

# EXTENSIONS OF REMARKS

## SMITHSONIAN SLAPS OUR HEROES IN THE FACE

### HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 2, 1995

Mr. SOLOMON. Mr. Speaker, it is tragic that a museum funded by public dollars dare revise our history and distort the facts surrounding the use of atomic bombs on the Japanese cities of Hiroshima and Nagasaki in World War II. While this was an extreme use of force, it was used reluctantly against a mischievous and unyielding empire. It is certainly appropriate to include this exhibit regardless of the present sentiment toward such weapons since it culminated in the end of the war and placed the United States at the forefront of the free world.

Indeed, Mr. Speaker, if the Smithsonian wanted to revise the *Enola Gay* exhibit, they might start by acknowledging this action actually saved many American, and even Japanese, lives for that matter. In fact, as we paid tribute to the marines who fought the historic battle of Iwo Jima this past week, Mr. Harwit and others at the Smithsonian would have done well to ask these survivors the likelihood of a Japanese surrender without use of these devastating bombs. Then, Mr. Speaker, they could ask these heroes if the Japanese would have been likely to surrender upon being faced with a massive and superior invasion force.

As supposed historians, these people need not ask such insulting and embarrassing questions, but simply look at the facts. Clearly, the Japanese actions at Iwo Jima and other island invasions indicated they would not give up until the last of them was killed. Now, I ask the learned scholars at the Smithsonian, what kind of toll would have been extracted by an invasion of the Japanese mainland? I for one cringe to think of the loss of lives such an act would have rendered and would be ashamed to face those who gave their lives at places like Iwo Jima. After all, Mr. Speaker, these heroes directly enabled the air raids which ultimately broke the Japanese will and allowed democracy to triumph over imperialism.

Mr. Speaker, at this time I would like to submit an editorial from the spring 1995 edition of the Marine Corps League describing the insult such irreverent action is to our service people.

#### SMITHSONIAN'S INSULT

Fifty years ago this August the United States dropped the atomic bomb that forced Japan to surrender, ending World War II. Fifty-four years ago come December 7, the Japanese made their sneak attack on Pearl Harbor that caused the United States to enter World War II. The two events cannot be separated. Without the first event, there could not have been the second. And any historian—or museum—who views it otherwise is either ignorant or deceitful. But when that museum is the Smithsonian's Air and Space Museum and the historian is its director, Martin Harwit, the ignorance and the deceit are shameful.

The Smithsonian's planned exhibit of the *Enola Gay* is so blatantly distorted that it in-

sults every American Marine, Sailor, and Soldier who fought in the Pacific. In World War II Marines did not suffer insults gladly from the enemy. Neither should we do so today from Smithsonian revisionists like Mr. Harwit.

We join the American Legion and other veterans organizations in condemning the Smithsonian's planned *Enola Gay* exhibit. We echo the statement by U.S. Representatives Peter Blute, Sam Johnson, and Stephen Buyer that Harwit should be fired. We endorse the Washington Post editorial that calls for the Smithsonian to clean up its mess.

If it does not, Congress should shut off the millions the Smithsonian gets every year from taxpayers like us. That wouldn't be too high a price to pay for being insulted, would it? After all, we did win the war, didn't we?

—The Editors

## IN RECOGNITION OF PAUL E. FITZPATRICK

### HON. JACK QUINN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 2, 1995

Mr. QUINN. Mr. Speaker, I rise today in recognition of Paul E. Fitzpatrick. Mr. Fitzpatrick is a constituent who represents the very best of community spirit and activism.

Paul Fitzpatrick has been recently honored as the first ward Irishman of the Year. This award, with its admirable criteria and distinguished history, is a testament to Mr. Fitzpatrick's achievements.

The Irishman of the Year award has been received by the likes of former mayor of Buffalo, James Griffin, and former Doorkeeper of the House of Representatives, James T. Molloy.

Mr. Fitzpatrick is employed as a recreational therapist at the West Seneca Developmental Disabilities Service Office. In this position, Mr. Fitzpatrick provides recreational and leisure activities for the developmentally disabled both on the campus of the developmental center and in various community settings.

In addition to helping disadvantaged youths, Mr. Fitzpatrick is the head coach of the Timon-St. Jude varsity football team. Mr. Fitzpatrick has won over 100 games and successfully led his teams to 11 division championships.

On the football field and off, Mr. Fitzpatrick has proven himself to be a dedicated community activist always willing to help others. His countless successes and his years of service are evidence of his sincere devotion to bettering the community.

## EULOGY FOR DETREVILLE ELLIS

### HON. G.V. (SONNY) MONTGOMERY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 2, 1995

Mr. MONTGOMERY. Mr. Speaker, on January 31, 1995, E. DeTreville Ellis, colonel, U.S.

Army (retired) was buried at Arlington National Cemetery. He was buried with full military honors, most appropriate for a man who served his country with great distinction for so many years.

At the time of his death, Colonel Ellis was 104 years of age, the oldest living graduate of West Point. General Eisenhower and General Bradley were two of his classmates—the class of 1915. He also was a graduate of the University of South Carolina, Harvard Business School, the Command and General Staff School, and the Army War College.

During World War I, Colonel Ellis served in the 2d Cavalry on the Mexican border and as assistant chief of staff with the 10th Infantry Division. In World War II, he served in the Office of the Assistant Secretary of War. He was commanding officer of the European Quartermaster Depot during the Berlin Airlift. He received the Army Commendation Ribbon with Oak Leaf Cluster. Colonel Ellis retired from active duty in 1950.

Mr. Speaker, DeTreville Ellis was a unique individual. He lived his life to the fullest, always helping others. He loved the military and West Point. But most of all, he loved his family and many friends. Survivors include a sister, Julia Hamlin, Summerville, SC; a son-in-law, Tracy E. Mulligan, Jr., Chevy Chase, MD; two grandsons, Tracy Ellis Mulligan and John R. Mulligan, both of Silver Spring, MD; six great-grandchildren, Tracy, Rebecca and Joseph Mulligan and Sharon, Christopher and Dennis Mulligan, and a host of nieces, nephews, cousins and friends. He will be greatly missed.

The following eulogy, written by Colonel Ellis' grandson, Tracy Ellis Mulligan, was delivered by U.S. Army Chaplain, Maj. Stephen D. Turner, at the Fort Myer Chapel, January 31, 1995:

#### EULOGY FOR E. DETREVILLE ELLIS, COLONEL, USA (RET.), MARCH 12, 1890–JANUARY 22, 1995

It is altogether fitting that the funeral service for E. DeTreville Ellis be held in an Army chapel. It is even more fitting that there be many people in attendance, those from his roots in South Carolina, from West Point, from his wife's family, from the Army, from the organizations in which he participated and from the friends and family with which he was so involved.

He was born on James Island, South Carolina at a time when the leaders of the business, of government and of the military were veterans of the Civil War.

He went to a one room schoolhouse, by horse and buggy, studied by kerosene lanterns and knew an extended family including his Ellis and Leiby grandparents. At Age 16½ he went to college at the University of South Carolina in Columbia, working to pay his way through and graduating in 1910.

• 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.

He won a competitive examination for entrance to the United States Military Academy at West Point. Among the 164 who graduated in the class of 1915 were Generals Eisenhower and Bradley. All of whom were in F Company, all of whom were imbued with the West Point creed of Duty, Honor, Country.

Three days after graduation, he married Laura Harris, a yankee from Pittsburgh, and they "pulled together in double harness" until her death in 1974. It might be noted that Mrs. Ellis taught Chaplain Miller, presiding here today, at his 2nd grade Sunday school class.

