

EXTENSIONS OF REMARKS

MPLA MILITARY OFFENSIVE IN ANGOLA

HON. LAWRENCE J. SMITH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 1, 1990

Mr. SMITH of Florida. Mr. Speaker, I want to speak today about the escalation of the war in Angola and the destruction such military actions are creating. Deciding to reject the peace process, the MPLA regime has engaged in an increasing number of military offensives that have reached alarmingly unprecedented levels.

On June 22, 1989, in Zaire, MPLA President José Eduardo dos Santos and UNITA President Jonas Savimbi, before 18 African heads-of-state, agreed to a formal cease-fire and promised to open talks on a government of national reconciliation. However, in December the MPLA continued its bloody combats against UNITA, causing heavy casualties on both sides. With Soviet and Cuban support, as well as massive heavy artillery, tanks and military warplanes, the MPLA's military offensive has escalated into one of the largest offensives of the 15-year civil war.

As a means to retain their power and dominance in Angola, the MPLA's continued warfare against UNITA has only caused the loss of hundreds of innocent lives, the destruction of cities, and a suffering economy in a country rich with resources. Whether you are supportive of or against the MPLA, we all can agree that the fighting must stop and peace must be established.

It is not until the people are given the freedom to choose their own government that true democracy can begin in Angola. If the South Africans and the ANC can negotiate after years of bitter struggle, why can't the MPLA negotiate with UNITA to end the civil war? From South Africa to Poland, from Nicaragua to even the Soviet Union, opposing parties are compromising and agreeing that democracy is their only option. Sooner or later, the MPLA will realize that free multiparty elections are their only option.

The Bush administration has asserted its support of UNITA's goals of direct negotiations and a cease-fire in Angola, and I urge you to join me in agreeing with and supporting this as the only possible solution. We must condemn the MPLA for their military actions and the Soviet Union for supporting them, especially with the dramatic changes that are occurring throughout the world.

The only way for this dangerous crisis to end is to put an end to the misery and destruction of this 15-year civil war. The war will only finally end at the negotiating table, not the battlefield.

I would like to submit for the RECORD a recent article from Inform Africa that accurately

ly depicts what is currently happening in Angola.

[From Inform Africa, Feb. 10, 1990]

ANGOLA: WOLVES AMONG SHEEP

The hard line wing of the MPLA, made up mostly of historical members who want to preserve the party's power at all costs, has regained the upper hand in internal politics in Luanda. The moderates, who are open to political compromise with UNITA and favour a rehaul of the system, are finding themselves increasingly isolated and powerless to intervene. President José Eduardo dos Santos has begun to align himself with the radicals. He is now known in political circles in Luanda as the "balancer".

Until October and November last year, dos Santos generally supported the moderate wing of the MPLA, although this was not always consistent or apparent. The ambiguities which have generally characterized his leadership spared him from having to break openly with the hardliners. The president is also more ideologically compatible with some of the radicals and shares with them all the strong desire to preserve MPLA hegemony.

The impasse in the peace process, which was largely engineered by the hardliners, allowed them to reap political and psychological dividends. After a phase of great internal tension (see no. 10, p. 1), in which a real showdown seemed imminent and the scales ready to tip in the moderates favour (and thus lead to renewed peace efforts), it was the orthodox wing which emerged with the upper hand.

This development reversed the logical evolution of the orthodox ideologue, Kito Rodrigues believes for example that rebel leader Jonas Savimbi should be neutralized. His political rehabilitation was so complete that at the last Central committee meeting in mid-January, an agenda item to discuss a report on alleged illegalities which led to his sacking as interior minister was ignored.

Kito Rodrigues' political rise has been accompanied by the apparent decline of his most direct rival and one of the leading moderates of the regime, Foreign Minister Pedro Van Dunem (Loy). Dos Santos has added his voice to the criticism of Loy, reproaching the minister publicly for declarations he made in Portugal which were considered out of line.

The president himself also approved ultimately the decision to launch the latest offensive against UNITA, although he apparently had reservations about such a massive military thrust. Dos Santos even went so far as to request Cuban and Soviet help in the offensive. Rumours suggest the president sincerely believed in the effectiveness of the operation, which also explains his air of confidence and control.

When he travelled to Havana in November to attend a memorial service for Cuban soldiers killed in Angola, dos Santos made political statements which surprised observers in Luanda. Dos Santos seemed to align himself with the Cuban view on world politics, which caused irritation in Washington and embarrassment to the pro-MPLA lobbies in the United States.

In addition, the Angolan leader said recently that "a multi-party system is unacceptable" and that "perestroika does not apply to Angola." In an interview he gave to Cape Verdian television on his return from Cuba, dos Santos affirmed: "It is not the principles of socialism which are in question but the methods of applying these principles." His recent statements in Luanda have carried the same overtones.

While in Cuba, dos Santos met with 6000 Angolan students who clearly looked to him for help in resolving some of the problems they face living in Cuba. But dos Santos disappointed them by saying merely they must make sacrifices just as the Cuban internationalists made sacrifices in Angola.

Feelings of discontent and frustration have begun to become apparent among officials in Luanda, mainly due to the lack of peace prospects and the timid attempts at reform. Some were also uneasy over the so-called "television trials" of Transport and Communications Minister Carlos António Fernandes and Construction Minister João Garcia Cabelo Branco. Cabelo Branco, for example, was publicly humiliated when dos Santos said on Angola television that he was not a dynamic minister. Cabelo Branco retorted by saying later that Angola itself could use "a more dynamic boss."

Given dos Santos present position and his difference to the radical wing, the committee preparing the next MPLA congress has been dominated by the hardliners. The choice of issues for internal situation. It also coincided with the hardline "declaration of faith" in a military defeat of UNITA which came out of the Cafundo meeting (see no. 11, p. 4). At this meeting, where the military thrust on Mavinga and ultimately Jamba was agreed, the moderates suggestion that the war be ended by political means was shot down.

Turnaround—While euphoria reigned over the perceived infallibility of a military option to weaken UNITA and deny the rebel movement political status in any solution to the war, dos Santos political line shifted. Some of the signs of this were the following:

Dos Santos drew closer to some of the most emblematic hardliners, such as Roberto de Almeida and Afonso Van Dunem (Mbinda). In Almeida's case, however, this realignment was offset by the announcement of the creation of a Ministry of Information, apparently to check Almeida's powers in this sector given his role as the MPLA's ideology chief.

Veteran MPLA figures such as João Luis Neto (Xietu), marked by their categorical rejection of dealings with UNITA were rehabilitated. A member of the Presidential staff, Aldermiro Vaz da Conceição, who was a target of attack by the radicals, was withdrawn and replaced by five men who are more ideologically rigorous.

Dos Santos' year-long dispute with Manuel Alexandre Rodrigues (Kito) began to subside. Although he is not strictly the congress shows the purely cosmetic nature of proposed political reforms. For example, removal of the letters PT in the acronym MPLA-PT (originally meaning MPLA-Workers' Party but more popularly known as

● 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.

"Peta Comunista", or "Communist Lies") is a continual source of discussion. Despite the scorn the acronym has attracted, the hardliners insist it must remain and that the people would misunderstand or misinterpret its removal.

In his opening speech at January's Central Committee meeting, which coincided with one of the most intense phases of the military offensive against UNITA, dos Santos encouraged some, although limited, political reforms. But during the actual debate on changes, the president's comments got little attention, and he failed to defend his ideas actively. The final communiqué contained no reference to reforms.

The hardliners' attempts to thwart more moderate members of the regime were evident in a report presented by the Control Commission (chaired by Kito Rodrigues), which states textually that the president is "surrounded by the wrong people". They also vehemently opposed Dos Santos' planned trip to the United States on the grounds that the MPLA "has no business begging from imperialists." The trip was postponed.

In his comments to the Central Committee on the peace process, dos Santos took up the old theme of amnesty for UNITA members. He also insisted on exile for Savimbi, although now with the nuance that the exile could be internal.

Paulo Jorge, one of the older orthodox members of the MPLA, was also promoted to active member of the Central Committee.

Cease-fire—Final convincing proof of dos Santos' new alignment with the radicals was his total opposition to the cease-fire proposal of Zairean President Mobutu Sese Seku, the mediator in the Angolan conflict.

Mobutu's proposal is based on the principle that both belligerents should be treated equally. Dos Santos' counterproposal, however, puts the MPLA clearly in a position of superiority. In general, it allows only "social integration of UNITA members, and insists that UNITA suspend its military activities and dismantle its bases.

While Mobutu's plan would place monitoring and control of a cease-fire in the hands of five countries (Congo, Egypt, Gabon, Morocco and Nigeria), Luanda's plan would entrust this mission to the government with three African countries acting as observers. Dos Santos' plan means effectively the surrender of UNITA.

Mobutu, already the target of mistrust among the Angolan radicals (who describe him as an enemy of Angola), appears to begin to be rejected by dos Santos himself. Mobutu lamented privately that the Angolan leader had "allowed the peace process to sink into such an impasse".

Dos Santos has fallen into some discredit among international observers given his new alliance with the hardliners. Whether this approximation is merely a tactic, only time will tell. Despite his past political cleverness and manoeuvrability, opinion is growing that dos Santos may have irreparably jeopardised his role in bringing peace to Angola.

ANGOLAN MEDIATION IN THE ANGOLAN CONFLICT?

One of the highlights of UNITA leader Jonas Savimbi's visit last month to Portugal was a meeting with a group of highly respected Angolans, who have put themselves forward as possible mediators in the civil war and who appear to enjoy a favourable reception on both sides.

Savimbi met Mario Pinto de Andrade, a former president of the MPLA, Gentil Viana and Adolfo Maria, who were both former MPLA members with leading roles in party structure and political activities, in Lisbon. Another member of this group, Maria do Céu Reis, who lives in Maputo, was unable to attend.

Their common link is that all broke off from the MPLA under Agostinho Neto's leadership in 1974 and formed along with about 20 others (mostly intellectuals) the "Active Revolt" faction. Most have lived abroad since the split, mainly in Portugal.

Aims at the new group, whose nucleus is made up of the four people mentioned above, are to think hard about the Angolan problem and present positive, concrete ideas for a solution. Other Angolans, including some who have remained in the country, have been involved.

MEDIATION

Three months ago, "Informáfrica" gained access to information, at that time incomplete, that Andrade, Viana and Maria had begun low-key initiatives to present new ideas to resolve the Angolan conflict.

Further investigations revealed that the fundamental proposal of the group is that mediation in the conflict must be ensured by Angolans, who would intervene within certain limits, have moral credibility and promote national reconciliation and reconstruction.

It was this essential idea that the group presented to Savimbi, as it had done earlier with President José Eduardo dos Santos and other leading MPLA figures such as Lopo do Nascimento. In the case of dos Santos, the group's proposals were delivered through the Cape Verdian president. Their message was apparently well-received, although dos Santos' expressions of willingness to meet the group have not yet borne fruit.

The group's proposals also enjoyed a favourable reception from Savimbi, who even pledged to set up a contact group to work towards concretising the plan. The meeting with Savimbi was in accordance with the group's commitment to talk with both sides equally yet remain equally-distant from the parties.

One important detail is that the would-be mediators have said they would renounce all political aspirations in Angola, both in the present and the future, thus making a clear distinction between their stated aims and any political ambitions they might be accused of having.

In elaborating their ideas, particularly on the urgency of finding a balanced solution to the Angolan war, the members maintained that a continuation of the civil war could lead to a Balkanisation of the country or even a "Lebanonisation". Two years ago, when circumstances were critical, they issued a document warning of the dangers of splitting the country.

They also believe that the changes in Eastern Europe and the West's response to these changes show that Angolans must stop destroying themselves and their country before the damage is irreversible and reconciliation and recovery are impossible.

The potential mediators distributed a note explaining their ideas to the presidents of the five Portuguese-speaking African countries at the summit in December in Cabo Verde. Already after the Gbadolite summit last summer, they sent a memorandum to both dos Santos and Savimbi defending the advantages of purely Angolan intermediaries.

The group has also made contacts outside Angola, such as with Portuguese President Mario Soares and Portugal's Socialist Party. It would like to expand links to all parties in Lisbon, including the Communists.

The group feels one of the first steps in ending the war is to bring together the disputing parties, MPLA and UNITA, in a context which is genuinely Angolan. The idea is to allow both sides to voice all their concerns without inhibitions in an atmosphere of openness.

FOREIGN INTERESTS

In formulating its basic tenets, the group recognises that the Angolan question is riddled with complex international angles. It advocates setting up a mechanism to address foreign interests, but feels this should come only after, and be conditional on, agreement among Angolans themselves.

It argues that outsiders will eventually understand that Angolans can best resolve their problems among themselves (and not through alliances with some force or another) and defend better their legitimate interests themselves, notably economic. Contacts are envisaged with the United States, the Soviet Union, South Africa, and Cuba.

TRIBUTE TO DR. HOWARD GARBER

HON. WILLIAM E. DANNEMEYER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 1, 1990

Mr. DANNEMEYER. Mr. Speaker, 1990 represents the 30th anniversary of an article published in *Popular Mechanics* by an Anaheim, CA, optometrist Dr. Howard Garber.

The subject had a little to do with eyes and sight. Although, it had more to do with automobiles. Dr. Garber helped pioneer what we consumers now know as a third tail light on most models of cars made after 1986.

On May 20, 1987, the Los Angeles Times ran an editorial commending the idea and reported a finding of the National Highway Traffic Safety Administration that if a consumer owns a car with a third tail light mounted in the rear window, that consumer will be 22 percent less likely to be in an auto accident.

Many modern American pioneers get lost in the shuffle of social trends and current fads. Dr. Howard Garber is one pioneer who deserves recognition for pursuing an idea that touches nearly all of our lives and probably has served many as well.

BLACK HISTORY MONTH—REMEMBERING FREDERICK DOUGLASS

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 1, 1990

Ms. ROS-LEHTINEN. Mr. Speaker, the history of African Americans in our country dates back to 1619, with the arrival of the first shipload of slaves arriving in Virginia. Beginning with this event, and the other acts of oppression to follow, a racist scar has been left on our Nation's history. One of the first cam-

paigner against slavery and its racist foundation in the United States was Frederick Douglass. Mr. Douglass will be remembered forever as the foremost black abolitionist in antebellum America, who took the initial steps in ending this hypocrisy.

Frederick Douglass was born in February 1817 on the Eastern Shore of Maryland. His mother, from whom he was separated at an early age, was a slave named Harriet Bailey. Douglass, who never knew or saw his father, had a childhood which was extraordinarily deprived of personal warmth. On the main plantation of Col. Edward Lloyd, the text of his early remembrances were filled with lack of familial attachments, hard work, and sights of incredible inhumanity. With his younger years spent in oppression, Douglass rose above those who enslaved him through self-education, which enabled him to become a passionate campaigner for the abolitionist movement.

In 1838, he escaped to New York and married a free black woman from the South and settled in New Bedford, MA. From there, Douglass quickly became involved in the anti-slavery movement which was gaining impetus in the North. After delivering a moving speech in Nantucket, MA, about his experiences as a slave, Douglass was hired as a lecturer by the Massachusetts Antislavery Society. Douglass was a forceful and eloquent speaker; his self-taught prose and manner of speaking so inspired some Harvard students that they persuaded him to write his autobiography.

With the Civil War beginning in 1861, several issues were raised, not the least of which was what role the black man would play in his own liberation—since one of the main objectives of the war was emancipation of the slaves. As a result of his continued insistence, President Abraham Lincoln asked him to recruit black soldiers for the Union Army. As the war proceeded, Douglass had two meetings with Lincoln to discuss the use and treatment of black soldiers by the Union forces. In consequence, the role of black soldiers was upgraded each time and their military effectiveness increased also.

Douglass was delegated many responsibilities, among these was to settle disputes among politicians who differed on the question of race and its corresponding problems, as well as giving advice during the legislative battles which were waged to establish the constitutional integrity of the slave's emancipation.

As we look back at the important contributions made by Frederick Douglass in the abolitionist movement, we can clearly say that men such as himself have enabled our Nation to overcome seemingly insurmountable odds to establish themselves at the leading edge of change and progress in American society. Black Americans have clearly played a vital role in our Nation's development—socially, politically, economically, and religiously. Black History Month allows all Americans to learn from past injustices to further ourselves as a Nation; through this valuable history lesson, we can look confidently into the future with a commitment to perpetual harmony between races.

TWENTY-FIRST CENTURY TEACHERS ACT

HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 1, 1990

Mr. GOODLING. Mr. Speaker, yesterday I joined with several of my colleagues in introducing a bill, H.R. 4130, the Twenty-First Century Teachers Act. This bill recognizes that we are facing a serious shortage of teachers, especially if we look at the number of teachers retiring and the increases in students that we have had due to the baby boomlet. We could be seeing a situation regarding our need for teachers similar to that which we had after World War II.

These shortages become even more critical when we examine the numbers of teachers we will need in certain discipline areas such as mathematics and the sciences. The data indicate that this scenario will get worse before it gets better. As a result, our students, and ultimately this Nation, will suffer the consequences. The seriousness of this overall teacher shortage, coupled with the need to attract high achieving and minority students into teaching, led to my introducing H.R. 3909, the Augustus F. Hawkins' Early Childhood and Elementary Teacher Preparation and Retraining Act.

Despite my agreement with the chairman as to the general goals and purposes of the Twenty-First Century Teachers Act, I have some reservations about a few provisions in the bill. Whatever we accomplish in a bill such as this one, we must first assure that the incentives we provide encourage students to enter teaching. We should not place such rigid requirements on the loan incentives, that instead of encouraging students, we actually discourage students from taking advantage of them. I cannot deny that I believe that we must look for ways to encourage teachers to work in economically disadvantaged and rural areas, and that we must give priority to minority and high achieving students, but I do not want to do this to the detriment of attracting as many individuals as possible into teaching.

Additionally, as in my bill, H.R. 3909, I think that we must find a way to emphasize professional development and inservice activities for those who are teaching in preschool and elementary grades. I believe that much of what forms the basis of our students ability to read, write, and compute occurs early in the educational process. If we do not provide the means to revitalize and upgrade the skills of those teachers in the early grades, we will miss an important opportunity.

I hope to be able to work with the chairman to resolve these concerns as the bill is considered in committee. I commend the chairman's efforts in the introduction of this bill, a bill that can ultimately make a real difference in the education our children receive.

INTRODUCTION OF THE HUMAN SERVICES REAUTHORIZATION ACT OF 1990

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 1, 1990

Mr. KILDEE. Mr. Speaker, I am pleased to introduce today with several of my colleagues, the Human Services Reauthorization Act of 1990. This legislation will reauthorize the Head Start Act, the Child Development Associate Scholarship Assistance Act, the State Dependent Care Development Grants Act, the Follow Through Act, the Community Services Block Grant Act, and the Low-Income Home Energy Assistance Act of 1981.

Project Head Start was launched in 1965 as part of the war on poverty to help ensure that economically disadvantaged children begin school on an equal basis with their more advantaged peers. At the time, Head Start was a pioneer in a unique approach to helping children, emphasizing strong parental involvement, and comprehensive service delivery. This approach is reflected in the program's broad set of objectives. These include working to improve children's health; aiding their emotional, social, and motivational development; improving and expanding their ability to think, reason, and speak clearly; and helping both children and their families to gain greater confidence, self-respect, and dignity.

The Follow Through Act authorizes grants to public schools to provide children from low-income families, coming from Head Start, with the extra support they need to succeed in primary school. These grants support high quality, comprehensive programs in kindergarten through third grade which include: A full-day classroom program covering basic skills, social studies, arts, and sciences; access to social health, nutritional, and psychological services; and activities that encourage and enable parents to take part in their child's education as well as decisions about the local program. Follow Through is distinctive among Federal education programs because it is preventive and its students are subsequently less likely to need remedial services.

The Child Development Associate Scholarship Assistance Act was created in 1986 to provide needed financial assistance to low-income individuals who otherwise would be unable to afford the cost of the child development associate credential [CDA] application and assessment. The CDA is a performance-based, professional credential awarded to people with demonstrated ability to work with young children. The credential serves not only as a recognition of an individual's skills in working with children, but often is the first step to further educational achievement.

The State Dependent Care Development Grants Act authorizes funds to States for the planning, establishment, expansion, or improvement of resource and referral programs and before and after school child care services for school-aged children. It enjoyed bipartisan support at the time of its enactment in 1984 and continues to play an important role in expanding the availability of resource and

referral services and school-aged child care programs.

The Community Services Block Grant [CSBG] is designed to provide funding to States for a range of services and activities having measurable and potentially major impact on the causes of poverty. CSBG supports the operation of nearly 900 community action agencies [CAA's] which serve low-income families in 98 percent of the Nation's counties. The CAA's, based upon assessments of local needs, provide short-term direct assistance such as emergency food and shelter, job banks and counseling, and services leading to economic self-sufficiency, from literacy training and budget counseling to the creation of new jobs.

The Low-Income Home Energy Assistance Program [LIHEAP] provides block grants to States, territories, and Indian tribes to help low-income families meet their energy costs. Formula grants are made to States and to Indian tribes to provide low-income households with financial assistance for heating and cooling costs, energy-related crisis intervention aid, and low-cost weatherization. The critical need for LIHEAP assistance was made even more evident late last year when the cost of home heating fuels rose dramatically as a result of the severe cold weather experienced by most of the country in December.

There are a number of important issues which need to be addressed in the Head Start reauthorization concerning the expansion and quality of the Head Start Program. For this reason, I am also introducing the Head Start Expansion and Quality Improvements Act of 1990 today with Congressman HAWKINS and Senators DODD and KENNEDY which addresses these critical issues.

The National Governors' Association, a bipartisan report by former Presidents Carter and Ford, the Committee for Economic Development, the American Academy of Pediatrics, as well as other child advocate and educational organizations, have all called upon Congress to fully fund Head Start. The Head Start Expansion and Quality Improvements Act of 1990 proposes to fully fund Head Start within 4 years.

As noted in the February 12, 1990, issue of Time magazine, there is a critical need to look at building upon the current effective system to enhance the quality of the Head Start Program. Without addressing quality, a Head Start spokesman said:

We could end up like the Savings and Loans. By functioning on the cheap, we will eventually so severely underfund Head Start's ability to deliver quality care that we will be forced to spend even more to fix the problems shortsightedness created.

The Head Start Expansion and Quality Improvements Act of 1990 addresses this issue by targeting funds to quality improvement activities such as teacher salaries and training. We must make an investment both in the expansion and the quality of the Head Start Program.

I urge my colleagues to support the Human Services Reauthorization Act of 1990 and the Head Start Expansion and Quality Improvement Act of 1990.

THE FAIR SITE SELECTION ACT

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 1, 1990

Mr. VISCLOSKY. Mr. Speaker, approximately 5 years ago, a process was begun to choose a site in the Midwest for the location of an airport to relieve the ever-increasing congestion experienced at the area's major airports and to meet the future needs of the Nation's air travelers. Thousands of hours have gone into evaluative studies and millions of taxpayer dollars have been expended. Over time, different phases of the site selection study have been completed and the number of potential locations to be examined has now been narrowed to four—three in Illinois and one in northwest Indiana. A final recommendation is expected by September 1991.

