches virtually every eddy of modern life in this country and this world. And we're seeing only the first hints of its long-term sculptural effects on society.

Such a powerful force begs more than one simple vision. In fact, the implications of where massive-scale interactive voice, image, and data-transfer technology can take us are staggering.

So today, I'd like to carve out just one area of concern and lay it as a cornerstone for us to keep in mind as we build a future, piece by piece, with this marvelous technology we're developing.

What I'd like to talk about is telecommunications as an economic development tool and then briefly discuss obstacles blocking its potential to revolutionize commerce in this country.

Most of you here today reached Atlanta via Hartsfield International Airport, a patch of land south of town to which Atlanta—a railroad town at birth—owes much of its current prosperity. Hartsfield's the brainchild of city elders a generation ago, who had a vision of what air travel could be, and went out of their way to make it a part of their city's future. In no small part, such companies as RJR/Nabisco and Georgia-Pacific have moved their corporate headquarters to Atlanta because of the economic verve brought to our doorstep by the crossroad of the world's busiest airport—a distinction, by the way, which Atlanta and Chicago seem to trade on alternate months.

In the twenty-first century—a scant dozen years away—the economic edge will go to communities and nations not just with the best interstates and airports, vital as those are, but with the best communications infrastructures. One fond vision I have for this industry is for it to some day—and the sooner the better—offer the most rural community in this nation the opportunity, via the network, to be a viable player in the global information marketplace.

It's been done before in a limited way. As you know, a few years ago, South Dakota reshaped its local laws and regulations to attract the credit industry. The state's leaders realized that if their economic and regulatory climates were specifically friendly to the needs of that business, South Dakota could handle credit information via telecommunications and computers just as easily as anyone else could. So they went to work and created a new crossroad.

It wasn't a cattle crossing or a river ford. Nor was it a bridgeport, a railroad depot nor an airport. But it was a crossroad nonetheless, and as viable a crux for economic development as any of its more primitive precedents. Today, South Dakota does a brisk business in credit-related finance . . . all in the realm of the abstract. No physical customers. No bustling metropolitan sidewalks. No storefronts. But a lot of revenue singing its way over telephone lines.

Creating critical mass was step two in making it happen: Attracting enough users and making it worth everyone's while to get the whole enterprise off the ground.

And reshaping regulation to conflow with technology was step one. To attract the necessary critical mass, South Dakota revised its laws to accommodate its vision.

These same two steps face us today.

Imagine this: A nation whose rural areas—Malvern, Arkansas, for example, or Orange City, Iowa—are equipped with cutting-edge information services delivered via state-of-the-art network hardware and software. Especially as our economy gears toward information as a primary product and service, an enterprise in Orange City, with an inventory of specialized information to sell, could compete with a similar enterprise based in Manhattan—and, with much lower over-

head, would have a good chance for success. Inventory, shipping, receiving, billing and a variety of other basic commercial activities, including even some types of manufacturing, could conceivably be dispatched electronically, making even the most remote outpost into a viable commercial hub by placing it at an information-age crossroad of advanced telecommunications lines.

A pretty invigorating scenario. However, several factors currently prohibit it from being a more universal reality.

First, as you well know, distributing such technology far and wide is expensive. From my company's point of view, we couldn't justify to our shareholders, our ratepayers and probably the public service commissions the high cost of stringing fiber optic cable to a community the size of Malvern, Arkansas purely "on the come."

What would justify that expense is demand sufficient to support the service: Critical mass. And where does that come from? South Dakota went after a very specialized financial-service niche; that's one way. But to attract a widespread base of consumer demand for information services would require grassroots acceptance of the notion of electronic information services. In other words, make sure there are customers for what you intend to offer.

Electronic yellow pages might be a good place to start. Non-threatening, familiar, a natural data base, likely to be accepted by the public—provided it's exhaustive, easy to use and widely available. Now, I'm certainly not saying electronic yellow pages is the only possible tool. But I am saying that, whatever the tool we use, those of us in this industry must work together, in intelligent tandem with potential service providers, if we're to create enough interest in the concept of a nation blanketed with high-tech tele-transactions—to actually make it happen. And any one company isn't big enough to pull the whole wagon. It will require a matrix of support from all players, big and small, because the telecommunications industry is going to be larger by several magnitudes than any game any of us has ever played, or even seen before.

Step one to make step two happen is working together on the regulatory front, because current regulation does hinder development of that critical mass. You probably could guess that as chairman of BellSouth, I'm particularly concerned about the Modification of Final Judgment, but at the same time I don't believe it should be irresponsibly disassembled overnight. I'm for fair competition that's healthy for the marketplace, and frankly, the chaos we'd see if the MFJ went out the window tomorrow might cause more harm than good.

But I strongly support the orderly, progressive dismantling of the MFJ as Open Network Architecture, and the level playing field it represents, is assembled in its stead . . . kind of like removing the scaffolding as a building goes up within its graces. And I know that's a tremendous oversimplification, because ONA represents some risk and the process I'm describing will involve enormous foundational pricing changes.

But despite the enormity of the process, we at BellSouth are cautiously optimistic about it because we saw a step in the right direction last March, when the Court allowed the RBOCs, in a limited way, to participate in information services. We're taking that opportunity very seriously by aggressively pursuing the gateway concept, and we're seeking joint ventures with inde-



pendent service providers to offer the public an electronic menu sufficiently varied, simple and functional to encourage a core of consumers to actually use it. In other words, we're going for that critical mass.

I believe we all want a consumer base hungry for the finest in current technology, and the ability to deliver, to the broadest public, those services that kind of technology can offer. Because as the public appetite for information services swells, we all . . . especially the public . . . benefit.

And I believe that scenario is best brought to reality through systematic relief from policy which restricts the natural growth of our industry. Install ONA, remove the restrictions, and the information age will begin to take root and flourish in this country.

But there's one more big "if."

And that's simply this: If we're sensitive to the consumer. It's all well and good to hatch a theory about the public clamoring for the glories of the information age. And it's all well and good to pave the regulatory road for it to happen. But what if the consumer doesn't like what he sees for sale? It's a real danger, and those of us close to, and enthusiastic about, gee-whiz technology are particularly susceptible to it.

Recently the *The Wall Street Journal* published an article about how complicated high-tech consumer goods have gotten—cars whose locking mechanisms are too sophisticated to operate, for example, or telephones with a hundred buttons and a deviant mind of their own. One particularly funny revelation in the story was that when a dozen leading technical wizards of the personal-computer industry went bowling at a recent software conference, none of them—not even Bill Joy, the software genius at Sun Microsystems, nor Steve Ballmer, the Microsoft executive responsible for its complex operating system—could figure out how to use the automatic scoring system. The woman who ran the bowling lanes had to show them how to program it.

Closer to home in that same article was a story about Alice Kahn, the syndicated columnist, who tried to send information from her computer over the phone line to a colleague. When she failed, her husband told her to give up. And when she persisted, an argument ensued that she says, quote, "called into question our whole marriage." The next day, the colleague called Mr. Kahn and said, "Well, you didn't access my modem, but you did access my phone-answering machine, and I have an hour of you and your wife arguing."

What a nightmare!

But underlying that funny and awful story is a serious, fundamental note of discord, a message from the public we'd best heed. Technology is a nightmare for a growing number of consumers. According to that article, more and more of them are saying to us high-tech suppliers: We may not buy your widgeits. You'd better make them usable. We've been burned before, and we're getting tired of it. Before you make too many of them—better make sure we can use those widgeits, and that we want them, and that we'll buy them.

No, it won't do to say, "Here, Mr. Consumer. Here's a thing that's three times faster than that last thing you bought—and didn't use."

So, a word to the wise: Heed the end user.

All these factors—nurturing a critical mass of consumer support . . . readying policy to expedite that support . . . and testing and responding to the market—all these

factors are going to have to coalesce, over time, in a very careful brew. As primary caretakers of that brew, we in the industry will have to work together in an atmosphere of trust . . . perhaps in a complementary venture on one project and in health competition on the next . . . but always seeking imaginative solutions to the challenges our industry as a whole will face ahead.

To me, that's what SUPERCOMM is all about. In this first-ever nationwide USTA-USTSA exposition, let's grasp the opportunity to show a true spirit of cooperation, of working together, of building this industry's cohesion and strength. After all, most of us are linked together through a network. And we should take that "network" image as a metaphor for our interdependence. If we build an industry friendly to fair and healthy competition, we'll also build an industry strong enough to hold together and grow together, through the challenges of whatever new horizons may lie ahead.

So my vision for SUPERCOMM in ultimately quite simple. Let's use this gathering to not only learn about the technology which fuels our industry, but also to get to know the people who make it work. Let's lay a bedrock of mutual understanding and make that spirit of understanding the foundation of this, the most exciting of industries, as we enter the next century—a century we've been tapped by destiny to shape.

#### CITATION OF CLAUDE PEPPER

#### HON. JOE MOAKLEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 1988

Mr. MOAKLEY. Mr. Speaker, on Wednesday, May 25, 1988, the able chairman of the Committee on Rules, the gentleman from Florida [Mr. PEPPER], attended the graduation of the Gerontology Program at the University of Massachusetts at Boston.

At that time the gentleman was invested with the degree of doctor of laws, honoris causa, by the university chancellor, Robert A. Corrigan.

Mr. Speaker, at this point in the RECORD I am pleased to enter the university's citation:

CITATION FOR CLAUDE D. PEPPER, MEMBER OF THE UNITED STATES HOUSE OF REPRESENTATIVES, STATE OF FLORIDA, DOCTOR OF LAWS, HONORIS CAUSA, UNIVERSITY OF MASSACHUSETTS AT BOSTON

(Read by Chancellor Robert A. Corrigan, University of Massachusetts at Boston, upon conferral of the degree, Wednesday, May 25, 1988, Gerontology Program Graduation, John F. Kennedy Library, Boston, Massachusetts.)

You, Claude Denison Pepper, are a true and venerable son of the south, born in Alabama in 1900, and exactly as old as the twentieth century—perhaps the century that has witnessed the most change in human history, change that you have helped shape and direct.

You were educated with distinction at your own public University of Alabama, and at New England's premier private institution, receiving your Bachelor of Laws from the Harvard University Law School in 1924. We are proud that you can return to New England some sixty-four years later to receive an honorary Doctor of Laws from the University of Massachusetts, one of New England's premier public universities.

After serving your adopted state of Florida in the state legislature, you were elected in 1936 to serve in the United States Senate—a seat to which you were reelected in 1938 and 1944. During your years in the Senate you discharged your duties on the Foreign Relations Committee, the Military Affairs Committee, and the Labor and Public Welfare Committee with singular distinction.

In 1962, at an age when many are thinking of retirement, you began a second—even more honorable—career in the national legislature as a United States Congressman from the state of Florida, and you have been reelected to every subsequent Congress.

In the House you have served on a number of important committees and made yourself one of the most significant national voices on aging, by virtue of your role as Chairman of the Select Committee on Aging. Moreover, you have directly and practically addressed the problems of older Americans as Chairman of the Subcommittee on Health and Long-term Care.

Your fellow citizens have recognized your achievements and honored your commitment to their welfare with awards too numerous to mention here. And you have received honorary degrees from many fine institutions, including the one most dear to your heart, your *alma mater*, the University of Alabama.

We are proud to join those institutions, in honoring you, Claude D. Pepper. By so doing, we show our appreciation for a lifetime of public service. It is no exaggeration to say that you are the very model of the energetic, active, and effective person we all wish to be and become.

KILDEE HONORS BURTON  
NEIGHBORHOOD HOUSING  
SERVICES

#### HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 1988

Mr. KILDEE. Mr. Speaker, I rise today to recognize the accomplishments of the Burton Neighborhood Housing Services [BNHS]. BNHS began in 1982 and is a unique partnership of residents, bankers, corporations, and government representatives working to improve neighborhoods in Burton, MI.

The involvement of both public and private partners has enabled BNHS to have significant impact on the creation and rehabilitation of low-income housing units in Burton. These partners have given both time and money to make BNHS a success. BNHS has diligently worked to help those with limited incomes improve their homes or obtain affordable housing through low-interest loans.

BNHS provides needed services in four basic areas: Home health and safety inspections, home rehabilitation assistance, financial counseling, and home recycling. Each of these services are a vital part of the goal of BNHS to provide quality, affordable housing for the disadvantaged of Burton.

I would like to take this opportunity to publicly recognize the fine achievements of this innovative housing organization and commend

them on their work. I am proud to serve as their Congressman in the U.S. House of Representatives.

# VOTING RECORD OF HON. DON J. PEASE

## HON. DONALD J. PEASE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 1988

Mr. PEASE. Mr. Speaker, it has become my practice to insert periodically in the CONGRESSIONAL RECORD a list of key votes that I have cast in the U.S. House of Representatives.

The list is arranged in this manner: Each item begins with the rollcall vote number of the bill or resolution that the House was considering, followed by the bill number and a summary of the issue. This is followed by my own vote on the issue and the vote outcome.

This list of votes covers the period of December 2, 1987, through June 8, 1988:

### KEY VOTES OF CONGRESSMAN DON J. PEASE

(450) H.R. 2939. Independent Counsel. Reauthorizing for five years the law under which the U.S. Attorney General can request the appointment of a special prosecutor when misconduct by executive-branch officials is alleged. Yes. Passed 322-90.

(454) H.J. Res. 395. FY 1988 Continuing Appropriations. Amendment extending the ozone and carbon monoxide attainment deadline under the Clean Air Act to postpone sanctions by the EPA or courts on areas of nonattainment. No. Failed 162-257.

(455) H.J. Res. 395. FY 1988 Continuing Appropriations. Amendment codifying the "fairness doctrine" of the Communications Act of 1934 which requires radio and television broadcasters to present various sides of controversial issues. Yes. Passed 259-157.

(456) H.J. Res. 395. FY 1988 Continuing Appropriations. Amendment prohibiting Japanese firms from working on U.S. public works projects during FY 1988. Yes. Passed 399-17.

(459) H.R. 3100. FY 1988-89 Foreign Aid Authorization. Amendment restricting International Military and Education Training program funding for El Salvador, Guatemala and Honduras. Yes. Failed 193-214.

(465) H.R. 3100. FY 1988-89 Foreign Aid Authorization. Amendment eliminating language which prohibits countries receiving U.S. military or economic aid from assisting the Nicaraguan contras. No. Failed 200-215.

(471) H.R. 3100. FY 1988-89 Foreign Aid Authorization. Amendment deleting provisions which urge the president to reschedule the debt of low-income African countries. No. Failed 125-259.

(475) H.R. 3100. FY 1988-89 Foreign Aid Authorization. Authorizing \$11.4 billion in FY 1988 and \$11.5 billion in FY 1989 in aid to foreign countries. No. Passed 286-122.

(478) H.R. 3399. Alternative Motor Fuels. Encouraging the development of a national alternative motor fuels policy. Yes. Passed 327-29.

(481) H.R. 1777. FY 1988-89 State Department Authorization. Authorizing \$4.12 billion in FY 1988 and \$4.22 billion in FY 1989 for the State Department and related agencies. No. Passed 366-49.

(485) H.R. 1720. Welfare Reform. Amendment requiring states to implement immediate wage withholding for child support payments, expanding child day-care transition

rules, and other provisions. Yes. Passed 336-87.

(487) H.R. 1720. Welfare Reform. Transforming the Aid to Families with Dependent Children program into a Family Support Program, requiring recipients to work or enter training or education to qualify for welfare benefits, among other revisions. Yes. Passed 230-194.