After graduation, he served in the combat arms of the Army, first in the 2nd cavalry, and then in the infantry. While in the sixteenth cavalry on the Mexican border, he commanded and trained, as he put it with quiet humor, "a troop of 108 men who had never seen a horse and 108 horses who had never seen a man." It became among the best troops in the regiment.

After World War I, he transferred to the Quartermaster Corps, held responsible positions in the Army, and attended the various schools until his retirement in 1950. He graduated from the Industrial College, the Command and General Staff School, the Army War College, and the Harvard Business School, developing associations he maintained for many years. He also played a great deal of polo. Two assignments which he recalled as highlights were service in the Assistant Secretary of War Office for 3½ years just prior to World War II, where he was involved in the inner workings of the Army, and as Commanding Officer of 20,000 people of the European Quartermaster Depot in Giessen Germany just after WW II.

Upon retirement, he invested wisely in the stock market, which gave him the ability to travel widely and continue his life long involvement with people. He returned to South Carolina each year, visiting relatives of various and increasing generations, West Point classmates, and Army friends. He even visited those descendants who served in the Navy, although he naturally continued to root for Army in the annual football game.

While in his 70's, he wrote two books on the family history, including genealogy, pictures and extracts of hundreds of family letters and documents going back beyond the American Revolution. His forward states, "This book was started for my daughter, grandsons, nieces, nephews and their families in order that they might learn something about their ancestors and the part they played in the history of the States and Country during the past 3½ centuries". He presented copies of his books to hundreds of people, refusing any payment.

He and his wife, Laura, maintained an extensive correspondence over many decades. These included not only his generation but those of the new one, two, and three generations of family and friends. He typically typed on a portable typewriter, retaining a carbon copy and any incoming correspondence. He placed his correspondence, tens of thousands of documents, at the South Carolina Library in Columbia for posterity.

He was always involved with people, especially at important points in their lives. He was secretary and scribe of his West Point class, and was on the Board of Directors of the Army Mutual Aid Association. He helped numerous widows and their children in burial arrangements including many at Arlington, social security affairs, and other matters associated with the loss of a loved one. Valuing education, he began in 1921 to help family members through college.

He began polo while at West Point and while he was an expert horseman, he drove cars from the Model T Ford until he gave up driving at age 96. In the 1960's and 70's, when younger relatives arrived at his annual June 15th anniversary parties with long hair and beards, he welcomed them, and conversed about history. Perhaps they were similar in appearance to the Civil War veterans of his boyhood. When he received a microwave oven at age 101, he learned to use it, saying it was a good invention. On his last night in a nursing home, at age 104, he exercised in his wheelchair, conversed with family and went to dinner in the dining room. He was a man who adapted to change. He survived the loss of his wife, Laura Harris Ellis, and remarried, at age 91, Winnie Robinson, widow of a classmate. He survived all of his West Point classmates and became the oldest living graduate in the history of West Point.

DeTreville Ellis brought people together, was involved with their lives in the daily happenings and in their significant events.

It is altogether fitting that there are people here from family—nephews, grandchildren, son-in-law, grand-nephews, niece, great grand-nieces, great grand-nephews, great grandchildren, cousins—West Point, the Army, neighbors and friends.

He lived the values of Duty, Honor, Country and of family. The people with whom he was involved, who knew him and those who knew of him were enriched by his presence.

IN SUPPORT OF THE BUREAU OF  
ATF

**HON. CHARLES E. SCHUMER**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 2, 1995*

Mr. SCHUMER. Mr. Speaker, the Bureau of Alcohol, Tobacco and Firearms and its professional law enforcement agents have come under vicious, unfounded attack in recent weeks.

These attacks are driven by those who oppose the programs that this Congress has enacted into law and directed ATF to administer. Foiled by their inability to repeal or block those programs, these forces have directed their blind rage against the thousands of men and women at ATF who risk their lives to do their duty loyally, faithfully, and lawfully every day.

I would ask that the following statement of the Director of ATF, John Magaw, be entered into the RECORD to help add some semblance of balance and fairness to this tragic, ongoing slander:

STATEMENT FROM DIRECTOR MAGAW

In the last few months, the Bureau of Alcohol, Tobacco and Firearms has endured more than its usual share of controversy and criticism. One radio talk show host, who calls himself his listener's "favorite convicted felon", talks up shooting our agents in the head. The debate prior to a recent vote by the House of Representatives on the exclusionary rule was set up to make the vote look like a vote of fealty to the National Rifle Association.

Today (March 1) the NRA ran a full-page ad in the Washington Post accusing ATF of "abuses that range from intimidation and harassment to confiscation or destruction of property, entrapment, fabrication of criminal charges, even deadly assault."

The NRA may speak as it wishes and how it spends their money is between its leadership and its members. However, absolute respect for their right to do something does not include respect for what is said. Nor should the use of the "Big Lie" technique go unanswered.

ATF has a long and proud history of working effectively in some of the most controversial areas of public policy and law enforcement. A by-product of that experience is an openness to all parties, and a willingness to listen to fair criticism while letting defamation pass us by.

The America public gets a 35 to 1 return on every dollar it spends on ATF—just in revenue collections. For that dollar, they get an entirely integrated enforcement effort that collects taxes, regulates major industries and enforces criminal statutes. Each function provides skills, knowledge and abilities that directly promotes the efficiency of the others. In just one firearms program, focusing on armed career criminals, ATF has prevented nearly 4 million crimes and the loss to potential victims of \$11 billion.

Our enforcement efforts take place in a system of checks and balances that are designed and function to protect the rights of all citizens.

There is a balance of agencies to protect against too great an accumulation of power. Prosecutors and judges form levels of independent review and approval. Juries of citizens try the facts. Media and interest groups watch. Within ATF there is a separate Office of Inspection and at Treasury, an Inspector General. Congress and the Administration oversee and question our performance. ATF is not outside that spectrum, but honored to be a part of it.

In fiscal year 1994, ATF recommended nearly 10,000 criminal defendants for prosecution. Who were they?

47% were convicted felons; 49% were involved in drug-trafficking; 25% had prior violent histories.

They were gang members and gun-runners, bombers and arsonists. They were the enemies of law abiding Americans—gun owners or not. Over 80 percent of them will be convicted and those convicted will serve their time. The armed career criminals I spoke of earlier are serving 27,000 years of mandatory imprisonment.

While dangerous criminals may well dread having ATF investigate them, the legal industries ATF regulates recognize that the bureau understands and recognizes their position as a legal and legitimate industry. The firearms industry in particular is a partner of American law enforcement in enabling ATF to trace the guns used in crime.

Most of all, our peers in law enforcement know us as open, efficient, cooperative, and supportive partners.

In the past decade, AFT agents have served over 10,000 search warrants. Not one of them has led to any finding of constitutional violations by an employee acting outside the scope of his or her authority.

When I came to ATF, I had nearly three decades of law enforcement service in the Ohio State Patrol and the United States Secret Service behind me. What I found in ATF were hard-working, committed, talented women and men with a particular focus on the most dangerous offenders in the Nation. No amount of advertizing will change the truth about how well and honorably they serve their fellow citizens—no matter how much you spend on it or how big you make it.

TRIBUTE TO THE SHOREFRONT  
JEWISH COMMUNITY COUNCIL

**HON. JERROLD NADLER**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 2, 1995*

Mr. NADLER. Mr. Speaker, I rise today to pay tribute to a truly remarkable organization, the Shorefront Jewish Community Council, as they celebrate their 20th anniversary.

The council aids and assists over 13,000 people a year. The resettlement activities of the council have integrated scores of emigres from the former Soviet Union into American society and work force. The actions of the Shorefront Jewish Community Council have also contributed to a revitalization of many area neighborhoods.