While I wish the study had proceeded in a more timely manner and a final decision had been rendered by now, I have been confident that, for the most part, the study was being conducted in a fair and unbiased manner by all those concerned. Regrettably, recent events have caused me to revise my assessment. Through actions and words, key national decisionmakers have tainted the process. Efforts to address this situation directly have been rebuffed and I now believe that the work of all those who have participated in the process and the millions of tax dollars spent may have been wasted. Therefore, today I am introducing legislation whose purpose is to ensure that the study proceeds in a proper manner and that outside influences are minimized.

My bill, the Fair Site Selection Act simply precludes the Secretary of Transportation from funding any new airport development study for the third major airport in the region. The legislation would also preclude the addition of any new sites for consideration in the ongoing study.

In conclusion, I must stress that this legislation is not intended to promote any parochial interest. Of the four sites being reviewed by the site selection committee, three are in Illinois and only one is in Indiana. Indeed, the Fair Site Selection Act is meant to protect all the sites and ensure the impartiality of the process.

THE NEED FOR OUR BATTLESHIPS

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 1, 1990

Mr. ANDERSON. Mr. Speaker, the Navy recently announced its intention to mothball two battleships, the U.S.S. *Missouri* and the U.S.S. *New Jersey*. I have made my position known on the need for "reasonable" cuts in our armed services. As much as anyone, I would like to see this nation prudently trim our military expenditures, as long as that trimming process is done with our strategic needs in mind and adequately accounts for present and

future military threats. I question whether mothballing battleships adheres to that necessary logic.

I was heartened to see that the Navy was least impacted in Secretary Cheney's proposed 1991 defense budget. As our Nation's historical defender, the Navy has consistently sailed in harm's way, resisting unjust aggression and promoting democracy around the world. We are a maritime power, do not forget. Our future lies in freedom of the seas, and control of those same seas if the need should arise. As world trade becomes a greater and greater share of our Gross National Product, our reliance on the Navy to protect this country's economic integrity will grow. We also primarily rely upon the Navy to project power onshore. Between the years 1945 and 1990 we used our naval power 187 times. The question for the future is then one of how do we maintain those forces that are most capable and most likely to successfully fulfill our worldwide commitments, responsibilities and needs. I point to our battleships as uniquely qualified for that mission.

As evidence I would like to quote from Senator McCain's insightful article entitled, "The Need for Strategy in the New Postwar Era," as appeared in the January 1990 Armed Forces International Journal. He writes, "We must be cautious, however, about cutting our four battleships. They cannot simply be dismissed as outdated weapons. They can deliver far more firepower with far more security along most of the world's coast than an air wing. In fact, one battleship can deliver 40,500 pounds of ordnance at ranges up to 23 miles in one minute. Each battleship also has eight quadruple launchers for Tomahawk cruise missiles. This gives it the ability to hit fixed targets with incredible precision at ranges of up to 700 miles. The battleship has an almost ideal surgical strike capability for low-intensity war and is the natural partner of fixed-wing air power because it can use its cruise missiles and guns to suppress air defense sites. It is also important to note that a battleship costs only \$45 million a year in operating and maintenance funds. This is less than the \$48 million per year for a nuclear cruiser and about one-third of the \$124 million cost of a conventional carrier." I would further add that our battleships represent a very large percentage of the Navy's gunnery support and also carry Harpoon anti-ship missiles.

I found this article, written by a highly decorated Navy veteran and a distinguished member of the Senate Armed Services Committee, to be greatly informative. I think it puts to rest many questions concerning the cost, capability, and strategic mission of our battleships. I would just like to add that there is no other type of ship in our fleet so ideally suited to playing the crucial deterrent role of "showing the flag." Speaking softly and carrying a big stick is easily demonstrated with a fleet of battleships on your side. Finally, when many have called into question the survivability of our carriers, I would like to remind all that there is no ship harder to sink than a battleship.

With these facts in mind, I hope that we will all think long and hard before we decide to mothball these two fine and proud ships.

AMERICANS SKATING ON ECONOMIC THIN ICE

HON. HARRY A. JOHNSTON II

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 1, 1990

Mr. JOHNSTON of Florida. Mr. Speaker, what follows is an article written by one of my constituents, Mr. Arthur Burck. This article is entitled "Americans Skating on Economic Thin Ice." It was published in the Palm Beach Post last October. I believe that Mr. Burck raises many interesting points, and his article certainly deserves widespread reading.

[From the Palm Beach Post, Oct. 22, 1989]

AMERICANS SKATING ON ECONOMIC THIN ICE
(By Arthur Burck)

ROME.—It takes a stock-market collapse to remind one of how small and interrelated today's world is.

The bleak news of Friday the 13th quickly reached me at the Giulio Romano festival amid the medieval castles of Mantua in northern Italy, where it took more than four centuries for the message to arrive that Romano (1497-1543) should be included among the world's all-time greats in the art world.

Then, on the following Monday, the stock markets of Italy and other major countries plummeted even more—7 percent to 11 percent—than did ours on Friday, just as after Black Monday two years ago when many foreign markets sank 30 percent to 40 percent. The grave lesson is that when America sneezes, the rest of the world catches a cold.

In Rome, businessmen are not very happy about such disruptive consequences. For example, Count Eolo Poll Sandri, a noted financier, lamented: "By hard work, since the ruins of World War II, we have pulled up our economy to become second in Europe and fifth in the world. Now, because of some takeover problems about which we know nothing, we see our economy threatened just as it was two years ago."

Mergers, of course, are indispensable to an effective free economy. But for decades we have grossly abused what is a basic necessity. The entire world is now suffering, but the hard reality is that our economy is in danger of foundering unless corrective action is soon taken.

We often lament the decline of our industry, and especially the quality of our products. In large part these are among the victims of mergermania. During the early postwar years—especially the 1950s and '60s—there was a great fluorescence of small entrepreneurial businesses, thousands of which eventually became sizable enterprises that made advanced, high-quality products—usually because of a motivated management and worker force.

By the 1960s many of our big old-line companies were stagnating; for many, the early postwar years were one-way streets because foreign competition had been destroyed or minimized by the war. Softened due to a lack of competition, they were ineffective when new foreign competition arrived. So many of these dinosaurs acquired the entrepreneurial new companies that were thriving. These deals were rarely successful.

I know this personally. I negotiated acquisitions with a dozen Fortune 100 companies, and most became disasters for the acquired companies. I estimate that since 1955 there were at least 60,000 acquisitions, and that at

least 75 percent of the acquired companies were damaged or destroyed.

Why? A very basic and simple reason. Businesses are people. Businesses that become successful invariably have a vital intangible asset: People who are dedicated and hard-working. That fragile asset is usually lost or damaged because of inability to mesh with the bureaucracy or corporate culture of the acquirer, especially when a big company is the buyer. We know it is hard enough for two people to stay married; just imagine when two huge corporate families are involved.

We must remember that the giants for several decades have been beating the bushes to find the most tempting takeover targets, the cream of the crop of emerging growth companies and leading independents. In other words, we have undermined a generation of our most promising companies, the industrial future of America.

Nobody has said it better than Japan's Akio Morita, chairman of Sony Corp.: "Unfortunately, America's brightest managerial talent is engaged in takeover moves and empire-building, in which profits are made not by manufacturing and selling goods."

Few today realize how extensive were the abuses and excesses that have endured for decades.

The success of the grand acquirers has created a fad atmosphere that encourages normally sound businessmen to join the crowd bent on fast-moving growth.

Apart from the erosion of our business structure, we are imperiled by the many worst-case scenarios that lurk in the risky practices that have infiltrated our financial community. Wall Street was never a place where the public or the national welfare received priority consideration, indeed, there has always been a tendency to ignore the supplication of the Lord's Prayer: "And lead us not unto temptation."

The excesses of mergermania and today's casino-like atmosphere are reminiscent of the free and easy 1920s.

The business casualties of the Great Depression were often caused by speculative practices of the 1920s that nowadays are again rife in, our financial community excessive debt, "junk bonds" (in the '20s they were more politely called second-, third- and fourth- mortgage bonds) and leveraged buyouts. The 1920s also had its share of speculative new stock issues and helter-skelter mergers that enriched opportunists, such as the empire-builders who then ravaged our public utility industry.

Also, it should not be forgotten that the main reason for the 1929 collapse was that stocks became overpriced during the euphoria of the '20s. Speculators overleveraged stock purchases—stocks could be bought with little of the buyer's money, often with as much as 90 percent borrowed. Since these practices were outlawed by the margin requirements of the 1930s reforms, most people assume that there is protection against this ever again happening.

But LBOs are not subject to margin requirements; most LBOs are structured on minimal equity—10 percent or less—piled atop a pyramid of different classes of debt including junk bonds.

In many other ways, takeovers influence the upward trend of the market:

The shrinkage of the supply of equities—3 percent to 4 percent in the first half of this year alone—places upward pressure.

The juicy premium on prices paid for takeover stocks also has an upward impact on the market.

Target companies reduce their liquidity by various devices: purchase of their own stock with borrowed money, exchanging stock for debt instruments, or leveraged buyouts by management.

Moreover, the ever-increasing concentration—more 20 percent of the companies in *Fortune's* 500 have disappeared in the past five years—has dangerous consequences. With lax antitrust enforcement, monopoly tendencies are emerging in some industries, such as airlines.

All of this could easily be stopped by Congress withdrawing the tax breaks that fuel the giant mergers. But it will not happen. I say this from having for several decades repeatedly explored the subject with government leaders and legislators, including four appearances before Senate and House groups in 1977-78.

Indeed, an apt description for today's economic scene is "skating on thin ice." At the national level, our foreign trade balance remains at troubling levels; our commercial real estate industry is in recession; our banking system is burdened with bad foreign and domestic loans, ominous in view of the current patchwork in the savings-and-loans sector; and a recession lurks at a time when inflation is also a prospect.

To be sure, there are counter-balancing reasons for optimism. We should never forget the tremendous strength of our nation, especially at a time when our communist rivals already face an economic twilight. But couldn't we do with less skating on thin ice?

HOUSE CONCURRENT RESOLUTION 87: PERSECUTION OF THE BAHAI

SPEECH OF

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. BEREUTER. Mr. Speaker, according to the State Department Human Rights Report that was released last week, Iran continues to be a major violator of human rights. The report notes that the Islamic government's hold on power is achieved through "arrests, summary trials and executions, and other forms of intimidation implemented by an extensive internal security system."

It is hard to draw an accurate picture because Iran has no procedural safeguards to guarantee basic human rights, and because the fundamentalist regime has very tight control on the flow of information. It is clear, however, that tens of thousands have suffered at the hands of Iran's revolutionary tribunals.

Earlier this month, Mr. Speaker, an investigating team from the U.N. Human Rights Commission conducted a brief investigation of conditions in Iran. It is altogether fitting, therefore, that this body choose this time to consider House Concurrent Resolution 87, concerning Iran's systematic persecution of the Baha'i religious sect.

The Baha'i religion is an offshoot of Islam, and is not officially recognized by the Iranian Government. Instead, they consider the Baha'is to be a misguided and heretical sect—something to be stamped out. And over

the years, the fundamentalist regime in Iran has done its very best to do just that.

Since the 1979 revolution when Khomeini came to power, hundreds of Baha'is have been executed or imprisoned because of their faith. Baha'is have systematically been denied the normal benefits of society, such as access to education, the right to travel, the ability to inherit property, and even on occasion the right to purchase food.

This resolution demonstrates the continuing commitment of the U.S. Congress to press for respect of religious minorities in Iran. Resolutions concerning the Baha'is have been passed by both Houses of the Congress in 1982, 1986, and again in 1988. The resolution we are considering today has 139 cosponsors, demonstrating the overwhelming support of this resolution.

Mr. Speaker, this member would bring to your attention the gentleman from Pennsylvania [Mr. YATRON] whose tireless efforts on the behalf of the Baha'i have made this resolution possible. I also would like to voice my appreciation to Chairman LEE HAMILTON of the Subcommittee on Europe and the Middle East, and ranking member GILMAN of that subcommittee, for acting in a timely and expeditious manner on this important resolution, and for the distinguished chairman and ranking member of the Foreign Affairs Committee, Mr. FASCELL and Mr. BROOMFIELD. Truly, Mr. Speaker, this is a bipartisan effort that enjoys overwhelming support.

As an original cosponsor of this resolution, along with the gentleman from Pennsylvania Chairman YATRON, this Member would urge adoption of this resolution.

THE SIMON WIESENTHAL CENTER

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 1, 1990

Ms. ROS-LEHTINEN. Mr. Speaker, on Thursday, March 15, 1990, the Simon Wiesenthal Center, in its Southern Regional Tribute Dinner, will honor Sol A. Shenk and Ted Turner. The evening will feature a tribute to Holocaust remembrance through the performing arts organized by honorary chairmen, Harry Gampel and Robert Marlin and cochairmen, Sol Taplin and Rita Schwartz. I bring this activity to your attention because it represents the day to day seeking of justice that the Simon Wiesenthal Center is committed to. The Simon Wiesenthal Center was established in 1977 as an institution dedicated to the study of the Holocaust and other human rights issues.

The Wiesenthal Center was founded to preserve the memory of the Holocaust such that, no other people shall ever fall victim to genocide—the crime of hate. The center is sponsoring innovative education and awareness programs in the areas of Holocaust studies, and educational outreach to schools and the media. The center maintains many dynamic relationships with public and private agencies. It corresponds with officials informing them of contemporary situations of intolerance and

bigotry, terrorism and genocide. I stand to recognize their commitment to justice and tolerance both at home and worldwide.

HEALTHCARE EMPOWERMENT AND ACCESS LEGISLATION

HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 1, 1990

Mr. GOODLING. Mr. Speaker, since I became the ranking Republican member on the Education and Labor Committee, the question unrelated to education which is most often asked of me is, what is Congress going to do about the 31 million uninsured Americans?

While I, too, have many questions about our health insurance system, I do not have all of the answers. I do, however, feel strongly that we must do something and that we must proceed in a deliberative fashion—studying all the problems, and looking at the Canadian system to fully understand why it cannot be transplanted wholesale as a solution to the problems being experienced in the United States. Let us not rush into adopting legislation that could cost billions of tax dollars yet fail to help those we intend to serve, the Nation's uninsured.

I was pleased to learn that my colleague FRED GRANDY was working on legislation. In fact, I cosponsored his bill, H.R. 4070, entitled "Healthcare Empowerment and Access Legislation." I did so not because I believe that it contains all of the answers or the only answers to solve the problems of our Nation's uninsured but because I strongly believe that, in a matter as important as this, it would be beneficial to have several alternatives for discussion purposes.

H.R. 4070 provides incentives for private and public-private partnership arrangements to be established to simultaneously address the issues of access to health-care coverage and the affordability of such coverage, with an emphasis on improving the quality of health care. The ERISA preemption of State health benefit mandates will encourage insurers to offer more affordable group plans to uninsured employers. The preemption of State barriers to managed care options will encourage competition and initiatives in approaches to cost control and quality review.

This issue is a priority. This year we can expect reports from the U.S. Bipartisan Commission on Health Care—the Pepper Commission—the Advisory Council on Social Security, and an independent task force on the health-care system led by the Undersecretary of the Department of Health and Human Services, Constance Horner. President Bush in his State of the Union Address has weighed into this debate by directing the Secretary of Health and Human Services, Dr. Louis Sullivan, to lead the White House Domestic Policy Council review of health care in America.

I would hope that, when legislation in this area is considered, the committees of jurisdiction will give serious consideration to the Grandy proposal, H.R. 4070, in addition to the recommendations contained in the various reports that I just mentioned.

HUMAN SERVICES REAUTHORIZATION ACT OF 1990

HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 1, 1990

Mr. SCHEUER. Mr. Speaker, I rise in strong support of the bill introduced today by my distinguished colleague from Michigan, Mr. KILDEE, together with myself and several other colleagues, to provide for full funding of the Head Start early-education program by 1994.

Mr. Speaker, the proposed budget recently submitted to Congress by the President would increase Head Start funding by \$500 million in fiscal year 1991 to a level just under \$1.9 billion. This 35-percent increase in Head Start is commendable, but it is only a small step in the right direction.

Under current funding levels, only one in every six poor children in America who need a Head Start education is able to get one. The President's proposal would increase that figure to one in five needy children. That still leaves almost 2 million disadvantaged 3- to 5-year-olds deprived of a vitally important Head Start experience. In other words, the administration proposal ignores the needs of 80 percent of our kids at greatest risk of education failure. That is not nearly good enough.

At last September's education summit, the participants—who included numerous State Governors—issued a list of national education goals. The No. 1 educational priority identified at the education summit was to improve "the readiness of children to start school." Additional priorities included:

Reducing the dropout rate and increasing academic performance, particularly for at-risk students;

Improving the functional literacy of adult Americans;

Achieving a level of training necessary to guarantee a competitive work force; and

Establishing safe, disciplined and drug-free schools.

All of these goals need the help of Head Start. The Head Start Program works. It was the pearl of the 1960's antipoverty program, with perhaps the greatest return on investment of any U.S. social program. It has made a critical difference in the educational success of a generation of disadvantaged children.

The President knows this. He stated clearly in the text of his recent budget submission: "Research shows that Head Start children experience substantial immediate gains in cognitive growth, school readiness and achievement."

And in the 1990 Economic Report of the President, the President praised the program's virtues, stating that Head Start "significantly improves children's subsequent school performance."

But when it came time for the President to translate his words into action in this year's budget, the proposed funding did not match the rhetoric. An additional \$500 million for Head Start is welcome, but it is nowhere near the "full funding" that is needed so desperately. Indeed, according to the analysis of the Joint Economic Committee, even with the pro-

posed funding increase, only 20 percent of needy 3-, 4- and 5-year-olds in America will be able to find an opening in a Head Start Program.

Just this week, at a hearing of the Education and Health Subcommittee of the Joint Economic Committee, a panel of two highly-respected American business leaders—Frank Doyle, vice president of General Electric, and William Kolberg, president of the National Alliance of Business—testified strongly in favor of full funding of Head Start. Their statements were testament to the fact that Head Start is not only important for reasons of justice, equality, and compassion, but also for bottom-line economic reasons: American industry urgently needs an educated work force. Indeed, Head Start is a front-side investment that actually will save money in the long run.

And the truth of the matter is that we can afford to fund fully the Head Start Program. The United States has a \$5 trillion economy—by far the largest in the world. It is a matter of choosing more intelligently our national priorities:

It is time we started facing our real choices. We have to stop saying that we cannot afford to do this or that, when all we mean is that we cannot afford it within the rules of the game we have arbitrarily established and agreed to play. What we should mean when we say that we cannot afford to spend a certain amount of money for drug control, or for education or for assistance to poor people or for national security is that we prefer to spend the money on something else.

Mr. Speaker, these are not my words. They are those of Herb Stein—a conservative, Republican economist, who headed President Nixon's Council of Economic Advisers—in recent congressional testimony. As Stein brilliantly argues, it is ludicrous to say that this great Nation cannot afford to provide an early education to every disadvantaged child who needs it. Of course we can * * * If only we have the political will, the foresight, the courage, and the enlightened self-interest.

On May 1 of last year, the Education and Health Subcommittee, which I chair, conducted a hearing in New York City that documented the economic and social benefits of early pre-school education. When former Head Start participants were compared to a control group that had not had the benefits of pre-school education, the Head Start group had fewer dropouts from high school, fewer who were ever arrested, fewer on welfare, and many more who were fully literate, employed, and in college.

In light of these numerous, documented, cost-effective benefits from Head Start, one is perforce moved to ask a very simple question: "Why hasn't the administration requested full funding for Head Start, to allow every American child who needs it to have access to this invaluable and enriching pre-school experience?"

The only possible answer is that the administration views Head Start funding as an expenditure and not an investment. That is shortsighted, both in economic and national security terms.

In national-security terms, the President's budget priorities indicate the administration is still mired in a Cold War mindset. Full funding

of Head Start is estimated to cost between \$5 and \$10 billion annually. The administration, rather than make this investment in future economic security, instead plans to continue spending our tax dollars on budget-busting strategic nuclear programs, despite the virtual withering away of the Soviet threat. In reality, in the 1990's, the threat to our national security from an emerging underclass and an illiterate workforce is far greater than any Soviet threat.

Yet, the President's budget spends \$5.5 billion for the B-2 bomber; \$4.7 billion for Star Wars. And \$2.2 billion for putting MX missiles on trains, despite the fact that, unanimously this month, the three past chairmen of the Joint Chiefs of Staff testified that the mobile MX program is a dinosaur. These programs are relics of a bygone era, yet the administration insists on throwing good money after bad.

Cutting just these three Pentagon budget busters would free up more than enough funds to provide a Head Start experience to every 3-, 4-, and 5-year-old, underprivileged child in America. The administration clearly needs to revise its definition of "national security" for the 1990's and the next century.

In economic terms, Head Start is one of the best investments we can make in the future of this country. According to the Bureau of Labor Statistics, the fastest growth in jobs between now and the year 2000 will be in highly skilled white-collar occupations, where 97 percent of workers have high school diplomas and 57 percent have college degrees.

At the very same time, however, there is projected to be a scarcity of young people entering the labor force. And among those who do, there will be a growing percentage of minorities—including African-Americans and Hispanics—who currently have higher-than-average drop-out rates and lower-than-average educational attainment. Unless we invest in our children now, they will enter the workforce in 15 years with very little hope of qualifying for the jobs that then will be available, and which our society will need urgently to be filled.

The U.S. simply cannot be competitive in the world economy in the century ahead if a large chunk of our work force is grossly undereducated. It is beyond belief that this Nation is willing to borrow over \$100 billion a year to buy consumer electronics and cars from abroad and yet refuses to invest a fraction of that amount in a proven program to rescue children at desperate risk of educational failure, with all of its attendant costs to society.

The economic cost of denying a Head Start experience to 80 percent of needy children—as we would do under the President's proposal—is enormous. Two recent studies shed light on the long-term damage we are inflicting on our society.

One, a study at Stanford University, found that the loss to the U.S. economy from the dropouts in a single year's high school class nationally—just in terms of lost economic output—is \$228 billion over their lifetimes. This study did not even examine the billions of dollars in additional costs that result from increased law enforcement, incarceration, welfare payments, unemployment compensation,

public housing, health care, and teenage pregnancy.

Another recent study by Bill Beuchner, senior economist of the Joint Economic Committee, demonstrates that an earlier U.S. program—the World War II GI bill of rights—realized an enormous payback from its investment in education. According to the study, every \$1 of U.S. investment in the GI bill returned between \$5 and \$12 in increased economic output by World War II veterans, over the course of their lives.