(492) H.R. 1467. Endangered Species Act. Reauthorizing the Endangered Species Act and authorizing \$307 million in funding for fiscal years 1988-92. Yes. Passed 399-16.

(495) H. Res. 335. Murphy Reprimand. Reprimanding Rep. Austin J. Murphy (D-Pa.) for official misconduct. Yes. Passed 324-68.

(499) H.R. 3030. Farm Credit Act. Providing credit assistance to farmers, strengthening the Farm Credit System, and other purposes. Yes. Passed 365-18.

(508) H.R. 3545. FY 1988 Budget Resolution. Adopting the final version of a budget for fiscal year 1988 that meets the budget targets agreed upon at the November "budget summit" between the White House and Congress. Yes. Passed 237-181.

(510) H.J. Res. 395. FY 1988 Continuing Resolution. Providing \$603.9 billion in FY 1988 for programs for which appropriations bills had not been approved. No. Passed 209-208.

(4) H.R. 3884. Overseas School Construction Recission. Deleting \$8 million provided in the FY 1988 Continuing Resolution for the construction of schools in France for North African Jews. Yes. Passed 384-1.

(7) H.J. Res. 444. Contra Aid. Approving President Reagan's request for \$36.25 million for further military and non-military assistance for the Nicaraguan contras. No. Failed 211-219.

(9) H.R. 5. Elementary and Secondary Education Reauthorization. Instructing House and Senate conferees to agree on language offering a solution to the "dial-a-porn" problem. Yes. Passed 382-0.

(10) H.R. 1054. Military Medical Malpractice Suits. Allowing active service military personnel to sue the federal government for medical and dental malpractice occurring in military hospitals within the U.S. Yes. Passed 312-61.

(20) S. 557. Civil Rights Restoration Act. Restoring coverage of four civil rights laws by clarifying that if one entity of an institution receives federal funds, the entire institution must abide by anti-discrimination laws. The bill ensures that no hospital would be forced to perform abortions, and that schools and colleges can choose not to provide insurance coverage or other benefits related to abortion to their students or employees. Yes. Passed 315-98.

(25) H.J. Res. 484. Contra Aid. Providing \$30.8 million in unspent Pentagon funds for humanitarian aid to the Nicaraguan contras. Yes. Failed 208-216.

(28) H. Res. 399. Expressing concern over the dictatorship of General Antonio Noriega, recognizing Eric Arturo Delvalle as president of Panama and urging President Reagan to consider additional economic and political sanctions in Panama. Yes. Passed 367-2.

(31) S.J. Res. 225. Korean War Memorial. Approving the location of a Korean War Memorial. Yes. Passed 404-0.

(32) S. 2151. Agricultural Act Amendments. Establishing aid and trade missions to 16 countries and improving the use of food donated under the Food for Peace Program. Yes. Passed 360-39.

(36) H.R. 2707. Disaster Relief. Revising the federal disaster-relief program, extend-

ing a debris-removal program for New York harbor, and creating a new assistance program to combat shoreline erosion in the Great Lakes region. Yes. Passed 368-13.

(40) H.R. 3459. Orphan Drug Amendments. Reauthorizing a law providing tax credits and grants to pharmaceutical companies to encourage them to develop drugs needed by small numbers of people to combat rare diseases. Yes. Passed 409-1.

(41) S. 557. Civil Rights Restoration Act. Overriding President Reagan's veto of the bill. Yes. Passed 292-133.

(45) H. Con. Res. 268. FY 1989 Budget Resolution. Establishing a budget for the U.S. government for fiscal years 1989, 1990, and 1991. The resolution meets the deficit target of \$134.1 billion agreed to in the November "budget summit" between the White House and Congress. No. Passed 319-102.

(46) S. 858. Abandoned Shipwreck Act. Giving states ownership of certain abandoned historic shipwrecks that are buried in state lands. Yes. Failed 263-139 (two-thirds vote required for passage).

(48) H.R. 3396. Rehiring of Former Air Traffic Controllers. Providing for the rehiring of 1,000 former air traffic controllers who were fired in 1981 after a strike against the FAA. Yes. Passed 234-180.

(49) H.J. Res. 523. Central American Peace and Contra Aid. Providing \$47.9 million for non-lethal programs relating to Nicaragua. Yes. Passed 345-70.

(54) S. 858. Abandoned Shipwreck Act. Giving states ownership of certain abandoned historic shipwrecks that are buried in state lands. Yes. Passed 340-64.

(55) H. Res. 422. Intermediate Nuclear Force Treaty Support. Stating the House of Representatives' support for the INF Treaty. Yes. Passed 393-7.

(56) H.R. 4401. "Dial-a-Porn" Ban. Banning "dial-a-porn" telephone services. Present. Passed 380-22.

(58) H.R. 5. Elementary and Secondary Education Reauthorization. Adopting a substitute bill that includes conference agreements on educational issues and a ban on "dial-a-porn" telephone services. Yes. Passed 397-1.

(59) H. Con. Res. 268. FY 1989 Budget Resolution. Instructing conferees to provide more funding for anti-drug programs but meet the discretionary spending caps and revenue levels agreed to in the November "budget summit". Yes. Passed 412-0.

(61) H.R. 4222. Extension of Immigration Legalization Program. Extending from May 4, 1988, to Nov. 30, 1988, the program which grants legal status to illegal aliens who arrived in the U.S. before Jan. 1, 1982, speak English and meet other requirements of the 1986 law. Yes. Passed 213-201.

(65) H.R. 3. Omnibus Trade Bill. Instructing conferees to eliminate the provision requiring some employers to give workers 60 days notice prior to a plant closing or layoff. No. Failed 167-253.

(66) H.R. 3. Omnibus Trade Bill. Revising laws for dealing with unfair trade practices and import injury U.S. industries, requiring some employers to give workers 60 days notice prior to a plant closing or layoff, and other purposes. Yes. Passed 312-107.

(70) H.R. 4264. FY 1989 Defense Authorization Bill. Amendment prohibiting use of federal funds for activities not permitted under traditional interpretation of the 1972 anti-ballistic missile (ABM) treaty, which rules out the testing in space of strategic defense initiative (SDI) weapons and components. Yes. Passed 252-159.



(71) H.R. 4264. FY 1989 Defense Authorization Bill. Amendment putting a limit on the number of U.S. multiple-warhead ballistic missile- and cruise missile-carrying bombers to the numbers specified in the unratified 1979 strategic arms limitation (SALT II) treaty, unless the president certifies that the Soviet Union has exceeded those limits after enactment of the bill. Yes. Passed 240-174.

(72) S. 999. Veterans' Employment, Training and Counseling. Improving veterans' employment, job-training and counseling services and programs. Yes. Passed 417-0.

(73) H.R. 2616. Veterans' Health Care. Improving health-care programs of the Veterans' Administration. Yes. Passed 416-0.

(76) H.R. 4264. FY 1989 Defense Authorization Bill. Amendment earmarking \$100 million to develop a ground-based anti-satellite (ASAT) weapon. No. Failed 195-212.

(77) H.R. 4264. FY 1989 Defense Authorization Bill. Amendment banning ASAT weapons tests against targets in space unless the president certifies to Congress that the Soviet Union has conducted such a test. Yes. Failed 197-205.

(82) H.R. 4264. FY 1989 Defense Authorization Bill. Amendment prohibiting contracting out base-supported functions at Air Force Reserve bases to private contractors. No. Failed 131-229.

(83) H.R. 4264. FY 1989 Defense Authorization Bill. Amendment reducing the number of U.S. troops in Europe by 30,000 in fiscal years 1991-93 and reducing the number in Japan by 7,000 unless other NATO nations and Japan increase their defense spending at a specified rate and take other actions to take on a larger share of their defense. No. Failed 120-240.

(85) H.R. 4264. FY 1989 Defense Authorization Bill. Amendment expressing the sense of Congress that the U.S. should enter into defense burden sharing negotiations with its allies. Yes. Passed 350-0.

(86) H.R. 1811. Veterans' Compensation. Providing compensation to veterans or survivors of veterans who took part in U.S. atmospheric nuclear tests or in the occupation of Hiroshima or Nagasaki and who suffer from diseases that could be attributable to radiation exposure. Yes. Passed 326-2.

(88) H.R. 4264. FY 1989 Defense Authorization Bill. Amendment barring the deployment of U.S. forces in Nicaragua except under specified circumstances. Yes. Passed 276-92.

(89) H.R. 4264. FY 1989 Defense Authorization Bill. Amendment cutting the authorization for additional U.S. military construction projects in Honduras by \$3.05 million. Yes. Failed 111-267.

(90) H.R. 4264. FY 1989 Defense Authorization Bill. Amendment barring the deployment of U.S. personnel on training missions in Honduras within 20 miles of the Nicaraguan border. Yes. Failed 147-238.

(93) H.R. 4264. FY 1989 Defense Authorization Bill. Amendment raising the threshold of the Davis-Bacon labor law provisions from \$2,000 to \$50,000 for all federal construction projects and from \$2,000 to \$15,000 for all federal renovation, repair and alteration projects. Yes. Passed 213-195.

(95) H.R. 4264. FY 1989 Defense Authorization Bill. Amendment barring the Department of Defense from awarding contracts to foreign defense contractors who discriminate on the basis of race, color, religion, sex or national origin. Yes. Passed 365-50.

(96) H.R. 4264. FY 1989 Defense Authorization Bill. Amendment stating that a lack of registration information in Selective

Service System records is prima facie evidence of an individual's failure to register unless the defendant states the time and place of registration and the individual's record is corrected. No. Passed 262-140.

(99) H.R. 4264. FY 1989 Defense Authorization Bill. Amendment eliminating the strategic defense initiative (SDI) and authorizing \$1.3 billion to establish a Strategic Technology Research Office. Yes. Failed 118-299.

(101) H.R. 4264. FY 1989 Defense Authorization Bill. Amendment reducing the authorization for the Strategic Defense Initiative (SDI). Yes. Passed 223-195.

(105) H.R. 4264. FY 1989 Defense Authorization Bill. Amendment increasing authorizations for drug interdiction equipment by \$475 million and directing the President to use the Armed Forces to stop the entry into the U.S. of aircraft and vessels carrying narcotics. No. Passed 385-23.

(107) H.R. 4264. FY 1989 Defense Authorization Bill. Amendment cutting Air Force funding by \$500 million and barring the use of Air Force funds for the MX intercontinental ballistic missile. Yes. Failed 143-265.

(109) H.R. 4264. FY 1989 Defense Authorization Bill. Amendment cutting by \$400 million the authorization for the MX intercontinental ballistic missile and increasing by \$100 million the authorization for the small ICBM Midgetman. Yes. Passed 233-171.

(110) H.R. 4264. FY 1989 Defense Authorization Bill. Amendment limiting the authorization for the Trident I missile and prohibiting the use of Navy funds for the Trident II missile. No. Failed 79-307.

(115) H.R. 3146. Lottery Advertising. Allowing broadcast and mail advertising of legal private lottery and gambling enterprises. Yes. Failed 259-159 (two-thirds vote required for passage).

(118) H.R. 4445. Terrorist Firearms Detection. Prohibiting the production and importation of any firearm that does not contain at least 3.7 ounces of detectable metal. Yes. Passed 413-4.

(126) H.R. 4264. FY 1989 Defense Authorization Bill. Authorizing FY 1989 funding for the Department of Defense and nuclear weapons programs run by the Department of Energy. Yes. Passed 252-172.

(130) H.R. 4471. FY 1988-89 Foreign Aid Authorization. Authorizing through 1992 the Overseas Private Investment Corporation and the Board for International Broadcasting. Yes. Passed 267-112.

(133) H.R. 4567. FY 1989 Energy and Water Appropriations Bill. Appropriating \$17.8 billion for energy and water development programs. Yes. Passed 384-20.

(136) H.R. 4586. FY 1989 Military Construction Appropriations. Appropriating \$8.8 billion for defense-related construction projects. Yes. Passed 382-26.

(138) H.R. 3193. Hate Crime Statistics. Requiring the Justice Department to collect and report information on crimes committed against individuals on the basis of race, religion, ethnicity, homosexuality or heterosexuality. Yes. Passed 383-29.

(148) H.R. 4587. FY 1989 Legislative Branch Appropriations. Appropriating \$1.4 billion for the legislative branch, except for the Senate, which will set its budget when it considers the bill. Yes. Passed 277-104.

(150) H.R. 3. Omnibus Trade Bill. Overriding the President's veto of the bill. Yes. Passed 308-113.

(154) H.R. 4637. FY 1989 Foreign Aid Appropriations. Appropriating \$14.3 billion for foreign aid and export-promotion programs. No. Passed 328-90.

(158) H. Con. Res. 268. FY 1989 Budget Resolution. Approving the final version of the government's fiscal year 1989 budget. Yes. Passed 201-181.

(159) H.R. 1212. Employee Polygraph Protection. Agreeing to the conference report on the bill prohibiting most uses of lie detectors by employers involved in or affecting interstate commerce. Yes. Passed 251-120.

(164) H.R. 2470. Medicare Catastrophic Protection. Agreeing to the conference report on the bill providing protection against catastrophic medical expenses under the Medicare program. Yes. Passed 328-72.

(165) H.R. 4561. NASA Authorization. Authorizing appropriations of \$11.5 billion in FY 1989, \$14.4 billion in FY 1990, and \$15.7 billion in FY 1991 for the NASA programs including research and development, space flight, control and data communications, construction of facilities, and research and program management. Yes. Passed 360-26.

(167) H.R. 4505. Department of Energy Authorization. Authorizing \$3.3 billion in appropriations for civilian research and development programs, including the superconducting super collider, for FY 1989. No. Passed 290-27.

(172) H.R. 3966. Children's Television Practices. Requiring the Federal Communications Commission to reinstate restrictions on advertising during children's television, and to enforce the obligation of broadcasters to meet the educational and informational needs of the child audience. Yes. Passed 328-78.

(176) H. Res. 466. Long-Term Home Care. Providing for the consideration by the House of Representatives of H.R. 3436, a bill establishing a program to provide home health care for the elderly, children, and the disabled. No. Failed 143-269.

#### TRIBUTE TO DAVID PEARSON, EAGLE SCOUT

#### HON. TONY COELHO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 1988

Mr. COELHO, Mr. Speaker, while I was in my district last weekend, I read a story in the local newspaper about an outstanding young constituent of mine, David Pearson of Riverbank, CA. David was recently awarded the rank of Eagle Scout in the Boy Scouts, which by itself is a significant achievement worthy of special recognition. But what makes it all the more noteworthy is that David is afflicted with a gradual, incapacitating type of muscular dystrophy, and he is confined to a wheelchair.

Some people, I think, would be surprised at how normal a life David leads. He is a sophomore at Beyer High School in Modesto, where he plays saxophone with the school band and serves as statistician for the sophomore football team. The only thing that differentiates David from his classmates at Beyer High is the wheelchair that he sits in and the faithful service dog, Cameo, who accompanies him wherever he goes.

Any Boy Scout can tell you how difficult it is to achieve the rank of Eagle Scout—only a small percentage of Scouts have the dedication and commitment to fulfill the stringent requirements for the 21 merit badges necessary to attain this prestigious rank. Most young

men take 6 years to fulfill these requirements, but David did it in only 5. I had the great privilege of speaking with David on the telephone over the weekend to congratulate him on this important accomplishment. I was impressed with his enthusiasm about life and all the opportunities it holds, and especially with his belief that a person should concentrate on all he can do rather than on the few things he cannot.