I would also like to congratulate the excellent work of the staff and volunteers of the council led by their president, Harry Schwartz, and executive director, Judah H. Klein.

At a time of fiscal restraint, neighborhood organizations will play an ever-increasing role in aiding those in need. I am fortunate to have the Shorefront Jewish Community Council to work with residents of the Brooklyn shorefront, an area which I represent.

Mr. Speaker, I would ask my colleagues to join me in honoring the Shorefront Jewish Community Council on this momentous occasion. I would also ask my colleagues to join with me in paying tribute to the honorees of the council's 20th anniversary brunch, Aileen R. Golden, who will be receiving the Advancement of Education Award, and Hyman Cohen as Man of the Decade.

TRIBUTE TO HUGH A. WESTBROOK

**HON. CARRIE P. MEEK**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 2, 1995*

Mrs. MEEK of Florida. Mr. Speaker, I rise today to honor a dear friend of many years, a man of great compassion and vision and one of south Florida's truly outstanding citizens: Hugh A. Westbrook.

Hugh started his career as a pastor for 10 years in North Carolina and Florida. He is an ordained United Methodist minister with a master's of divinity degree from Duke University and a bachelor of arts degree from Emory University. He served as a hospital chaplain specializing in the care of terminally ill patients and their families.

He was also an instructor and associate dean at Miami-Dade Community College, where he collaborated in the development of an innovative curriculum in death education that emphasized studies leading to a better understanding of the psycho-social issues surrounding death.

Hugh Westbrook went on to found Hospice, Inc., and was instrumental in the passage by the Florida State Legislature of the statute that provided for the licensing of hospices in Florida and the establishment of the first standards of quality for the care of terminally ill people—standards that are still used today. He was also cochair of the National Hospice Education Project, which played a key role in the

approval by Congress, in 1982, of Medicare reimbursement for hospice services.

Mr. Speaker, Hugh Westbrook will be celebrating his 50th birthday on March 17, and I want to extend to him warm greetings and best wishes on this important occasion. Hugh has had a major impact on south Florida and the Nation during his first 50 years. I am frankly looking forward to seeing what he will accomplish in the next 50.

HONORING MARJORIE JAYSON

**HON. BENJAMIN A. GILMAN**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 2, 1995*

Mr. GILMAN. Mr. Speaker, I am pleased to focus the attention of our colleagues the upcoming annual dinner of the Hastings-on-Hudson Chamber of Commerce in my congressional district.

This year, the special guest of honor will be an outstanding woman who has given of herself for many years. Marjorie Jayson is an individual who has especially devoted herself to make Hastings-on-Hudson a community which is the envy of the Nation.

Marjorie, who is 90 years young, was a special education teacher who taught hearing-impaired children how to lip read and helped those with speech impairments. She was also a fourth and fifth grade teacher.

Marjorie, who is affectionately known as "Marge" to her many friends and admirers, has also served as a Girl Scout troop leader, a leader in the Soroptimist Club, the First Reformed Church, in the Women's Club, and as a library volunteer.

One of her former students, Hastings resident Rose Egiziaco, said:

Mrs. Jayson is a real sweetheart, a very caring, compassionate person. Her students were her children; each one of us was very special to her. She gave us the self-esteem we needed. In her book, we all could achieve and we did. She is truly an elegant lady. Many of her former students still have contact with her; that alone tells you how much she means to us.

The Hastings-on-Hudson Chamber of Commerce was well advised to choose Marjorie Jayson as their Citizen of the Year, not only because of her outstanding contributions, but also because this annual dinner dance raises a great deal of funding for high school scholarships. The Hastings-on-Hudson Chamber presents these scholarships once a year in honor of the Citizen of the Year, and \$35,000 in scholarships have been given since the program was initiated in 1982.

Mr. Speaker, I invite my colleagues to join with us in saluting Marjorie Jayson, a superb person, teacher, and citizen, and in congratulating the Hastings-on-Hudson Chamber of Commerce for having the wisdom to honor this most sterling daughter of their community.

TRIBUTE TO THE CENTENNIAL  
COMMUNITY OF FRASER, MI

**HON. DAVID E. BONIOR**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 2, 1995*

Mr. BONIOR. Mr. Speaker, this coming Sunday, March 5, 1995, the people of the city of Fraser, MI, are celebrating the centennial of the city's incorporation. The Village of Fraser was incorporated on that day in 1895.

One hundred and thirty-seven years ago, in 1858, Alexander James Fraser saw an opportunity to establish a village when he learned that the Chicago, Detroit, and Grand Trunk Railroad Co., was planning to build a railroad line between Detroit and Port Huron. Since it was common practice to build a station approximately every 10 miles, Fraser purchased 80 acres and was successful in persuading the railroad to build a depot on his land. The Fraser Depot and the surrounding land became known as the Village of Fraser. Although the depot became a center for transportation and communication, Fraser's hopes of building a thriving subdivision were not successful in his lifetime.

The community surrounding Fraser's Depot had become a booming business district by 1895. It has continued to grow and Fraser's 80-acre village is now 4 square miles. This thriving suburban community is home to nearly 14,000 people and although it is considered a residential suburb of Detroit, Fraser continues to be home to many successful businesses.

The members of the Fraser Historical Commission are proud of their community and are planning at least one event each month during this centennial year to celebrate the anniversary. I am proud to have the privilege of representing the people of Fraser and wish them success with each event.

As I said, the city is marking its year long centennial celebration with a birthday party this Sunday. I am looking forward to attending and ask that my colleagues join me in wishing a happy 100th birthday to the city of Fraser. May the next 100 years continue to be prosperous.

INTRODUCTION OF THE LOCAL  
GOVERNMENTS FLOW CONTROL  
ACT OF 1995

**HON. CHRISTOPHER H. SMITH**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 2, 1995*

Mr. SMITH of New Jersey. Mr. Speaker, on Tuesday, February 28, MIKE OXLEY and I introduced the Local Governments Flow Control Act of 1995 (H.R. 1085) with the bipartisan support of several of our colleagues. This is the latest step toward providing relief for hundreds of communities nationwide who face enormous financial and long-term waste management burdens as a consequence of the Supreme Court's Carbone versus Clarkstown, New York decision.

As you know, that court decision interpreted the dormant Commerce Clause of the U.S. Constitution in such a way that it invalidated flow control laws which local governments

have used over the past decades as an effective waste management tool. In fact, flow control has enabled communities in more than 40 States to meet the Federal mandates of the Resource Conservation and Recovery Act [RCRA] in a cost-effective, safe, and efficient manner.

Since the Court decision, these communities have found themselves seriously overburdened. Because they needed to secure revenue bonds to finance costly, but highly advanced waste technologies, these communities now face a total outstanding debt of more than \$10 billion. Several communities have already seen their credit ratings downgraded as a result of this debt—including five counties in my home State of New Jersey. And they are likely to be joined by others as investment services weigh the consequences of Congress' inability to swiftly grandfather their flow control authority.

You may recall that I introduced legislation on the first day of the session as a legislative remedy. That bill—the Community Solvency Act (H.R. 24)—is the identical text of legislation approved by the House by unanimous consent on October 7, 1994. The substance of H.R. 24 and that which Mr. OXLEY and I have now introduced (H.R. 1085) is largely the same; but the 11th-hour drafting style of H.R. 24 has been enormously improved in the Local Governments Flow Control Act of 1995.

This new bill represents the same strong commitment to local governments as its predecessor. Those communities which had practiced flow control or had made significant commitments of time, resources, and money—as specifically defined in both bills—toward implementing flow control are still grandfathered. They will be able to maintain the integrated waste systems which they have labored to establish in an effort to meet the waste treatment and disposal needs of their residents in a cost effective, safe, efficient, and environmentally sound manner.