It is abundantly clear that, for the very same reasons, a small investment in Head Start now will return many times that investment in the future.

I congratulate my colleague from Michigan on his leadership on this vitally important initiative, and I look forward to working closely with him toward its successful passage and enactment.

CORPORATE PENSIONS

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 1, 1990

Mr. CRANE. Mr. Speaker, as we enter the second session of the 101st Congress, I want to urge my colleagues to resist efforts that may be made to forbid pension asset reversions on over-funded pension plans.

James R. Stover, who is chairman of the Board of Eaton Corp. which is one of the larger corporations in my district, recently delivered a speech to the American Society of Corporate Executives. In his address, Mr. Stover makes some very insightful comments with respect to a number of pension-related issues and the ill-advised proposals that are being considered by some in Congress. I believe we can all benefit from Mr. Stover's remarks, and I highly recommend his address to my colleagues.

REMARKS BY JAMES R. STOVER

One of our topics for this session was in the employee benefits area . . . health care. It's an interesting topic and more needs to be heard on it. I'm going to talk about an area that's closely related.

My subject is pensions. What I see coming out of Washington these days just doesn't smell right. When that happens, it's time to start making noise & yelling!

Where am I coming from? Let me say that it suddenly seems appropriate to note that yesterday was the 97th anniversary of the day that the Dalton Gang simultaneously robbed two banks. . . . The federal government is not, of course, literally robbing the pension system. But the trend of pension laws and regulations is downright scary. So much of what is going on has a pious and sanctimonious ring to it. Every change, of course, is designed to "help" the retirees. But if it continues, the pensioners will be "helped" the same way depositors of those two banks were "helped" in Coffeyville, Kansas back in 1897. There may not be any "wanted" posters around of guys with bandanas, but maybe there ought to be.

The general idea of pensions is, of course, simple. But the specifics of pensions gets complicated in a hurry, so I'm going to oversimplify and take a few liberties in the in-

terest of time and clarity . . . and besides, I'm no pension expert. It's the trends that bother me, and that's what I want to bring out.

Twenty or so years ago, it was big news when a few private pension plans failed. We all remember those sad stories back in the late 60's and early 70's. Studebaker was one case that got a lot of attention. The Studebaker pension plan was grossly underfunded when the company went belly up. A lot of employees who thought they had pensions learned they were out of luck.

Back in 1974, Congress stepped in to strengthen the private pension system with the law we know as ERISA. It stands for Employee Retirement Income Security Act, although people at the time said it stood for "Every Ridiculous Idea Since Adam." We complained about ERISA, but most of us yearn for those simpler days of yesteryear back in 1974. In the 15 years since, ERISA regulations have got a lot worse and great deal more costly.

Let's talk a little bit about the "kinds" of pension plans. Being a "lifer" with Eaton, all I ever knew was the "defined benefit" type that provides a specific amount of income after you retire. There is a formula based on years of service and salary, of course, but the focus is on how much you get. It's up to the company to do enough funding to see that happens. The company takes the risk. As we know, that's the kind of pension commitment that ERISA was primarily aimed at regulating.

But companies aren't required to make that type of benefit commitment, and today many companies provide another kind—a "defined contribution" plan. In a defined contribution plan, the company generally makes a contribution of up to 10% of an employee's wages into an investment fund. Or, in many cases, the level of contribution is tied to profits of the company. No profits, no contribution—or perhaps a limited contribution. That provides a real profit incentive for the employees and the company. What is the advantage of the contribution type? The company simply agrees to the amount of money it will put IN to the fund. There is no promise of the earning rate on the money put into the fund, and no promise of how much money will be available at the end of the trail.

Also, the contribution plans are not subject to nearly as many onerous ERISA regulations. They are much simpler to report on and administer. The company in effect is saying to employees, "we'll put up to a given amount of money away for you each year. The money will be invested, and your pension at retirement will be based on your investment balance at that time." Clean. Simple. Like making repeated deposits in a bank account. A variation to this approach allows employees to kick in some of their own money, but not more than 10% of the pay according to ERISA rules, or the plan loses its tax advantages. Admittedly, some employees—particularly very young ones—prefer the defined contribution approach and the fact that contribution plans are "portable" after vesting.

Most pension experts agree that this first type—the defined benefit plan—is the most worry-free for the employee. But because of the burden of ERISA and the IRS code, and under the threat of still more negative legislation, no one is creating new defined benefit plans anymore. At one time three times as many Americans were in defined benefit plans as were in defined contribution plans. Today, the ratio is getting close to 50/50.

Companies are cancelling or suspending traditional pension plans in record numbers.

From all quarters, the government seems to be taking aim at defined benefit pension plans. Like always, their motives are pure as Snow White. Most proposals are designed to achieve some quote, "good," quote, purpose. But the regulations are generally so awful that the patient is going to leave the hospital rather than swallow the medicine. It's time we stood back and looked at what's going on.

Since 1982, ERISA has been amended no less than seven times. Each change brought new and sweeping requirements on employers. The focus has been in such areas as funding, contributions, vesting and non-discrimination rules. One way or another, these changes forced employers to spend more money. Some regulations required employers to pour more soup into the pot. Others required employers to use a larger ladle in dishing out the soup. Still others said that more people should be in the soup line, or required that more empty bowls be given out.

Having done that, Congress also enlarged the size of its own ladle and its own soup bowl . . . a lot! Legislation in recent years has meant bigger tax bites. The "driver" has been the need for federal revenue, not the health of pensions. Tax law changes have dramatically reduced the tax incentives for retirement savings. This has made it unlikely that employers will fund their retirement programs at anything other than the minimum possible levels. That's the irony. These changes encourage only minimum funding.

Congress is setting all the rules for private pensions so they can minimize responsibilities under Social Security. It's a different way to spend other peoples' money without having to call it taxes.

The key issue these days is who owns the excess money in defined benefit plans—employers or employees?

Under both ERISA and earlier pension legislation there was no doubt. Excess funding for defined benefit plans belonged to employers. The surplus is defined as the amount left over after the employer meets ALL obligations to participants—current employees and retirees. Under new legislative proposals employers who generously funded defined benefit plans would be penalized for their conservative practices. Proposed legislation is now saying that the reward for over-funding will be that you can't get the excess money back!

Earlier this year Senator Howard Metzenbaum of Ohio and Representative William Clay of Missouri introduced the Employee Pension Protection Act of 1989. It was aimed at companies who wanted to recapture excess funding from defined benefit pension funds—a process known as "reversions." Since 1980, about 1,900 defined benefit pension plans have gone through this reversion process. After fully paying off the 2.1 million workers and retirees under the plans, the companies recovered about \$20 billion in surplus assets they put in.

Metzenbaum's and Clay's legislation would require companies involved in reversions—that is, the cancelling of their existing defined benefit plan—to set up new, replacement pension plans. Employers who failed to do so would lose control of the surplus funds. The replacement pension plans would be required to provide a 125% or 135% cushion against projected liabilities. The employer also would have to provide a cost-of-living increase to retirees. If there is no replacement plan, all excess assets would

simply be passed out to employees and retirees in a pension windfall. Oh, and by the way, the government takes a 15% cut of the excess assets in the form of an excise tax, so there isn't a tax holiday on reversionary excess.

Metzenbaum and Clay have confused this issue in the public's mind. They project the view that employers are raiding the employee-pension cookie jar, rather than taking a surplus that they put in there in the first place!

Just last week, another proposal was beaten back. This one was proposed by Representative Peter Visclosky of Indiana. Under the Visclosky proposal employers would have been required to share control of investment decisions for pension plan assets with employees . . . in the form of a board. The legislation envisioned a board of trustees made up of both employee and employer representatives.

In fact, no employer will accept a structure that gives investment control to others while it stays completely on the hook for any fund shortfalls. The employer still has to keep his promise even if the investment is a poor one.

Fortunately, the Visclosky proposal failed last week in a 250 to 173 vote in the House. But we shouldn't be too encouraged. The issue may be dead for this year, but it is likely we will see some variation of this theme in the future.

The Congress, under pressure from Gramm-Rudman, can no longer find the funds to continue its social agenda. So they are shifting gears. The focus to legislate to force the private sector to fund the social programs the Congress wants to accomplish, but which it lacks the tax revenues to achieve.

Pension funds are an attractive target. The nation's private pension plans have \$1.7 trillion dollars. It is that huge pool of capital that is whetting the appetite of a Congress that thinks it is starved for funds.

All the do-gooder legislation is putting government hands on pension funds—particularly defined benefit pension funds—under the guise of "protecting the pensioner." But all these efforts will have the opposite effect—causing employers to minimize funding. Suffice it to say that we're in for more governmental pressure on private pension assets, not less.

In the interest of truth-in-labeling—which is always big with Congress—we should insist that the current body of legislative proposals on pensions be called, "The Living Tribute to the Dalton Gang!"

SOVIET-AMERICAN EFFORT TO CURB HARMFUL IMPACT OF WATER PROJECTS

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 1, 1990

Mr. MILLER of California. Mr. Speaker, glasnost has led to a number of remarkable changes in the Soviet Union. One of the most important has been the increased exchange of Soviet citizens to visit the United States.

In mid-February, a unique conference was held in Washington, DC, between activists from several major American environmental

organizations and the Soviet Association for Ecology and Peace [Ekologiya y Mir].

The focus of this conference was to share information on efforts by all the participants to save rivers and to stop environmentally destructive large dam and water diversion projects.

The conference has led to an important statement of cooperation between the organizations involved. In the joint statement, the Soviets have pledged to assist the Americans in efforts to protect the Platte River. The Platte provides essential habitat for sandhill cranes which nest in Canada and the Soviet Union.

The American organizations agreed to provide assistance in efforts to halt construction of large water projects on the Volga and Katun Rivers and to assist in forming an International Coalition to Save the Aral Sea.

Mr. Speaker, the Soviet and American environmental organizations are to be congratulated for undertaking this unique cooperative effort. Let us hope that it is the first of many such efforts.

Mr. Speaker, I insert a statement outlining the Soviet-American effort to save rivers at this point in the RECORD:

**STATEMENT OF JOINT U.S.-SOVIET
COOPERATION TO SAVE RIVERS**

The undersigned U.S. and Soviet organizations announced that they will work to support each others' efforts to save rivers and to stop environmentally destructive large dam and water diversion projects and to modify existing projects which are causing environmental damage.

The organizations announced four specific actions being taken this week to implement this broad and ambitious objective.

First, the Soviet Association for Ecology and Peace (Ekologiya y Mir) will support U.S. environmental organizations in their efforts to save the Platte River in Nebraska. The Platte River provides essential habitat for hundreds of thousands of migratory birds, including sandhill cranes which nest in Canada and in Siberia.

Second, the undersigned U.S. environmental organizations will assist the Soviet Association for Ecology and Peace and the Committee to Save the Volga and other Soviet organizations in their efforts to save the Volga River. Intensive damming and water diversions in the Volga River Basin, together with intensive industrialization (oil, chemical, and gas facilities), have brought catastrophic environmental conditions to the river, such as massive depletion of the sturgeon population.

Third, it is considered expedient and important to form an International Coalition to Save the Aral Sea. The Coalition will coordinate and assist Soviet organizations in the effort to restore and save this large body of water by publicizing the problem and providing information about possible solutions. The organization and activities of the Coalition will be coordinated by Friends of the Earth, the National Wildlife Federation, and the Soviet Association for Ecology and Peace.

Fourth, the undersigned U.S. environmental organizations will join Soviet efforts to save the magnificent Katun River (in Central Asia near the USSR-Mongolia border) and its majestic valley from a gigantic dam.

The organizations believe that the efficient use of water and energy should be the cornerstone of water policy for our nations

and that large projects invariably involve great cost and environmental damage.

February 16, 1990

BRENT BLACKWELDER,
Vice President, Friends of the Earth.

ALEXANDER MISCHENKO,
Deputy Chairman, Ekologiya y Mir (Ecology & Peace).

EDWARD OSANN,
Director, Water Resources Program, National Wildlife Federation.

SUPPORTING ORGANIZATIONS

Kevin Coyle, Acting President, American Rivers, Inc.

Bruce Rich, Director of International Programs, Environmental Defense Fund.

Philip Williams, President, International Rivers Network.

Ed Pemberton, Director, Water Resources, National Audubon Society.

Cathy Fogel, Associate International Representative, Sierra Club.

**A CONGRESSIONAL SALUTE TO
BETTY WHITEKER IN HONOR
OF HER SELECTION AS DEMOCRATIC
WOMAN OF THE YEAR**

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 1, 1990

Mr. ANDERSON. Mr. Speaker, I rise to pay tribute to an outstanding individual who has devoted so many years of her life to the betterment of Long Beach and the surrounding community. Betty Whiteker will be honored by the Long Beach Democratic Women Study Club on March 2, 1990, as their "Democratic Woman of the Year." This occasion gives me the opportunity to express my sincere appreciation for her many years of hard work and unending commitment.

Betty was born on July 20, 1923, in Anaheim, CA. However, she received most of her formal education in Long Beach. During her earlier years, she attended Willard Elementary School, and St. Mathews Catholic School. Later, after graduating from Wilson High School, she attended Long Beach City College, and UCLA, where she received her nursing degree.

Throughout her life, Betty has been known for her participation in many activities. As an early teen she was active in the Junior Auxiliary, the Daughters of the American Revolution, and the Junior American Legion No. 27. During World War II, Betty offered her services to the Torrance Army Hospital attending to patients from the war hospital ships *Mercy* and *Hope*. After the war, she continued her involvement in Lakewood. True to her civic nature, she was active with her sons, George and Steve, in Scouts. Betty also gave her time to the Red Cross, Community Chest, the March of Dimes, and the Business Womens Club in Bellflower.

As an elected official from the southern California area, I can attest to Betty Whiteker's untiring political involvements. She first became active in the Democratic Party during Ted Kennedy's Presidential campaign, phoning, fund raising, and walking the precincts. Betty also worked on Bob Fronke's State senate campaign, and was local chair for the

Gary Hart campaign for Congress. In addition, she is a member of the Democratic State Central Committee, the L.A. County Democratic Central Committee, the JFK Democratic Forum, a member and participant in California's 58th Assembly District, and of course, a member of the Long Beach Democratic Women Study Club, the organization that is honoring her as the "Democratic Woman of the Year."

My wife, Lee, joins me in extending our congratulations to Betty Whiteker. She is truly a remarkable individual who has devoted her talents and energies to enriching the lives of so many other people. We wish Betty, her sons, George and Steve, all the best in the years to come.

**HONORING THE OLDER
AMERICANS ACT**

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 1, 1990

Mr. KILDEE. Mr. Speaker, I rise in support of the resolution introduced by my colleague, Mr. DOWNEY, honoring the Older Americans Act on its 25th year of successful operation.

Long viewed as the major vehicle for the organization and delivery of social services to the elderly, the Older Americans Act and the programs it authorizes are among the most popular operating in the Federal Government today. Whether it be through a congregate or home-delivered meal, participating in senior center activities, receiving nonmedical in-home assistance, or finding a job through the Senior Community Service Employment Program, the Older Americans Act has been successful in helping elderly persons remain active and independent participants in their own communities.

This silver anniversary celebration not only marks the completion of 25 years of successful operation, but serves as a new beginning. Meeting the social service needs of a greatly increasing aging population is the challenge for the future and the Older Americans Act, through its wide array of authorized services, is poised to respond to those needs. The Older Americans Act currently has in place a sophisticated and complex aging network which has evolved and become more effective through the years. This network of State and area agencies on aging and service providers have demonstrated their effectiveness in carrying out the mandates of the Older Americans Act.

Through title III of the act, over 240 million meals were provided to elderly individuals in 1988 with almost 40 percent of those meals delivered in-home. At the same time, numerous elderly individuals were assisted with transportation needs, legal assistance, and nonmedical in-home services.

Title IV, through the awarding of research and demonstration grants, has not only served to greatly expand our base of knowledge on the aging process, but has provided detailed information on issues affecting the elderly such as employment, health, and housing

issues. Many individuals have also received training in the field of aging through this title.

Title V supports almost 64,000 positions to provide low-income elderly with meaningful employment opportunities. These seniors, many working with other older individuals, are able to supplement their incomes while providing important services to the communities in which they live.

1991 will be an important year for the Older Americans Act. Scheduled for reauthorization, we will work diligently to tailor the act to the needs of a changing aging population.

THE RIGHT TO SAFE DRINKING WATER ACT OF 1990

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 1, 1990

Mr. VISCLOSKY. Mr. Speaker, there is something fundamentally wrong when a country's Tax Code is structured so as to force people to drink contaminated water when other options exist.

There is something fundamentally wrong when a country's Tax Code penalizes utilities for extending safe water services to areas threatened by ground water contamination.

There is something fundamentally wrong when a country's Tax Code forces Federal agencies to use Federal funds to pay Federal taxes.

Today I have introduced legislation to change this fundamental problem with our Tax Code. My legislation, the Right to Safe Drinking Water Act of 1990, will allow a utility to exclude from its gross income, for Federal income tax purposes, a contribution received to aid construction for water main extensions in cases where public health is threatened by ground water contamination. These contributions are now taxable under section 118 of the Internal Revenue Code.

The exemption will only apply in cases where the donation of dollars or property is received from a governmental entity. Under the current system, utilities pass the tax on to the public body which must use tax dollars to pay taxes. In addition, the legislation will only apply to circumstances where wells already in existence have become contaminated, thereby preventing developer abuse.

While this legislation addresses a growing nationwide problem, I am aware of a situation in northwest Indiana that painfully illustrates the effects section 118 can have on communities and their residents.

The Lake Sandy Jo Superfund site is located in the center of a small northwest Indiana neighborhood. The solid wastes that accumulated in this one-time landfill have seeped into the surrounding environs—contaminating nearby ground water and threatening the health of nearby residents.

The Environmental Protection Agency [EPA] determined that it was necessary to bring water mains to the neighborhood, however, problems with section 118 of the Tax Code have blocked progress for almost 3 years.

In June 1988, a widow who lives next to Lake Sandy Jo was quoted in a local newspaper:

I just feel it's taking too long to do this. I don't drink the water. I'm paying \$14 a week for six gallons of bottled water. I wash in my well water, sometimes. I used to use it to water my flowers, but my African violets didn't bloom. So I started using the bottled water for that and they started to bloom again.

Mr. Speaker, it is now March 1990 and water main construction at Lake Sandy Jo has barely started. Various Federal agencies haggled for almost 3 years about who was going to pay this Federal tax. Ironically, most of it will be paid for by the Federal Government.

In conclusion, the problems experienced by those who live near Lake Sandy Jo and the countless others like them throughout the country deserve to be able to drink, bathe, and cook in water that is safe and clean.

TRIBUTE TO THE LATE DR. EDWARD J. BLOUSTEIN, DISTINGUISHED PRESIDENT OF RUTGERS UNIVERSITY

HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 1, 1990

Mr. ROE. Mr. Speaker, it is with the greatest solemnity and admiration that I rise today on behalf of the entire New Jersey Congressional Delegation to pay tribute to a truly great, an outstanding administrator and a true visionary of higher education who was taken from our midst late last year.

I am speaking of the late Dr. Edward J. Bloustein who served with the highest distinction as president of Rutgers, the State University of New Jersey, from 1971 until his death on December 9, 1989. During his long and outstanding tenure, Dr. Edward J. Bloustein helped make Rutgers one of our Nation's truly preeminent universities.

Recently, Mr. Speaker, we honored the memory and the lasting and profound accomplishments of this great man at a truly moving university memorial convocation in Dr. Bloustein's honor at Rutgers. For the RECORD, Mr. Speaker, I would like to insert the text of the Memorial Convocation Program, which gives a comprehensive overview of Dr. Bloustein's great accomplishments, and all that he has meant to Rutgers University, to the State of New Jersey, and to our Nation:

EDWARD J. BLOUSTEIN, 1925-89

Dr. Edward J. Bloustein, the seventeenth president of Rutgers, left an indelible mark upon New Jersey and its State University.

A philosopher and lawyer, he was president of Rutgers from 1971 until his death December 9. Under his guidance, Rutgers became one of the nation's leading state universities, and was recently selected to join the prestigious Association of American Universities.

Born of immigrant parents in New York City in 1925, Dr. Bloustein served in the United States Army from 1943 to 1946. He graduated Phi Beta Kappa from New York University in 1948 and later received a bachelor of philosophy degree from Oxford. He married Dr. Ruth Ellen Steinman in 1951. He attended Cornell, earning a doctorate in philosophy in 1954 and a law degree in 1959. He joined the faculty of the NYU School of

Law in 1961 and became president of Bennington College in 1965, a post he held until coming to Rutgers.

The Bloustein years at Rutgers were a period of phenomenal growth. Enrollment increased from 36,869 to more than 47,000. More than 60 percent of all Rutgers degrees ever awarded bear Dr. Bloustein's signature. He took great pride in the significant increase in minority graduates and the growth of opportunities for women during his tenure.

One of Dr. Bloustein's highest priorities was to raise the national stature of both Rutgers and New Jersey. Under his guidance, the number of Rutgers faculty in the national academies soared from three to nineteen.

Colleges and schools established during his tenure include Cook College; the Mason Gross School of the Arts; the Schools of Business in Camden and New Brunswick; the Graduate School of Applied and Professional Psychology; the School of Communication, Information and Library Studies; the School of Criminal Justice in Newark; and the Graduate Schools in Newark and Camden.

With the opening of the Rutgers Athletic Center in 1977, Dr. Bloustein began efforts to develop Rutgers as a national competitor in intercollegiate athletics.

In 1979, he initiated the reorganization of the facilities of the New Brunswick liberal arts colleges. The resulting plan established a single Faculty of Arts and Sciences while preserving the undergraduate colleges.

A 1983 study of the future financing needs of Rutgers paved the way for creation of the Fund for Distinction, a financial strategy for implementing a development program that now includes more than \$600 million in capital projects. Passage of the 1984 state bond issue provided funds for five advanced technology centers while the 1988 bond issue provided more than \$100 million for a variety of educational projects. One of the most effective fund raisers in higher education, Dr. Bloustein announced in June 1989 that the \$125 million Campaign for Rutgers had exceeded its financial goal a year ahead of schedule.

Despite the demands on his time, Dr. Bloustein continued to teach and do research. He wrote extensively on the law, and his article on privacy is often cited. He was the author of the books *The University and the Counterculture* and *Freedom of Expression*, and was writing a book on the First Amendment at the time of his death.

Throughout his tenure, Dr. Bloustein expressed his moral, ethical, and educational philosophies openly and clearly. He took part in the public protests against the Vietnam War and South African apartheid. More recently, he worked as a volunteer in a New Brunswick soup kitchen. His passion for the principles he believed in led him to call in 1988 for a community service requirement for all Rutgers undergraduates to "help educate our students to the world of the sick and the aged, the world of the deprived and dispossessed, a world which looms before us and which we can no longer continue to neglect except at our moral and political peril."