Unfortunately, our society places innumerable barriers in the paths of disabled persons that often prevent them from carrying out normal lives and reaching their full potential. David has had to work harder than the average young man to achieve all that he has, but because of his positive attitude and his perseverance he has overcome the odds and has been able to succeed. I know what David has had to go through, because I, too, am disabled and have suffered firsthand the discrimination that all too often prevents disabled persons from leading normal lives.

Earlier this year I introduced H.R. 4498, the Americans with Disability Act of 1988, which seeks to eliminate discrimination against persons with handicaps in areas such as employment, housing, public accommodations, travel, communications, and the activities of State and local governments. This landmark legislation would ensure David's right to lead a normal and productive life, and the similar right of millions of disabled Americans like him across this great country. I urge all of my colleagues here in the Congress to cosponsor this bill, in support of the disabled persons who—unlike David—have not been able to overcome the barriers before them and the discrimination they face.

Mr. Speaker, David Pearson is a shining example of the capabilities of disabled persons everywhere, and an inspiration to all of us who are disabled. I would like to take this opportunity to salute this outstanding young man, and in recognition of the lessons his courageous story holds for all of us, I ask that the article about him that recently appeared in the *Modesto Bee* be reprinted here in the RECORD.

The article follows:

[From the *Modesto Bee*, June 2, 1988]

#### HANDICAP CAN'T STOP EAGLE SCOUT

(By Fred Herman)

The road to Eagle Scout is paved with 21 merit badges—11 mandatory ones, including swimming.

David Pearson needed—and was granted—an exemption from that one, enabling the 16 year-old Modesto boy to achieve his goal.

On Saturday, David will become the first ever wheelchair-bound Eagle Scout in the four county 1,900-scout Yosemite Area Boy Scout Council.

"It took a while," said the Beyer High School sophomore. "I got frustrated but I stuck with it. It was well worth it."

Blond, blue-eyed and articulate, the former muscular dystrophy poster boy joined Modesto's Troop 76 in his last few months of walking.

"I try to do what I can," said David, "not dwell too much on what I can't."

For instance, he needed help at Troop 76's summer camp, which is reached by fording a stream. Wheelchairs can't make the trip.

So David's fellow scouts carried him during that session, and later helped him with personal toilet functions.

Using a stretcher chair "like they used to carry emperors around on," they ran him into a tree once. Pearson was scratched but carried on.

"Summer camp is the big test," he said, "in which we lose the wimps who can't stand it."

David has shown he wasn't a wimp, not only making it through camp, but providing an inspiration to others in the troop.

"What's outstanding about David," said Scoutmaster Richard DeWolf, "is that he hasn't let his disability handicap him. He doesn't expect to be treated as handicapped. The kids do what he requires, that's all. He doesn't seek sympathy, or extra treatments and he definitely contributes, as a leader."

David serves as troop advancement director, keeping tabs on his peers' progress.

"He contributed more to scouts than scouts contributed to him," DeWolf continues. "It's been a tremendous experience for all of us. We're delighted to have him."

District scout executive Mitch Preus added praise for Pearson's community service project, another Eagle requirement.

"Despite the obvious handicaps," he managed to supervise painting and repainting of a building at Howard Training Center."

"It's sad," he said, "to hear David talk of what he wants to do this summer, 'Because I may not be alive next summer.'"

Pearson's muscular dystrophy, a non-contagious, chronic wasting of muscles, was diagnosed at age 6. As poster boy, he visited with President Carter in 1980.

Two years ago, *Life* magazine did a spread on him and his faithful black Labrador, Cameo, now 4 years old and his constant companion.

Trained by Canine Companions of Santa Rosa, Cameo carries Pearson's books in Pony Express-style saddlebags.

Cameo tags along to band practice and football games—Pearson plays alto sax and serves as soph team statistician—and even pulls the wheelchair.

Joining the scout troop at Centenary United Methodist Church and working toward his Eagle was a natural thing for the younger of Alysa and Dan Pearson's two children. David's father, a dentist, was an Eagle Scout himself.

His performance has made his parents proud.

"He doesn't like to toot his own horn," said his mother.

And he's the last one to mention that he achieved the Eagle rank in his fifth year of scouting—a year less than average.

It will take five more badges to qualify for a "silver palm," the next award toward which an Eagle Scout strives.

And David plans to give it a go.

#### ALLENTOWN NEIGHBORHOOD HOUSING PROGRAM PROVIDES A VARIETY OF SERVICES

#### HON. DON RITTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 1988

Mr. RITTER. Mr. Speaker, the Allentown Neighborhood Housing Services, Inc., was established in Allentown in May 1981. Allentown is presently one of the five communities that has a Neighborhood Housing Services [NHS]

Program in Pennsylvania. The other cities are Pittsburgh, where this service was initiated in 1968, Philadelphia, Reading, and Scranton.

As a resident of adjacent Coopersburg I have had a close view of the benefits of the Allentown NHS. I would like to take this opportunity to thank Ernest H. Josar the president of NHS, and his staff for their productive work. I point with pride to the leading institutions of the Lehigh Valley. Their financial assistance, along with the many other local contributors from the private sector, has aided the Allentown NHS in the last 7 years with such services as material discounts, roof inspections, and lock distribution.

The NHS provides rehabilitation counseling, construction monitoring, financial services, and community outreach. It takes what already exists—homes in a neighborhood—and remodels them into safe, clean housing at a fraction of the cost of building new low- and moderate-income housing. With assistance from the Allentown Code Enforcement Office, NHS helps transform neighborhoods by stimulating homeowners to upgrade their homes.

NHS helps the individuals who are "unbankable" in terms of getting loans to make necessary repairs to their homes. The program helps retired individuals, living on fixed incomes, who do not have the extra dollars to keep up their homes, and working families with children who do not have the extra dollars to bring their homes into compliance. In 1987 NHS served 640 clients in the Lehigh Valley neighborhood; of this number, 510 received 1 or more of the technical or financial services that NHS offers.

NHS includes a revolving loan fund which consists of \$50,000 repayable to neighborhood reinvestment; \$145,000 is earmarked in CDBG funds from the city of Allentown; and a grant from the Pennsylvania Department of Community Affairs for \$50,000. By selling loan packages to NHS of America, they are able to replenish our loan fund. All loan funds are kept separate and distinct from operating funds, and are solely for housing rehabilitation needs.

The impact of this service is more than dollars and cents. Allentown NHS provided good safe housing, maintains neighborhoods, keeps individuals from relocating, and helps eliminate city blight and deterioration. The programs provide a cost-effective alternative to expensive Federal and local developments. They help keep a sense of neighborhood, promote neighborhood living and safety, and improve the quality of life for those individuals with limited incomes.

I am a strong supporter of these programs. It is a pleasure to walk through the neighborhood and see the many changes: homes being repaired and brought into compliance with safety codes. With the aid of NHS many elderly people are able to stay in their homes, and many young families are able to secure housing without turning to welfare or other government programs.

The NHS Program is a realistic program. It is a program that saves the community and Federal taxpayers money, helps the city eliminate its blight and upgrade its neighborhoods, and helps individuals and families live in safe, comfortable homes. Mr. Speaker, I am



pleased to join my colleagues today in paying tribute to the work done in our communities by the NHS of America.

## STOP LAWAAIKAMP EVICTIONS

### HON. BRUCE F. VENTO

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 1988

Mr. VENTO. Mr. Speaker, yesterday the South African apartheid government extended the so-called ordinary law, which is anything but ordinary by democratic principles. The extension of the 2-year-old "state of emergency," in spite of a 75-percent reduction in public violence, is unjustified. Over 3,000 deaths have occurred since 1984 when violence erupted in South Africa. The continuing forced evictions aimed at majority black communities and the arbitrary loss of what little property blacks own continues to spur on this conflict.

Minnesotans are making their concerns known about this issue. Recently, the 2,000 remaining residents of Lawaai-kamp were ordered to leave their homes and move to Sandkrall, South Africa. The Government plans to forcibly remove those who resist eviction and to demolish the remaining homes. Many of my constituents as well as the St. Paul City Council and other public officials in St. Paul, including some schoolchildren, have taken note of events in South Africa and are deeply upset by this news since St. Paul and Lawaai-kamp are "sister cities."

On May 19, a delegation of Minnesotans met with South African Ambassador Piet Koornhof to present petitions and letters requesting that the eviction of Lawaai-kamp be canceled. I also wrote to the Ambassador urging that the evictions be stopped and permitting the people of Lawaai-kamp to determine for themselves whether to move or not. The Ambassador has indicated that my letter as well as the petitions which were presented have been forwarded to the appropriate officials in South Africa.

While the mass eviction originally set for May 31 did not take place, it is my understanding that the South African authorities may attempt to proceed with these evictions on an individual basis over a longer period of time. Such a strategy does not in any way diminish the cruelty or indifference of the authorities to the wishes of the people of Lawaai-kamp. While the officials have said that Lawaai-kamp is uninhabitable because it is poor and has limited water and sanitation and while the Government refuses to improve these services for the black residents of Lawaai-kamp, the Government has also indicated that after the blacks are displaced other South Africans may be permitted to move in.

Mr. Speaker, I had the privilege of traveling with members of the Banking Committee in 1983 to Cape Town, Crossroads, and other parts of South Africa. I vividly recall seeing the camps where black South Africans were forced to live, often after being evicted from towns and areas where they and their families had lived for many years. I saw empty, leveled communities where only the silent church buildings remain standing.

As long as the South African Government and its abhorrent apartheid policy remain in place, the United States must speak out and condemn this inhumane and unjust system. In this regard, the passage of H.R. 1580, the Anti-Apartheid Act amendments, must be an important legislative priority for this Congress. We should not continue to permit United States investment in South Africa and the export of South African products to the United States while the basic human and civil rights of a majority of the people of South Africa are violated. Certainly, one of the hallmarks of democratic government is the protection of individual citizens against arbitrary actions by the government. The South African Government has an opportunity in Lawaai-kamp to demonstrate a new commitment to democratic reform and justice. I hope that the South African authorities will act soon to stop the forced eviction of the people of Lawaai-kamp and the demolition of their homes.

[From the St. Paul Pioneer Press Dispatch, June 1, 1988]

#### TELEPHONE LINKS SOUTH AFRICAN, ST. PAUL TEENS

(By Ben Chanco)

The South African voices that echoed through overhead speakers in Town Square Park on Tuesday morning were sometimes difficult to understand, but their message came across loud and clear to the St. Paul teenagers listening.

"We are prepared to be killed," said a voice from South Africa identified only by the first name of Churchill. "We will stay in Lawaai-kamp."

The comment was applauded loudly by 60 students from Highland Park Junior High School and 19 students from Hazel Park Junior High School who were in downtown St. Paul to participate in a long-distance telephone question and answer session with about 20 of their counterparts in Lawaai-kamp.

Churchill's comment was in response to Danni Foster, 13, an eighth-grader at Highland who wanted to know where the people of Lawaai-kamp would go if forced out, and what they would do.

Lawaai-kamp, near the white city of George on the southern tip of South Africa, has been in the news lately because of government plans to clear out its remaining 2,000 black residents. As part of the apartheid—or racial separation—policy, the government wants to expand into Lawaai-kamp a segregated community for "coloreds," the South African term for Asian Indians and people of mixed race.

The telephone link-up Tuesday was part of the efforts of St. Paul city officials who have declared Lawaai-kamp a sister city and have been lobbying national leaders in the United States and South Africa to allow the residents of Lawaai-kamp to continue living in their community.

"What are you doing to show your support?" Churchill asked the St. Paul students.

"We can't vote yet," said Brian Fruke, 14, an eighth-grader at Highland. "But we've written letters to President Reagan and to your government."

"What kind of education are you getting?" another voice from Lawaai-kamp asked.

"I go to school with whites, Asians and blacks," answered Shyana Walker, an eighth-grader at Highland.

The students from Highland and Hazel Park became interested in Lawaai-kamp

through the efforts of St. Paul City Council member Bill Wilson, who pushed in February for the sister city relationship. The students have been conducting a letter-writing campaign.

Esther M. Graham, the teacher of the Hazel Park students, said her youngsters wrote letters to Reagan, Sens. Rudy Boschwitz and Dave Durenberger, and Rep. Bruce Vento.

"They want to stop the removal of the people of Lawaai-kamp," Graham said, "but they didn't get one response. Here we have 13-year-old kids who want to get involved, but politicians don't want to touch it because it's a political hot potato."

Wilson believes the efforts of the students have not been wasted. He said that a preschool in Lawaai-kamp was supposed to be closed permanently and all the residents were supposed to be evicted from the city on Tuesday.

"But the school is not going to close and they didn't move the people out yet," Wilson said. "I've got to believe some of what the kids have done has had an effect."

Derek Patrin, 13, an eighth-grader at Highland, said that he was one of those who wrote letters of support to students in Lawaai-kamp.

"I encouraged them to fight it," Patrin said of the proposed removal of blacks from the town. "I told them to tell 13-year-olds who are white how they feel. Two kids can understand each other better than an adult can understand a kid."

Matthew Dunkel, 13, a seventh-grader at Hazel Park, said he believes children who get involved can make a difference. Dunkel, in fact, accompanied a St. Paul delegation that met on May 20 with Piet Koornhof, South African ambassador to the United States.

Dunkel said he told Koornhof there is no place in the civilized world for the policy of apartheid.

"He was a little jumpy, and I could see he wanted to get out of the meeting quickly," Dunkel said. "I think it hit him hard that I was talking to him. He was probably wondering, 'What's this little kid doing here?'"

## INTRODUCTION OF THE COQUILLE RESTORATION ACT

### HON. PETER A. DeFAZIO

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 1988

Mr. DeFAZIO. Mr. Speaker, today I am introducing the Coquille Restoration Act, a bill to correct a 34-year-old mistake by restoring to Federal recognition the Coquille Tribe of Indians. The Coquilles originally lived along the southern Oregon coast and many of their descendants remain in the area to this day.

The Coquilles are among the western Oregon Indian tribes which were terminated by Congress in 1954. Termination was a misguided approach meant to "assimilate" Oregon's Indians into the dominant white culture. The result was a deterioration of the tribes' cultural identity and economic disaster.

Beginning in 1977 Congress began the process of restoring the western Oregon tribes by restoring the Confederated Tribes of Siletz Indians. This act was followed by the restoration of the Cow Creek Band of Umpqua

Indians in 1982, the Confederated Tribes of the Grand Ronde Community of Oregon in 1983, the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians in 1984, and the Klamath Tribe in 1986. The Coquilles are the remaining tribe eligible for restoration.

Restoration of these tribes resulted in improved services, increased economic opportunity and recognition and strengthening of tribal culture and awareness of their heritage as American Indians.

Mr. Speaker, passage of this bill would correct a 34-year-old mistake and conclude Congress' efforts to restore the terminated western Oregon Indians tribes.

H.R. 4787

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

SECTION 1. This act may be cited as the Coquille Restoration Act.

#### DEFINITIONS

SEC. 2. For the purposes of this act;

(1) "Tribe" means the Upper Coquille and the Lower Coquille Tribes of Indians;

(2) "Secretary" means the Secretary of the Interior or his designated representative;

(3) "Interim Council" means the Tribal Council of the Coquille Tribe which serves pursuant to section 8 of this Act; and

(4) "Member" means a person enrolled on the Tribe's membership roll of August 29, 1960, compiled by the Bureau of Indian Affairs, or entitled to be so enrolled as provided for in subsection 7(b) of this Act;

(5) "Service area" means the area composed of Coos, Curry, Douglas, and Lane Counties in the State of Oregon.