This new bill also represents our dedication to the principles of competition and a free and open market. All communities will be required to meet strict needs test analyses—to prove that flow control can meet the needs of the community better than an entirely unfettered market—and detailed competitive designation processes—to ensure that there is no unfair discrimination against any private or public sector market participant.

Finally, where the Local Governments Flow Control Act represents a vast improvement over its predecessor is in its simplicity. The numerous cross references and redundant phrases have been eliminated and replaced with definitions and well-ordered sections making this bill far easier to read and comprehend. Furthermore, those sections of the bill which had been ambiguous and a possible invitation to future litigation have been clarified.

This fine-tuning has brought the substance of the bill even closer to the position which several private sector waste companies are now supporting. Both Mr. OXLEY and I believe that this bill is truly a compromise which can benefit all parties at the negotiating table—local governments, Wall Street, private sector waste companies, and recycling interests.

Yesterday, I presented this bill to the Senate Subcommittee on Superfund, Waste Control and Risk Assessment during a hearing held on this matter and interstate waste control. I pointed out in my testimony that, particularly for my home State of New Jersey, the two is-

ssues are linked. Within the span of two decades, New Jersey went from the top importer of other States' waste to the No. 2 exporter. Twenty-five years ago, the State instituted a carefully designed waste management statute based on the premise of flow control. This statute places a strong emphasis on recycling efforts and integrated waste systems which are managed by the counties of the States, either individually or through interdistrict agreements.

One of the key objectives of New Jersey's waste management laws is self-sufficient waste management by the year 2000. The State is well on the way to its goal. Recycling is close to 60 percent in parts of the State and averaging 50 percent overall. Upon completion of two projects already in the works when the Carbone decision was handed down, the State expects to be capable of treating and disposing approximately 88 percent of its waste within its own boundaries. When the plan has been fully implemented, the State expects to export only 5 percent of its solid waste; thereby addressing through its own initiative the concerns of Midwestern States which are seeking to close their borders to other States' waste.

However, as I previously noted, flow control is the linchpin to the success of the New Jersey system. Without that authority, we can no longer be confident of meeting our worthy goals.

I urge you to join Chairman OXLEY, Mr. PALLONE, Mr. MINGE, Mrs. ROUKEMA, Mr. SAXTON, and me in cosponsoring the Local Governments Flow Control Act of 1995 and in the effort to provide prompt passage through the Congress of this important and necessary relief for local governments.

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#### WESTMINSTER CELEBRATES SIXTH NATIONAL CHAMPIONSHIP

#### HON. RON KLINK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 2, 1995*

Mr. KLINK. Mr. Speaker, I rise today to congratulate Westminster College, in New Wilmington, PA, the 1994 NAIA Division II Football National Champions.

The Westminster Titans finished the 1994 season with a trip to the NAIA national championship game in Portland, OR, on Saturday, December 17, 1994. They won the national championship by defeating the defending national champions, Pacific Lutheran University, by a score of 27 to 7.

Winning has long been a tradition at Westminster, and this year marks the 100th year of football at the college. Over the past 100 years, Westminster has set numerous NAIA Division II records. They have 6 Division II titles; 9 championship game appearances, including 5 in the last 7 years and 2 straight; 15 playoff appearances, including 8 straight; and 30 playoff victories. All of these are NAIA bests.

In addition to the success of the team, several individuals were honored by being named to the NAIA Football All-American Team. They include Andy Blatt—running back—and Brian Germanoski—defensive tackle—named as first team selections; Craig Mills—inside line backer—as a second team choice; and Tim McNeil—defensive back-wide receiver, Nate

Armstrong—offensive tackle, Sean O'Shea—quarterback, and B.J. Hoening—defensive tackle—all earning honorable mention. Head coach, Gene Nicholson, was also named 1994 NAIA Division II Football National Coach of the Year.

I commend the Titans on their successful season, in this, their 100th year of football, and look forward to another century of continued success.

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#### TRIBUTE TO THE 90TH ANNIVERSARY OF GAINES COUNTY

#### HON. LARRY COMBEST

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 2, 1995*

Mr. COMBEST. Mr. Speaker, I rise to salute Gaines County, TX, as they celebrate their 90th anniversary. In October 1905, Gaines County was officially organized. This new county was named for James Gaines, an original signer of the Texas Declaration of Independence, whose fierce spirit of independence, strength, and steadfastness was exemplified by the early settlers of Gaines County.

West Texas and the Permian Basin area have a rich and varied heritage, beginning with the native Americans and Mexicans who roamed the Llano Estacado and continuing through current day with the ranchers and farmers who thrive in modern-day Gaines County. When ranchers first arrived, cattle and sheep roamed the fertile grasslands of the area, and even today these animals provide a livelihood for many who live there. After the ranchers, the farmers arrived, and experienced the difficulties of west Texas agriculture. The farmers, too, survived hard times when they discovered rich soil beneath the sandy surface. This fertile soil is the very reason that today Gaines County is the leading cotton and peanut producing county in the State of Texas.

The farming and ranching industries of Gaines County should in no way overshadow the rich oil supply which makes Gaines County one of Texas' major oil suppliers. In light of the severe challenges that the oil industry has faced in recent times, the nature of this profession has changed dramatically, and the people of Gaines County are working to meet these ever-changing needs.

For 90 years, Gaines County has persevered through hardship and adversity to become a strong and thriving community. In the next 90 years, I am confident the county will continue its growth and expansion and remain a wonderful place to live, work, and raise families.

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H.R. 1022

#### HON. DAVID MINGE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 2, 1995*

Mr. MINGE. Mr. Speaker, on February 28, 1995, Mr. JOHNSON of South Dakota submitted comments regarding H.R. 1022, the Risk Assessment and Cost-Benefit Act. I share Mr.

JOHNSON's views and wish to restate them for the record. I voted for H.R. 1022 yesterday as a means of allowing the debate to continue. Like Mr. JOHNSON, I find the bill flawed and in need of much improvement by the Senate or conference committee. If the bill is not improved, I will not be able to vote for its final passage. Overall, I support the general thrust of requiring risk assessment and cost-benefit tests for Federal regulations. However, like the gentleman from South Dakota, I believe that the current version of this legislation will lead to costly increases in Federal bureaucracy and litigation, and possibly pose a risk to public health and safety. The House leadership seems more concerned about making political statements with this bill than in crafting legal language that would actually serve the public interest. I am optimistic, however, that this issue will receive more deliberate and responsible consideration in the Senate, and I believe it should now be moved to the Senate for that consideration. Again, I want to make it clear that like Mr. JOHNSON, I will not vote for final passage of this legislation unless significant improvements have been made.

#### TRIBUTE TO ROBERT D. CLARK

### HON. VIC FAZIO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 2, 1995

Mr. FAZIO of California. Mr. Speaker, I rise today to honor a selfless community leader and constituent, Mr. Robert Clark. For 25 years, Mr. Clark served as general manager of the Glenn-Colusa Irrigation District [GCID]. He was also secretary to the district's board of directors.

His job was a difficult one, and he carried it out with incredible success and professionalism. Water is an extremely important resource, especially to the farmers and ranchers in agricultural-rich California. Back home, my constituents depend on this all-important resource for their livelihood and for the lives of a country that depends on the nourishment from their agricultural product.

Mr. Clark was responsible for ensuring water delivery to approximately 175,000 acres of land. He was in charge of mitigating all of the problems associated with water delivery, and let me tell you from firsthand experience the headaches are, indeed, many. I have worked with Mr. Clark and the GCID board of directors on difficult and ongoing issues such as salmon protection, riffle restoration, and dredging.