His beloved wife of thirty-seven years, Ruth Ellen, died in October 1988. He is survived by two daughters, Elise and Lori, three sisters, and a brother.

Mr. Speaker, on behalf of the entire New Jersey Congressional Delegation, I appreciate the opportunity to present this brief profile of a

truly great man, and an outstanding educator, administrator, leader, and visionary whose work has made Rutgers University one of the great universities of our Nation, and whose work has made New Jersey, our Nation, and the world a better place to live.

**BLACK HISTORY MONTH—
HONORING WAYMON MORLEY**

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 1, 1990

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today, the final day of Black History Month, to pay tribute to a figure who is inspirational to the black community in Miami, Mr. Waymon Morley. Black history is full of inspirational stories of people who have made invaluable contributions to unite our racially divided society. People such as Frederick Douglass, Dr. Martin Luther King, Dr. Carter G. Woodson, Jackie Robinson, Dr. Charles Drew, and many others have been instrumental in making these contributions. Often, people fail to remember that history is not something always confined to the past, it is a continually evolving facet of our society; Mr. Morley is an example of history in the making in my home district of Miami. Because of the racial hatred and oppression in our country, black Americans had to struggle against the odds in order to achieve success. Ladies and gentlemen, Mr. Morley is a shining example of how success is no longer determined by the color of one's skin, and serves as an example of how unlimited success is available in our great nation through dedication and hard work.

Born in Miami, Morley graduated from North Miami Beach High School, then went to Howard University, receiving a degree in finance. At age 21, Mr. Morley had a booth in a flea market on Seventh Avenue in Miami; there, he sold magazines, clothing, and gift items. In 1987, he received his M.B.A. from the University of Miami, and then began working as a business development specialist with a Liberty City business development organization. Through his experience gained in the business world, Mr. Morley has assumed a new role, as the publisher of Miami's first black business magazine known as the Miami-South Florida Black Business Review.

With the first issue debuting in March, Morley is facing an uphill battle against the competitive magazine industry, but with his tremendous drive and insight, success is inevitable. Throughout the month of February, we have all developed a sense of the richness of black history—economic, political, religious and social. Mr. Morley's contribution through his new magazine will further all of these facets, especially in the Miami community.

Mr. Morley deserves commendation on his tremendous achievements for the black community which will add to the tremendously diverse community in Miami. For those who maintain racial prejudices, let the accomplishments of Mr. Morley illustrate how the color of one's skin does not limit the ability of individual's success. As Americans, we should all strive to learn from our past inequities, and

end the ignorance of all racial prejudices which scar our Nation's past. I wish Mr. Morley the best of luck in his endeavors.

**ANTI-SEMITISM IN THE SOVIET
UNION**

HON. JOHN M. SPRATT, JR.

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 1, 1990

Mr. SPRATT. Mr. Speaker, I am deeply concerned by reports about significant increases in the level of anti-Semitism in the Soviet Union and many parts of Eastern Europe. It is tragic and ironic that during this euphoric period of freedom which has swept the Soviet bloc, some people are exploiting their new found liberty to raise the old canard of anti-Semitism. This pattern is being witnessed in several Eastern European nations including Hungary and East Germany but it has taken on its most disturbing aspects in the Soviet Union. I would like to insert into the RECORD an article which appeared last week in the Washington Post and was written by Vitalii Goldanskii, a senior Soviet official. Mr. Goldanskii lays out in great detail the ways in which anti-Semitism is manifesting itself.

I find it incredible that only 45 years after Hitler's Holocaust, which wiped out most of Europe's Jews, some Europeans are still blaming the Jews for the world's problems. In the U.S.S.R., members of an anti-Semitic Soviet organization called Pamyat have stated it is time to "finish the job" which Hitler started by killing the world's surviving Jews. Scattered reports have reached the West of Jews who have been physically beaten on the streets of Soviet cities because of their religious background. Rumors abound throughout the Soviet Union about upcoming pogroms or mass attacks against Jewish homes, synagogues and Jewish cemeteries. A few weeks ago, in Leipzig, East Germany scores of so-called skinheads held a demonstration where they shouted anti-Jewish slogans and blamed Jews for Germany's economic problems. Anti-Semitism is among the world's most insidious forms of scapegoating, and tragically we are witnessing a resurgence of it today. As the events in Europe 45 years ago taught us most painfully, it would be dangerous as well as naive to ignore these signs of anti-Jewish activities.

The United States along with the rest of the civilized world must condemn this anti-Semitic wave in the most unequivocal terms. It is true that this most recent strain of anti-Jewish attacks is not being sponsored by any of the governments in the area. To the contrary, one of the reasons this prejudice is appearing now is that the Communist governments have relaxed restrictions on political activities thereby making it easier for right-wing racist groups to organize and speak out. But we must make clear to these governments that they have a profound responsibility to protect their Jewish communities against harassment and attack.

We are now in the midst of negotiations with the Soviet Union and other Eastern nations to lift trade restrictions and open up a new area of economic relations. We are now

considering whether to grant most-favored-nation [MFN] trade status to the Soviets. The Congress will have the opportunity to decide whether to approve a waiver of the Jackson-Vanik amendment which bars MFN status for any Communist nation that restricts emigration of religious minorities. I welcome these trade initiatives because I believe they will promote economic and political stability for these new governments. At the same time, we must tell these governments that they must demonstrate a commitment and ability to safeguarding their Jewish minority in order for these barriers to be removed. We must also continue our pressure on the Soviet Government to permit direct flights between Moscow and Tel Aviv so that Soviet Jews who wish to emigrate will be able to leave the Soviet Union.

The small number of Eastern European Jews who survived Hitler's final solution and have remained in Eastern Europe have the right to live in dignity, free of persecution. We must make clear to the relevant European governments that we believe they have a solemn duty to protect their Jewish minority and we will consider their record in achieving that goal when we determine the future of our economic and political relations with them.

The article follows:

**ANTI-SEMITISM: THE RETURN OF A RUSSIAN
NIGHTMARE**

(By Vitalii I. Goldanskii)

Supporters of President Gorbachev's *perestroika* are increasingly alarmed by the possibility that this program of restructuring and reforms may collapse. Should this occur—and it cannot be ruled out even in the near future—it would be a disaster not only for the Soviet Union but for all humankind.

Many of the difficulties being encountered by *perestroika* are well known outside the Soviet Union, as are some of the potential consequences if *perestroika* fails. But too little attention has been given, until now, to the special dangers posed by the growing aggressiveness in the Soviet Union of extreme right-wing, virulently anti-Semitic groups that seek to subvert *perestroika*, to blame the country's past and present problems on the Jews, and (as some of their propaganda states explicitly) to "finish what Hitler started."

These extremists are flourishing in the climate of spite, envy, scapegoating and hatred associated with the increasingly severe difficulties in the Soviet economy and growing ethnic tensions. They are perhaps already the strongest, and certainly the fastest growing, of the divisive forces pushing the country toward bloodshed and civil war.

The extremist groups go by a variety of innocuous-sounding names, of which the best known outside the Soviet Union is the "National Patriotic Front *Pamyat*" (*pamyat* means "memory"). A number of them recently entered into a confederation under the title of "Bloc of Social-Patriotic Movements of Russia." I prefer to call them Russian monarcho-Nazis (or monarcho-fascists), to reflect their combination of deep reverence for the autocratic czarist Russian empire and ferocious hatred of Jews.

Incredibly, the Russian monarcho-Nazis openly and widely condemn the Jews as the main culprits in all of the troubles of Russia from the October Revolution of 1917 up until the present—including genocide

against the Russian people in the form of the millions of Russian deaths in civil war, collectivization and various purges; destruction of tens of thousands of Russian churches and historical monuments; and spiritual poisoning of the people through the introduction of decadent and corrupt Western culture alien to Russian tradition. They even accuse the Jews of ritual murders and a worldwide conspiracy against humankind, making reference to the disgraceful hoax, "The Protocols of the Elders of Zion."

There is striking similarity, in fact, between the views, programs and intentions of the Russian monarcho-Nazis and the original Nazi platform as laid out in Hitler's "Mein Kampf" and other infamous documents of the German Nazi period. This similarity, and the resemblance of the general situation in the Soviet Union in 1988-90 to that in Germany in 1931-33, have been publicized by progressive Soviet mass media. The newspaper Soviet Circus, for example, has printed a point-by-point comparison of Pamyat's manifesto with the program of the Nazi Party of the 1930s.

The main organization serving as a coordinator of the monarcho-Nazi forces is the Union of Writers of the Russian Federation (RSFSR). As outlets for their propaganda they have at their disposal such newspapers and journals as "Literaturnaya Rossiya" (Literary Russia), "Nash Sovremennik" (Our Contemporary), "Molodaya Gvardiya" (Young Guards) and "Moscow." The leaders of this movement include many notorious writers, some scientists, some artists and others.

"The Nazi-type speeches and publications of these groups are becoming routine features of everyday life in the Soviet Union. Their form and content were analyzed by Prof. Herman Andreyev from Mainz University in West Germany in a recent issue of the weekly magazine Ogonyok. He concluded that in Western European countries such statements would be treated as unconstitutional, the persons propagating them would be called to account and the organizations supporting them would be dissolved."

Yet the monarcho-Nazis seem to be meeting no serious opposition—indeed, more often sympathy and connivance—from important party and government leaders of the U.S.S.R. It is instructive, for example, that in the platform of the Soviet Communist Party on ethnic problems published in August 1989, not a single word was said about the anti-semitic campaign against so-called cosmopolites (1949), the shooting of leading Jewish writers and artists (1952), or the disgraceful "Doctor's plot" (1953), while many other Stalin-era crimes against various nationalities of the Soviet people were scrupulously mentioned.

Similarly, an appeal by more than 200 people's deputies of the U.S.S.R. to the Presidium of the First Session of the Congress of People's Deputies in June 1989, expressing concern about the "growing wave of anti-semitic activities, including open calls for violence that could lead to irretrievable consequences," went unanswered. That was also the fate of a letter written to Gorbachev on this subject by 10 distinguished scientists and writers in September 1989.

The explanation of such passivity on the part of the authorities seems quite simple. In addition to the evident sympathy of many authorities on different levels to the views of the monarcho-Nazis, others who do not sympathize nonetheless hesitate to act because of the way the growing aggressiveness of the monarcho-Nazis is linked to the

bloody ethnic conflicts and intensifying separatist movements in nearly all of the outlying districts of the Soviet Union.

Specifically, this situation offers the monarcho-Nazis considerable opportunities for blackmail and intimidation of Gorbachev and his closest advisers, through the claim that, in conditions of the "decline of empire," the Russian heartland and her "genuine sons" constitute the only reliable basis for preservation of Gorbachev's power. Such arguments are being used to push Gorbachev toward the right and to divide him from his true supporters on the left—the liberal intelligentsia. The result could be a repetition of the circumstances that produced the downfall of Khrushchev in 1964.

In parallel with their attempts to intimidate Gorbachev, the monarcho-Nazis have been openly attacking his foreign policy. They even have accused Gorbachev of being an agent in the service of the CIA and the Israeli intelligence service, the Mossad. With this two-pronged strategy of intimidation and direct attack, the Russian monarcho-Nazis hope to attain either a decisive influence over Gorbachev's policies or his removal and replacement at the seat of power by supporters of their movement.

What would that mean for Soviet Jews? The answer is all too clear from the similarity of the monarcho-Nazis' program to that of Hitler. The Russian monarcho-Nazis already possess their equivalent to Hitler's SA and SS, in the form of the Pamyat movement. This movement does not disguise its intentions to carry out programs against the Jews, to whom it refers using the insulting word "shidy" (yids). In fact, members of Pamyat have been organizing well-attended meetings all over the country to call for pogroms—even in Moscow's Red Square on Nov. 12, 1989—and no one has stood in their way.

Hitler treated as Jews those who have more than one-quarter Jewish blood. Pamyat goes further. It has announced its intention to search for Jewish progenitors back to the 10th generation. New recruits to Pamyat are required to prove their "racial purity" and to provide to the organization the home addresses of five Jews—no doubt for the purposes of the pogroms to come. Opponents of the monarcho-Nazis movement who happen to be "racially pure" or "Aryan" are characterized, along with all liberal intelligentsia, as "masons" (or "zhido-masons," i.e., supporters of Jews); and these are also the targets of pogrom propaganda.

The brazenness of monarcho-Nazi threats against Soviet Jewry has been increasing. In addition to anti-semitic rallies and the desecration of Jewish cemeteries around the country, which have been going on for some time, it now seems that meetings of liberal intellectuals are no longer safe from disruption by Pamyat thugs.

On the evening of Jan. 18 of this year, for example, a meeting of the progressive "April" group of writers at the Central House of Writers in Moscow was invaded by some dozens of Pamyat monarcho-Nazis with megaphones. They roughed up some of the writers, forcibly ejected others from the hall, shouted anti-semitic slogans and announced that their next visit will be with automatic weapons. They also designated St. George's Day, at the beginning of May, for a pogrom. The police were called but took their time in arriving, and there were no arrests.

Further increases in anti-semitic activities (especially, of course, actual violence) surely

will lead to a mass exodus of Jews, people of partly Jewish extraction and "racially pure" liberal intelligentsia. This new wave of emigrants—refugees from monarcho-Nazi power—could reach several millions and would represent a serious brain-drain from the U.S.S.R.

As for the possibility of another Holocaust, it certainly could not reach the scale of earlier Nazi crimes: The world has changed too drastically in the last half century for that. But a wave of pogroms more or less along the lines of the infamous "Kristallnacht" cannot be ruled out—waker if a government like the present one tries to oppose them, stronger if a successor government of the monarcho-Nazi stripe sympathizes with the pogrom lust.

What should be done? As a start, the world public should be informed of the activities and intentions of the new followers of Hitler in the Soviet Union and should be told their names. The famous "Brown Book" published by anti-fascists in 1933, after all, was the first important step in the exposure of the Nazi crimes of that era. Clearly, the publishers of newspapers, journals and books, and producers of electronic media, have an important role to play.

The stakes are high. If the monarcho-Nazis prevail and perestroika collapses in an orgy of chauvinism and racism, the results are likely to include not only a rapidly growing degree of anarchy in the Soviet Union but even the outbreak of civil war. In a country still laden with tremendous stockpiles of nuclear and chemical weapons, as well as a widespread network of nuclear power plants, such a chain of events could quickly become not just a national but an international catastrophe.

A RABBI'S RABBI SEEKS THE ESSENCE OF JUDAISM

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 1, 1990

Mr. MICHEL. Mr. Speaker, an interesting story appeared in yesterday's Washington Times, which profiled Rabbi Menachem Mendel Schneerson.

Rabbi Schneerson is the spiritual leader of the Chabad-Lubavitch movement, and as such has had a profound effect on all who have known him. Indeed, in recognition of his accomplishments, President Bush issued a proclamation, which was introduced by myself and the distinguished majority leader at that time, the Honorable TOM FOLEY, dedicating Education Day U.S.A. for 1989 and 1990 to Rabbi Schneerson.

I urge my colleagues to read this article to gain a better appreciation of a truly great and fascinating man.

A RABBI'S RABBI SEEKS THE ESSENCE OF JUDAISM

(By Richard Lipkin)

BROOKLYN.—He is old, but his energy amazes men of much younger years. He is soft-spoken, but when he speaks hundreds of thousands listen.

And from the renovated confines of a former private hospital in Brooklyn, his words and teachings drive a movement that challenges, inspires and routinely provokes Jews all over the world.

They call him the rabbi of all rabbis. The faithful say he is preparing the way for the messiah. Many of his adherents insist he is the messiah.

He is Menachem Mendel Schneerson, an 87-year-old rabbi who since 1950 has been the spiritual leader of the controversial, zealous branch of Hasidic Jews known as the Chabad-Lubavitch.

Rabbi Schneerson is the rebbe, or rabbis' rabbi. And because rabbi means teacher in Hebrew, he is the teachers' teacher as well.

"In a world in which there are many self-proclaimed Jewish leaders and very few Jewish followers, I have to say that Rabbi Schneerson is an authentic leader," says Steven Bayme, a director of the American Jewish Committee.

This month, when Rabbi Schneerson marked his 40th anniversary as rebbe, more than 10,000 Orthodox Jews from around the world went to Brooklyn for a week of celebration and reflection. In Manhattan, a column of so-called Mitzvah-Mobiles rolled down Fifth Avenue. These "tanks" in the rebbe's war against Jewish assimilation into secular Western culture are recreational vehicles equipped with religious items—virtual learning centers on wheels to reclaim "wayward" Jews.

"He has mobilized a strong following and seems to have incredible capacities to motivate people to action," Mr. Bayme says. "When he says things people jump."

Some critics maintain that when the rebbe speaks, too many people jump. He has been criticized for, among other things, seeking to influence Israeli politics.

"People's reaction to Lubavitch are sort of a Rorschach test of their own feelings about Judaism," said Gary S. Rosenblatt, editor of the Baltimore Jewish Times. "Either they get all warm and fuzzy and nostalgic when they meet Lubavitchers or else they become very hostile."

"In the last couple of years, significant conflicts have erupted between Lubavitchers and the mainstream Jewish community," adds Mr. Bayme. "Some conflicts have been over issues of public policy, where Lubavitch has legally challenged the separation of church and state. However, that is not nearly as central as the conflict over who is a Jew—or more importantly, who is a rabbi. That is no small matter to members of the non-Orthodox community. Many people saw them as trying to delegitimize non-Orthodox rabbis."

As a result, "there has been a spate of Lubavitch-bashing in the last few years that I think has been divisive among the Jewish community," Mr. Bayme says. "They've become a popular target for non-Orthodox Jews, as if the Lubavitchers typify the worst aspects of Jewish life."

The goal of the Chabad-Lubavitch movement, it seems, is to restore modern Judaism to its proper condition by reviving its "essence," or, as spokesman Rabbi Yehuda Krinsky says, "the authentic spirit and practice of Jewish life, as it is stated in the Torah and the Talmud."

FUELED BY MESSIANISM

The movement, named after the Russian town of Lubavitch, is a branch of the broader Hasidic tradition that originated in 18th-century Poland. Hasidim are Orthodox Jews known for their piety and distinctive appearance—black hats, black coats, long beards.

But at a time when other branches of the Jewish tradition appear to be losing adherents, Lubavitch appears to be prospering. Best estimates suggest a worldwide follow-

ing of 500,000 to 700,000, with the largest population, about 25,000 in the Crown Heights section of Brooklyn.

In summer 1940, Lubavitch Hasidim purchased the building at the corner of Eastern Parkway and Kingston Avenue, once a private hospital run by wealthy doctors. Earlier that year the doctors had been jailed for performing illegal abortions and 770 Eastern Parkway went on the auction block.

The Lubavitchers converted it into a shul, a Yiddish word meaning school or synagogue. Adding kosher kitchens and refurbishing offices with bookshelves that brim with Talmudic scholarship, they turned the building into their world headquarters.

By 1970, the group had roughly 200 Chabad Houses, or places of worship and Lubavitcher activities, in 22 countries. Today, it has more than 1,000 houses in 30 countries, including 180 in the United States.

"There is an enormous amount of good work being done here," says Arthur Hertzberg, a historian and professor at Columbia University. "But let's understand the fuel that fires it. The fuel from within is messianism—the idea that this rebbe is preparing the way for the messiah. Many Lubavitchers believe Schneerson is himself the messiah. True, he never said he is. But he's never explicitly denied it either."

INTELLECTUAL TRADITION

Rabbi Schneerson is the seventh in a dynastic line of Lubavitcher leaders. Born in Nikolayev, Russia, in 1902, he studied religious law as a boy and then electrical engineering at the University of Berlin and the Sorbonne. After receiving degrees, he married in 1929 and emigrated 12 years later to the United States.

He rose as a Hasidic scholar and went on to head the Lubavitch educational program. He speaks six languages fluently and several others haltingly. Upon becoming rebbe, he turned his attention fully to biblical study. Rabbi Schneerson's writings and lectures since 1950 fill 125 volumes.

"He wields enormous influence," says Mr. Hertzberg. "In a sense, his own life is a metaphor for what he has done in the Lubavitch movement."

"The thing about Chabad—which means *chochma bina daas*, standing for wisdom, understanding and knowledge—is that their tradition is more intellectual than most other Hasidic sects," says Norman Podhoretz, editor of *Commentary* magazine, published by the American Jewish Committee. "I think that has a great bearing on the vitality of the movement."

Concerned about the inability of residents of the Soviet Union and Eastern Europe to express their religions, Lubavitch became active in an underground movement to help Jews practice theirs.

Among other activities, Lubavitch emigres from the East block founded an organization called FREE, Friends of the Refugees of Eastern Europe, more than a decade ago to help emigrating Jews and others to resettle in various countries, primarily the United States and Israel.

"About two or three years ago, the rebbe anticipated perestroika/glasnost and began to speak about it, suggesting that people make preparations for a mass exodus," says Rabbi Krinsky. "At the time, most other Jewish organizations thought he was crazy. . . . He suggested building facilities to care for these people when the Soviet Union began to collapse."

The Lubavitchers did, and went on to build Satec, a research facility in Jerusalem,

where scientists and intellectuals from the East bloc, Jews and non-Jews alike, could continue their work.

President Bush issued a proclamation last April praising the rebbe and the movement for worldwide endeavors in promulgating ethical values and dedicating Education Day U.S.A. for 1989 and 1990 to Rabbi Schneerson.

MAKING ONESELF "NEW"

On a typical Friday afternoon in Crown Heights, a siren on a nearby apartment building sounds 18 minutes before sundown, signaling the start of the Sabbath. Under darkening skies, the shadows of frozen trees drag across the grates of closed kosher shops. Men hustle to get to shul before sundown. Women are indoors, lighting candles. And throughout the neighborhood, police cars roam to prevent trouble from outsiders.

"This is like an oasis in the middle of hell," says one patrol officer.

Inside the shul, hundreds of men stand shoulder to shoulder in a worship area that vaguely resembles an aging banquet hall.

Soon, they begin to chant in unison, "Ay yai yai yah yai-yai-yai-yai-yah." Smiles appear on the men's faces. The women watch from a gallery above.

A fissure forms in the crowd and Rabbi Schneerson walks through, stepping spryly to a podium beside a wooden ark that contains the Torah. He says his prayers, bowing to the east. For the next 24 hours, no one will work, use electrical appliances or operate machinery. They will put worldly matters aside and pray, talk, sing, eat and sleep.

On Saturday, praying commences at 10 a.m. and continues until noon. The Hasidim go home for a quick lunch, then return to the shul for the afternoon farbrengen, or gathering.

By 1 p.m. the room is packed and the singing begins again. The rebbe sits on a table above the crowd so he can be heard—a difficult task, since he speaks softly in Yiddish.

The silent crowd seems to breathe and sway gently in unison. From above, it looks like swells in a sea of black hats.

No tape recorders may run, no scribes may take notes. Several rabbis memorize the rebbe's talks. After sundown, they will go to word processors and type out the entire lecture verbatim.