(6) "State" means the State of Oregon.

SEC. 3. RESTORATION OF FEDERAL RECOGNITION, RIGHTS, AND PRIVILEGES.—

(a) FEDERAL RECOGNITION.—Notwithstanding any provision of law, Federal recognition is extended to the Coquille Tribe of Indians and to members of the tribe. Except as otherwise provided herein, all laws and regulations of general application to Indians or nations, tribes, or bands of Indians that are not inconsistent with any specific provision of this Act shall be applicable to the tribe and its members.

(b) RESTORATION OF RIGHTS AND PRIVILEGES.—Except as provided in subsection (d) of this section all rights and privileges of this Tribe and of members of the Tribe under any Federal treaty, Executive Order, agreement or statute or under any other authority, which were diminished or lost under the Act of August 12, 1954 (25 U.S.C. 691, et seq.), are hereby restored and provisions of said Act shall be inapplicable to the Tribe and to members of the Tribe, after the date of enactment.

(c) FEDERAL SERVICES AND BENEFITS.—Notwithstanding any other provision of law, the tribe and its members shall be eligible, on and after the date of the enactment of this Act, for all Federal services and benefits furnished to federally recognized Indian tribes or their members without regard to the existence of a reservation for the tribe. In the case of Federal services available to members of federally recognized Indian tribes residing on a reservation, members of the tribe in Coos, Curry, Douglas, and Lane Counties in the State of Oregon shall be deemed to be residing on a reservation. Any members residing in said counties shall continue to be eligible to receive any such Federal service notwithstanding the establishment of a reservation for the tribe in the

future. Notwithstanding any other provision of law, the tribe shall be considered an Indian tribe for the purpose of the "Indian Tribal Government Tax Status Act" (Sec. 7871, I.R.C. 1954).

(d) HUNTING, FISHING, TRAPPING AND WATER RIGHTS.—Nothing in this Act shall expand, reduce, or affect in any manner any hunting, fishing, trapping, gathering, or water rights of the Tribe and its members.

(e) INDIAN REORGANIZATION ACT ELECTION.—Notwithstanding the tribe's previous rejection of sections 461, 462, 463, 464, 465, 466 to 470, 471 to 473, 474, 475, 476 to 478, and 479 of United States Code Title 25, upon written request of the General Council, as defined in the constitution provided for in section 9 of this Act, the Secretary of the Interior shall conduct a special election pursuant to section 478 of this title to determine if such sections should be applicable to the tribe.

(f) CERTAIN RIGHTS NOT ALTERED.—Except as specifically provided in this Act, nothing in this Act shall alter any property right or obligation, any contractual right or obligation, or any obligation for taxes already levied.

SEC. 4. ECONOMIC DEVELOPMENT.—

(a) PLAN FOR ECONOMIC SELF-SUFFICIENCY.—The Secretary shall:

(1) enter into negotiations with the Tribal Council with respect to establishing a plan for economic development for this tribe; and

(2) in accordance with this section and not later than two years after the date of the enactment of this Act, develop such a plan.

(3) upon the approval of such plan by the Tribal Council the Secretary shall submit such plan to the Congress.

(b) RESTRICTIONS TO BE CONTAINED IN PLAN.—Any plan developed by the Secretary under subsection (a) shall provide that:

(1) any real property transferred by the tribe or any members to the Secretary shall be taken and held in the name of the United States for the benefit of the tribe;

(2) any real property taken in trust by the Secretary pursuant to such plan shall be subject to:

(A) all legal rights and interests in such land existing at the time of the acquisition of such land by the Secretary, including any lien, mortgage, or previously levied and outstanding State or local tax; and

(B) foreclosure or sale in accordance with the laws of the State pursuant to the terms of any valid obligation in existence at the time of the acquisition of such land by the Secretary; and

(3) any real property transferred pursuant to such plan shall be exempt from Federal, State, and local taxation of any kind.

SEC. 5. TRANSFER OF LAND TO BE HELD IN TRUST.—The Secretary shall accept real property within the service area for the benefit of the tribe if conveyed or otherwise transferred to the Secretary. Such property shall be subject to all valid existing rights including liens, outstanding taxes (local and State), and mortgages. Subject to the conditions imposed by this section, the land transferred shall be taken in the name of the United States in trust for the tribe and shall be part of its reservation. The transfer of real property authorized by this section shall be exempt from all local, State, and Federal taxation as of the date of transfer.

SEC. 6. CRIMINAL AND CIVIL JURISDICTION.—The State shall exercise criminal and civil jurisdiction within the boundaries of the reservation, in accordance with section 1162 of title 18, United States Code, and section 1360 of title 25, United States Code, re-

spectively. Upon the request of the State for partial or complete retrocession of jurisdiction pursuant to section 1323, title 25 United States Code, the Secretary shall accept such retrocession.

SEC. 7. MEMBERSHIP ROLLS.—

(a) OPENING; DUTY OF INTERIM COUNCIL.—The membership roll of August 29, 1960, compiled by the Bureau of Indian Affairs is declared open. The Interim Council under the Tribe's governing documents in effect on the date of passage of this Act shall take such measures as will insure the continuing accuracy of the membership roll.

(b) CRITERIA FOR ENROLLMENT.—

(1) Until a tribal constitution is adopted a person shall be placed on the membership roll if the individual is living and is not an enrolled member of another federally recognized tribe, and if;

(a) That individual's name was listed on the tribal membership roll of August 29, 1960, compiled by the Bureau of Indian Affairs;

(b) that individual was entitled to be listed on the Tribe's membership roll of August 29, 1960, compiled by the Bureau of Indian Affairs, but was not listed, or,

(c) that individual is a lineal descendent of an individual, living or dead, identified by subparagraphs (a) or (b) above.

(2) After adoption of a tribal constitution, said constitution shall govern membership in the Tribe.

(c) Verification of Eligibility for Enrollment; Appeal.—

(1) Prior to any election pursuant to section 9 of this Act, the Interim Council shall verify by Tribal resolution the eligibility for enrollment and the age of each member listed on the Tribe's membership roll, which resolution shall be forwarded to the Secretary.

(2) With regard to the exclusion of any name from the tribal membership roll, any individual alleging eligibility for membership may appeal to the Secretary in accordance with the regulations at Title 25, Code of Federal Regulations Part 2. The tribe must place on said roll any such individual that the Secretary determines is eligible for membership.

SEC. 8. INTERIM GOVERNMENT.—Until such time as a new tribal constitution and bylaws are adopted in accordance with section 9 of this Act, the tribe shall be governed by an Interim Council. The initial membership of the Council shall consist of members of the tribal council of the Coquille Tribe of Indians at the date of enactment of this Act. Any new members shall be elected according to the Tribal Bylaws adopted on April 23, 1979, *Provided*, That said members must meet the criteria for enrollment set forth in subsection 7(b) of this Act.

SEC. 9. TRIBAL CONSTITUTION.—

(a) ELECTION; TIME AND PROCEDURE.—Upon the written request of the Interim Council or within twelve (12) months of the date of enactment of this Act, whichever is sooner, the Secretary shall conduct, by secret ballot, an election for the purpose of adopting a constitution for the Tribe. The election shall be held after such written request and within sixty days after the Tribe provides certified copy of the Tribe's membership roll and notice of said election to the members. Absentee balloting shall be permitted regardless of voter residence. In every other regard, the election shall be held according to section 16 of the Indian Reorganization Act of 1934, and accompanying regulations.



(b) ELECTION OF TRIBAL OFFICIALS; PROCEDURES.—Not later than One Hundred and Twenty Days after the tribe adopts a constitution and bylaws, the Bureau of Indian Affairs shall conduct an election by secret ballot for the purpose of electing tribal officials as provided in the tribal constitution. Said election shall be conducted according to the procedures stated in paragraph (a) of this section except to the extent that said procedures conflict with the tribal Constitution.

Sec. 10. The Secretary may promulgate such regulations as may be necessary to carry out the provisions of this Act.

## SOVIET JEWRY: AN OPPORTUNE TIME TO ACT

HON. JIM LIGHTFOOT

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 1988

Mr. LIGHTFOOT. Mr. Speaker, today I would like to bring to your attention a timely issue about which we should all be concerned. This is the plight of the Soviet Jews. Much time was spent at the recent Moscow summit discussing human rights in the Soviet Union. While progress is being made in this area, there is still a tremendous amount of progress to be made.

Massive emigration from the Soviet Union began in 1975 after the signing of the Helsinki accords. In 1979, 51,320 Jews emigrated from the Soviet Union, an all-time high. The number of Jewish emigrants dropped drastically in the 1980's despite the fact that the Soviet Union is a signatory to the Helsinki accords. While the Soviet Government has been more lenient in allowing emigration for the reunification of families and marriage, it has been adamantly opposed to religious particularly Jewish, emigration.

In 1987, 8,155 Jews were allowed to emigrate out of the Soviet Union. As of May 1988, 4,695 Soviet Jews have been allowed to leave. It is obvious that both figures are well below the levels in the late 1970's. The Soviets do not recognize the universal right to emigrate in practice although they are signatories to international documents recognizing that right. Simply applying for an exit visa has resulted in harassment, intimidation, punishment, and has often labeled the emigrant as a suspicious threat to the state. Teaching Hebrew in the Soviet Union is illegal. Hebrew and Yiddish schools, Yiddish publications, and Yiddish language instruction are extremely limited. Currently there are fewer than 60 synagogues in the Soviet Union to serve an estimated 2.5 to 3 million Jews. It is obvious that the Soviet Government is seriously limiting the growth of the Jewish religion if not trying to eliminate it altogether.

The recent increase of Jewish emigrants leaving the Soviet Union can partially be traced to Gorbachev's broadening domestic reform and policy of openness. While this increase is encouraging, there is much we can do as an institution to improve and speed the emigration process.

In that regard, I want to urge all of my colleagues to join the Soviet Jews in their struggle for basic human rights. This can be accom-

plished by continuing to support and encourage the upholding of the Jackson-Vanik amendment to the Trade Act of 1974 which links most-favored-nation status to emigration policies; by stressing the ratified INF Treaty which contains an amendment of reaffirmation sponsored by Senator DENNIS DECONCINI; by raising the issue at all contact points between the United States and the Soviet Government as fundamental to their relationship with the United States; by participating in efforts sponsored by congressional caucuses; and by supporting congressional resolutions and letters on behalf of oppressed Jewry. Subjecting these issues to widespread public attention not only helps individuals who wish to emigrate, it also causes the Soviet Government to act humanely with those wishing to emigrate.

Mr. Speaker, while progress has been made for the emigrants, we must let the Soviets know that this legislative body will not be satisfied until all refusniks are free.

## SUMMIT STATEMENT IN SUPPORT OF GLOBAL CHILD SURVIVAL EFFORTS

HON. TONY P. HALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 1988

Mr. HALL of Ohio. Mr. Speaker, I would like to call my colleagues' attention to the statement of support for global child survival efforts which was issued at the conclusion of the Moscow summit meeting. The joint communique issued by President Ronald Reagan and Soviet General Secretary Mikhail Gorbachev stated in this regard:

Both leaders reaffirmed their support for the WHO/UNICEF goal of reducing the scale of preventable childhood death through the most effective methods of saving children. They urged other countries and the international community to intensify efforts to achieve this goal.

This joint statement from the Moscow summit was warmly received by UNICEF Executive Director James P. Grant and WHO Director-General Halfdan Mahler. As they observed in reaction to this communique:

The attainment of the goals of Health for All by the year 2000 and child survival and development, including the eradication of polio, would represent an extraordinary gift from the 20th century to the 21st century.

It is most encouraging that the leaders of the two superpowers acknowledged the work and the goals set by UNICEF and WHO with respect to saving the children of the world from the ravages of preventable diseases. Indeed, it is a tribute to the efforts of both UNICEF and WHO that the issue of child survival is becoming a more visible priority on the world's agenda. Both organizations had urged the summit leaders to issue a statement in support of the principles of primary health care, universal child immunization by 1990, and the eradication of polio by the year 2000.

Following the leadership of UNICEF and WHO, many private voluntary organizations around the world are working diligently in the field to implement these goals. In addition,

many governments have committed resources toward their attainment.

In the United States, global child survival is developing an increasingly larger constituency. The support of the American people for international child survival initiatives has been reflected in encouraging bipartisan actions taken by the Congress and the administration in recent years.

Child survival has been one of the top priorities of the House Select Committee on Hunger, on which I serve, and of that committee's international task force, of which I am chairman. Our committee has been pressing for several years for the legislation necessary to make the UNICEF/WHO goals a reality. Both the House Foreign Affairs Committee and the House Appropriations Committee's Subcommittee on Foreign Operations have provided solid and consistent support for child survival, immunization, and primary health care funding.

My colleagues and I who have been working to achieve the reachable targets established by UNICEF and WHO are heartened by the summit statement in support of worldwide child survival efforts. Let us hope that these words will give life to a renewed commitment to direct global resources to reducing childhood deaths from readily preventable diseases.

## PORTUGAL DAY

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 1988

Mr. RODINO. Mr. Speaker, this Sunday, we will celebrate Portugal Day. This special occasion is a time to recognize the accomplishments, in all fields, of Americans of Portuguese heritage. It is an opportunity to express our gratitude and appreciation to Portuguese Americans for their many contributions which have enriched the social fabric of life in our Nation. On this day, all Americans—regardless of their ethnic background—salute the Portuguese community and celebrate its rich cultural heritage.

Portugal Day marks the date in 1580 when the great poet and patriot Luis Vaz de Camoes died. His epic poem *Lusiads*—"Os Lusíadas"—recounts a golden age in Portugal's history when heroic Portuguese explorers brought their flag and their faith to the New World. With little more than 1 million inhabitants, Portugal's influence spread throughout the world and the horizons of mankind were forever changed. This courage and determination remains an important part of Portuguese heritage.

I am proud that my own city of Newark, NJ, boasts one of the most vibrant Portuguese communities in the United States. Centered around the East Ward of Newark and known as the Ironbound section, it is a prosperous and tightly knit neighborhood of close to 50,000 Portuguese Americans who have contributed to the rebirth of Newark with their strong sense of civic pride. It is an area renowned for its many restaurants and specialty stores which give it a unique ethnic flavor.

The Ironbound section is also the site of Newark's eighth annual Portugal Day celebration. This year's festivities are once again sponsored by the Portuguese American Federation of New Jersey. This exemplary organization has planned a celebration that will salute Portuguese heritage by commemorating both the richness of the past and the promise of the future. I want to salute the outstanding leadership of federation directors Bernardino Coutinho, Antonio Pinho, Jose Borges, and Fernando Martins. Their dedication and sense of commitment has enriched the entire community.

Mr. Speaker, I look upon the ethnic diversity of America as I do upon a beautiful tapestry—made up of so many different strands and a multitude of colors—all woven together to make a rich fabric that glows with its brilliance. On Portugal Day, we recognize and celebrate the vibrant strand of Portuguese heritage. Portuguese Americans have added greatly to the beauty and the enrichment of our American tapestry.