In this time of intense struggle for balance among environmental protection and water and land use, Mr. Clark was a rational and calm voice. His constant demeanor was remarkable considering that he supervised water deliveries to over 20,000 acres in three national wildlife refuges. On his watch, GCID irrigated up to 140,000 acres in fertile agricultural land.

Among his most notable accomplishments, was a \$20 million rehabilitation program for the district's main canal system, including the construction early last decade of a new pump station. That effort added capacity and increased the security of the water distribution system.

Mr. Clark also accomplished the refinement of hydraulic measurement within the district, which led to the implementation of more equitable water distribution to water users.

In addition to his work at GCID, Mr. Clark has participated in professional water resource activities, worked as an international consultant in the irrigation field and served as a director of the Water Education Foundation.

Mr. Speaker, I ask my colleagues to join me today in honoring Mr. Clark for his many years of service to the Glenn-Colusa Irrigation District. Personally, I will miss him very much. I wish him much happiness and continued success in all his future endeavors.

#### KCPT PRESIDENT SPEAKS OUT ON PUBLIC BROADCASTING

### HON. KAREN MCCARTHY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 2, 1995

Ms. MCCARTHY. Mr. Speaker, with the House of Representatives on the verge of considering rescissions legislation that would cut Federal funding for the Corporation for Public Broadcasting by 15 percent in 1996 and 30 percent in 1997, I commend to my colleagues a statement recently prepared by William R. Reed, the president of KCPT—channel 19, which is Kansas City's public television station.

Bill's statement, which is a response to common reasons given for the elimination of Federal funding for public broadcasting, follows:

#### REASONS GIVEN FOR THE ELIMINATION OF FEDERAL FUNDING FOR PUBLIC BROADCASTING

(By Bill Reed)

1. Public broadcasting funds liberal and controversial programs with federal dollars. Taxpayers' money should not be used for these purposes.

While KCPT does not receive large numbers of complaints about our political coverage, those received come equally from both left and right. For example, KCPT received many calls from liberals who were upset that McNeil/Lehrer devoted a large amount of time interviewing Senator Dole and Congressman Gingrich. And on the other side, we hear complaints about Bill Moyers' alleged liberal bias. But on balance, I believe KCPT is perceived by most viewers to be apolitical or non-political, as we should be. I think that McNeil/Lehrer is the most balanced program covering political issues on television anywhere.

PBS is aware of this criticism, and I have heard that staff are taking steps to ensure more internal balance in individual programs, rather than relying on balance over a series of programs. PBS President Ervin Duggan's proposed Democracy Project, which is coverage of the 1996 national elections, will have an emphasis on fairness and balance.

The statement that public television occasionally airs controversial programming is true, and the program of controversy last year was Armistead Maupin's *Tales of the City*, a six-hour series about San Francisco in the mid 1970s.

Before KCPT aired *Tales*, Dave Welsh, Vice President for Broadcasting, Katherine Soden, Director of Programming, and I viewed the series at least twice. The decision to air the series was not an easy one because we knew that it would be controversial—it

contained strong language, drug use, homosexual relationship and some brief nudity (and no sex or violence). But it was also brilliant television with a legitimate look at a specific time and place in our history. The series was a moral tale with the central character, Mary Ann, a young woman from the Midwest who did not give in to the lifestyles of that time—the drug use and the promiscuity—because of her values. *Tales of the City* was more a story about the emptiness of lives lived without commitment, without a moral core, than anything else.

KCPT received about 200 telephone calls and letters about the series—about 100 for and 100 against. Congress, however, reportedly received over 100,000 postcards as a result of a national campaign by the American Family Association and its president, the Reverend Donald E. Wildmon, against the series.

Even if one did not like the series, should funding be eliminated because of six hours of programming? What about the other 5,994 hours KCPT airs each year? Obviously, *Tales* and other potentially controversial programs raise some profound questions. Should KCPT censor programs if we think they might be controversial, even if they are good television dealing with legitimate issues? What about individual choice? And what about the "off" button? But these questions, as they relate to this series, anyway, may be moot. PBS has decided not to fund a sequel to *Tales of the City*.

2. We should privatize public television.

One of public television's strengths is that it serves many specialized audiences: Sewing programs, the old Lawrence Welk shows, cooking programs, GED programming, gardening programs, carpentry programs, how-to-fix-up-your-house programs, and painting programs. All these target audience programs would disappear because there simply are not large enough audiences to support them with commercial advertising.

Programming currently airing on Discovery, Arts and Entertainment and Nickelodeon cable channels attract smaller audiences than on public television, but they continue to exist financially because those channels are owned by large corporations with a financial interest in the success of cable television as a larger business. For example, Nickelodeon is owned by Viacom, Inc., which also owns the MTV and VH-1 cable channels. While there are commercials on those channels, they are also supported by the cable companies' carriage fees and their owners' subsidies. None of those three cable channels is making a profit—they are loss leaders for the cable companies. But, to the public and to members of Congress, the impression is that those channels are making it in the marketplace because they see commercials on them, and everyone knows that commercial television is a successful business. That is not true for all cable channels, but that news is seldom reported because the cable channels not making profits continue to operate.

To privatize public television means that we would have to at least break even to continue to exist, which would be impossible if we continue to broadcast the special audience programs that we are currently carrying. Privatization would mean, as we know, common-denominator programming to serve large enough audiences to attract enough commercials to bring in the revenues to break even or to make a profit. Privatization would be the end of what we call public television today. And, privatization would mean another commercial television station (and probably another commercial radio station) in Kansas City. Do we need another one? Would it even be financially feasible?

Finally, the original FCC intent in reserving television channels was to create educational television services across the country that would be delivered by television stations that did not have to make a profit to exist. Privatizing public television would take away from the public the one television channel that has been established to provide programming and services that otherwise would not be available on commercial television.

3. Federal funding for public broadcasting is an involuntary tax.

Since we do not vote directly on what programs and projects are funded with tax money, it follows that all federal programs are funded with involuntary tax funds.

The federal government, through the Federal Communications Commission (FCC), licenses commercial television and radio stations, allowing them to use the public airways to distribute programs, to sell advertising to pay for those programs and to return dividends to the owners of those stations. Each of us pays for the advertising costs on commercial radio and television every time we buy one of the products advertised—and we pay far more than the one dollar per year per citizen (the amount paid each year in tax support of public broadcasting) in increased costs for those products. How about that involuntary tax?

4. When there were only three commercial television networks, there were reasons to provide support for an alternate public television service, but cable television has eliminated that need with services such as the Discovery Channel and Arts and Entertainment available for adults and Nickelodeon for children.

Nationally, over 36 percent of all television households do not subscribe to cable television because either they cannot afford to or they have chosen not to (cable television is available to over 95 percent of all television households). Public television, of course, is free to anyone with a television set, while cable users pay a monthly fee.

While Discovery and Arts and Entertainment are excellent cable networks, they do not provide the breadth of service that viewers receive from KCPT—public affairs programs, children's fare or educational services, all part of KCPT's daily schedule of services.

Discovery, Arts and Entertainment and Nickelodeon provide no local programs or services. Compare these services to KCPT's City Watch; Marquee, Viva, Kansas City!; Kansas City Week in Review; specials such as our coverage of the Mid-West Health Summit; Women's Health issues; political coverage and debates; A great Current Running, a 90-minute documentary on Charles Gusewelle's epic trip down the Lena River in Siberia; KC Crossroads, a 60-minute pilot now being considered for funding by CPB as a national series featuring jazz and blues from the Kansas City area; and Ain't Seen Nothin' Like It Since, a 90-minute documentary on the world champion Kansas City Monarchs of the former Negro Baseball League; and our outreach efforts such as Sesame Street Pre-School Education Project (PEP); GED on TV; The Ready to Learn Project; Outstanding Community Kids; Break the Mold Teacher Awards; and Act Against Violence, an anti-violence outreach project now in the planning stages.