On the farbrengen Feb. 5 commemorating his 40th anniversary, Rabbi Schneerson focuses on the injunction that the Almighty "has given you a heart to know, eyes to see and ears to hear." After explicating a lengthy biblical allegory, he interprets: "After a period of 40 years, one graduates to an entirely new state, attaining that which is above and beyond one's natural capabilities."

The renewal, he says, permeates a person's entire being, "so that this new elevated state is experienced in every aspect of his life."

In examining one's daily conduct, he adds, "everyone can find how to make of himself a 'new being.'"

HOSTING THE MULTITUDES

Though Saturday night marks a return to the secular world, by 10 a.m. Sunday, the rebbe is standing before the shul's eastern wall, cloaked, like everyone else, in a prayer shawl (called a tallis) and wearing, bound to his forehead and left upper arm, the tefillin, a pair of leather boxes containing four segments of the Torah.

"In Jewish scripture, it says that you shall bind the holy words against your hand, which refers to the heart, and between your

eyes, which means against the head," explains Rabbi Krinsky.

The rebbe prays for 40 minutes, then moves out to a vestibule to greet visitors. Though they pass quickly, he says something to everyone, blessing them and presenting each with a crisp \$1 bill "so that they may go out into the world and use it for tzedaka, or charity," says Rabbi Krinsky.

On his feet for six to eight hours straight, Rabbi Schneerson's stamina wears out his entourage. Each passerby exchanges words and a glance, transfixed by his electric blue eyes.

On a typical Sunday, as many as 5,000 people pass through between 11 a.m. and 3 p.m. On his 40th anniversary, the number exceeds 10,000, the queue lasting past dark and including New York Mayor David N. Dinkins and state Attorney General Robert Abrams.

The dignitaries gone, chaos resumes as thousands of men, women and children press forward to greet Rabbi Schneerson. "You are a doctor? Yeah? Good luck for you and all your patients."

DYNASTY'S FUTURE?

The rebbe will turn 88 in April. He has no children, though so far the dynasty has followed, primarily, patrilineal descent.

He has lived alone for the past two years, since the death of his wife of 60 years. This prompts varied reactions: For some, it is a source of concern; for others, curiosity or indifference or even relief.

A decision has not been made as to who will succeed Rabbi Schneerson. Some people believe the dynasty, and perhaps the movement, will end with him. Others argue that the situation will provide an opportunity to begin a new dynasty.

"They seem to be one of the few groups in the Jewish community that takes seriously the Jewish value that one soul is the equivalent of an entire world," Mr. Bayme says.

PERSONAL EXPLANATION

HON. ENI F.H. FALEOMAVAEGA

OF AM. SAMOA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 1, 1990

Mr. FALEOMAVAEGA. Mr. Speaker, I just want to inform my colleagues concerning certain names that were not included in yesterday's CONGRESSIONAL RECORD. I certainly do not fault the recorders and reporting staff, because some of these names are in the Samoan language, and as such they were just not able to correctly spell the names of those individuals whom I mentioned in my statement yesterday.

Mr. Speaker, for the record, I made reference to the honorable president of the senate who is Paramount Chief Letuli Toloa, and also our speaker of the house, High Chief Tuana'itau Tuia.

Additionally Mr. Speaker, I made reference to Lt. Gov. Galea'i Poumele, who is presently in charge of our overall territorial disaster task force to address the problems caused by Hurricane Ofa.

Mr. Speaker, I want to note the names of the above gentlemen as it should have been printed on page H 555 of the CONGRESSIONAL RECORD dated February 28, 1990.

I appreciate very much the patience and professionalism of our reporters and printers who work so diligently each day to provide what I consider the most comprehensive and accurate accounting of our proceedings each day we are in session.

Mr. Speaker, I also want to add for the RECORD a statement from my dear friend and colleague, the gentleman from Hawaii [Mr. AKAKA] for his support and willingness to assist me with whatever Samoa may need as a result of the devastation caused by Hurricane Ofa.

Mr. Speaker, thank you for your attention to this matter.

HURRICANE OFA

SPEECH OF

HON. DANIEL K. AKAKA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 1990

Mr. AKAKA. Mr. Speaker, I rise today to join my dear friend and colleague, Congressman ENI FALEOMAVAEGA of American Samoa, to call the attention of Congress to the devastating hurricane, Hurricane Ofa, which hit American Samoa and Western Samoa on February 2. I do so to ask the support of my colleagues to provide additional resources if that becomes necessary. I also wish to extend my deepest sympathy to the families of those who died in Western Samoa, and commiserate with my Pacific Island friends in the Samoas.

The immediate effects of Hurricane Ofa were devastating to say the least, and its continuing impact grave. Fortunately, though damage and destruction of property was extensive, there were no deaths in American Samoa. However, hundreds were injured, some seriously. Twelve died in Western Samoa. We in Hawaii, especially the Samoan community, have risen to the emergency with food and clothing drives. However, the devastation is so great that volunteer action alone will not meet the crisis of food, clothing and housing, and power shortages. Immediate congressional action may become necessary after a more complete posthurricane assessment is completed, and I urge my colleague to rise to the occasion.

Under the proven and forceful leadership of Congressman FALEOMAVAEGA, the administration acted with alacrity to come to the assistance of American Samoa. Once requested by Governor Coleman for a declaration of emergency on February 9, the President declared American Samoa to be a major disaster area within 3 days, thus setting the stage for immediate action by the Federal Emergency Management Agency which I'm advised is doing a splendid job with the resources available to it. I want to assure Congressman FALEOMAVAEGA that he and the people of Samoa have my full support.

TRIBUTE TO MARVIN ALTENBURG

HON. DENNIS M. HERTEL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 1, 1990

Mr. HERTEL. Mr. Speaker, I rise today to honor an outstanding man, Mr. Marvin Altenburg, who has been named "Lutheran Layman of the Year" by the Lutheran Luncheon Club of Metropolitan Detroit. He is a member of St. Thomas Lutheran Church in east Detroit and will be honored at a special ceremony on March 6, 1990.

Marvin has displayed tremendous dedication to the Lutheran community all of his life. Marvin is currently a member of the St. Thomas Senior Choir and Men's Chorus. In the past he served as the president and vice president of the congregation and was the Sunday School superintendent for 15 years. He also took an interest in athletics; coaching and playing on the church baseball team and serving as treasurer for the bowling team.

Outside of the St. Thomas community Marvin has also displayed deep commitment to other activities in the area. He was past president of the Greater Detroit Sunday School Association, and was past president of the Lutheran Luncheon Club, and is currently a member of the Lutheran Layman's League and is involved in the Lutheran East High School Booster Club.

Marvin has also been a man who is dedicated to his job. He worked at Michigan Bell for over 42 years as a staff manager and retired in 1983. He has continued to be involved with his former job through the Pioneers of America, an industrial volunteer organization which is sponsored by the Bell Co. He has been a member for 26 years and served as president of the Southfield Council and even served as president of the Wolverine Chapter for 1984-85.

Marvin is an individual who is dedicated to his religion and helping those in the Lutheran community in the Metropolitan Detroit area. My dear colleagues please join me in honoring Mr. Marvin Altenburg as he is honored as the "Lutheran Layman of the Year."

THE SHORT-TERM EXTENSION OF THE ENERGY POLICY AND CONSERVATION ACT

HON. PHILIP R. SHARP

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 1, 1990

Mr. SHARP. Mr. Speaker, today, Congressman MOORHEAD and I are introducing a bill to extend the Energy Policy and Conservation Act [EPCA] from April 1 through August 15, 1990. Unless EPCA is extended before April 1, 1990, the Department of Energy may not have sufficient authority to draw down the strategic petroleum reserve [SPR] in response to an oil shortage.

The bill is a 4½-month extension of title I and a 2½-month extension of title II. Title I

contains authority to fill and use the SPR; title II contains an antitrust exemption for the major oil companies which would allow them to coordinate use of oil supplies during times of oil shortages. Part of the function of this bill is to put the expiration of title I and title II on the same schedule.

This short-term extension of title I is the second recent short-term extension. A previous extension had extended title I of EPCA from June 30, 1989 to April 1, 1990. An important feature of this extension was a requirement for the administration to complete a study of alternative financing mechanisms for the SPR.

This study was completed on February 1: It contained a recommendation that the Congress consider legislative language that allows, but does not require, the Department of Energy to lease oil for storage in the SPR. The legislative language is unusually complex and will require detailed review to assure it provides appropriate oversight safeguards as well as giving DOE sufficient latitude to credibly sit at a bargaining table with potential lessors of oil.

With their study, the Department submitted a recommendation not to expand the SPR beyond 750 million barrels. These two issues alone are of sufficient importance and complexity that it will be impossible to adequately consider them before the current expiration of EPCA.

In addition to these two issues, there are other unresolved issues related to the SPR. These include increased flexibility in Presidential authority to draw down the SPR; the desirability of some refined product storage in the SPR; authority to allow the SPR to be used to respond to domestic shortage; currently its use is restricted to shortage in oil imports, and authority to conduct test drawdowns of the SPR.

Therefore we are recommending this short-term extension to allow proper and deliberate consideration of the reports, the energy policy issues, and the implications they raise.

The Subcommittee on Energy and Power will move expeditiously to consider these issues and recommend a bill to improve the way we use the SPR, our first line of defense against an energy emergency.

H.R. 4167

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

SECTION 1. EXTENSION.

The Energy Policy and Conservation Act (42 U.S.C. 6201 et seq.) is amended—

(1) sections 171 and 104(b)(1), by striking out "April 1, 1990" each place it appears and inserting in lieu thereof "August 15, 1990"; and

(2) in section 281, by striking out "June 30, 1990" each place it appears and inserting in lieu thereof "August 15, 1990".

SODOMY

HON. WILLIAM E. DANNEMEYER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 1, 1990

Mr. DANNEMEYER. Mr. Speaker, ever since the Supreme Court decided the Hard-

wick case in 1986, questions have been raised about the crime known as sodomy. Indeed, particularly within the District of Columbia, there seems to be quite a bit of confusion regarding the crime and its enforcement—or lack thereof.

Although sodomy is a crime in 24 States as well as in the District of Columbia, the District is unique in that Congress rejected a recent attempt by the DC City Council to abolish the crime, see *United States v. Langley*, 112 WLR 801 (Sup. Ct.). For this reason, and because Congress has both a particular interest and specific constitutional responsibility with regard to crimes committed in the Nation's Capital, it seems appropriate to try to put some of the confusion to rest.

This memo, therefore, attempts to briefly address some of the most common questions and misconceptions related to the crime of sodomy in the District of Columbia.¹ The issue is addressed generally, and the memo does not expressly or by implication refer to any particular Member of Congress. As the attached article indicates, sodomy and solicitation for sodomy remain serious problems in the District, and interfere with education at the District's major universities, including Georgetown and George Washington.²

Is a law prohibiting sodomy in private between consenting adults constitutional, or does it violate fundamental rights?

In a case with the ironic name of "Hardwick," the U.S. Supreme Court made it clear in 1986 that there was no fundamental right for homosexuals to engage in sodomy, even in private, and that it was not constitutional for States to make homosexual sodomy a crime,³ even when committed in private and between consenting adults. See *Bowers v. Hardwick*, 106 Sup. Ct. 2841 (1986).

The court based its decision on the fact that:

(1) sodomy had been a crime ever since the Nation began, and that it remained one in 24 States and the District of Columbia at the time of the decision;

(2) sodomy had been universally condemned throughout most of history; and

(3) a contrary holding with regard to sodomy would probably mean that other sexual acts committed in private—that is, incest between consenting adults—would probably also have to receive constitutional protection.

Not specifically mentioned, but certainly not far from the minds of the Justices, was the argument that making homosexual sodomy a fundamental constitutional right would make it very difficult if not impossible to adopt laws, regulations, and even enforcement policies aimed at controlling the spread of AIDS through anal intercourse.⁴

To justify actions closing down bath houses and other places where homosexuals frequently practice anonymous sodomy, restricting male-male escort services which often serve as a cover for prostitution, keeping homosexuals out of the Army and so forth would have required a showing that there was a compelling governmental interest, and that the Government had taken the narrowest, weakest possible action which could protect that in-

terest.⁵ In practice, this is a very difficult standard to meet.

Is it true that sodomy, like other so-called victimless crimes which occur in private, are rarely if ever prosecuted?

Sodomy, like other crimes which occur strictly in private and do not have immediate identifiable victims, is usually not prosecuted in the absence of aggravating circumstances.⁶ However, this is not always true, and such cases are frequently punished where one or more of a large number of aggravating circumstances are present. This section compares sodomy with other so-called victimless crimes.

(1) prostitution: Mistresses who are kept by men, and compensated for providing sex are usually not prosecuted—nor are the men—if the activity is done strictly in private and in a discreet manner. This is true even if someone else—for example, the man's jealous wife—finds out and seeks prosecution.

Indeed, even escort and outcall services are not often prosecuted because the sexual acts are kept secret. Notorious cases, in which the matter creates a public scandal like the "Mayflower Madam" case in New York City, are the exception which tends to prove the rule.

(2) illicit drug use: The use of illicit drugs in private between consenting adults is rarely the basis for prosecution by itself. Where drug-related prosecutions occur they are more likely to involve selling or attempts to sell, attempts to use or acquire the drugs in a public place, or where drug possession is uncovered as a result of an investigation into something more serious. However, vigorous prosecution efforts are frequently employed where the perpetrator is a politician, sports celebrity, or other public figure.

(3) gambling: Gambling which occurs in private is almost never prosecuted, even where it is illegal. However, where aggravating circumstances are present—such as where it occurs in public, involves cheating, result in fights, has connections to organized crime, and so forth—it may be.

(4) miscellaneous: Telling fortunes, even for money, incest when it occurs between two mature consenting adults, charging excessive rates of interest for noncommercial loans, and other so-called victimless crimes are also rarely prosecuted except where aggravating circumstances are present.

What types of aggravating circumstances are likely to result in a prosecution for sodomy or other victimless sex crimes?

It appears that while people are usually not charged with the crime of sodomy unless there are aggravating circumstances, prosecutions are frequently brought where there are aggravating circumstances. These aggravating circumstances for sodomy include:

(1) when it occurs during the course of robbery, rape, or some other crime involving violence;

(2) when one of the parties claims that violence or the threat of violence was used, even if the evidence is not strong enough to support a conviction;

(3) when minors are involved, as was apparently true in the Gobie case;

(4) when it occurs in public or in a public place, or where the solicitation is occurring in a public place. From time to time one reads

Footnotes at end of article.

about situations where restrooms known to be used for casual homosexual sodomy are put under surveillance, and those engaged in the act are arrested;

(5) where it occurs as part of an act of prostitution, or in connection with other crimes such as drug dealing;

(6) when charging the perpetrator may help persuade him to confess to other crimes, or to otherwise assist the police by providing information, cooperating in a setup, and so forth;

(7) where it involves a prominent person and/or becomes known to the public in such a way that law enforcement authorities cannot ignore it.⁷

Does the public's knowledge of a crime constitute an aggravating circumstance justifying prosecution?

Indeed, there appear to be many circumstances where an action which would not ordinarily be prosecuted as a crime is treated in this way because of the need to make an example and to avoid giving the public the wrong impression that persons escape prosecution because of their station in life. The following are recent examples.

(1) It is not unusual for prosecutorial authorities to fail to prosecute for a variety of reasons, but to be forced to change their minds by public pressure which results from an exposure of the situation on television or in a newspaper article.

(2) Persons who violate the income tax law are generally dealt with in civil proceedings. However, in the case of prominent people such as Mrs. Helmsley, or tax protestors who publicly boast about their activities, prosecution may be seen as warranted so as to deter others from engaging in similar acts. Otherwise, prominent people seem to be getting away with it, and this harms public confidence in the fair enforcement of the law.

(3) Situations in which an innocent person uses deadly force to defend against a threat are usually not made the basis for prosecution. New York City subway shooter Bernhard Goetz appears to have been an exception because of the massive publicity and public outcry, even though persons involved in similar situations occurring at the same time were never even charged.

(4) Mayor Barry is of course a prime example of this general principle. Certainly the U.S. attorney would not have conducted a lengthy and very expensive investigation resulting in an elaborate sting operation if he had received information that an ordinary person such as a businessman was using cocaine at parties, and in private with close friends or business associates. However, when politicians, rock stars, and other prominent persons are involved, prosecution is more likely because of the significant deterrent effect it will have on nonprominent people, and to avoid any impression that "big shots" can get away with it.

Is sodomy a crime which is rarely if ever prosecuted, both in the District of Columbia and elsewhere?

Contrary to the view of many people who know little about the criminal justice system, sodomy is prosecuted with some frequency in the District as well as elsewhere.

For example, at least half a dozen convictions for sodomy were reviewed by the D.C.

Court of Appeals, the District's highest court, during the year 1989, and were the subject of a written opinion. Most were affirmed, and where they were not it was on some technical or evidentiary basis having nothing to do with the nature of the crime. This number does not include those convictions for sodomy which were appealed and did not result in a written opinion. It also appears that during the 1980's, approximately 60 sodomy cases were decided by the same court.

It is also generally true that for every conviction of a crime which is reviewed by a jurisdiction's highest court, there are dozens if not hundreds of convictions which are not appealed, and a much larger number of situations in which the crime was charged, but the person was allowed to plead guilty to a lesser offense, or was found not guilty. Thus it would appear that sodomy is still prosecuted with some frequency in the District.

To see what the pattern was in other States, the WESTLAW service was asked to determine how many cases there were in other States decided during the year 1989 which had the word "sodomy" in them. The answer was over 500. While not all of these cases involve convictions of the crime, and may use the word only incidentally in connection with other matters, it does suggest that there are a significant number of sodomy prosecutions in other States also.

In addition, the NEXIS service was asked to see how many news and magazine stories in its database written during 1989 mentioned the word "sodomy," and also used in the same article any one or more of the following words: "convict," "conviction," "charge," "charged," or "appeal." The answer was that far more than 500 did.

When the same search was narrowed to the period of the last 3½ months—after October 1989—the number was still over 200. While some of these stories may likewise only mention sodomy in some other context, this research also indicates that the term is alive and well in the news media as well as the courts, and that prosecutions in other States with similar statutes occur frequently.

FOOTNOTES

¹ As it is most states where it is illegal, sodomy is a very serious crime in the District of Columbia. Prohibited by § 22-3502, it is a felony punishable by 10 years in jail. It has also been held in the District that consensual sodomy is a "crime of moral turpitude." *Valez-Lozano v. Immigration & Naturalization Serv.*, 462, F.2d 1305 (D.C. Cir. 1972), thereby providing the basis for deportation or disbarment of persons found guilty.

There are also several other criminal statutes which apply to sodomy: see, e.g., Inviting for purposes of prostitution, § 22-2701; making lewd, obscene, or indecent sexual proposals, § 22-1112; maintaining premises for lewdness or prostitution, § 22-2713; and keeping a bawdy or disorderly house, § 22-2722.

² "Book Directs Homosexuals to Local College 'Cruising' Spots," Brian Reilly; Washington Times, February 23, 1990.

Officials at Georgetown and George Washington universities have been forced to consider increasing security at campus buildings that became major homosexual "cruising" spots after being listed in a national homosexual guidebook.

"It is not conducive [to the functions] of the university to have people engaging in homosexual activities in the bathrooms," Capt. Rocco Grande [of GWU] said. "Officers enter the men's rooms and check for anything suspicious."

Ms. Gatta said most of the "cruisy areas" listed concern men's bathrooms, and said the homosexuals use restrooms in order to protect themselves.

"You can't be that blatant," she said. "You can't just get down and do it in the hallway."

"The problem needs to be handled on the societal level," said Marcel Prather, president of GW's Lesbian and Gay People's Alliance. "When there is less homophobia, there will be a decrease" in such incidents.

However, Mr. Prather said that because of the burgeoning problem in the GW student center, "I personally don't feel comfortable using the bathrooms."

Recent reports of homosexual activity and indecent exposure in Georgetown University's Lauinger Library included the drilling of holes in the partitions separating stalls in the men's rooms which, according to the university security director, could be used for peep holes or for anonymous sex.

"If there is a hole, it can be used for any purpose," said Georgetown security director William Tucker.

"They are seeking quick, anonymous, furtive sex," Whitman-Walker health educator Joe Izzo said. "It's been going on for centuries, and I don't believe it's going to stop."

³ The U.S. Supreme Court specifically limited its decision to acts of sodomy between homosexuals. Most experts seem to agree that it would be unconstitutional to make heterosexual sodomy illegal, especially between married people, since it falls within the zone of privacy which applies to acts related to procreation and reproduction.

⁴ According to the most recent report from the Center for Disease Control dated January 26, 1990, 115,786 cases of AIDS in adults and adolescents have been reported. Of these 70,093 (60.5%) were reported among homosexual or bisexual males, 24,212 (20.9%) among intravenous drug abusers, and an additional 8,117 (7%) among homosexual males who were also drug abusers. In contrast, the total number of reported cases among both heterosexual men (2,308, 0.2%) and women (3,322, 2.9%) who are not drug abusers was less than 5% of the total. It is also relevant to note that Washington D.C. had more reported cases than all but five cities: New York, Los Angeles, San Francisco, Houston, and Newark, N.J.

⁵ Within the past several days the U.S. Supreme Court rejected arguments that barring homosexuals from the armed forces violated either the First Amendment of Equal Protection rights of homosexuals. In doing so the Court held that the government need only show a rational basis, not a compelling state interest. See *Ben-Shaion v. Marsh*, 58 U.S.L.W. 2118 (1990).

⁶ In other words, homosexuals who engage in acts of sodomy in strictest privacy with lovers with whom they have a long-term commitment and a lasting and loving relationship probably have little worry about prosecution, see, e.g., Hardwick. However, they engage in random acts of sodomy with prostitutes, or with casual strangers in semi-public places, prosecution is much more likely, and also much more justified. See note 2.

⁷ For example, several months ago the National Law Journal reported on a male state senator who apparently let a call girl perform oral sodomy on him at a party, and who was then charged and (to the best of my memory) pleaded guilty to a lesser offense.

[From the Washington Times, Feb. 23, 1990]

BOOK DIRECTS HOMOSEXUALS TO LOCAL COLLEGE "CRUISING" SPOTS

(By Brian Reilly)

Officials at Georgetown and George Washington universities have been forced to consider increasing security at campus buildings that became major homosexual "cruising" spots after being listed in a national homosexual guidebook.

"Bob Damron's 1989 Address Book," a North American guidebook for homosexuals, lists buildings at Georgetown, Catholic, Howard and George Washington Universities and the University of Maryland as so-called "cruisy areas" where homosexual men can seek out semi-public illicit sex.

Capt. Anthony RoccoGrande of the GW security department said the university attempts to thwart such activities by "barring suspicious individuals" from campus buildings who are not affiliated with the university in any way.