#### H.R. 3822—48-HOUR NOTIFICATION JEOPARDIZES U.S. INTELLIGENCE CAPABILITY

**HON. GERALD B.H. SOLOMON**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 1988

Mr. SOLOMON. Mr. Speaker, at the end of the successful intelligence operation to extract U.S. citizens hiding in the Canadian Embassy, one of the Americans was quizzed at the airport by an Iranian Customs Inspector, "I noticed your middle initial is H, and you are on a West German passport, and I have never seen a West German passport in which the middle name was not spelled out." At this point the American citizen said, "Yes, you will notice I was born in 1935. I am ashamed of my middle name—Hitler."

This story is true and this American intelligence operation was a success. However, if the Congress approves legislation—H.R. 3822—it is currently considering, it is unlikely America will be able to conduct this type of operation in the future. This bill, if approved, will have a detrimental effect on the intelligence capability of the United States.

The House of Representatives will soon vote on H.R. 3822, which requires the President to notify Congress, within 48 hours, of any covert operation.

Placing an absolute limit of 48 hours for the President to notify Congress, no matter how important to national security, is totally unreasonable and will seriously damage American intelligence capability.

Sensitive covert operations conducted by American intelligence agents require the tightest secrecy for the success of the mission and the safety of American lives. In the name of intelligence reform, H.R. 3822 would weaken our ability to conduct successful covert operations. Let me explain why. If the President must report to the Congress within 48 hours of approving a mission, and knows that there is a chance of information being leaked and the mission compromised, he will likely determine not to conduct the operation.

In testifying before the Senate Select Committee on Intelligence, William Webster, Director of the Central Intelligence Agency, expressed his strong opposition to the bill.

My first concern is with the provision of the bill that requires notification of a special activity to Congress, without exception, within 48 hours after the signing of a finding. I believe that some allowance must be made for that rare case where a limited delay in congressional notification is critical to preserve the absolute security of an operation when, for example, lives are at stake.

The Iranian rescue operation is a perfect example of how the 48-hour notification provision would hurt America's intelligence capability. The covert operation which rescued the American citizens hiding in the Canadian Embassy in Iran took 3 months to set up and 6 months to carry out. It was a success.

Yet, what if the President had been required to tell Congress about the operation within 48 hours. In all likelihood the operation would not have been conducted for fear it would be leaked. Leaked information would have doomed the operation, with untold consequences for both American and Canadian citizens. Additionally, it is unlikely the Canadian intelligence community would have cooperated if the 48-hour restriction had been in place at that time.

This 48-hour restriction also means that Members of Congress who oppose certain covert actions could abort the operation simply by leaking details of it to the news media with little or no fear of facing legal consequences. I am not saying that Congress always leaks information. What I am saying is that it is unrealistic to believe that Congress never leaks information. Why needlessly place lives and important American intelligence operations at further risk?

Mr. Speaker, I agree with CIA Director Webster; the 48-hour notification provision contained in H.R. 3822 will seriously undermine America's ability to conduct effective intelligence operations.

#### THATCHER CAPTURES MORAL INITIATIVE

**HON. JACK F. KEMP**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 1988

Mr. KEMP. Mr. Speaker, in yesterday's Wall Street Journal the noted British historian and journalist, Paul Johnson, wrote about the effort British Prime Minister Margaret Thatcher is making to set a moral base for the actions of her government. He notes that Mrs. Thatcher reminds us that it is deeply immoral to promise what we cannot deliver. Instead, she has worked successfully to create a revival of the British economy which will allow the Government to help those less fortunate. We should all take note of Mrs. Thatcher's wise counsel. I commend the article to my colleagues.

[From the Wall Street Journal, June 9, 1988]

#### THATCHER CAPTURES MORAL INITIATIVE

(By Paul Johnson)

Not content with inflicting three successive defeats on Britain's Labor Party and forcing it to scrap its commitment to full-blooded socialism, Margaret Thatcher has now embarked on a long-term campaign to swing the country's church leaders behind her efforts to establish democratic capitalism as the national ideology.

Mrs. Thatcher has always, by instinct and conviction, related political aims to moral purpose and insisted that her beliefs about the way the country should be run are firmly rooted in Christian teaching. In this respect she is not a typical leader of the Conservative Party, but more in the evangelizing tradition of the great 19th-century Liberal statesman, William Ewart Gladstone. It is true that British Conservatives are traditionally the "Church and King" party, and most of their leaders, including the Jewish-born Benjamin Disraeli, have been Anglicans. But in modern times Conservative prime ministers have tended to keep their religious views strictly for private life and to base their appeal to the public entirely on their practical governing skills. As one of them put it to me, "We leave moralizing to those Labor fellows."

But Margaret Thatcher is not prepared to leave moral issues to her opponents. Brought up in a God-fearing Methodist household, converting to Anglicanism as a student at Oxford, she has never been able, or wished, to separate her strong religious convictions from her equally strong political ones. In her mind they are indivisible, springing as they do from the teachings of her father, a storekeeper and local councilor in the small town of Grantham, whose maxims constitute the bedrock both of her spiritual beliefs and her public conduct.

#### THE PROTESTANT ETHIC

Her father's code was simplicity itself. There are real and absolute distinctions between good and evil. Everyone has a personal responsibility to choose the good. This applies equally to private and public life. Choosing the good means working hard to better ourselves and our families and to serve the community. Deal honestly and keep the spirit as well as the letter of the law. Borrow only when absolutely necessary, and repay promptly. Save systematically for the future. Give generously. In public life, apply exactly the same high standards as in your private dealings. Remember at all times that you are accountable not merely to the voter in this life, but to Almighty God in the next—and God sees into our secret hearts and judges our motives as well as our actions.

There was never any question of Mrs. Thatcher keeping morals out of politics. When she first became leader of the Conservatives, in 1975, she brooded furiously on the way the Labor Party, with its cults of welfare socialism and its image of the "Three Cs"—caring, compassionate and concerned—had been allowed to occupy the moral high ground of politics.

To her, Labor was a party of moral fraudulence: It was compassionate with other people's money and it bribed its way into office by expensive schemes of public provision which, once installed, it was obliged to abandon since it could not generate the wealth to pay for them. Even in those days she reiterated the point: "The Good Samari-



tan first has to earn the means to be generous." I remember her saying to me: "I am determined to capture the moral initiative from Labor—and keep it."

She certainly achieved this objective. She had no difficulty in turning trade-union reform into a moral issue, for everyone could see that the destructive and selfish way British unions behaved in the 1970s constituted a national scandal. But she gave her campaign an additional ethical dimension by insisting that in curbing the power of union leaders she was "giving the unions back to their members" and, in 1982-83, she dramatized her moral crusade by fighting a successful battle against Arthur Scargill, the hard-left leader of the militant coal miners.

She gave the Falklands War a moral purpose too: the need to reverse an unprovoked and brutal aggression by a military dictatorship against a defenseless, pastoral people. She turned the campaign against terrorism, dramatized by her sensational escape from the Irish Republican Army's attempt to blow up a Brighton hotel where she was staying, into a national moral duty. She even presented her highly successful privatization campaign as a righteous effort to transform grotesquely inefficient public corporations, run by bureaucrats in the interests of the work force and its union bosses, into real national assets, owned by millions of small shareholders. And she successfully argued that the property-owning democracy she was creating, where the percentage of families owning their own homes has risen to 65% and where the number of individual shareowners has jumped from 2.5 million to more than nine million, is a huge moral advance on the traditional industrial society, with its majority proletariat owning nothing but its labor.

The difficulty Mrs. Thatcher found herself in, after three electoral victories, was that her very success undermined her position of moral advantage. In 1988 there is no doubt that the economic policies she has pursued with such obstinacy since 1979 are bearing fruit. The economy is booming, unemployment is falling rapidly, inflation is low, productivity and real wages are rising. In this year's budget, Chancellor Nigel Lawson was able to cut taxes on all incomes, raise welfare spending modestly and still achieve a balance. It was the most triumphant budget of modern times.

But was it too triumphant? It cut the top tax rate to 40% from 60%, a move that will almost certainly increase the yield from higher incomes. But it is seen as a huge concession to the well-off at a time when there is still much visible poverty in Britain and when the country's sacred cow, the National Health Service, the one institution Mrs. Thatcher has not yet dared to reform, is clamoring for more cash.

The budget brought to the surface a feeling, irrational but powerful and pervasive, that Thatcherite prosperity, widely spread as it is, threatens to turn Britain into a nation of materialist—greedy, selfish and heartless. This feeling has been eagerly fanned by radical churchmen of all denominations.

The ecclesiastical criticism has been vociferously echoed by the Labor Party, which has pounced on what it sees as the perfect opportunity to regain the moral initiative it lost to Mrs. Thatcher in the years after 1979. The result has been Mrs. Thatcher's moral counteroffensive, in which she has deliberately and systematically described the religious principles on which her politi-

cal beliefs rest and her government acts. She began it with a powerful meeting of the Presbyterian clergy in Scotland last month. She hammered home her belief in the essential moral need to work and produce: "It is not the creation of wealth that is wrong, but the love of money for its own sake. The spiritual dimension comes in when deciding what one does with the wealth." She also repeatedly stressed the moral centrality of personal responsibility: "Intervention by the state must never become so great that it effectively removes personal responsibility."

She followed this address by another hard-hitting statement of her ethics at the Conservative Women's Conference. She quoted John Wesley, founder of Methodism: "Gain all you can. Save all you can. Give all you can." She stressed the moral theme in magazine and newspaper interviews. There are more "moral issue" speeches on the way. Her counteroffensive has received enormous publicity and aroused much critical comments from her clerical opponents.

#### THE MORAL MAJORITY

But starting a public debate on the moral issues of politics is exactly what Mrs. Thatcher wants. She believes she can win it by reiterating a simple proposition that everyone can grasp: It is deeply immoral to promise benefits without taking positive steps to create the wealth to pay for them—and that means an effective capitalist system. Capitalist efficiency and public morality go hand in hand. That is the message at the heart of her campaign. There is an uneasy feeling in the Labor Party that she is beginning to get it across.

The moral majority in Britain is less vocal than in America. The established churches, all of which are dominated by left-liberal oligarchies, have an absolute stranglehold on religious discussion on British TV; new or dissident church groups are not allowed to own TV or cable stations or even to buy air time. But a moral majority exists nonetheless, and Mrs. Thatcher speaks for it. Frank Field, one of the shrewder and more independent-minded Labor politicians, told his colleagues last week not to underestimate Mrs. Thatcher's ability to win the moral argument: "She has a wonderful nose for gathering votes in the middle ground of England," he said. "There is a fundamentalism sweeping the world—and Mrs. Thatcher will strike a chord."

#### A TRIBUTE TO IVAN JONES

#### HON. MERVYN M. DYMALLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 1988

Mr. DYMALLY. Mr. Speaker, I rise today in order to invite my colleagues to pay special tribute to a very unique individual, Mr. Ivan Jones, who is celebrating his 108th birthday and will be honored at a birthday party this Sunday, June 12, in Los Angeles.

Mr. Jones was born on a farm in Weimar, TX, on June 7, 1880. He is the third of 11 children and the last member of his immediate family.

At the turn of the century, Mr. Jones left his father's farm and decided to venture across the State of Texas. After working in a cafe in Rosebud, TX, he decided to visit California and seek employment. With great endurance and stamina, he worked as a freight elevator

operator—with no pay—at an electric fixture company on Spring Street.

Later, Mr. Jones traveled to San Antonio where he worked as a bellhop. When the telephone company made a line available to Mexico City, he decided to go there and get a job as a pullman porter. From there he traveled to Vera Cruz where he remained for 8 months. The high incidence of yellow fever influenced his decision to return to San Antonio where he worked in an ice cream parlor. He decided to return to California and pursue various types of employment opportunities. He worked at a country club in Pasadena for several years prior to his employment with the Alexandria Hotel which lasted for 26 years.

Although he remained devoted to the family farm, he developed an interest in real estate and decided to pursue several business ventures. As a self-starter with great drive and ambition, he secured ownership of a service station. At Grand Central Market, he owned a concession and health stand. With continued vigor and persistence, he left there and went on to own another concession stand on Hill Street where he retired at the ripe old age of 95.

Thirteen years later, Mr. Jones continues to enjoy his retirement and maintains a vivacious and energetic outlook on life. Indeed, he is a role model for all of us who seek happiness and longevity in life. I call on my colleagues to join me in wishing Mr. Jones best wishes for the special celebration of his 108th birthday.

#### SOCKERS SWEEP INDOOR SOCCER CHAMPIONSHIP

#### HON. BILL LOWERY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 1988

Mr. LOWERY of California. Mr. Speaker, it is with great pride and admiration that I rise today to commend a true group of champions. For the sixth time during the last 7 years, the San Diego Sockers of the Major Indoor Soccer League have clinched the championship. With a four-game sweep over the Cleveland Force, they have prevailed as the best indoor soccer team of all time.

The Sockers have come to San Diego from all over the world and represent a diversity of cultures and personalities who have combined to create a championship era for this city.

This year the Sockers have set records in numerous league categories. They captured 23 home victories and 19 on the road; the best in the MISL. Coach Ron Newman was named, "Coach of the Year." Player Kevin Crow earned the "Defender of the Year" award. Zoltan Toth was chosen "Goalkeeper of the Year."

During the playoffs, the "Most Valuable Player of the Championship" was midfielder Hugo Perez and defender George Fernandez was given the first "Championship Series Unsung Hero Award" for the player showing the most improvement from the regular season through the playoffs.

There were some rough times for the Sockers this year, but they worked hard for this success. Player Kevin Crow told fans, " \* \* \*

the character of this team doesn't accept mediocrity and seems to feed on adversity."

As the only professional team in this city to win the top prize in any sport in over 20 years, the San Diego Sockers have demonstrated an enthusiasm that sets an incomparable example of pride and team spirit for this Nation to acknowledge and honor.

Mr. Speaker, I invite my colleagues to join me in a salute to the proud blue and gold of the 1988 Major Indoor Soccer League champions, the San Diego Sockers.

#### A TRIBUTE TO ROBERT F. KENNEDY

#### HON. JIM BATES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 1988

Mr. BATES. Mr. Speaker, I extend my deepest sympathies to the entire Kennedy family on this 20th anniversary of the assassination of Robert F. Kennedy.

I admired Senator Kennedy's unfailing concern for the hungry in our land and for those who suffered for reasons beyond their control, such as color and race. Especially I admired his positive questioning of the course of violence adopted by our Nation in Southeast Asia and his expressed desire for a reduction of that violence. It is all too ironic that he became a victim of violence himself.

He believed that the essence of our democracy was that each person could contribute, look beyond their several concerns, could dream, and could make a difference. In each of the areas that he chose to make a contribution he spoke the truth and opened up the process of participation.

As we look back, we remember him as a man of compassion and strength, a friend of the poor, the enemy of poverty. He was a champion of justice, the inveterate foe of special privilege. He fought for the ideals to which he was devoted. In an address at the University of Capetown on June 6, 1966, he stated:

Each time a man stands up for an ideal, or acts to improve the lot of others, or strikes against injustice, he sends forth a tiny ripple of hope, and crossing each other from a million different centers of energy and daring those ripples build a current which can sweep down the mightiest walls of oppression and resistance.

Robert Kennedy's life itself was a statement of the ideals and beliefs held in reverence by all Americans.

We want to remember Robert F. Kennedy because he touched something deep and enduring in each of us. His death was a loss to our Nation, but his life was an inspiration to all.