In a speech last March, Nickelodeon's president, Geraldine Laybourne, announced a \$30 million three-year initiative, demonstrating, according to her, the breadth of Nick's commitment to children's programming. The fact is that public television invests over \$16 million each year on children's programming, or an average of \$48 million over three years (not including local expend-

itures on children's programming). She went on to say that Nickelodeon could concentrate on creating entertaining children's programming, while PBS had to incorporate education into its children's shows—thereby making them dull programs. Preschoolers are drawn to PBS programs far more than commercial children's shows precisely because they so effectively combine fun with learning. Our mission is not to offer fun for fun's sake—cable and broadcast commercial television offer that—but fun programs that also help children love to learn. Experts agree on the importance of developing basic learning skills at an early age, the skills that ultimately enable children to succeed in school and interact socially.

Discovery, Arts and Entertainment and Nickelodeon have no responsibilities to the local communities receiving their programming nor is any revenue generated for their services returned to those communities. KCPT \$5.3 million budget is spent primarily in the greater Kansas City area. KCPT pays local companies for janitorial services, electricity, maintenance and other services. KCPT employs 65 people who receive \$2 million in salaries. In fact, KCPT is the only locally owned telecommunications organization serving the greater Kansas City area. KCPT's Board of Directors come from the communities served by the station and are responsible to those local communities for KCPT's operations.

5. Public television's educational services are no longer needed because cable and satellites are available to deliver those services.

Once again localism and commercial-free programming are keys in addressing this statement KCPT serves 350,000 K-12 students in Kansas and Missouri each year. The instructional television programs for that service are selected by the teachers who will use them. KCPT also has a staff of resource specialists for hands-on training for the teachers, and more than 300 hours of training each year is provided by these staff.

In designing our on-line computer support system for our teachers and students, Link 19, local components of the service were created in response to the needs of the schools in the area KCPT serves.

KCPT is now constructing an electronic training facility that will enable us to help teachers master the use of telecommunications in the classroom and improve the quality of education in our community.

KCPT initiates numerous local outreach activities including Sesame Street PEP; GED on TV; Outstanding Community Kids; Breaking the Mold awards for outstanding teachers; women's health-care outreach programming; and reducing violence in our youth campaign.

Local components of the Ready to Learn project, to begin January 16, 1995, are being developed with the advice of over twenty community organizations that are part of KCPT's Ready to Learn Advisory Council.

The National Teacher Training Institute provides a two-day training workshop with college credit for in-service development for more than 100 K-12 faculty on an annual basis in math and science education.

#### SUMMARY

Federal funds for KCPT are matched by nine community dollars for every one federal dollar—a good return on investment by any measurement. All federal support for public broadcasting amounts to about one dollar per year per person. Are there any other federal programs you know about that return on that small investment all that public broadcasting does? Support for public broadcasting is an example of a federal program that works, a private/public partnership that returns quality national and local edu-

cational and informational programs and services not available anywhere else.

## COMMEMORATING TEXAS INDEPENDENCE DAY

**HON. HENRY BONILLA**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 2, 1995*

Mr. BONILLA. Mr. Speaker, today, commemorates Texas' independence from a despotic government. During the Texas revolution, 1835-36, Texians, as they called themselves, struggled, fought, and ultimately achieved a victory over a much larger foe. These freedom loving men, women, and children sacrificed their all in the pursuit of liberty. One of the greatest symbols of the ultimate sacrifice for Texas freedom—the Alamo—is in my hometown of San Antonio, TX.

The Alamo, originally a mission inhabited by European priests and their native American flock, still stands in tribute to the 189 fallen defenders.

Many of the defenders of the Alamo were natives of other American States. Represented and well honored are men from Alabama, Georgia, Kentucky, Vermont, Massachusetts, Mississippi, Ohio, Pennsylvania, Illinois, Louisiana, New Jersey, North Carolina, South Carolina, Virginia, Missouri, Maryland, Arkansas, and New York and the Volunteer State of Tennessee. To my fellow members from these States—Texas and Texans are grateful for their sacrifice.

Let us also not forget that amongst those who died defending the cradle of Texas freedom and who fought along side of such famous names as Travis, Bowie, and Crockett were Spanish surnamed, native born "Tejanos." These Tejanos were proud to fight for a just cause. I am proud of their legacy and I am proud of my Texas heritage.

Remember the Alamo! Viva Los Tejanos! Long Live the Lone Star State, and God Bless America!

## A WELL EARNED DAY OF RETIREMENT

**HON. PETER J. VISCLOSKY**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 2, 1995*

Mr. VISCLOSKY. Mr. Speaker, I would like to take this opportunity to mark March 3, 1995, as the retirement day for four employees of the United Steelworkers of America. This is a well-earned day of retirement and celebration for Leonard Hickey, Gayle Cody, R.L. Pace, and Catherine Hatch, whose distinguished careers in the labor movement have made their communities and Nation a better place to work and live.

Leonard "Len" Hickey, United Steelworkers of America, district 31, assistant director, was born in Muddy, IL, and began working, in 1952, at the Taylor Pipe Works in 1952. A heater at Bethlehem Steel's Burns Harbor plant, Len was elected as the first president of Local Union 6787. He later served in negotiations with Bethlehem and National Can. Len's

career is distinguished by his leadership on issues of fair pay, incentives, and winning union members the respect of their employers.

Gayle A. Cody, United Steelworkers of America, district 31, executive secretary to Director Parton, was born in East Chicago, IN, and began working at the Hammond Times. Gayle started her career with the USWA, district 31 in 1966. She served as a USWA secretary under four previous directors prior to becoming the executive secretary under current director, Jack Parton. During her 29 years of service Gayle has been involved in all major areas of USWA activities.

R.L. Pace, United Steelworkers of America, district 31, subdistrict director, was born in Hub, MS, and was drafted into the Army in 1953. In 1956, he moved to Chicago, joined the National Guard's First Battalion 178th Infantry, and began working at Burton Auto Springs. He was promoted to staff representative in 1969, and has held a number of offices—including president, in Local 6183. In 1984, he was appointed to the position of sub-director of sub 4 and graduated from Northeastern Illinois University in 1985.

Catherine Hatch, United Steelworkers of America, district 31, secretary to Director Parton, was born in Gary, IN. She began working at the Post Tribune and started with the Steelworkers in 1954. She worked for both Local 2697 and Local 6787. She started at the district 31 office in 1986 working as secretary in organizing, PAC, and education departments. Catherine has handled the finances and records for district 31 since 1993.

On this special day I offer my heartfelt congratulations. Their families and communities can be proud of the contributions that each individual has made. Their work in the labor movement has made America work. I wish each of them a long, happy, and productive retirement.

DRUG DECRIMINALIZATION IN  
HOLLAND HAS INCREASED  
CRIME AND ADDICTION

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

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 2, 1995*

Mr. SOLOMON. Mr. Speaker, let me commend to you the following article written by a distinguished doctor and chairman of the International Drug Strategy Institute, Eric A. Voth, M.D. Dr. Voth advocates retaining tough drug laws to guard against rising crime and experimentation. Citing Holland as an example, the legalization of drugs has resulted in greatly increased crime and addiction. The only way to combat the increase of drug use in this country is to stand firm against recent attempt by prodrug groups to mute public awareness. These groups attempt to disguise the dangers of drug abuse and consequently jeopardize future generations.