"It is not conducive [to the functions] of the university to have people engaging in homosexual activities in the bathrooms," Capt. RoccoGrande said. "Officers enter the men's rooms and check for anything suspicious."

He said homosexual men seem to target the student center, or Marvin Center, and he is concerned with what he called the predisposition of off-campus men to frequent the building. "We don't want this to become a mecca of the homosexual community," he said.

Officials at GW and Georgetown have considered increasing ID checks at entrances to the buildings, all of which are now open to the public. But both Marvin Center Operations Director Donald Cotter and Georgetown Librarian Joseph Jeffs said such measures are often too costly and burdensome.

Gina Gatta, a sales representative for the San Francisco-based Damron Co. that publishes the address book, said they receive the information on the cruising areas from readers. She said the book is a resource for homosexuals across the continent, and the varying locations are listed and deleted depending on reader requests.

"We don't go looking for the spots. We keep them in the book until readers say, 'I don't want it there'" because of problems with law enforcement or outbreaks of violence.

Ms. Gatta said most of the "cruisy areas" listed concern men's bathrooms, and said the homosexuals use restrooms in order to protect themselves.

"You can't be that blatant," said. "You can't just get down and do it in the hallway."

The head of GW's student homosexual rights group said he does not condone the activities but sympathizes with the men who resort to such measures.

"The problem needs to be handled on the societal level," said Marcel Prather, president of GW's Lesbian and Gay People's Alliance. "When there is less homophobia, there will be a decrease" in such incidents.

However, Mr. Prather said that because of the burgeoning problem in the GW student center, "I personally don't feel comfortable using the bathrooms."

Recent reports of homosexual activity and indecent exposure in Georgetown University's Lauinger Library included the drilling of holes in the partitions separating stalls in the men's rooms which, according to the university security director, could be used for peep holes or for anonymous sex.

"If there is a hole, it can be used for any purpose," said Georgetown security director William Tucker.

A number of "suspicious" sexual activities have been reported so far this year at the Marvin Center on 21st Street NW, prompting campus security to increase patrols in the building.

The director of the Marvin Center, LeNorman Strong, said the homosexual activities in the restrooms of the building "represent a significant nuisance to members of the university community using the bathrooms for necessary purposes."

On the Georgetown campus, the G.T. Walsh building, Nevils Hall and the McDonough Gym were included in the 1989 address book as well as the new 1990 edition.

Security officials at Georgetown and GW said the reported incidents, for the most part, do not involve university students, and campus security officials agreed that such sexual activities in campus buildings is a problem facing many urban colleges.

Mr. Tucker said he constantly reminds Georgetown security forces to "increase your security checks and, in the library, see who is frequenting the bathrooms."

The Georgetown student paper, The Hoya, last year quoted an anonymous library employee as saying homosexual activity in the restrooms increased over the summer months and library officials actively checked the men's rooms in order to erase messages that set up "meetings for anonymous sex."

A health educator at the Whitman-Walker Clinic, which provides legal and medical services to local homosexuals, said all metropolitan colleges suffer from this problem that arises when "closeted gay and bisexual men do not think they can have sex in an open relationship."

"They are seeking quick, anonymous, furtive sex," Whitman-Walker health educator Joe Izzo said. "It's been going on for centuries, and I don't believe it's going to stop."

Other area universities have had similar problems in the past. Buildings at Catholic University of America and Howard University were listed in Bob Damron's 1989 Address Book, but were omitted for the 1990 edition.

Clay Goldston, Catholic's director of public security, said there have been two reported cases of so-called "flashing" of private parts in the campus library, but he has not received reports of furtive sexual activities in the restrooms.

Howard's security director, Lawrence Dawson, said there were reports of such activities occurring in campus buildings in the past, but there were no reports in the last two years.

CRUISE AREAS

According to the 1990 edition of Bob Damron's Address Book, cruisy areas includes parks, beaches, highways, rest stops, university campuses and other public facilities. The book said these places "may or may not be active, depending on the season, weather and time of day. Some are extremely dangerous (AYOR)* for various reasons and all should be visited strictly at your own risk. Play safe."

"P Street Beach," 23rd and P streets NW (AYOR).

"Rest Stop," on I-95 South, between Baltimore and Washington.

"The Block," from 30th to 31st streets NW between O and Dumbarton streets (Late).

Ninth Street NW from E to H streets. George Washington University student center.

Georgetown University—G.T. Walsh Building, Gym and Nevis Hall.

Park Avenue, bounded by New York Avenue, 12th, 11th and I streets NE.

The woods surrounding P Street (AYOR).

THE INTRODUCTION OF THE BANK AND THRIFT REGULATORY AGENCY MERGER ACT OF 1990

HON. CHARLES E. SCHUMER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 1, 1990

Mr. SCHUMER. Mr. Speaker, today, along with my colleagues Mr. CHAPMAN of Texas, Mr. FRANK of Massachusetts, Mr. RANGEL of New York, and Mr. RINALDO of New Jersey, I am introducing the Bank and Thrift Agency Merger Act of 1990. This legislation would abolish the Office of Thrift Supervision [OTS], which supervises all savings and loans and their holding companies, and transfer its responsibilities to the banking regulators.

Throughout the last decade the predecessor to the OTS, the Federal Home Loan Bank Board, was in disarray, unable to properly regulate the industry which it was supposed to oversee. The result was paralysis and weak regulation, setting the stage for the savings and loan debacle, the most expensive financial crisis in history.

In 1989, Congress passed the Financial Institutions Reform, Recovery, and Enforcement Act [FIRREA]. In addition to providing the organization and at least some of the money necessary to clean up the mess, FIRREA was designed to address the disorder brought by the S&L crisis by forcing the industry to comply with the same accounting, capital, and other regulatory standards that the banking industry has always adhered to.

FIRREA sought to repair that ineffective thrift regulatory system by replacing the old Bank Board with a new agency, the OTS. The key to resolving this crisis, and to limiting the cost to the taxpayers, is to minimize the number of S&L's that fail. That critical task currently falls on the shoulders of the OTS. Unfortunately, the OTS does not seem to be up to the task.

FIRREA was an important first step in getting the thrift industry back on its feet. The time has come for Congress to complete the job it began and eliminate the last remnant of the S&L crisis, the Office of Thrift Supervision. The Bank and Thrift Regulatory Agency Merger Act accomplishes that goal by eliminating the OTS, which will:

Provide the thrift industry with a stable, proven and permanent regulatory that can properly guide it over the long road to recovery. The current chaos and paralysis at the OTS guarantees future problems if not immediately corrected.

Maintain consistency between the standards that apply to S&L's and the corresponding standards that apply to their competitors, the banks. At this time, the rules are being interpreted and promulgated differently, causing confusion, disorder, and competitive inequality.

Save money through the elimination of the current duplicative system. Maintaining a separate and redundant bureaucracy for a shrinking industry is expensive and wasteful.

Create an environment that will attract the quality people necessary to regulate complex

* At your own risk.

financial institutions. Disorder, negative publicity, and a shrinking industry have made the OTS a less attractive place to work, causing key people to resign and discouraging prospective employees. The administration's inability to find someone willing to serve as the new director of the OTS has highlighted this critical problem.

Currently, the OTS supervises both Federal and State savings and loans as well as the savings and loans holding companies. Under this act, the OTS would be dissolved and its supervisory duties would be delegated to the Office of the Comptroller of the Currency [OCC] and the Federal Reserve Board. As a result, the OCC would be responsible for overseeing Federal and State S&L's as well as national banks, which it currently supervises. The Federal Reserve would assume responsibility for the S&L holding companies, consistent with its authority over bank holding companies.

It is important to note that this act would not eliminate the separate thrift industry, nor would it even change the laws, regulations or rules under which S&L's or their holding companies are currently operating. Indeed, all laws and regulations that affect S&L's, including those mandated by FIRREA, would remain intact and unchanged. All this legislation proposes to do is to eliminate an agency that is unable to fulfill its mandate and is not necessary in the long run.

The current situation at the OTS is abysmal. M. Danny Wall, Director of OTS, announced his resignation months ago. With no replacement forthcoming from the administration, the agency is rudderless. And the confidence among his subordinates necessary to make important and difficult decisions is nonexistent. The result is arbitrary regulation which damages healthy S&L's and pushes marginal S&L's needlessly toward insolvency. At this critical juncture, Congress must act to ensure that all S&L's are supervised by a strong regulator.

Mr. Speaker, the OTS is a redundant agency, and its removal will end needless and costly duplication and confusion. Moreover, eliminating this agency will save the taxpayers money. This act will finish what FIRREA started and help end the national embarrassment that has been the savings and loan scandal.

ACCESSIBLE TELEVISION FOR ALL AMERICANS

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 1, 1990

Mr. BONIOR. Mr. Speaker, I am proud to support the Television Decoder Circuitry Act of 1990 introduced by my colleague Representative MAJOR OWENS today. Over the years, much progress has been made in expanding closed-captioned television programming. By requiring new television sets to be equipped with built-in decoder circuitry, this legislation represents the next step toward equal access to television for deaf and hard of hearing Americans and establishing a self-sustaining captioning service.

As Congressman OWENS has pointed out, television has become a central part of our society in gaining access to entertainment, news, and education. Unfortunately, many Americans with a hearing loss are denied full and equal access to this vital source of information, now taken for granted by the hearing population. Until the 1970's, deaf and hard of hearing persons had no access to television. The development of closed-captioned television programming has made it possible for deaf and hard of hearing persons to see what television has to say. Through the years, I have been proud to play a role in Federal funding initiatives to start and expand closed-captioning services. Currently, the Federal Government funds about 40 percent of closed-captioning services.

Since 1979, the amount of closed-captioned programming has dramatically increased. The Commission on the Education of the Deaf reported that by the end of 1987, there were more than 125 hours of closed-captioned programming per week. This year, 100 percent of prime-time shows will be captioned. In order to provide economic incentives for the continued growth of closed-captioning, more homes need to be provided with decoders.

The National Captioning Institute estimates that at least 1 million homes need to receive closed-captioning in order to make the captioned service economically viable and independent of Federal funding. However, since 1979, decoder sales have been far below that figure. Many senior citizens simply cannot afford to purchase a separate decoder and are reluctant to do so because of the stigma attached to it.

To many deaf and disabled people, purchase of a separate decoder is an economic hardship. A Lou Harris survey found that two-thirds of all disabled Americans between the age of 16 and 64 are not working. Those disabled people who are working are often in low-paying jobs with little opportunity for advancement.

Technological advances now make it possible for manufacturers to include built-in decoder circuitry at a nominal cost. By requiring the installation of decoder circuitry on new televisions with screens 13 inches or larger, closed-captioning will soon reach all 24 million deaf or hearing impaired Americans.

In addition, studies show that closed-captioned television facilitates the teaching of literacy skills. It is a national tragedy that an estimated 23 to 27 million American adults are functionally illiterate. Another 3 to 4 million Americans learning English as a second language will benefit from built-in decoders.

The Television Decoder Circuitry Act of 1990 is supported by a number of leading organizations representing deaf and hard of hearing people, including Gallaudet University, the National Association of the Deaf, the Alexander Graham Bell Association for the Deaf, the National Center for Law and the Deaf, the American Speech-Language-Hearing Association, the American Society for Deaf Children and Self-Help for the Hard of Hearing, the Conference of Educational Administrators Serving the Deaf, and the Conference of American Instructors of the Deaf.

Congressman OWEN's statement notes the many other organizations representing educa-

tors, the television industry, and consumers who back this bill. Mr. Speaker, I urge my colleagues to support this legislation to provide decoder technology for the millions of Americans who can benefit from it.

WEIR FARM, CONNECTICUT'S FIRST NATIONAL PARK

HON. BARBARA B. KENNELLY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 1, 1990

Mrs. KENNELLY. Mr. Speaker, Connecticut may be a small State, but it certainly has many great treasures. Today I joined my Connecticut colleagues in introducing legislation which would make one of those treasures—the J. Alden Weir Farm of Wilton and Ridgefield, CT—my State's first national park.

Weir Farm is more than just a beautiful estate. Since its acquisition by artist J. Alden Weir in 1882, Weir Farm has served as both a retreat and inspiration for great American artists. With over 200 acres of meadows, woodlands and wetlands, the Farm's landscapes and pastoral setting have inspired many wonderful works, including those of its owner, J. Alden Weir, considered by many to be the leader of the American Impressionist Movement. At Weir Farm, every rock, tree field, barn and house on the land has been recorded and explored in paintings. They offer a glimpse of the beauty of the land at the turn of the century—and they remind us of the importance of preserving that land for the enjoyment of generations ahead.

Weir Farm has also become the gathering place for some of the best American artists of the era, including Childe Hassam, J.H. Twachtman, and Albert Pinkham Ryder. Following Weir's death in 1919, his son-in-law Mahonri Mackintosh Young—a grandson of Brigham Young and a gifted artist in his own right—sculpted many of his finest works at the farm, including monuments to the Mormon tradition now installed in Salt Lake City and throughout Utah. Many of Young's works have been left in the house at Weir Farm. Today, artists Sperry and Doris Andrews live and work at Weir Farm, making them the third consecutive American artists to have occupied and cared for Weir Farm since Mr. Weir first acquired this property.

Many have worked to preserve the farm. Trust for public land, cooperating with the Andrews family and descendants of Mr. Weir and Mr. Young, bought back what they could of the original property. Simultaneously, the Weir Farm Heritage trust was formed by local residents, selectmen, State legislators, conservationists, and art enthusiasts to raise money for the protection of the farm and to manage it until the Park Service could participate.

In 1984 Weir Farm was listed on the National Register of Historic Places. The Connecticut State Legislature voted just this past year to bond \$4.25 million dollars to purchase the 60 acres of the original Weir Farm. In addition, last week a coalition of 20 national conservation groups issued a report calling on Congress to fund land acquisition at Weir Farm.

For an amount not to exceed \$1 million, the Park Service can acquire what is left—the 2-acre core parcel of land which includes the houses, barns, studios, with original furnishings intact—a seemingly small price to pay for an investment that will so greatly enrich the State of Connecticut, and add to the cumulative value of these United States.

As the first national park paying tribute to an American Painter, Weir Farm would enhance public awareness and appreciation of history, the arts and the environment.

TRIBUTE TO AN UNSELFISH COMMUNITY LEADER: BILL NELSON

HON. JOHN BRYANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 1, 1990

Mr. BRYANT. Mr. Speaker, I take this opportunity to acknowledge and honor the unselfish dedication and caring contributions of a man who devoted the last few years to caring for AIDS patients, before the disease claimed his own life.

Bill Nelson, 40, was one of Dallas' most prominent and active leaders in the fight for human rights for all people. His compassion for people in humble circumstances, for people discriminated against regardless of the reason, for people felled by disease or ignored by insensitive bureaucrats, guided his public life.

He stood up for homeowners against the encroachment of commercial development and devastating traffic patterns. He stood up for the rights of all minority citizens. He stood up for the needs of AIDS victims with a strength that belied his own disease.

"Even in his death, he was a role model in fighting this disease," said William Waybourn, a successor of Bill Nelson as president of the Dallas Gay Alliance. "He didn't give up; his body did."

Bill Nelson cofounded Dallas' AIDS Resource Center to help those with the disease and educate those most at risk. Under his direction, the center became perhaps the most effective AIDS education and service provider in Texas.

After two Dallas residents with AIDS were discovered without food, he also started the AIDS Food Pantry, which now feeds more than 400 families each month.

Venturing into the elective political arena, Bill Nelson ran for the Dallas City Council in 1985 and 1987. Although he did not win, he captured more than 23,000 votes in his second citywide contest, and he succeeded in bringing a challenging new perspective to local political debate.

At the time, Bill Nelson was director of the Dallas Homeowners League and president of the Vickery Place Homeowners Association in East Dallas. He was a community activist in every sense of the term.

His work earned him a citation by the Texas State Senate last year. He was also a recipient of the Texas Human Rights Foundation's Robert Schwab Award for community service and the United Our Way Humanitarian Award.

Bill Nelson was born in Galveston, TX. He earned bachelor's and master's degrees from Southern Methodist University in Dallas. He taught literature and humanities courses at W.T. White High School for 10 years before opening the Crossroads Market antique store.

Bill Nelson leaves a legacy of compassion, dedication, and strength that transcends human boundaries. He and his valuable work will be missed.

RECOGNITION OF WALTER L. "MICKEY" CORBAN'S INDUC- TION INTO "WHO'S WHO IN MISSISSIPPI"

HON. MIKE PARKER

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 1, 1990

Mr. PARKER. Mr. Speaker, today I stand in the Halls of Congress, in the people's Chamber, to speak in honor of a great citizen of my district, Walter L. "Mickey" Corban.

Mickey Corban has been selected for induction into the recognition publication, Who's Who in Mississippi. Only those Mississippians that are noteworthy of success in their fields of endeavor are chosen to appear in the publication annually.

Mickey Corban and his family are former Franklin County residents. He and wife Pauline now reside in Pearl, MS.

"The professional achievements and service in the fields of education and business have distinguished Mickey Corban as a predominant figure in Mississippi. The entire advisory board of Who's Who in Mississippi joins the family, friends, and associates of Mr. Corban in extending our heartfelt congratulations and thanks for his unselfish devotion to making Mississippi a wonderful place to live, work, and play," stated Chuck Lambert, chairman of the advisory board.

Mr. Speaker, I am glad to have Mickey Corban as my friend and to commend him on his noteworthy achievements and service in the fields of education and business in the State of Mississippi.

NATIONAL FFA/HERO WEEK

HON. WILLIAM H. NATCHER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 1, 1990

Mr. NATCHER. Mr. Speaker, the members of the Future Farmers of America celebrated National FFA Week with the theme "FFA—Leading the Challenge."

The Future Farmers of America is a vocational education organization for high school students who are enrolled in vocational agriculture classes in public high schools or area vocational education centers.

Each chapter is encouraged to participate in at least one community service activity during the school year. The Future Farmers of America gives recognition to members for achievements at the chapter, district or area, State, and national levels. This allows each vocation-

al education-FAA member the opportunity to participate and receive recognition.

During the past year there were 11,917 FFA members in 147 chapters in my home State of Kentucky. Over 1,000 FFA members and teachers attended one week of FFA leadership development at the Kentucky FFA Leadership Training Center in Hardinsburg, KY last year.

The FFA Chapters, and individual members, in the Second Congressional District of Kentucky, which I have the privilege of representing in the Congress, received many awards at the State and national levels in 1989.

Timmy Herndon (Spencer County)—Agricultural Sales and/or Service; Greg Willoughby (Allen County)—Dairy Production; Daniel Fisher (Allen County)—Diversified Crop Production; Timmy Lee (LaRue County)—Floriculture; Tim Powell (Breckinridge County)—Forest Management; Scott Elliott (Daviess County)—Oil Crop Production; Mason Crawford (LaRue County)—Poultry Production; David Pace (Warren Central)—Extemporaneous Speaking; Jon Ragan (Warren Central)—Public Speaking; Jim O'Donoghue (Breckinridge County)—Impromptu Speaking—Beef; Mark Ballman (Breckinridge County)—Impromptu Speaking—Swine; and David Booher (Franklin-Simpson)—Impromptu Speaking—Horse, were recognized at the State level. Greg Willoughby also was recognized in the Computers in Agriculture category and represented Kentucky at the National Convention.

Eric Lawson (Franklin-Simpson), Eric Sweazy (Spencer County), Tommy Bartley (Barren County), Cindy Leachey (Washington County), and Debbie Winchell (Breckinridge County) were members of the Reporter Corps at the State Meeting.

The following chapters were also recognized at the State level: Barren—Treasurer's Book Award, Secretary's Book Award, and Chapter Safety (2d place); Breckinridge—Chapter Meeting Award, and Farm Business Management; Apollo—Record Keeping; Spencer—Treasurer's Book, and Farm Business Management; and East Hardin—Farm Business Management.

The Spencer County and Barren County Chapters placed first and second in the Chapter Safety Program at the State level and received gold and bronze awards at the national contest. The Apollo, Daviess County, Barren County, Breckinridge County, East Hardin, and Spencer County Chapters were recognized as Superior Chapters in the Chapter Safety Program at the State level.

The Spencer County Chapter participated in the Building Our American Communities Program at the State and national levels. At the national level the chapter received a bronze award and at the State level the chapter received a gold award. Also receiving awards at the State level were the Warren East (silver), Breckinridge (bronze), Franklin-Simpson (bronze), and Warren Central (bronze) Chapters.

National Chapter Awards were presented to chapters that had proven their excellence in carrying out a program of activities. Chapters were designated as gold, silver, or bronze winners. The following chapters from the Second Congressional District were recognized;

Apollo, Breckinridge County, and Spencer County—silver; Barren County, Daviess County High, and East Hardin—bronze.

Marty A. Chandler (Franklin), Timmy Hernon (Mt. Eden), Scott D. Jernigan (Franklin), Paul A. Miles (Owensboro), Shannon Morgan (Alvaton), and Kimberly L. Tooley (Utica) were recognized at the National Convention for attaining degree requirements and outstanding performance in the Future Farmers of America, and received American Farmer Degree.

Danny Oliver of Scottsville was a member of the National Band and Beth Henderson of Irvington was a member of the National Chorus.

The Apollo Chapter was 1 of 33 affiliates recognized as Outstanding FFA Alumni Affiliates at the National Convention.

I know of no group of young people who are accomplishing more in the area of agriculture than the members of the Future Farmers of America. At this time I would like to commend all of those associated with the FFA for their achievements, and I wish them continued success in all their future endeavors.

A MEDICARE RESPITE BENEFIT: KEEPING PEOPLE IN THE HOME

HON. DOUG WALGREN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 1, 1990

Mr. WALGREN. Mr. Speaker, today I am introducing a bill to add to the Medicare program a respite benefit for in-home care of the chronically ill. I was able to incorporate a similar benefit in the Medicare Catastrophic Program in 1988, but it was eliminated when Congress repealed the Medicare Catastrophic Program last year.

Under my bill, a chronically dependent person could receive up to 120 hours of care—homemaker/home health, personal care, or nursing care services—during a year. Respite care is intended to give relief and assistance to the caregiver, usually a spouse or other family member. My bill is intended to provide a limited in-home benefit to supplement current Medicare home health benefits and to allow the individual to remain in the home and avoid institutionalization in a nursing home.

The majority of elders being cared for by family are 80 years of age or older and have multiple impairments—people needing a high level of care. Caring for a chronically ill or disabled elderly person is more than a full-time responsibility. Most families want to keep the person at home and provide a loving environment. Respite care gives the caregiver limited relief—under my bill, 10 hours a week. Even the most heroic caregivers become tired and overwhelmed. They are better caregivers when they get a little help.

Among the Nation's elderly, 3.6 million live in the community and are disabled in some activities of daily living, such as eating, toileting, and moving. Most of these people require help to remain at home and many cannot be left alone.