#### VINITALY: THE AMERICAN WINE INDUSTRY TAKES ON THE COMPETITION IN ITS OWN BACKYARD

#### HON. E de la GARZA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 1988

Mr. DE LA GARZA. Mr. Speaker, this past spring I had the privilege of sharing with our Secretary of Agriculture and the U.S. Ambassador to Italy the honor of opening the first official U.S. pavilion at Vinitaly, the world's oldest and largest wine fair, held each year in Verona, Italy.

I must confess, Mr. Speaker, that the idea of selling American wines to the Italians initially met with a certain amount of skepticism. As you might expect, some likened the effort to "carrying coals to Newcastle." But I think that the story of how we came to participate in Vinitaly tells much about the new opportunities that exist for expanding agricultural trade and diversifying our agricultural economy—if government and the private sector work together, and provided that we are willing to challenge conventional thinking. In the process, I suggest we make believers out of the doubters, and as a result, our wine industry will likely never be the same.

It all started when I attended Vinitaly in April 1987. As I was shown the various wine displays, I asked to visit the U.S. exhibitors. At first, I was merely surprised to find that no U.S. wines were represented at Verona. But when Dr. Lucio Caputo, the fair's representative to the United States, informed me that he had made a special effort to invite American wineries, but that they had declined, I was shocked. How could the United States hope to compete in the international marketplace if it ignored major events such as Vinitaly? I decided then and there that the United States would be represented at Vinitaly in 1988, and that we would do everything possible to ensure that our wineries made a favorable impression on the Italians.

From the outset we knew that, to be a success, the first official U.S. participation in Vinitaly would require a great deal of planning and enthusiastic support not only from American wineries but also from the U.S. Department of Agriculture. It is never easy to challenge the competition on its own turf, particularly when an industry as established as the Italian wine industry is challenged by the upstart newcomers now filling the ranks of U.S. wine producers.

But the time for mounting such a challenge appeared ideal. A much more competitive U.S. dollar, and the seemingly universal demand for things foreign and unique—the legacy of "Yuppies" even in Europe—offered a tremendous opportunity. We knew we couldn't expect to compete with the inexpensive table wines that the Italians produce so well, but we did think that U.S. wineries could find their niche in the upscale market where demand is fueled by a desire for wines that offer both premium quality and a certain distinctiveness.

At this point I must explain, Mr. Speaker, that the U.S. wines we hoped to send to Vinitaly would be truly distinctive. We planned to

send not only many fine California wines with which we are all familiar, but also wines from promising young wineries across the country, including those in New York, Washington State, New Jersey, Pennsylvania, New Mexico, and my own State of Texas.

If I may digress for a moment, Mr. Speaker, the notion of taking Texas wine to Italy is rather remarkable, especially when one considers that our State's industry, while growing robustly, is still in its infancy. As recently as 1975, for example, Texas had just one bonded winery and 25 acres of grapes. Today there are nearly two dozen wineries producing about 800,000 gallons of wine on almost 3,500 acres scattered across the State. Moreover, the amount of Texas land planted to wine grapes is expected to double by the year 1995. Wine production promises to contribute significantly to economic growth and agricultural diversity across the State. The industry holds the potential for increasing employment well beyond the additional resources needed to grow and process grapes and market the wine. Already, for example, plans are being made to develop a tourist industry around the emerging wine producing regions.

Perhaps the most revealing measure of the State's determination to support the industry was the recent establishment at Texas Tech University of the Texas Wine Research Marketing Institute, located in a "dry" county.

Critical to ensuring the success of our Vinitaly effort was winning the full support and backing of the U.S. Department of Agriculture [USDA] and its Foreign Agriculture Service [FAS]. I am pleased to report that USDA-FAS was enthusiastic about the idea from the beginning and Secretary Lyng and FAS Administrator Tom Kay pledged their complete cooperation.

The key to making sure that U.S. wineries were well received, however, rested in the special arrangements and added attention that Vinitaly officials extended to the U.S. participants.

From the beginning, fair officials made clear that they would make the American exhibitors the honored guests at this year's event. Thus they provided free space for the U.S. pavilion at the choicest location in the center of the fair's activities. They promised a concerted effort to draw press attention to the U.S. display, reduced rates for lodging and related expenses for U.S. exhibitors, and in general they offered their total support throughout the months of preparation that would be required to pull the exhibit together.

Even with the official support of the U.S. Department of Agriculture and the Vinitaly Fair, a successful U.S. exhibit would not have been possible without the enthusiastic involvement of those U.S. wineries who agreed to participate.

To give an example of the effort expended to draw attention to our participation at Vinitaly, let me cite one event sponsored by Texas Tech University. On November 6 and 7, 1987, Texas Tech hosted a "Texas Vintage and Vintages Symposium" to call attention to the growth of the Texas wine industry and to encourage wineries in the State to exhibit at the fair in Verona. Participants in the symposium heard Vinitaly's representative to the United



States, Dr. Caputo, and various officials from USDA, outline the activities planned for Vinitaly '88 and the special resources offered to encourage U.S. involvement. The USDA officials, for example, informed participants that the Government would pay for the cost of sending wine samples to Italy and waive the exhibition fee usually charged for such events.

The dinner held in conjunction with the symposium featured not only outstanding Texas wines, but also such Texas specialties as Hill County quail, gulf coast snapper, panhandle potatoes, and rattlesnake pate. The event received extensive press coverage throughout the State and five Texas wineries subsequently agreed to send their product to Verona with Texas Tech Wine Marketing Research Institute officials serving as their representatives.

As one might expect, Mr. Speaker, the planning and related events associated with the U.S. role in Vinitaly also received the active support and involvement of the members and staff of the Committee on Agriculture. We participated not only in events such as the Texas Vintage and Vintiles Symposium, but we also joined Vinitaly President D. Giuseppe Ceni on January 28, 1988, at a press conference in New York announcing U.S. participation in this year's fair. Later, committee staff also met with fair officials for the press event associated with the U.S. wine's shipment from New York to Italy.

An event of this magnitude also required extensive committee involvement in the actual design of the U.S. pavilion. In February of this year the then-staff director of the committee and another committee aide traveled to Italy to meet with the architect who was to design and build the United States exhibit and with fair officials to finalize details for the pavilion, which the committee staff had been involved with for months. They also developed plans for a welcoming reception and related events that the U.S. delegation would be sponsoring for the press, government and fair officials, and wine merchants.

The committee staff also took the opportunity while in Verona to arrange for an official permanent U.S. exhibit at the 90th International Agricultural Fair to be held in Verona that March. In addition to planning the details for the U.S. exhibit, a congratulatory message to the fair from President Reagan was secured as was a crop production specialist from Texas A&M who agreed to come, as the fair's guest, to speak at one of its technical symposia.

In view of the many months of detailed activity and added resources that were expended to prepare for the U.S. participation at Vinitaly, I am very pleased to report that the entire event proved to be an unqualified success.

In early April, in the days just before Vinitaly, I met with Secretary Lyng in Brussels, where we both spoke at the World Food Conference that week. I must say that any lingering doubts I had at that moment about the advisability of taking American wines to Italy were dispelled in the course of a meeting that I attended in Brussels between Secretary Lyng and the FAS attachés assigned to various European capitals. As Secretary Lyng asked each attaché for a brief report in the state of affairs in their assigned country, I was struck by the frequent comment from the at-

tachés that wine imports from the United States currently are among the brightest prospects for U.S. trade development.

On the morning of April 8 Secretary Lyng and I traveled together from Brussels to Verona where we were met by fair officials and joined by the U.S. Ambassador to Italy, Maxwell Rabb.

Mr. Speaker, I would be remiss if at this point I did not call attention to the exemplary job that Ambassador Rabb is doing for our country in Italy. His affection for the Italian people, and their equally warm feelings for him, were apparent throughout our visit. We are truly fortunate to have him as our representative to such an important country, and I must say I am not surprised that relations between our two countries have never been better. He was very helpful to us during our stay, and I want to take this opportunity again to thank him for his kindness and his service to our country.

After our arrival, our delegation, including the Secretary, the Ambassador, Congressman STENHOLM, and myself, was taken directly to the fair's opening ceremonies where we were seated as the honored guests. From there we were taken on an extended tour of the fairgrounds that included an invitation to me from the Association of Italian Sommeliers to join them at their pavilion for a special "toast of friendship." The tour concluded with the official opening of the U.S. pavilion followed by a press conference and reception within the U.S. exhibit area that was well attended by press and wine enthusiasts.

At the official opening of the U.S. pavilion, our delegation was joined by President Ceni and other dignitaries for a ribbon-cutting ceremony. In formal remarks at the start of the press conference, President Ceni welcomed the delegation and the U.S. exhibitors to Verona, Ambassador Rabb greeted our visitors, and Secretary Lyng spoke on behalf of the U.S. participants. I then reminded our hosts, in Italian, of my pledge to them 1 year ago to return to Italy with American wines, and that I was not only pleased to keep my promise, but proud to be bringing some really outstanding wines.

I wish that all Americans could have seen the U.S. pavilion. It occupied, as I mentioned, a prime location in the center of the largest building on the fairgrounds. The bold but graceful pavilion, with its red, white, and blue colors drew visitors like no other exhibit. The display booths for the various U.S. wineries were arranged along the pavilion's rectangular exterior.

The wines from Texas were provided a prominent corner over which flew a large Texas flag. Under the flag was a map of the State showing where each winery is located, and next to the map was a huge color mural showing a cowboy on horseback, wearing a tuxedo and carrying a glass of wine, with a windmill and the Texas landscape in the background. But if images of "J.R." and "Dallas" attracted people to the Texas exhibit, I can assure you that it was the quality of the wines that kept them there and left them shaking their heads in pleased astonishment.

The Texas exhibitors expressed their gratitude by presenting me with a cowboy hat. As I tried it on, I was of course obliged to join Am-

bassador Rabb and Mr. STENHOLM in a rendition of "The Eyes of Texas."

The interior of the U.S. pavilion included a seating area where buyers and sellers could transact their business, as well as, a bar for serving wine, snacks, and other refreshments. On the interior walls were the American flag, pictures of famous U.S. landmarks such as the Statue of Liberty, and portraits of President Reagan and Secretary Lyng. The Department of Agriculture, in recognition of my efforts to ensure the U.S. presence at Vinitaly, was kind enough to include my picture along with that of the President and the Secretary.

To give some idea of the wines that greeted the Italian press and public, the following is a listing of those States and the wineries—nearly 35 in all—that exhibited their product:

California: Beringer Vineyards, St. Helena; Buena Vista Winery, Sonoma; Ernest & Julio Gallo Winery, Modesto; Robert Mondavi Winery, Oakville; the Christian Brothers, St. Helena; Alexander Valley Vineyard, Healdsburg; Murphy-Goode Winery, Geyserville; J. Pedroncelli, Geyserville; Preston Vineyards, Healdsburg; Dry Creek Vineyard, Healdsburg;

New Jersey: Alba Vineyards, Milford; Amaltea Cellars, Atco; Amwell Valley Vineyards, Ringoes; Burkes County Vineyards, Borden; La Folette Vineyards, Delle Mead; Tewksbury Wine Cellars, Lebanon; Kings Road Vineyards, Milford; Sylvan Farms Vineyards, Cologne; Tomasello Winery, Hammondtown; Del Vista Vineyards, Frenchtown;

New Mexico: St. Clair Vineyards, Deming;

New York: Bridgehampton, Bridgehampton; Casa Larga, Fairport; Cascade Mountain, Amenia; Chateau Georges, New Paltz; Great Western Winery, Hammondsport; Palmer Vineyards, Aqueboque; Woodbury Vineyards, Dunkirk;

Pennsylvania: Nissley Vineyards, Bainbridge;

Texas: Bluebonnet Hill Winery, Ballinger; Fall Creek Vineyards, Tow; Llano Estacado Winery, Lubbock; Messina Hof Wine Cellars, Bryan; Pheasant Ridge, Lubbock; and

Washington State: Arbor Crest Winery, Spokane.

Later that evening the official U.S. delegation was invited to a splendid dinner hosted by President Ceni and other fair officials. The next evening we reciprocated with a dinner in honor of our Italian hosts.

While we could not hope to match the spectacular evening our Italian friends had sponsored, we attempted to ensure that it was equally warm and gracious. At the conclusion of the evening we presented them with mementoes of the occasion and on behalf of our delegation I expressed, in our hosts' language, our deepest appreciation for their hospitality and close friendship.

Looking back on an undertaking of this sort one must ask if the heavy investment of time and resources was justified. I must conclude, Mr. Speaker, that it was.

Even at a glance it is easy to declare U.S. participation at Vinitaly '88 a success. Over 85,000 people attended the fair this year, and the American wines proved a special draw. Media attention associated with the presence of our wines was widespread.

But there is harder evidence that our role in Vinitally paid substantial and immediate dividends. The Association of Italian Sommeliers, for example, during a special tasting of U.S. wines, gave its highest award—"Molto Fine"—to a cabernet sauvignon from Llano Estacado and a Sauvignon Blanc from Pheasant Ridge. Both wineries are located near Lubbock, TX. More importantly, numerous commercial orders for U.S. wine were reportedly placed by Italian merchants in the course of Vinitally and since the end of the fair.

By any measure, Mr. Speaker, it is clear that U.S. wineries have taken on the competition in their own backyard and demonstrated that they can compete with the best that established producers have to offer. According to a Wall Street Journal article published the day after Vinitally concluded, exports of American wine jumped 64 percent in 1987 and are up 300 percent since the first of the year. The article also states:

Canada, Japan, and the United Kingdom are the major export markets, yet even shipments to wine-producing countries such as France and Italy are on the rise.

The article predicts that within 10 years wine exports could leap from the current 3 percent of all U.S. wine sales to a full one-third.

Finally, Mr. Speaker, the article quotes an industry spokesman on the difficulties domestic wineries are having meeting demand both at home and abroad, sometimes being forced to allocate limited supplies between the two markets. That, Mr. Speaker, is the kind of problem that we in agriculture welcome.

#### SALUTE TO LITERACY LINE

### HON. DENNY SMITH

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 1988

Mr. DENNY SMITH. Mr. Speaker, I just wanted to take a minute to call attention to an outstanding program in Oregon dedicated to conquering illiteracy.

Studies have shown that an estimated 150,000 Oregonians are functionally illiterate and cannot read a newspaper, an election ballot or a warning label on a medicine bottle. Nationwide, an estimated 23 to 27 million Americans are thought to be functionally illiterate.

Oregon Literacy Line offers toll-free numbers for Oregonians wanting to be matched with reading tutors. This is an outstanding project that has won the support of citizens and businesses in Oregon.

Recently, the Oregonian newspaper sponsored a corporate spelling bee. The event was organized by Fred Stickel, president and publisher of the Oregonian. Representatives from Oregon corporations and local media personalities subjected themselves to a tough competition and raised \$6,300 for Literacy Line.

As one of the participants said, "You can survive in life if you can't spell, but it's awfully hard to survive if you can't read."

This private sector support of an outstanding project is in the Oregon tradition of citizens helping one another, and the Oregonian and Fred Stickel deserve our appreciation.

#### CAJUN MUSIC MONTH

### HON. W.J. (BILLY) TAUZIN

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 1988

Mr. TAUZIN. Mr. Speaker, today, my Louisiana friends and colleagues are introducing a joint resolution to designate the month of August 1988 as "Cajun Music Month."