REPEATING HISTORY'S MISTAKES

The international drug policy debate rages regarding decisions whether to fundamentally change drug policy toward legalization or decriminalization of drug use, or to remain with restrictive policies. If we examine two examples of softening of drug policy, we will find ample reason to continue with restrictive policy.

In the mid to late 1970's during the Carter administration, drug policy visibly softened. Several states decriminalized marijuana, and in fact Alaska legalized marijuana. Drug policy "specialists" in their infinite wisdom supported the flawed concept called "responsible use" of drugs as a way that users could maintain personal use of drugs and avoid the ravages of addiction and physical problems.

Permissive drug policy originated with organizations like the National Organization for the Reform of Marijuana Laws. President Carter's drug policy advisor Peter Bourne, as well as others like Arnold Trebach, Mathea Falco, Peter Reuter, Mark Kleiman helped to press for the lenient policy.

Interestingly, during that time the use of marijuana and other drugs drastically increased. Use also increased in adolescents despite the fact that drugs never become legal or decriminalized for that age group. The use of marijuana among high school students in Oregon during decriminalization was double that of the national average. National averages of marijuana use among high school seniors increased to 50% of seniors having used in the previous year, and 10.7% used daily.

Ultimately, parents began to object to the rampant use of drugs, especially marijuana, among their children. In the early 1980's the "parents'" anti-drug movement began. Because of the drastic failure of lenient drug policies, steady pressure was exerted at national and local levels for restrictive drug policies. A huge national wave of high quality research, grassroots prevention organizations, and tightening of drug laws began.

Predictably, the use of drugs among "recreational" users dropped. High school seniors use of marijuana dropped to 23% of seniors using within the last year and 2% using on a daily basis. The use among hard addicts did not drop.

Strangely the cry has been sounded by some that the drug war did not work. That outcry, however, was almost exclusively being sounded by individuals who favored legalization or decriminalization back in the 1970's. The same individuals who called for soft policy in the earlier era are calling for the new harm reduction policy today. Hidden within such policy is the intent to gain decriminalization of drugs.

Holland has decriminalized drugs and tried harm reduction. Since the softening of drug policy there, shootings have increased 40%, robberies 62%, and car thefts 62%. This experiment which was meant to decrease organized crime has resulted in an increase in organized crime families from 3 in 1988 to 93 today. The number of registered marijuana addicts has risen 30% and the number of other addicts has risen 22%.

The major difference between today and the 1970's is that the prolegalization effort is more organized and better funded. The millionaire Richard Dennis from Chicago has given millions to the drug legalization effort. Billionaire George Soros has given \$6 million to the Drug Policy Foundation to help seek legalization of drugs. He created the Open Society Fund which in turn funds Mathea Falco's Drug Strategies organization. Steadily, these groups put a happy and acceptable face on the idea of drug legalization or decriminalization. Their public relation campaign has softened public attitudes. Moves such as full page ads in national newspapers suggesting alternatives to drug policy are examples. Organized efforts at such ideas as hemp as a fiber alternative, medical marijuana, needle exchanges, therapeutic LSD, and others pervade the media. The Internet is bristling with pro-drug talk groups discussing recent drug experiences and how and where to obtain drugs.

In the face of these facts, the holdovers from the 70's drug policy makers are still asking for lenient drug laws. A substantial number of today's addicts started their use under the lenient policies of the 1970's. We have had our experience with decriminalization, and it is time that we recognize it and put that concept to bed.

The only hope for drug policy is a concerted effort of drug prevention which upholds the notion of no drug use, drug interdiction, and drug treatment. If we soften our hold on an already vexing problem, we will lose the war.

IN RECOGNITION OF JAMES T.  
MOLLOY

**HON. JACK QUINN**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 2, 1995*

Mr. QUINN. Mr. Speaker, it is with a profound sense of honor and with great pleasure that I rise today in recognition of James T. Molloy, the former Doorkeeper of the House of Representatives.

Mr. Molloy was born in Buffalo, NY, on June 3, 1936. He graduated from Canisius College with a bachelor of science in 1958. From there, Mr. Molloy began a career filled with worthwhile and successful endeavors. Of these, the most important is his family, consisting of his wife, Roseanne, and daughter, Amy.

Over his long and distinguished career, James Molloy has exhibited a tireless dedication to public service. He has served as a marine fireman with the Buffalo Fire Department, a school teacher in Buffalo and Lackawanna schools, and as the Chief Finance Officer for the House of Representatives. In 1974, Mr. Molloy was elected by the 94th Congress to serve as Doorkeeper of the House. He was unanimously reelected as Doorkeeper by each succeeding Congress through the 103d Congress.

Over the past 30 years, James Molloy has been involved in countless activities. He is a member of the International Association of Firefighters, International Brotherhood of Longshoremens, National Association of Legislative Assistants, and chairman of the Board for the Wright Patman Congressional Federal Credit Union.

Among his many distinctions, Mr. Molloy has received the Outstanding Citizen Award from the New York State AFL-CIO in 1986, the President's Award from the New York State Federation of Police in 1986, and Roll Call's Man of the Year Award in 1990.

The many awards given to James Molloy fail to capture the essence of what he has done. Whether it be helping kids get jobs in Washington, finance their education, or just taking the extra time to show them the Capitol, James Molloy has consistently been there for the young people of Buffalo.

As Doorkeeper of the House, James Molloy introduced numerous Ambassadors, Prime Ministers, and Presidents. However, this did not cause him to lose touch with the many friends and family members both here in Washington and at home in Buffalo. For more than 20 years, the people of Buffalo had a friend in Washington in James Molloy.

H.R. 450

**HON. DAVID MINGE**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 2, 1995*

Mr. MINGE. Mr. Speaker, on February 24, 1995, Mr. JOHNSON of South Dakota submitted comments regarding the Regulatory Moratorium bill, H.R. 450. I share Mr. JOHNSON'S views and wish to restate them for the record. Like Mr. JOHNSON, I believe that H.R. 450 is deeply flawed. I voted for this bill last Friday with the understanding that I will not support the conference report unless the legislation is significantly improved by the Senate or conference committee. I share Mr. JOHNSON'S concern that as it now stands, H.R. 450 could result in massive confusion and an enormous amount of unnecessary litigation. It is also possible that if the current language is contained in the final version of this bill, it would interfere with a wide range of needed agricultural rulemaking involving turkeys, hogs, corn, and soybeans. I also share my colleague's concern that depending on the outcome of litigation, the existing language could interfere with rulemaking needed on behalf of the ethanol fuels industry.

The process by which Federal laws are crafted is often perceived as overly heavy-handed, rigid, and inefficient. I am optimistic that this legislation can be modified as it progresses through the legislative process so that its shortcomings are corrected. Unless significant modifications are made, I will not vote for this bill when it returns to the House for final consideration.

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**FURADAN REGULATION NOT AFFECTED BY REGULATORY MORATORIUM**
**HON. EARL POMEROY**

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 2, 1995*

Mr. POMEROY. Mr. Speaker, it is my understanding that the intent of the Government Reform and Oversight Subcommittee on National Economic Growth, Natural Resources and Regulatory Affairs is to exclude the Environmental Protection Agency Final Rule at 40 CFR part 180 titled, "Pesticide Tolerances for 2,3-Dihydro-2,2-Dimethyl-7-Benzofuranty-N-Methylcarbamate," from H.R. 450, a bill that imposes a moratorium on the implementation of regulations issued between November 20, 1994, and the enactment of risk assessment/cost benefit analysis legislation, or December 31, 1995, whichever comes first.