Eighty percent of the most chronically dependent elderly live in a community setting, an

approach most of us wish to encourage. Seventy-five percent of these individuals can stay at home because they have a caregiver, usually a spouse or son or daughter, who provides virtually all of their care.

We should note that most of the elderly and disabled are institutionalized not because of a breakdown in health, but because of the breakdown of supports—illness or death of a spouse, change in living arrangement, the absence of anyone to take care of them. By preventing institutionalization, we can reduce costs to the Medicaid Program or other expensive institutional costs. More important, we can keep people at home where they want to be.

I hope the Congress can reexamine the gaps in Medicare coverage and find the resources and will to add a good respite and other benefits to the program.

IN SUPPORT OF H.R. 1141, FAMILY LEAVE BENEFITS ACT OF 1989

HON. LARRY E. CRAIG

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 1, 1990

Mr. CRAIG. Mr. Speaker, once again Congress is hearing rumors that H.R. 770, the Family and Medical Leave Act, is coming to the floor. Proponents of the bill often misleadingly refer to it as a "parental leave" bill, or "family legislation." In fact, this bill is just another attempt by big government to interfere with families and private initiatives by imposing Federal mandates.

Yes, there have been great changes in the family structure, and many employers have responded on their own accord, without Government prompting. Unfortunately, H.R. 770 will only serve to disrupt this trend and create some unwanted side effects.

Women and men of childbearing years will be confronted with subtle discrimination. An employer faced with two equally qualified candidates—one likely to take leave and the other not likely to take it—probably will hire the one less likely to take leave because that person offers more stability and a lower price tag.

Mr. Speaker, this legislation is counterproductive to the interest of employees and employers alike. It is simply a fact of life that many small businesses have limited resources, which restricts the amount available for benefits. A Federal mandate dictating what type of benefits must be provided only reallocates portions of the benefit budget, disregarding the employee's choice of benefits. Some small businesses, unable to absorb the cost, would be forced to close their doors. This could have drastic effects on our economic growth, and unemployment. Let us not forget, Mr. Speaker, that small business has fueled the recent U.S. economic expansion.

Workers who typically would not use the mandated leave in H.R. 770, will also be discriminated against. They will see the scope of benefits available to them reduced, as businesses are forced to adjust their compensation packages to reflect federally mandated priorities.

Mr. Speaker, Congress can assist America's families without this sort of Federal intrusion, by voting against H.R. 770 and supporting H.R. 1141, the Family Leave Benefits Assistance Act of 1989. H.R. 1141 is a better alternative. It offers incentives, helping employers and private organizations to meet the needs of working men and women and their families.

THE TELEVISION DECODER CIRCUITRY ACT OF 1990

HON. MAJOR R. OWENS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 1, 1990

Mr. OWENS of New York. Mr. Speaker, today, along with Congressmen GUNDERSON, BONIOR, BERMAN, LLOYD, SLATTERY, SYNAR, WYDEN, BILIRAKIS, and CHANDLER, I am introducing the Television Decoder Circuitry Act of 1990 which promises to ensure full and equal access to television for all Americans, including 24 million Americans who are deaf or hard of hearing. This legislation will also help in the fight to combat illiteracy which can benefit 23 to 27 million American adults who are functionally illiterate, 3 million Americans learning English as a second language, and millions of deaf, learning disabled and hearing children. In a letter of support, the Bill Cosby Show stated that "it becomes clear that very few families in the United States will not be touched by this bill in a positive way."

Today, we all take television for granted. It has become much more than a medium of entertainment. It provides a crucial link to the world with news and has become the central way we share information in our society. However, the benefits of television are not fully accessible to all Americans. Millions of deaf and hard of hearing citizens are still denied full access to television. While the technology of closed-captioning has opened the door to television viewing, the cost of separate decoders and the lack of incentive to close caption all programs has denied many Americans the full view of what television offers.

In a letter to the Commission on the Education of the Deaf, ABC noted:

... [i]f decoders were more widely used and viewership to grow, the marketplace can be relied upon to increase captioning because more viewers would be reached at a decreased per capita cost. Increased decoder ownership—not just more captioning—is required for a strong, self-sustaining captioning service.

The National Captioning Institute [NCI] concurs that the future of closed captioned television service is:

Inextricably tied to the number of households who access it. In order to eliminate the need for ongoing federal funds and to make the captioned service economically viable and self-sustaining, captioning must reach into at least 500,000 homes and ideally 1,000,000 by 1990.

The Commission on the Education of the Deaf [COED] cited that the low number of decoders purchased by consumers resulted in a lack of commercial incentives for private funding of captioning services and was one of the

main impediments to a self-sustaining captioning service. Since 1979, only 170,000 decoders have been sold according to the COED report.

Technology offers an alternative solution to the survival of closed-captioned programming. Companies are currently working on this technology, and have indicated that by the end of 1991, a built-in decoder circuitry chip can be built right into new television sets at a nominal cost. This will greatly increase the audience that can be served by closed-captioned television. It will reach more than 24 million deaf and hard of hearing Americans, including 38 percent of senior citizens.

Closed-captioned programming has also been shown to have tremendous benefits for teaching literacy skills. Several studies have indicated that exposure to closed-captioned television improves students' word recognition, reading comprehension, and language retention skills and is a motivational tool for learning. The U.S. Department of Education, on the basis of a Census Bureau test, stated that 13 percent of the adult population are unable to read other tests have found 20 percent of them to be "functionally incompetent." Jonathan Kozol, in his book, "Illiterate America," indicates an even more deplorable situation. He states that 45 percent of the adult population do not read a daily newspaper—10 percent by choice; the remainder because they are functionally illiterate. A study by the National Assessment of Educational Progress estimates that 23 to 27 million American adults are functionally illiterate. Another 3 to 4 million are learning English as a second language according to the "Final Report on the Project of Adult Literacy" by Forest Chisman.

In order to reach this potential audience and ensure a strong, self-sustaining captioning service, we need to pass this legislation mandating built in decoder circuitry. This bill would require that all new televisions with screens 13 inches or larger, whether manufactured in the United States or imported for use in the United States, be equipped with built in decoder circuitry designed to display closed-captioned television transmissions. The bill would further require the FCC to promulgate rules providing performance and display standards for built in decoder circuitry. Such rules shall require that all built in circuitry receive and display closed-captioning by October 1, 1992.

Mr. Speaker, this bill is designed to support a strong, self-sustaining captioning service that will reach the millions of Americans who will benefit from this technology. I urge my colleagues to join me in supporting this legislation to provide full and equal access to television for all Americans.

ORGANIZATIONS ENDORSING THIS LEGISLATION TELEVISION INDUSTRY

Sanyo Fisher Corporation.
The Corporation for Public Broadcasting.
The National Association of Public Television Stations.
The Cosby Show.
National Captioning Institute.
The Captioning Center.
Caption America.
KCNC-TV, Denver, Colorado (NBC).
WRKR, Rochester, New York.
KAET, Tempe, Arizona.
WRGB, Schenectady, New York (CBS).
WJLA, Washington, D.C. (ABC).

WGBH, Boston, Massachusetts (PBS).

EDUCATIONAL ORGANIZATIONS

National PTA.
National Education Association.
American Federation of Teachers.
Laubach Literacy International.
Literacy Volunteers of America—Barbara Bush, Honorary Chair.
Council for Exceptional Children.
Gallaudet University.
Gallaudet University Alumni Association.
Conference of Educational Administrators Serving the Deaf.
Convention of American Instructors of the Deaf.
International Reading Association.
National Association of State Directors of Special Education.

NATIONAL DISABILITY ORGANIZATIONS AND OTHER NATIONAL ORGANIZATIONS

Learning Disabilities Association of America.
Alexander Graham Bell Association for the Deaf.
American Association of Retired Persons.
American Association of the Deaf-Blind.
American Civil Liberties Union.
American Council of the Blind.
American Deafness and Rehabilitation Association.
American Foundation for the Blind.
American Society for Deaf Children.
American Speech-Language-Hearing Association.
Association for Education and Rehabilitation of the Blind and Visually Impaired.
Association for the Retarded Citizens of the United States.
Council of State Administrators of Vocational Rehabilitation.
Disability Rights Education and Defense Fund.
Disabled But Able to Vote.
Epilepsy Foundation of America.
Mental Health Law Project.
National Association of Developmental Disabilities Councils.
National Association of the Deaf.
National Association of Protection and Advocacy Systems.
National Center for Law and the Deaf.
National Council on Independent Living.
National Council on Rehabilitation Education.
National Council of Senior Citizens.
National Easter Seal Society.
National Fraternal Society of the Deaf.
National Head Injury Foundation.
National Network of Learning Disabled Adults.
National Rehabilitation Association.
National Shorthand Reporters Association.
Paralyzed Veterans of America.
Registry of Interpreters of the Deaf, Inc.
Self Help for Hard of Hearing People, Inc.
Spina Bifada Association of America.
Telecommunications for the Deaf, Inc.
United Cerebral Palsy Association.
World Institute on Disability.

LEGISLATION TO BENEFIT THE TAXPAYER AND LAW ENFORCEMENT COMMUNITY

HON. HARLEY O. STAGGERS, JR.

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 1, 1990

Mr. STAGGERS. Mr. Speaker, I rise today to introduce legislation that will be of benefit to the taxpayer and the law enforcement community. This legislation will provide full law enforcement authority to all criminal investigators in the offices of inspectors general [OIG]. At the present time a system of confusion exists. This legislation would confer full law enforcement authority including making arrests, issuing search warrants, and carrying firearms.

Let me take a few moments to explain the present state of disconnection within the law enforcement component of the offices of inspectors general. By statute, OIG's are charged with the responsibility of conducting investigations of programs and operations in their agency. Although the statutory law enforcement responsibilities of all OIG's are identical, they do not have uniform authority to exercise law enforcement functions. At the present time there are more than 1,900 criminal investigators—GS-1811's. Less than half of these special agents exercise some limited form of enforcement powers through existing or delegated authority.

Like their traditional law enforcement brethren in the FBI, DEA, IRS, Customs, and Secret Service, these agents conduct investigations through the use of review of records, use of informants, surveillance, undercover operations, approved electronic monitoring, and interviews with witnesses and subjects of investigation who are hostile. Many of the witnesses these investigators come in contact with are involved in substantial criminal activity including numerous types of violent crimes.

However, unlike traditional law enforcement agents, OIG special agents must frequently enter high crime areas to gather information, or serve subpoenas without the protection of firearms. There are numerous examples where this lack of firearms have placed many of these agents in undue danger and have contributed to felons remaining unapprehended.

I will not use this time to detail many of the incidents that have come to my attention regarding the need for this legislation. It is sufficient to say that every agency that has criminal investigators can detail examples of agents being placed at risk or suspects or investigations that have been hampered by this lack of full law enforcement.

Special agents of the OIG's currently meet the same experience and training requirements as agents in other Federal agencies having full law enforcement authority. All OIG agents must pass the criminal investigators course at the Federal Law Enforcement Training Center [FLETC] or similar training such as courses at the FBI Academy.

Two-thirds of OIG special agents have previously been employed by traditional law enforcement agencies. Information given to me shows that 84 percent hold college degrees,

in comparison to 77 percent in the other law enforcement agencies. Of that 84 percent, 18 percent had advanced degrees in comparison to only 8 percent in other law enforcement agencies.

I am sure that some will tell you that these agents can go through a process in the Federal courts and be deputized, or call on the assistance of other law enforcement agencies to assist them. They already do both. The problem remains that at time and places where the assistance is needed it may not be available. Deputation is a complex process that may take months. No less than three different units within the Department of Justice must approve these requests for deputation.

Mr. Speaker, there is no additional cost to the taxpayers to provide full law enforcement powers to these agents. These agents are already trained to use firearms. In fact, it has been estimated that if this legislation would free up 100 FBI agents and/or deputy marshals from having to assist OIG criminal investigators over the course of a year, it is believed that a savings of more than \$4 million could be achieved.

This legislation has the full support of the Association of Federal Investigators. I urge my colleagues to support this legislation.

BLACK HISTORY MONTH

SPEECH OF

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Ms. PELOSI. Mr. Speaker, I thank my distinguished colleague from Ohio, Mr. STOKES, for calling this special order on Black History Month. It is especially fitting that this year's theme is "The Father of Black History, Carter G. Woodson: A Living Legacy" as we witnessed in 1989 the removal of long established racial barriers with the elections of David Dinkins, Norman Rice, and L. Douglas Wilder; and 1990 has already proven to be a watershed in black history throughout the world with the release of Nelson Mandela. I am proud to take part in this special order to celebrate the significant contributions of African-Americans to our society.

The work of Carter Woodson has enabled all of us as a nation to study the history of African-Americans. His work has opened new frontiers for scholars. Mr. Woodson's publications have been used as the standard text in the study of black history in this country. His life was dedicated to chronicling the achievements of the African-American community with the belief that if a race has no recorded history then its achievements will be forgotten.

As an accomplished historian, Carter Woodson recognized the need to celebrate the achievements and contributions of blacks worldwide. Most of the resources on black history available today can be traced back to Carter Woodson. His work serves as an inspiration to all of us.

I believe that Mr. Woodson's work serves a significant function in our society. It is critically important to educate our children to the 300 years of struggle of African-Americans. Black

History Month and the work of Carter Woodson help us to focus on the past, present, and future of the fight for social justice in our society. We must recognize that the struggle is still far from being over. Yet this year we should be encouraged by the progress we have made. Not long ago freedom for Nelson Mandela seemed unlikely and an end to apartheid appeared impossible.

I am proud to represent an area where we enjoy an abundance of creativity and innovation within our African-American community. With the help of the Glide Memorial Church, St. Paul of the Shipwreck, the Third Baptist Church, the Washington Senators, and the Omega Boys Club, we will find solutions to the crises in education and drugs. I am encouraged by the work of these groups within our community and I commend them for their creativity and achievements.

I look forward to continuing my involvement as an associate member of the Black Caucus to ensure job opportunities, affordable housing, health care, and drug treatment and rehabilitation services for all Americans. Again I would like to thank the gentleman from Ohio for calling this important special order. Thank you.

THE TELEVISION DECODER CIRCUITRY ACT

HON. STEVE GUNDERSON

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 1, 1990

Mr. GUNDERSON. Mr. Speaker, throughout my years in Congress I have often remarked that one of my most rewarding experiences has been to serve on the Gallaudet University Board of Trustees and encounter a silent culture of profound dimensions. This interaction, coupled with frequent interaction with deaf members of my staff, has opened my ears to their needs and inspired my action. I can honestly say, Mr. Speaker, spending time with my deaf and hearing-impaired friends is like going home. It is a challenging pursuit and I cherish it.

For these reasons and because of these experiences, I am happy to join several of my colleagues in sponsoring the Television Decoder Circuitry Act of 1990. This bill, like many others this body has considered in recent years, holds great potential benefit for millions of Americans. It will provide the 24 million deaf and hearing-impaired Americans universal access to television broadcast programming and it will provide our literacy organizations and volunteers with yet another source to which they can turn to help empower the 23 million functionally illiterate Americans.

Rarely, does a day go by, Mr. Speaker, when you or I or any other Member of this House does not watch TV. In fact, I would be hard pressed to imagine our world without it: Financial shows, news broadcasts, talk shows, sitcoms, sporting events, the list of television broadcast programming is endless. We watch because we hear. And while I applaud those in the industry who have made a conscientious attempt at closed captioning [CC] programs, many hours of television are still only

accessible by the hearing world. Presently, low decoder ownership and a lack of incentive for captioning services serve to prohibit viable and independent captioning. This bill, however, provides an answer.

In essence, the TV Decoder Circuitry Act would require that televisions with screens 13 inches or larger be equipped with a decoder circuit chip which display CC television transmissions. The cost is nominal, estimated to be \$5 to \$10 dollars per TV and it has received broad industry support.

I strongly support this legislation and would urge my colleagues to consider its enormous potential and join with me to support the Television Decoder Circuitry Act.

RECOGNITION OF NAIA DIVISION II NATIONAL CHAMPIONS WESTMINSTER COLLEGE

HON. THOMAS J. RIDGE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 1, 1990

Mr. RIDGE. Mr. Speaker, I rise today, as I did last March, to speak of a group of young men that deserve special recognition. In athletic competition, it is extremely difficult for individuals or teams to repeat as champions in consecutive years. As good as Notre Dame played in 1989, they could not duplicate their 1988 national championship. The student athletes at Westminster College, a prestigious liberal arts school of 1,300 students, in New Wilmington, PA, were asked to repeat as Division II champions and deserve special recognition for their incredible effort and untiring excellence.

Led by their coach, Joe Fusco, the Westminster Titans obtained their second consecutive and a record fifth overall NAIA—National Association of Intercollegiate Athletics—Division II football championship. The team also extended their Nation-high winning streak to 27 games, while posting the first ever back-to-back, unbeaten, untied seasons in Westminster history. The team won the championship game in competition with an outstanding team from the University of Wisconsin-LaCrosse by a score of 51 to 30. The Titans exemplified their championship spirit, when they fought to victory after being down by two touchdowns.

One hero, among the game's many stars, and most valuable offensive player, was quarterback Joe Micchia. Even though Micchia was playing with stretched ligaments on his throwing hand, he still completed 18-of-33 passes for 219 yards and 4 touchdowns. Another hero and most valuable defense player was corner Lou Berry, whose interception of a 2-point conversion and subsequent 100-yard return with 5 minutes left in the game gave Westminster a comfortable lead and confidence that victory was theirs.

Many players on this championship team also received individual honors. Joe Micchia was named Kodak College Division II All-America, second-team NAIA Division II All-America, and third-team quarterback on the Associated Press Little All-America Team. Brad Tokar was named second-team NAIA Division II All-America, while Kevin Blazer, Andre

Borowicz, Jeff Catanzarite, Pat Shannon, and Dan Shorts received honorable mention to the NAIA Division II All-Americans. Not only were the players honored, but head coach Joe Fusco was voted the area coach of the year.

Jeff Catanzarite, Pat Shannon, Rob Kokor, Frank Mantinaos, Craig Schweiger, and Brad Tokar were all named Academic All-Americans. This particular honor attests to the fact that the Westminster Titans are not only strong competitors on the football field, but also in the classroom. The team began practice 2 weeks before the start of the semester and were taking finals the same week as the championship game. Even with the tremendous athletic demands placed on all members of this championship team, the 91-member squad was able to finish the semester with a 2.8 grade average, which was the highest in Westminster's history.

I would like to join the family of the players and the many loyal fans of the Westminster Titans to congratulate them on this spectacular season and historic accomplishment, both on and off the field.

HOME OF THE INFANTRY

HON. BILL RICHARDSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 1, 1990

Mr. RICHARDSON. Mr. Speaker, I recently had the opportunity to visit Fort Benning, GA—the "Home of the Infantry." It is an outstanding training facility operated by the U.S. Army.

With the infantry school as its primary activity, Fort Benning is regarded by many as the world's most influential military center, having produced some of our country's most prominent leaders and innovative combat doctrine.

During my stay at Fort Benning I was impressed with not only the physical facilities at the military post and the school, but was most overwhelmed by the outstanding men and women who serve and work at Fort Benning.

Fort Benning has a proud heritage encompassing some 72 years. Its mission is the same today as it was back in 1918: "to produce the world's finest combat infantrymen." As evidenced during my visit, Fort Benning is not only living up to its mission, but the facility stands ready for the challenges of the 20th century and beyond.

I ask my colleagues to join me in honoring Fort Benning as the men and women there form a strong team, dedicated, able and willing to go the extra distance.

INTRODUCTION OF MAGLEV RIGHTS-OF-WAY BILL

HON. GEORGE J. HOCHBRUECKNER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 1, 1990

Mr. HOCHBRUECKNER. Mr. Speaker, few inventions in the world surpass the importance of the wheel in contributing to the progress of humanity. The wheel allowed the world's first travelers to move quicker, easier, and further

than before. Today I would like to say a few words about H.R. 3714, legislation to make the wheel obsolete.

This legislation is the companion bill to S. 221, introduced in the first session of this Congress by Senator MOYNIHAN. It would authorize the use of rights-of-way along Federal-aid highways for the construction of transportation systems that will be part of the Federal-aid highway system. The main provision of this legislation would amend chapter 1 of title 23 of the United States Code by adding at the end of that chapter a new section. This section would direct the Secretary of Transportation to prescribe regulations under which States will be allowed to use rights-of-way along Federal-aid highways for the construction of magnetic levitation systems.

Magnetic Levitation [Maglev] trains are transportation systems which travel on a magnetic cushion generated between magnets located in the vehicles and metal guideways. Speed and direction of Maglev systems are controlled by the spacing of the magnets and the power of the electric current. The trains have no physical contact with the guideway. This allows the attainment of greater speeds with a much smaller expenditure of energy and virtually eliminates roadbed maintenance.

Maglev was invented at Brookhaven National Laboratory, in my district, over 20 years ago. Research on this technology was conducted in the United States until 1975. While research has since come to a halt in the United States, Japan and West Germany have moved full speed ahead in developing this technology. Each of these countries has spent over a billion dollars developing working Maglev systems.

Florida, Ohio, Nevada, Pennsylvania, and California are all currently considering the construction of Maglev systems. Unfortunately, the companies most likely to be awarded contracts for these projects are from West Germany or Japan, because the United States has not to date produced the economic environment necessary for the development of a domestic Maglev industry.

This legislation will help to produce a domestic Maglev industry without spending any Federal money. Land acquisition costs are, by a factor of 10, the most expensive component of the construction of this system of transportation. By using the rights-of-way along the Federal highway system, we can eliminate or greatly reduce the land acquisition costs and make the construction of Maglev systems economically possible.

Maglev is a technology that makes sense for the conditions we will face as we enter the 21st century. Maglev can travel at speeds up to 300 miles per hour. With this speed, Maglev is a competitive alternate to short-distance airline flights. It can reduce the problems of airport overcrowding, airport noise, air pollution, and the consumption of aviation fuel. As Maglev would parallel our highway system, it can reduce gasoline consumption and reduce the burden and deterioration of our roads and bridges. Because there is no friction involved, Maglev is quieter and easier to maintain than other forms of transportation. Because Maglev uses electricity generated from central power stations and does not burn fuel, it can make use of the cleanest available

sources of energy and reduce U.S. consumption of oil. Finally, because it reduces the use of gasoline and aviation fuel, Maglev can contribute to efforts to clean the air.

All of these benefits make construction of Maglev systems attractive. Because the United States has already fallen 15 years behind in the development of Maglev systems, the first generation of systems both in the United States and abroad are likely to be constructed by foreign-owned firms. However, the United States has the ability and the resources to retake the lead in this technology. Once we have done this, Maglev systems can also play a role in reducing our foreign trade deficit.

Maglev is not a "sci-fi" technology beyond our reach. Maglev works using either electromagnets or superconducting magnets currently available. In fact, West Germany and Japan have each had operating prototypes for a number of years and are now beginning to construct commercial Maglev systems.