Mr. Speaker, music is an integral part of the Cajun way of life. This is evidenced by the many festivals held in the State of Louisiana.

While Cajun music at one time was confined to south Louisiana, today it has gained recognition not only in the United States and Canada, but also in several countries throughout the world.

The French-speaking Cajuns, Creoles, and blacks of Louisiana are presently in the midst of a major cultural and linguistic renaissance.

Mr. Speaker after their exile from Acadia—Nova Scotia—in 1755, many Acadians arrived in Louisiana and began the enormous task of resettlement in the virgin land west of the Mississippi River.

After resettling in Louisiana, the Cajuns established a cohesive new society, much like that which was enjoyed in their former homeland.

Other ethnic groups who came to Louisiana were easily acculturated into Acadian society. These groups included Spanish and German immigrants.

It was in this new Cajun society that Cajun music was born, bearing signs of strong black influence and often making heavy use of the newly borrowed German accordion in addition to the familiar fiddle. This essentially French music developed its own distinct identity as the Cajuns were developing a distinct identity as a social group.

Mr. Speaker, the rich heritage of Louisiana is largely preserved through its music. It is important for us to encourage appreciation of Cajun music because it not only helps to preserve the Cajun language and culture, but it also unites people from many diverse backgrounds and cultures.

Mr. Speaker, my Louisiana colleagues and I believe that designating August as "Cajun Music Month" will be a positive step toward encouraging and preserving this Nation's musical heritage as well as Louisiana history.

Finally, Mr. Speaker, I would like to encourage my colleagues to join us in cosponsoring August 1988 as "Cajun Music Month."

#### QUALITY DEALER AWARD TO VIC BAILEY

### HON. ELIZABETH J. PATTERSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 1988

Mrs. PATTERSON. Mr. Speaker, at a time when automobile dealers rate lower in public opinion polls than politicians, it is appropriate to recognize the efforts of those dealers who are striving to provide their customers with exceptional service.

Each year, Time magazine awards its Quality Dealer Award to car dealers for exceptional performance in their dealerships, combined with distinguished community service.

I am pleased that one of the dealers receiving the 1988 Time Magazine Quality Dealer Award, Volle C. "Vic" Bailey, Jr., lives in my district.

Vic is president and general manager of Vic Bailey Ford, Inc., in Spartanburg, SC, and numerous other dealerships. He was recognized for the quality of his dealerships and his extensive community service.

Vic is vice chairman of the Board of Governors of the Shriners Hospital for Crippled Children, serves on the Board of Directors of the Spartanburg Chamber of Commerce and is a former trustee of the Spartanburg Regional Medical Center.

In political and educational affairs, Vic is a former member of the Spartanburg County Council and the Appalachia Council of Governments. He is a former advisory board member of the University of South Carolina at Spartanburg and the Business and Professional Men's Committee of Wofford College.

His memberships include the Lions Club, the Sertoma Club, Mason and Shriners.

Vic was nominated for the Time award by the South Carolina Automobile and Truck Dealers Association of which he is an immediate past president. A member of the National Automobile Dealers Association and a past president of the Spartanburg New Car Automobile Dealers Association, Vic has served on several dealer councils.

I offer my congratulations to Vic Bailey for his high achievement.

#### MASSACHUSETTS TEACHER HONORED FOR EXCELLENCE

### HON. NICHOLAS MAVROULES

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 1988

Mr. MAVROULES. Mr. Speaker, I would like to take this opportunity to extend my heartfelt congratulations for and express great pride in the achievement of a Sixth District high school teacher. While I am always pleased to hear about scholastic accomplishment, I am particularly delighted to compliment a teacher from my district on her achievements.

On behalf of the Student Loan Marketing Association (Sallie Mae), Wendy N. Lavery of Lynnfield was named 1 of 100 teachers nationwide to receive a 1988 Sallie Mae Teacher Award for outstanding first-year teaching performance.

As a teacher, Ms. Lavery has taken the responsibility of liberally devoting her time and energies to encourage her students to explore the boundless possibilities of education. It is often the case that a teacher must awaken the student to the value and importance of education. The ability to convey this knowledge is as crucial as absorbing it, for without the proper, coherent transmission of ideas, the student is inhibited in the thought process. This award not only demonstrates that Ms. Lavery has not only complied with the educational standard, but, in fact, has exceeded this



standard. Thus, she stands as a tribute to her community and a role model to her colleagues.

I am quite proud of this special teacher and am sure Ms. Lavery will continue to make us proud. I challenge her to continue to accept the responsibility to further educate herself in addition to her students and to be a purveyor of knowledge wherever the opportunity exists.

### CONGRATULATIONS TO MARION VA MEDICAL CENTER

#### HON. JIM JONTZ

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 1988

Mr. JONTZ. Mr. Speaker, I want to congratulate the employees and volunteers at the Marion, IN, Veterans' Administration Medical Center for their generous participation in the Great American Care and Share Food Drive.

Responding to a challenge by Marion VA Medical Center Director Jon Crisman to "force him out of his office" by filling it with food, the employees and volunteers donated 4,049 pounds of food—that's over 2 tons of food. It took two trucks and a station wagon to transport the food from Mr. Crisman's office to the Family Service Society.

The employees and volunteers at the Marion VA Medical Center can be proud of their efforts to help those less fortunate through the Great American Care and Share Food Drive.

#### CYRIL MAGNIN, "MR. SAN FRANCISCO"

#### HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 1988

Ms. PELOSI. Mr. Speaker, the death of Cyril Magnin is a great loss to the city and people of San Francisco. Civic leader, philanthropist, businessman, Cyril Magnin was one of San Francisco's most beloved natives.

Cyril Magnin, often called "Mr. San Francisco," was unselfish in his service to his native city. He was San Francisco's chief of protocol for 24 years. He gave generously to charities such as the March of Dimes and the American Cancer Society and he influenced the establishment of San Francisco's distinctive cosmopolitan personality in the last half of the 20th century.

Although he was a successful businessman, his activism for the public good is one of his greatest legacies. He fought for racial equality decades before it was a popular cause. He worked to open trade and improve relations with the Soviet Union and China and never ceased in his efforts to enrich the quality of life for San Franciscans.

A man of business, diplomacy, and art, Cyril Magnin was a true renaissance man. His memory is forever etched in the character of the city of San Francisco, the city to which he gave so much. We will not forget "Mr. San Francisco."

### RAIL SAFETY PROVISION CLARIFIED

#### HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 1988

Mr. DINGELL. Mr. Speaker, on Thursday evening, June 9, the Senate passed and cleared for the President's signature the conference report on S. 1539, the Rail Safety Improvement Act of 1988. The House approved the conference report on May 19. I want to congratulate my colleagues in the Senate, as well as on the House Energy and Commerce Committee, for their successful work on this legislation.

Unfortunately, there appears to be some confusion over the conferees' intent with respect to one particular provision of the bill. I believe the conferees' intent should be made clear.

I am referring specifically to the conferees' agreement to retain the word "shall" in section 209(c) of the Federal Railroad Safety Act of 1970, which provides: "Any railroad violating any rule, regulation, order, or standard \* \* \* shall be assessed by the Secretary the civil penalty applicable to the standard violated." The Senate bill would have changed the word "shall" to "may." When the conference report is signed into law, section 209(c) will cover individuals as well as railroads, but the word "shall" will continue to appear.

The Federal Railroad Administration [FRA] has long maintained that it has discretion under current law to determine whether a particular situation merits civil penalties. It sought to ensure this result by substitution of the word "may" in the statute. While several courts have thus far upheld FRA's position, it is questionable whether this is in fact the correct interpretation of the law. In any event, the answer to the question turns on the intent of an earlier Congress, on which the 100th Congress is not in a position to opine.

As a result, the conferees simply agreed to state that by retaining the word "shall" they "intend to affirm current law with respect to the question of the Secretary's discretion"—without attempting to explicate what current law is. In fact, the conferees explicitly stated, "No other inference should be drawn from the conferees' action." I hope this explanation will clarify any lingering uncertainty about the meaning of the conferees' action.

### THE 40TH BIRTHDAY OF ISRAEL

#### HON. BENJAMIN L. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 1988

Mr. CARDIN. Mr. Speaker, almost a century ago, Theodor Herzl wrote the following about his aspirations for a Jewish homeland, "If you will it, it is no dream." On May 14, 1948, the dream became a reality. The importance of that reality is that even though Israel grew out of a dream, it has and continues to be a real place, with real people, with real hopes and real problems.

In an effort to build settlements, reclaim over 50,000 acres of wasteland, plant acres of forests, build miles of new roads, offer a Jewish refuge to more than 1.8 million immigrants; Israel has encountered in just 40 years every possible obstacle and success that we in this country have experienced in over 200 years in building a democracy. And, our borders have not been flanked by hostile nations.

The American settlers and immigrants who crowded our shores had a dream emblazoned in hope, so did the builders of Israel. In fact, the Israeli national anthem, "Hatikvah" was taken from the poem and song "Tikvatu" meaning "Our Hope." And, as the words clearly express, "as long as the Jewish heart beats true, as long as the Jew looks toward the East, to Zion, the hopes that the Jews have cherished for 2,000 years to live in freedom in the land of Zion and Jerusalem, will prevail."

These words continue to guide the Jewish people in the struggle to build a Jewish nation. Today, we congratulate this young country on its 40th birthday, and we join Jews around the world in offering a blessing, that as Israel sets its sight on the future, it can realize its greatness as a democracy while confronting with wisdom, compassion and strength the trials and tribulations that come with the growth of a young nation; and we, her friends, can never minimize that struggle.

### A TRIBUTE TO CORWIN M. NIXON, AN OHIO LEADER

#### HON. BOB McEWEN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 1988

Mr. McEWEN. Mr. Speaker, it has been my great privilege and honor over the past two decades not only to have served with, but to have been befriended by one of my State's great leaders. Corwin M. Nixon, minority leader of the Ohio House of Representatives, has served Ohio with a brand of leadership, compassion, and legislative skill never before witnessed in our State.

Corwin Nixon's career—spanning five decades of Ohio and American history—has touched each and every corner of our State. His able leadership and guiding hand have shown the way through numerous crises that would have gotten the best of lesser men. Corwin Nixon has never been known to shy away from a challenge. He sees "opportunities" where others see "problems" and "solutions" where others see "no way out."

Mr. Speaker, I commend to the attention of my colleagues, a recent article in the Cleveland Plain Dealer about this distinguished and respected Ohio leader:

#### FOLKSY GOP LEGISLATIVE LEADER HELPS DISTRICT AND HIMSELF

(By Joseph D. Rice)

LEBANON, OH.—Corwin M. Nixon is the epitome of the folksy but shrewd country politician.

Unopposed this year for re-election to his 14th term in the Ohio House, the Republican minority leader is also a study in power and how to keep it.

He holds court in the Village Ice Cream Parlor in Lebanon, a small rural community where the 73-year-old farmer and horse track operator made his money and his mark from a business regulated by the state.

He can provide small favors, like landing a job as a Senate page for the son of the manager of a local restaurant, or helping the police chief's daughter get a scholarship to a nursing school.

He sends turkeys at Thanksgiving and Christmas to Lebanon's clergy, a dollar bill and congratulatory card to the parents of each new baby born in his 84th District (about 1,200 a year and more than 23,000 so far) and plaques to couples celebrating 50 years of marriage.

There are also big favors. Nixon's daughter, Karen Heaberlin, persuaded him seven years ago to block a bill to allow hunters to shoot mourning doves. Nixon has many hunters in his district, and he was neutral until his daughter, treasurer of the Warren County Humane Association, told him on a drive home from church that she didn't think doves should be shot.

Nixon persuaded House Speaker Vern Riffe, a powerful Democrat and a close friend of Nixon's, to schedule the vote for the opening day of the Cincinnati Reds' baseball season. Five legislators went to the opener. The bill lost by one vote.

"How do you say no to your daughter?" Nixon asked.

And he has accomplished things for his district. He once persuaded former Gov. James A. Rhodes to build an overpass on Interstate 71 near Kings Island Amusement Park. A city park in Mason and a covered bridge near Caesar Creek State Park were paid for by the state—and named after Nixon.

While Nixon has taken care of his constituents, some say he has also helped himself, particularly with the Lebanon Raceway, which provides him with a six-figure income.

Few local officials are willing to criticize Nixon publicly. Former Lebanon Mayor Ed Patterson clashed with Nixon when the powerful legislator opposed Lebanon's attempt to annex the race track.

"There are a lot of people out there who don't like Corwin Nixon, but won't say so publicly because he's a powerful man," Patterson said.

Nixon smiled at the remark. "There's only one person I know of in the county who doesn't like me." He coyly refused to give a name.

"Corwin Nixon has benefited himself greatly—personally—but at the same time he's helped his constituents in Warren County," said Warren County Commissioner C. Michael Kilburn.

Nixon's closeness to Riffe gives him influence in the House beyond the 39 GOP members. "A lot of young Democrats will go to Corwin and ask him to get Riffe to move their bills," said one GOP legislator.

Riffe and Nixon have been friends for 25 years. "He's the greatest guy on the Earth," Nixon said of Riffe. "He'd do almost anything for me. But I'm very reasonable in what I ask for."

Riffe, who once sponsored a dinner for Nixon, said, "I don't have a brother, and Corwin Nixon is as close to me as any brother you could have. When his wife died, I was the first one he called."

"If Corwin Nixon asks me to do something, I don't even think about politics."

Nixon was born on a farm near here, one of seven children of Morris and Blanche

Nixon. He was raised by his grandfather, Edmund Stewart, from whom he inherited his love for harness racing. Stewart, a 50-year member of the Warren County Agricultural Society, raced until he was 90. Nixon started racing 20 years ago and competes about a dozen times a year at Scioto Downs, near Columbus.

Nixon is a hard worker who stoked the fires at school for \$1 a week and worked in a canning factory after high school. He managed a Kroger store, where he learned how to please people, even opening on Sundays to let them buy a carton of milk.

"He's the only Kroger store manager I've ever met who would deliver groceries and give credit," said Harry Cornett, Warren County treasurer and Nixon's longtime friend.

Nixon, then a county commissioner, quit Kroger in 1955 to become the manager of Lebanon Raceway. Lebanon is the only one of Ohio's seven commercial race tracks on a fairground. The county owns the fairground, and the agricultural society operates it and leases it to the raceway.

Nixon, a charter member of the society, is paid \$2,000 a year by the society to run the fair. Nixon sees no conflict in working for the raceway and the society. "I don't vote on the lease," he said.

William Kaufman, lawyer for the society and Nixon's lawyer, also sees no conflict. But Patterson called Nixon's arrangement a "cozy deal."

Nixon is president and 56% owner of Miami Valley Trotting Inc., one of two groups that operate racing at Lebanon Raceway. He also manages Lebanon Trotting Club Inc., the other group.

Miami Valley and Lebanon Trotting paid combined rent to the agricultural society in 1987 of \$213,384. In 1986, they paid \$214,287.

Lebanon Raceway has a substantially better lease than Mid-American Racing Association, which races at Scioto Downs. If Lebanon's leases were identical to Mid-American's Miami Valley and Lebanon Trotting would have paid combined rent of \$444,888 in 1987 and \$391,761 in 1986. The calculations are based on Lebanon's betting and percentages in Scioto Downs' lease.

"It's a good deal," Edward Horvath, Lebanon Raceway's accountant, said.

Robert Jeffery, president of the agricultural society, said the group was "very, very happy" with the lease because it pays for capital improvements.