H.R. 3714 has been introduced to hasten the creation of a viable domestic Maglev industry. I hope that my colleagues will join me in supporting this legislation and the development of a U.S. industry.

NATIONAL QUARTER HORSE WEEK

HON. DON RITTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 1, 1990

Mr. RITTER. Mr. Speaker, yesterday morning, President Bush signed Senate Joint Resolution 186 into law. This resolution designates the week of March 1 through March 7, 1990 as National Quarter Horse Week.

There are 2.8 million registered quarter horses in every State of the Union and in 62 countries in the world. President Bush, upon signing the resolution said that "This horse is uniquely ours, having been developed in colonial America and bred for speed. No other horse is a greater part of Western folklore, and none has contributed more to our nation's development and cultural heritage."

The American Quarter Horse Association, founded on March 15, 1940, is celebrating its 50th anniversary this year. The American Quarter Horse Association has grown to more than 200,000 members; its registry which began with 556 horses is now the largest equine registry in the world.

Mr. Speaker, I am proud to say that my friend and constituent, Mr. C. Thomas Fuller, of Catasauqua, PA, is an honorary vice president of the American Quarter Horse Association. It gives me great personal pleasure not only to recognize the quarter horse for its unique place in our Nation's history but to recognize Tom Fuller and the American Quarter Horse Association on its 50th anniversary.

ST. PATRICK'S DAY 1990

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 1, 1990

Mr. GILMAN. Mr. Speaker, I am pleased to rise again this year to call the attention of our colleagues to the fact that St. Patrick's Day is again upon us. This feast is not only the national holiday of the Republic of Ireland; it is also a special day for the Irish, and the Irish at heart throughout the world.

Fifteen hundred years have gone by since St. Patrick drove the snakes from the Emerald Isle and converted that land to Christianity. It is altogether fitting and proper that St. Patrick be remembered on this day, for he has served as a constant inspiration to the Irish for the past 15 centuries.

With the light of democracy and freedom now shining forth from the darkest points, it is inspiration, faith, and perseverance that is needed in Northern Ireland. Tragically, the fundamental problems in Northern Ireland remain the same, despite the overwhelming worldwide changes.

Unemployment in Northern Ireland remains the highest in all of Western Europe. And, while changes have been made in the Fair Employment Act, we must make certain that the deep-rooted economic discrimination is ended.

For this reason, I continue to heartily support the MacBride principles for American firms doing business in Northern Ireland. These principles of fair employment and anti-discrimination serve as a model for a future generation of employment opportunities.

Further, since American companies provide for over 10 percent of employment in Northern Ireland, we have the opportunity and moral obligation to fight against the discrimination in Northern Ireland.

Mr. Speaker, I request that the full text of the MacBride principles be inserted at this point in the RECORD, and I invite my colleagues to join in support of H.R. 725, legislation espousing the MacBride principles.

On a positive note, I am encouraged by the recent interest in reviewing the Birmingham Six and Maguire Seven cases as indicated in the human rights report of the U.S. Department of State. Further, the U.N. Human Rights Commission in Geneva will soon hear a full outline of the Birmingham Six case.

With the recent revelations in the Guildford Four case, and the doubt surrounding the forensic tests which implicated the Birmingham Six, it has become increasingly apparent that an investigation into the Birmingham Six case is proper and would result in freedom for the six.

Regretfully, Joe Doherty must continue his struggle for freedom. On several occasions since his imprisonment in 1983, judgment has been rendered in favor of Joe Doherty in court hearings in the United States, yet he still remains at the metropolitan correction center in New York. His case is expected to go before the highest court in the land, our Supreme Court. It is hoped that the facts will triumph and after 7 years of imprisonment, Joe Doherty will finally be free.

Mr. Speaker, let us take advantage of this St. Patrick's Day to reflect on the marvelous events now taking place throughout the world, and to resolve to work toward a just and long-lasting peace for the too long embattled island of Ireland so that they too may enjoy the fruits of liberty, justice and freedom:

THE MACBRIDE PRINCIPLES

1. Increasing the representation of individuals from under-represented religious groups in the workforce including managerial, supervisory, administrative, clerical and technical jobs.
2. Adequate security for the protection of minority employees both at the workplace and while travelling to and from work.
3. The banning of provocative sectarian or political emblems from the workplace.
4. All job openings should be publicly advertised; and special recruitment efforts should be made to attract applicants from underrepresented religious groups.
5. Layoff, recall, and termination procedures should not in practice favor particular religious groupings.
6. The abolition of job reservations, apprenticeship restrictions, and differential employment criteria, which discriminate on the basis of religion or ethnic origin.
7. The development of training programs that will prepare substantial numbers of minority employees for skilled jobs, including the expansion of existing programs and the creation of new programs to train, upgrade, and improve the skills of all categories of minority employees.
8. The establishment of procedures to assess, identify, and actively recruit minority employees with potential for further advancement.
9. The appointment of a senior management staff member to oversee the Company's affirmative action efforts and the setting up of timetables to carry out affirmative action principles.

LEGISLATION FOR DISADVANTAGED FEED BARLEY GROWERS

HON. RON MARLENEE

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 1, 1990

Mr. MARLENEE. Mr. Speaker, today we are introducing legislation which will correct a small, yet serious problem which often happens when well-intentioned government programs encounter unforeseen circumstances. I am happy to have Mr. BOB SMITH of Oregon, and Mr. CRAIG join with me in this effort to rectify one remaining "glitch" resulting from the adverse weather conditions in 1988 and 1989 which so drastically and severely impacted agricultural producers throughout the country.

In this particular instance, one of the existing farm programs which seemed to work pretty well during ordinary times went haywire during that 2-year period of drought-induced short supply. The farm program for farmers who produce barley contains a feature which uses both the average price of feed barley and the average price of malting barley in a formula to determine the year-end price support payment. Unfortunately for producers of feed barley, when the drought created a short-

age of malting barley in 1988 the price of that particular type of grain skyrocketed, with the result that the traditional method of computing the year-end payment was seriously skewed to the disadvantage of feed barley producers.

The final result showed that, because of the disproportionately high prices received by malting barley growers, all producers would be required to refund to the Commodity Credit Corporation their entire advance deficiency payment of 30.4 cents per bushel. This was grossly unfair to the feed barley folks who did not benefit from similar increases in the market price for their product.

Our legislation today simply directs the Secretary of Agriculture to recompute the refund owed by producers of feed barley for 1988 and 1989 using the average market prices received for feed barley sales only. This removes the distortion created by the extremely high malting barley sales, and allows a reduction in the amount of refund owed by feed barley growers down from 30.4 cents per bushel to about 6.4 cents per bushel. These growers are still required to refund a portion of the advance payments they received, but the amount is in keeping with the intent of the original formula Congress established in the 1985 farm bill legislation.

I hope many of our colleagues will see fit to help us correct this serious situation, and that we can expedite enactment of the bill we have introduced today.

TRIBUTE TO MARDI WORMHOUDT

HON. LEON E. PANETTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 1, 1990

Mr. PANETTA. Mr. Speaker, I rise today to pay tribute to an outstanding leader and tireless public servant of the people of California's 16th Congressional District, mayor of Santa Cruz Mardi Wormhoudt. I am pleased to have this opportunity to express my sincere appreciation to Mardi for her tireless work for the people of Santa Cruz, and especially for her efforts in the wake of the Loma Prieta earthquake.

Mardi Wormhoudt has served the Santa Cruz community for over a decade. She has been a member of the Santa Cruz City Council since 1981 and is an active member of the County Transportation Commission, the City Housing Task Force, the University of California at Santa Cruz Long-Range Planning Committee, and the Performing Arts Facility Task Force. These are but a few examples of the resolve Mardi has demonstrated for the betterment of the Santa Cruz community.

I have rarely encountered a public servant so selflessly devoted to the community which she serves. Through her efforts with the Federal Emergency Management Agency and the Santa Cruz community, the devastating effects of the earthquake were quelled and remedial action was swiftly undertaken. Mardi was there to consult with President Bush and Vice President QUAYLE as they examined the destruction resulting from the disaster and brought national attention to the area. She is

continuing her leadership role by heading the planning group for the rebuilding of Santa Cruz following the tragedy of October 17, 1989. Mardi has been truly instrumental in the recovery of the community.

I am sure my colleagues are pleased to join me, and the people of Santa Cruz, in recognition of Mardi's public service and expression of gratitude for her continued efforts. It is with great respect and pride that I salute the achievements of Mardi Wormhoudt.

THE U.S.S. "SIMPSON"

HON. RONALD K. MACHTLEY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 1, 1990

Mr. MACHTLEY. Mr. Speaker, I rise today to pay tribute to the brave sailors of the U.S.S. *Simpson*, a guided missile frigate homeported in Newport, RI, in my congressional district. Last week, the *Simpson* rescued crewmen from the *Surf City*, a Persian Gulf petroleum tanker which had suffered an explosion and was burning out of control.

As part of her Persian Gulf duty, the *Simpson* had been monitoring the progress of the *Surf City*, a tanker carrying 25 million gallons of naphtha and gasoline. The *Simpson's* response immediately after the explosion was swift, and, according to the U.S. Navy, actually saved lives. Commander James McTigue and his entire crew deserve our highest recognition for their bravery during a situation involving extreme danger.

I have visited and toured the U.S.S. *Simpson*, and am extremely proud that she was able to serve her country in this manner.

This latest incident reminds us just how diverse the missions of today's U.S. Navy are. Because we assign the Navy so many tasks, we must ensure that they are given proper resources to carry them out. As such, I urge my colleagues to recognize the diversity of the modern U.S. Navy as we consider this year's Defense budget.

OLD GROWTH REDWOODS— LET'S STOP THE MINING OF THEM

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 1, 1990

Mr. STARK. Mr. Speaker, many people would be surprised to know that ancient redwood trees are being chain sawed every working day. Even more disturbing is the fact that these trees are being cut as fast as possible on a junk-bond repayment schedule.

A common definition of old growth is 150 years. However, many of these trees have been around for an astounding 1,000 or more years.

The cutting of old-growth redwood is, in essence, tree mining. Old growth redwoods are not a renewable resource in a 100-year time-span. Anything that can take a millennium to regenerate should hardly be considered renewable. The cutting of old-growth redwood

must be considered depleting a nonrenewable resource for current generations of Americans.

Mr. Speaker, I am introducing legislation which would impose a Federal severance tax on the cutting of old-growth redwood. The severance tax would be 35 percent of the value of the tree that is cut. This severance tax should change the economics of cutting these old giants and encourage the substitution of quicker growing, more traditional lumber sources.

Those who benefit from the mining of old growth redwoods should pay the societal costs for removing nonrenewable resources. A severance tax is a common way that the public benefits from the use of a nonrenewable resource. Redwoods should not be treated differently.

I do not believe that many of the old-growth redwoods that are being cut today should be cut. It is a true desecration of a symbol that is uniquely both Californian and American. The cutting down of old-growth redwood forests is a national issue. But if they are going to be cut down, society should benefit.

IN COMMEMORATION OF THE ROLL-OUT OF THE X-31

HON. DENNY SMITH

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 1, 1990

Mr. DENNY SMITH. Mr. Speaker, the roll-out of a new airplane always makes us think about the possibilities for the future, and the latest entry in our long line of distinguished X-series aircraft, the X-31, is no exception. No aviation program in history has had more success leading us into the future than the X-series program. Today, the X-31 continues that proud tradition.

We build experimental aircraft like this to push the limits of aircraft technology, so that our pilots and our industry will have the best. Our X-series program has a long and illustrious history of breaking new ground in aviation development, and the X-31 promises to be no less revolutionary.

From my own days as a fighter pilot, I can say that getting in close and shooting has been and will remain the staple of aerial combat. The X-31 will teach us vital lessons about maneuverability we can apply to the design or modification of future aircraft. Testing our ideas in the air is the only way to ensure our future aircraft can out-turn and out-shoot anything thrown their way, just as our current aircraft do.

An additional benefit of the X-31 research program has been the unprecedented participation of our German allies. By sharing funding and expertise, we have been able to push back the frontiers of aircraft performance at a modest cost to both countries. We have also fostered international cooperation at a time when it is clear that foreign markets and opportunities are becoming increasingly important.

Let me take the occasion of this momentous roll-out to personally congratulate the managers, engineers, technicians, and assem-

bly workers at Rockwell and Messerschmitt-Bolkow-Blohm on a job well done. The technology you are pioneering here will have a significant influence on aviation for years to come.

TRIBUTE TO BLACK HISTORY MONTH

SPEECH OF

HON. JULIAN C. DIXON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. DIXON. Mr. Speaker, well over a half-century ago, historian Carter G. Woodson posited that a people whose history and achievements go unrecorded "becomes a negligible factor in the thought of the world and stands the danger of being exterminated." Motivated by his own foreboding, Carter G. Woodson set out to document the experience of black women and men in Africa and the "New World," and to record the tremendous contributions of African-Americans to the Nation in which they toiled for three centuries as slaves.

Woodson's scholarship brought new integrity to the study of black history and culture and earned him the title, "Father of Black History." Woodson believed that "the achievements of the Negro properly set forth will crown him as a factor in early human progress and a maker of modern civilization." Africans, he wrote, "produced in ancient times a civilization [which] influenced the [Mediterranean] cultures * * * and taught the modern world trial by jury, music by stringed instruments, the domestication of sheep, goat, and cow and the use of iron by which science and invention have remade the universe. Must we let this generation continue ignorant of these eloquent facts?" Sadly, generations do, still, continue ignorant of these eloquent facts, despite the efforts of Dr. Woodson and his proteges.

Subsequent research has revealed volumes more about the centrality of black Africa in the spawning of modern civilization and about the central role of African-Americans in building, literally and figuratively, this great Nation. Yet, mournful are the voices which attest, in swelling choruses, to a dearth of positive black role models for today's African-American youth. I believe that there is, in fact, a wealth of positive African-American role models whose examples beg exposure and emulation.

I rise today to recognize a number of African-Americans from the Los Angeles area who have made noteworthy contributions to the advancement of their respective professions and from whose pioneering work the African-American community derives significant benefit.

Leroy Weekes, M.D., is a prominent Los Angeles obstetrician with an established record of community service and leadership in the medical profession which spans over 40 years. He continues to practice in my district at the Julian Ross Medical Center, which Dr. Weekes named for his mentor at Howard University Medical School where he trained. Throughout his career, Dr. Weekes has been active in community affairs. Dr. Weekes initiat-

ed efforts to establish a Martin Luther King, Jr. Medical Center to serve residents of the South-Central Los Angeles area.

L. Julian Haywood, M.D., is professor of medicine and director of the Coronary Care Unit at LAC/USC Medical Center. He is vice president, cofounder and former president of the Sickle Cell Disease Research Foundation and former president of the American Heart Association's Los Angeles affiliate. Dr. Haywood has published scores of articles in numerous scientific journals and serves on several medical review boards. He has conducted pioneering research in the areas of hypertension, sickle cell disease, and computer applications in cardiology, and has been committed to addressing the medical and health care needs of the African-American and disadvantaged communities.

My esteemed colleague and friend, U.S. Congressman AUGUSTUS "Gus" HAWKINS, whose district includes Watts, South Central Los Angeles and Huntington Park, will retire this year from over a half century in elected office. Representative HAWKINS served for 28 years in the California Assembly before being elected the first African American Representative from a Western State in 1962. In 28 years in Congress, Gus HAWKINS has compiled a distinguished record at the national level as a staunch advocate of the poor, minorities, and the disadvantaged, and he is responsible for important legislation in the areas of civil rights, employment, and education. He is responsible for the creation of the Equal Employment Opportunity Commission [EEOC] under title VII of the 1964 Civil Rights Act and is currently chairman of the House Committee on Education and Labor.

Rev. James Lawson has contributed to the human community as a spiritual leader, civil rights activist, and peacemaker. As president of the United Methodist Youth Fellowship, Reverend Lawson spent over a year in Federal prison as a conscientious objector. As a close associate of Rev. Martin Luther King, Jr., Lawson trained freedom riders and became one of the preeminent voices for nonviolent direct action. Today Reverend Lawson focuses his energies on the problems of the urban poor in Los Angeles, as president of the Southern Christian Leadership Conference/Greater Los Angeles and vice president of the SCLC national board. Additionally, he is pastor of Holman United Methodist Church and president of the Peace with Justice Leadership Conference, a coalition of 60 denominational and religious groups.

Herbert L. Carter is executive vice chancellor of California State University and the first black chairman of the board of the United Way of Greater Los Angeles. Carter earned his doctorate in education administration, and is responsible for guiding, coordinating, and integrating policy formulation and program planning for the entire California State University system. A longtime volunteer, Mr. Carter has held numerous positions with the United Way and is responsible for the creation of the United Way's Black Partnership Development Council.

For 20 years, Willie West has taught classes and coached the basketball team at Crenshaw High School. During that time, Crenshaw has maintained a virtual stranglehold on Los

Angeles city's top high school basketball honors, garnering an incredible 11 city championships and 4 State championships. The Cougars have amassed a total of 433 victories against 48 losses overall for an amazing winning percentage of 90 percent against all opponents—giving West one of the highest winning percentages among high school basketball coaches in the Nation.

Astronaut Ron McNair was one of four African-Americans participating in the American space program at the time of his death. McNair was a trained physicist and a mission specialist on the ill-fated 1986 space shuttle *Challenger* mission. A graduate of North Carolina State A&T University, McNair received his Ph.D. in philosophy and physics from MIT. McNair was an enthusiastic individual whose love of science and discovery was an inspiration to the African-American youth whose interest he encouraged in the sciences.

Dr. Mae Jemison is the first black woman accepted to participate in NASA's Astronaut Corps Training Program. A graduate of Stanford University and Cornell University School of Medicine, Jemison worked as a Peace Corp medical officer in Sierra Leone and Liberia before applying to NASA in 1986. Dr. Jemison now awaits her opportunity to become America's first black woman in space, as a mission specialist on an upcoming space shuttle mission.

Beyond Los Angeles, African-Americans can take pride in the steady rise in the number of black officials elected and appointed to high office. Speaker of the California Assembly Hon. Willie Brown, majority whip of the U.S. House of Representatives, Hon. BILL GRAY, Virginia Governor Douglas Wilder, New York City Mayor David Dinkins, Commander in Chief of the Joint Chiefs of Staff General Colin Powell, and Secretary of Health Dr. Louis Sullivan have all attained positions of leadership never before occupied by blacks.

Clearly, the recent ascension of African-Americans to key posts in government and the professions has not and will not, by itself, eradicate the range of problems plaguing the African-American community. Nevertheless, it is important that African-American youth take note of the despite-the-odds accomplishments of the black men and women I have mentioned. Each one of them has overcome imposing obstacles to reach their respective position, and all have given generously to the African-American community that is their common base. Thus, it is in the spirit of Carter G. Woodson, and with the hope that the black youth of today will be inspired to heighten their own aspirations, that I recognize these contemporary African-American role models whose lives comprise a significant part of the ever-expanding body of eloquent African-American historical facts.

TRIBUTE TO GEORGE FURGALA ON HIS 105TH BIRTHDAY

HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 1, 1990

Mr. LIPINSKI. Mr. Speaker, it gives me a great deal of pleasure to pay tribute to an exemplary member of my Fifth Congressional District in Illinois, Mr. George Furgala. On March 12, 1990, Mr. Furgala will turn 105 years old, an accomplishment worthy of special recognition.

A longtime resident of this great country, Mr. Furgala came to this great Nation in the early wave of immigrants in the 1900's. Arriving from what is now Poland, he later became an American citizen. Mr. Furgala spent 70 years of study and preaching the Good Word, the Bible. On top of the usual difficulties, he raised a family of four lovely children while working to overcome the difficulties of a language barrier.

George Furgala's commitment to his community and family is impressive and deserving of special recognition and honor. I am sure that my colleagues will join me in expressing congratulations to George Furgala for his many years of selfless dedication, loyalty, professionalism, and priceless contributions to his community. I wish him well on his 105th birthday and hope his life continues to be an adventure full of pleasant memories.

AFFORDABLE MODULAR HOUSING

HON. BEN ERDREICH

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 1, 1990

Mr. ERDREICH. Mr. Speaker, today I am introducing legislation to increase the availability of affordable modular housing. Modular housing, which is produced in a factory and then assembled or installed on the building site, is constructed in compliance with State and local building codes, as is "stick-built" housing.

The major problem affecting modular housing is the lack of uniformity in administrative rules and regulations at the State level, and the enforcement process affecting housing shipped from State to State. Houses being shipped in this manner are subject to duplicative regulation, which adds to their cost and inhibits the use of new technologies and construction materials.

My bill is based on a proposal supported by the National Association of Home Builders, the Council of American Building Officials [CABO] and other model code organizations. It would preempt State and local building codes for those modular houses which are to be shipped from one State to another, and would establish a system for inspecting and certifying the safety of those houses. The National Evaluation Service [NES], part of CABO, would administer and enforce the program under the direction of the Modular Construc-

tion Commission established in the act. NES already performs this type of evaluation and certification in some areas. The Modular Construction Commission, a consensus body of 18 members will develop and oversee the program. The commission, representing Federal, State and local governments, consumers and modular home builders, would be appointed by the President. This means of regulating modular housing shipped in interstate commerce was suggested in a study mandated by the 1987 Housing Act and conducted by the National Institute of Building Sciences.

In my community and many others across the country, modular housing is part of the solution for providing quality, affordable housing for those of low and moderate incomes. By removing existing barriers to interstate commerce and retaining responsible regulation, we can increase the availability of this affordable housing for Americans.

HEAD START AMENDMENTS OF 1990

HON. THOMAS J. TAUKE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 1, 1990

Mr. TAUKE. Mr. Speaker, I am pleased to introduce today the administration's Head Start Amendments of 1990. The President has demonstrated his support for this valuable program by calling for an increase of \$500 million. This would bring the Head Start fiscal year 1991 authorization level to \$1,886,315,000. This represents the largest funding increase in the history of the Head Start Program.

I wish to acknowledge and applaud the President for his commitment to providing this extra assistance to our Nation's disadvantaged children.

The President's bill calls for some thoughtful and needed changes to the Head Start Act. In the area of service delivery and pro-

gram administration, the bill calls for renewal of funding for current Head Start grantees to be conditioned on a favorable finding by the Secretary. In order for this provision to be carried out, the President has requested that 30 percent of Head Start programs be monitored on a yearly basis. He hopes that funds will be targeted for this purpose.

The National Head Start Association has said that the only thing worse than being evaluated is not being evaluated. I believe this change in the law will be a great deal of help to providers in giving direction to them as they try to satisfy their performance objectives.

I am pleased that the President has sought specific language in the bill requiring Head Start programs to coordinate with public schools and other social service agencies providing services to Head Start children and their families. This coordination requirement will serve as a building block to a stronger bridge between Head Start and the school system, so that we can have a greater opportunity to ensure that developmental gains acquired by children at Head Start, are maintained throughout their academic careers.