Nixon said the lower rent was offset by improvements the raceway made and because it paid utility bills and the county's \$50,000 share of fair costs. Nixon estimated that in the past 20 years Lebanon Raceway invested \$5 million in improvements like horse barns.

Some improvements were subsidized by taxpayers. The raceway received \$260,652 in tax abatements from the state in 1985-1986.

Though Nixon has told friends the track wasn't very profitable, racing commission records show his 560 shares in Miami Valley paid him \$173,600 last year and \$207,060 in 1986. He also gets \$42,000 a year as general manager of the raceway.

Nixon said his dividends were reinvested in the track. He estimated he's worth \$500,000.

One expense Lebanon Raceway doesn't have is property taxes. The fairgrounds are exempt from property taxes under a 1982 act sponsored by former State Rep. Thomas J. Gilmartin of Youngstown. The taxes would have been included in the lease.

Nixon said he discussed the bill with Gilmartin but didn't lobby for it. He doesn't vote on racing bills.

Another tax the raceway escapes is Lebanon's 1% city income tax. An amendment by State Rep. Dean Conley, D-32, of Columbus, to another bill stalled Lebanon's attempt in 1986 to annex the fairgrounds, which would have subjected the raceway to the tax. Former City Manager Tim Hansley estimated annexation would have cost the raceway \$100,000 a year.

Nixon said he did not talk to Conley about the amendment, but Riffe said, "I'm sure (Nixon) talked to me about the amendment." Riffe said he urged Conley to sponsor the amendment because of Nixon.

Nixon has clout in the racing industry. "Corwin's power runs wide and deep," said George Jones, general manager of Thistle-down and president of the Ohio Thoroughbred Breeders and Owners, which represents the three nonharness tracks.

Nixon is president of the American Horse Council in Washington, D.C., which oversees the industry, and the Columbus-based United States Trotting Association.

One area that harness tracks protect is night racing, where they have almost no competition. A 1985 study for the breeders and owners by Columbus lobbyist Paul Tipps said, "The current statutes governing day/night racing were designed to protect the standardbred (harness) from competition by the thoroughbreds."

Jones said that when former Cincinnati financier Marvin L. Warner, a horse breeder, wanted night racing for thoroughbreds, he told Warner that he'd promised Nixon the breeders and owners would not seek night racing.

Nixon said his influence was exaggerated. He said he opposed thoroughbred night racing because it would compete with harness tracks. But many legislators believe Riffe would not pass a racing bill if Nixon opposed it.

Nixon, a behind-the-scenes player, hasn't sponsored a bill for years. "He's someone who knows how to get something done but would prefer having someone else do it," one legislator said.

## COLLEGE SAVINGS BOND ACT OF 1988

HON. JOHN J. DUNCAN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 1988

Mr. DUNCAN. Mr. Speaker, I have had a longstanding interest in finding solutions to the problems experienced by individuals and families in funding the ever-increasing costs of a college education. Consequently, following the President's announcement last February indicating his intention to send a plan to Congress creating savings incentives for higher education, I have been working with the administration to develop such a plan. Today, I am pleased to introduce the specifics of the administration's proposal to establish a college savings bond program.

Essentially, the bill contains two parts. The first would direct the Secretary of the Treasury to implement a college savings bond program whereby a new variety of savings bonds would be issued. The second part would pro-



vide an exclusion from gross income for interest income earned on these bonds, to the extent the proceeds are used for postsecondary education expenses. Under the program, college savings bonds could be purchased beginning January 1, 1989, by any taxpayer to pay for qualified educational expenses or those of a spouse, child, or dependent. However, the interest is tax exempt only if the taxpayer's income is less than a phaseout limit at the time of redemption. As introduced, the interest exclusion is available in full only to family incomes of less than \$60,000, phasing out completely after \$80,000—for joint returns. Personally, I feel this is one area where major modifications must be made so that the benefits of college savings bonds will reach more families. My fear is that the limitations in the proposed bill give rise to complexity, paperwork, and uncertainties, which in turn diminish the attractiveness of college savings bonds, and thus the very incentive we are trying to create.

Notwithstanding, the approach taken by the administration's bill deserves serious consideration. Many of us have seen or experienced already the ballooning costs of education. Over the past 10 years, the cost of college education has risen 80 percent, well above the rate of inflation. In his latest budget message, the President cited a recent study which projected that the cost of attending a 4-year public college will rise from \$18,000 to \$60,000 in year 2007. Over that same period private university expenses will grow from \$50,000 to over \$200,000. These numbers are appalling, and yet a 1984 Roper poll revealed that only half of the families with college-eligible children save for this purpose. And for those prudent parents, the rate of annual savings averages only \$500.

A natural question to ask is what direct assistance currently is available to students seeking postsecondary education? It is my understanding that close to 50 percent of all college students receive financial aid. This includes Federal, State, and local assistance, as well as private sector funds. Two major programs, Pell grants and guaranteed student loans, make up the lion's share of Federal assistance. During this fiscal year, \$4.3 billion will be spent on Pell grants, a program designed to assist children from low- and moderate-income families. Although program outlays have nearly doubled since fiscal year 1978, the grant covers only 29 percent of the costs of college. The guaranteed student loan programs, which provides low-interest loans to any student showing need, often is used to bridge the financial gap. The student loan bond volume has swelled from \$2 billion in 1980 to over \$9 billion. Unfortunately, the \$1.6 billion in defaulted loans signals a major shortcoming of the program.

From these statistics, it is safe to say that our Government has not ignored the importance of and access to, higher education, but more needs to be done. This legislation represents a good beginning, particularly in light of current budgetary constraints. The Department of the Treasury has estimated the cost of the bill to be \$11 million in fiscal year 1989, rising to \$284 million by fiscal year 1994. Based upon the number of bills already introduced, I know there is significant interest in

new tax incentives for long-term savings for education. I commend this legislation to my House colleagues and hope that our schedule will permit expeditious consideration by the House Committee on Ways and Means. The text of the bill and a section-by-section explanation follows:

H.R. 4790

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*  
That

SECTION 1. SHORT TITLE; STATEMENT OF PURPOSE.

(a) SHORT TITLE.—This Act may be cited as the "College Savings Bond Act of 1988".

(b) PURPOSE.—The purpose of this Act is to encourage long-term savings for postsecondary education through the establishment of a College Savings Bond Program.

SEC. 2. COLLEGE SAVINGS BONDS.

The Secretary of the Treasury is authorized to issue College Savings Bonds and to prescribe by regulations or otherwise such terms, conditions, and procedures with respect thereto as the Secretary deems necessary to implement the College Savings Bond Program.

SEC. 3. EXCLUSION FROM GROSS INCOME OF INCOME FROM COLLEGE SAVINGS BONDS USED TO PAY QUALIFIED EDUCATIONAL EXPENSES.

(a) IN GENERAL.—Part III of Subchapter B of chapter 1 of the Internal Revenue Code of 1986 (relating to items specifically excluded from gross income) is amended by redesignating section 135 as section 136 and by inserting after section 134 the following new section:

"§ 135. Income From College Savings Bonds Used to pay qualified educational expenses

"(a) GENERAL RULE.—Except as otherwise provided in this section, gross income shall not include any amount received by the taxpayer during the taxable year as interest on a College Savings Bond to the extent the proceeds of such bond are used in such taxable year to pay for the qualified educational expenses of the taxpayer or the taxpayer's spouse, child, or dependent.

"(b) PHASE-OUT OF EXCLUSION.—

"(1) IN GENERAL.—In the case of a taxpayer whose adjusted gross income for the taxable year during which interest on a College Savings Bond is received exceeds \$60,000 for the taxable year, the amount excludable under subsection (a) shall be reduced by one-tenth of a percentage point for each \$20 by which adjusted gross income exceeds \$60,000. In the case of a taxpayer whose adjusted gross income for the taxable year during which interest on a College Savings Bond is received exceeds \$80,000, the amount excludable under subsection (a) shall be zero.

"(2) INDEXATION OF AMOUNTS.—In the case of taxable years beginning after December 31, 1989, each dollar amount under paragraph (1) shall be adjusted to take into account the cost-of-living adjustment under section 1(f)(3) for the calendar year in which such taxable year begins.

"(3) UNMARRIED INDIVIDUALS AND MARRIED INDIVIDUALS FILING SEPARATELY.—In the case of an unmarried individual or a married individual filing separately (other than an individual to whom paragraph (4) of this subsection applies), paragraph (1) shall be applied by taking into account only one-half of each dollar amount contained therein.

"(4) TAXPAYERS CLAIMED AS DEPENDENTS.—In the case of an individual with respect to whom a deduction under section 151 was al-

lowable to another taxpayer for any of the two taxable years preceding the individual's taxable year, this subsection shall be applied to such individual by taking into account the adjusted gross income of such other taxpayer.

"(c) COLLEGE SAVINGS BOND.—For purposes of this section, the term 'College Savings Bond' means a United States savings bond—  
"(1) which is issued under section 3105 of title 31, United States Code, after December 31, 1988; and

"(2) which is designated by the Secretary as eligible for the College Savings Bond Program.

"(d) OTHER DEFINITIONS.—For purposes of this section—

"(1) ADJUSTED GROSS INCOME.—The term adjusted gross income of any taxpayer shall be determined—

"(A) after application of sections 86, 469, and 219, and

"(B) without regard to section 911 or the exclusion allowable under this section.

"(2) QUALIFIED EDUCATIONAL EXPENSES.—The term 'qualified educational expenses' means—

"(A) tuition and fees required for the enrollment or attendance at an eligible educational institution,

"(B) fees, books, supplies, and equipment required for courses of instruction at such an educational institution, and

"(C) reasonable living expenses to the extent provided in regulations.

"(3) ELIGIBLE EDUCATIONAL INSTITUTION.—The term 'eligible educational institution' means an institution described in section 481(a) of the Higher Education Act of 1965, as amended (20 U.S.C. 1088(a)).

"(e) REGULATIONS.—The Secretary may prescribe such regulations as the Secretary deems necessary to carry out the purposes of this section, including regulations—

"(1) which, in appropriate circumstances, treat married persons filing separate returns as having filed a joint return for purposes of applying the phase-out provisions of this section.

"(2) imposing such reporting and record-keeping requirements as may be required upon individuals participating in the College Savings Bond Program and eligible educational institutions, and

"(3) prescribing information required to be included in the taxpayer's income tax return for the taxable year in which (but for this section) income with respect to a College Savings Bond would be includible in gross income."

(b) CONFORMING AMENDMENT.—The table of sections for part III of subchapter B of chapter 1 of the Internal Revenue Code of 1986 is amended by striking out the item relating to section 135 and by inserting after the item relating to section 134 the following new items:

"Section 135. Income from College Savings Bonds Used to Pay Qualified Educational Expenses.

"Section 136. Cross References to Other Acts."

COLLEGE SAVINGS BOND ACT OF 1988

SECTION-BY-SECTION ANALYSIS

The College Savings Bond Act of 1988 would establish a College Savings Bond Program and amend the Internal Revenue Code of 1986 (Code) to provide an exclusion from income for interest earned on College Savings Bonds to the extent the proceeds from the bonds are used to pay certain postsecondary educational expenses.

*Section 1. Short Title: Statement of Purpose*

Section 1 provides a short title for the bill—the "College Savings Bond Act of 1988." The stated purpose is to encourage long-term savings for postsecondary education through the establishment of a College Savings Bond Program.

*Section 2. College Savings Bonds*

The Department of the Treasury has sufficient statutory authority to issue College Savings Bonds under section 3105 of title 31, United States Code, section 2, however, would make it explicit in the legislation that the Secretary of the Treasury is authorized to issue College Savings Bonds and prescribe such terms, conditions and procedures with respect thereto as the Secretary deems necessary to implement the College Savings Bond Program.

*Section 3. Exclusion From Gross Income of Income From College Savings Bonds Used to Pay Qualified Educational Expenses*

Section 3(a) of the bill adds a new section 135 to the Internal Revenue Code of 1986 and redesignates current section 135 as section 136.

Section 135(a) provides the general rule that gross income does not include interest earned from a College Savings Bond to the extent that the proceeds of the bond are used to pay qualified educational expenses of the taxpayer or the taxpayer's spouse, child or dependent. It is anticipated that Treasury rules concerning College Savings Bonds will permit partial redemptions. Under such rules, a taxpayer could choose to redeem bond amounts that do not exceed qualified educational expenses for the taxable year. The exclusion would not be disallowed in its entirety, however, merely because a taxpayer uses a portion of the proceeds of a College Savings Bond for purposes other than qualified educational expenses. In such cases, the exclusion from income would be available in proportion to

the amount of proceeds used for qualified education expenses; the remaining income would be subject to tax.

Section 135(b) establishes a formula that "phases out" the exclusion of College Savings Bond income from tax. The formula begins to phase out the exclusion for taxpayers whose adjusted gross income, at the time of redemption of a College Savings Bond, exceeds \$60,000 for the taxable year. No exclusion is available to taxpayers whose adjusted gross income, at the time of redemption, exceeds \$80,000. The phase-out range will be indexed for inflation. The phase-out formula reduces the exclusion by one-tenth of a percentage point (.001) for each \$20 by which adjusted gross income exceeds \$60,000.

In the case of a child who could have been claimed as a dependent in any of the two taxable years prior to redemption, the formula is applied to the parents' income.

The \$60,000 and \$80,000 amounts used in the formula are for married persons who file joint returns or for heads-of-households. These dollar amounts are reduced by 50 percent in the case of unmarried persons and married persons who file separate returns (other than those to whom the dependent rule described above applies). There is explicit regulatory authority in section 135(e) to prevent married persons from circumventing the intent of the phaseout by filing separate returns.

Section 135(c) generally defines College Savings Bond as a United States savings bond that is issued after December 31, 1988, and that is designated by the Secretary as eligible for the College Savings Bond Program.

Section 135(d) defines the terms "adjusted gross income," "qualified educational expenses," and "eligible educational institution."

Adjusted gross income, which is used in applying the phase-out formula, is determined after application of certain other

Code provisions, but without regard to Code section 911 (which generally excludes certain income earned abroad) or the exclusion allowable under this section. Thus, a taxpayer could not avoid the intent of the phaseout by arranging to have \$40,000 in College Savings Bond interest income and \$59,000 in other income.

The exclusion allowed under section 911 is also properly disregarded since the intent of the phaseout is to target the provision to low and moderate income persons.

Qualified educational expenses means (1) tuition and fees required for the enrollment or attendance of a student at "an eligible educational institution"; (2) fees, books, supplies, and equipment required for courses of instruction at such an educational institution; and (3) to the extent provided in regulations, reasonable living expenses. The language used in the definition, except for the inclusion of reasonable living expenses, corresponds to the definition of qualified educational expenses for purposes of Code section 117, relating to the exclusion from income for certain scholarships.

"Eligible educational institution" includes most postsecondary institutions, as described in section 481 of the Higher Education Act of 1965. The term is defined by reference to a definition included in the Higher Education Act of 1965.

Section 135(e) supplements the general regulatory authority of the Secretary of the Treasury with explicit authority to treat separate filers as joint filers to the extent necessary to prevent avoidance of the phaseout, and to impose the reporting and recordkeeping requirements necessary for compliance upon individuals and eligible educational institutions.

Section 3(b) of the bill is a conforming amendment that adds the new section 135 (and prior section 135, as redesignated) to the table of sections for part III of subchapter B of chapter 1 of the Code.