North Dakota has been granted a time-limited tolerance on Furadan CR-10 for use on canola. Furadan CR-10 is considered the most effective insecticide used to control the flea beetle, one of the major threats to canola in North Dakota.

North Dakota produces more canola than any other State and supports canola crushing facilities. Canola is a region-specific crop that when crushed produces one of the healthiest and highest demanded industrial use and edible use oils on the market today.

The initiative by the Environmental Protection Agency [EPA] enables canola producers

in North Dakota and a handful of northern tier States to sell Furadan-treated canola seed to "Canola Crushing Processors" within the United States. Prior to the tolerance, canola producers were required to export treated canola seed to foreign processors, mostly in Canada.

It is my understanding that the regulation meets at least one of the general exclusions established in H.R. 450.

Specifically, the definition of a "rule" excludes the "granting or recognizing an exemption, granting a variance or petition for relief from regulatory requirement, or other action relieving a restriction \* \* \* or taking any action necessary to permit \* \* \* [the] use of a substance or product."

In addition, H.R. 450 specifies that the term "regulatory rulemaking action" excludes:

Rulemaking actions that are "limited to repealing, narrowing, or streamlining a rule, regulation, or administrative process or otherwise reducing regulatory burdens."

Additionally, based on H.R. 450, it would appear that should the Office of Management and Budget be asked to determine whether to exclude or exempt this regulation from the moratorium, that it should do so.

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**FURADAN REGULATION NOT AFFECTED BY REGULATORY MORATORIUM**
**HON. DAVID M. MCINTOSH**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 2, 1995*

Mr. MCINTOSH. Mr. Speaker, it has been brought to my attention that a handful of northern tier States are concerned about whether an Environmental Protection Agency [EPA] time limited tolerance on furadan CR-10 for use on canola would be affected by H.R. 450, the Regulatory Transition Act of 1995.

It is the intent of the drafters of H.R. 450 to exclude from the regulatory moratorium agency exemptions and other actions that relieve a restriction on the use of a product or process. The EPA Final Rule at 40 CFR Part 180 titled, "Pesticide Tolerances for 2,3-Dihydro-2,2-Dimethyl-7-Benzofuranty-N-Methylcarbamate," fits that exception.

Additionally, the furadan regulation might also satisfy the streamlining exception to the moratorium to the extent it streamlines the burden on producers and growers of canola seeds.

Thus, it is intent of the drafters of H.R. 450, that should the Office of Information and Regulatory Affairs be asked to determine whether to exclude or exempt this regulation from the moratorium, that the regulation should be excluded.

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**FAIRNESS FOR FILIPINO WORLD WAR II VETERANS**
**HON. BOB FILNER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 2, 1995*

Mr. FILNER. Mr. Speaker, I join today in a bipartisan effort with the gentleman from New York, Congressman BENJAMIN GILMAN, chairman of the House Committee on International Relations, to introduce the Filipino Veterans Equity Act of 1995.

Today, we recall the brave members of the Filipino Army who obeyed the order of the President of the United States during World War II. They fought side by side with U.S. forces against a common enemy. They served and died defending the American flag in the epic battles of Bataan and Corregidor and through 4 long years of enemy occupation. They were as much as part of our fighting forces as were soldiers drafted from the States.

But, soon after World War II ended, the 79th Congress enacted the Rescission Act of 1946, denying Filipino Veterans not only the benefits, but also the recognition they so richly deserved. For far too many years, Filipino Veterans have been waiting for the benefits they earned, the benefits that go automatically to other veterans who were exposed to similar hardships. A grave injustice has been done—and now is the time for us to correct this injustice.

Even President Harry S. Truman, who signed the Rescission Act, said it did not release the United States from its obligation to provide for the heroic Filipino Veterans who sacrificed so much during the war. He believed it was a moral obligation of the United States to look after the welfare of the Filipino Veterans—and so do I, and so do my colleagues who join me today in cosponsoring this legislation.

The bullets in World War II did not ask if their target was an American or a Filipino soldier. In 15 years, there will no longer be any of these veterans left alive. Many, until their dying day, were asking, "Do we deserve the 1946 Rescission Act? Didn't we suffer the same suffering as the American soldier fighting the same war?"

We must act and we must act now.

I am especially pleased that two of my colleagues from San Diego County are joining with me today in recognizing the contribution of the World War II Filipino Veterans, Congressmen BRIAN BILBRAY and RANDY "DUKE" CUNNINGHAM.

I urge all my other colleagues to join me in recognizing these brave soldiers and in granting them the benefits they earned and deserve.

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**CONGRATULATIONS TO FERMILAB**
**HON. J. DENNIS HASTERT**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 2, 1995*

Mr. HASTERT. Mr. Speaker, I rise today to inform my colleagues of a scientific milestone, announced this afternoon at Fermi National Accelerator Laboratory in Batavia, IL.

Today, physicists at the laboratory, which is located within my district, announced the discovery of the subatomic particle called the top quark, the last of the six basic building blocks predicted to exist by current scientific theory.

Mr. Speaker, this discovery demonstrates the prominent role the United States and Fermilab play in the field of high energy physics. In addition, it is clear that Fermilab's Tevatron accelerator has established itself as the world's preeminent site for high energy physics research.

The men and women who have contributed to the success of the work of the CDF and DZERO experiment collaborations are to be congratulated. I would also note the positive role played by the Department of Energy in funding this continuing research, and the efforts of Universities Research Associations, Inc. in the operation of Fermilab. We can also not overlook the contributions of the National Science Foundation as well as scientists and additional funding to the project from some 12 other nations worldwide.

Fermilab's success can be shared by all of us in this House who have supported high-energy physics research by our votes. We additionally can be proud that we have assured Fermilab's continued leadership in this field through our support for construction of the main injector.

Mr. Speaker, I am proud today to congratulate Dr. John Peoples and the excellent staff at Fermilab for another great contribution to the advancement of science. They are a valuable research and education resource for the world, this Nation, and my home State of Illinois.

#### TRIBUTE TO JESSE J. LEWIS, JR.

##### HON. EARL F. HILLIARD

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 2, 1995

Mr. HILLIARD. Mr. Speaker, Jesse J. Lewis, Jr., was a graduate of Miles College, where he obtained a B.S. degree in business administration. He continued his concern for education throughout his life, attending numerous executive continuing education programs at colleges and universities around the country.

Mr. Lewis began his illustrious advertising and communications career in 1979 with Jesse J. Lewis & Associates, where he held several important positions. Under his direction, clients won numerous prestigious awards for advertising, including a telly which is awarded for regional and local television advertising. His unrelenting dedication and leadership enabled his clients to grow and succeed.

In addition to marketing and communications expertise, Jesse worked extensively in the production field. He was chief engineer at the New London Record Studios, where he supervised the production of radio spots, jingles, and custom music for local and national clients.

As a member of the board of directors for the Police athletic Team, the Alabama Ballet Theater, and the Magic City Art Connection, Jesse was actively involved in civic and social work throughout Alabama. He was a member of the National Association of Marketing Developers, the Urban League, the Birmingham Area Musicians Association, and the Metropolitan Business Association. He was also chairman of Special Projects for Toys for Tots, and chairman of the Birmingham Crime Commission.

Jesse passed away suddenly due to a tragic car accident on February 26, 1995. He is survived by his loving mother, Helen; his devoted father, Jesse Lewis, Sr., former president of Lawson State Community College and publisher of the Birmingham Times newspaper; and his brother, James Lewis.

Jesse Lewis, Jr., contributed immeasurably to the communications and business area of the African-American community of Birmingham, as well as to the constructive relationships with diverse business entities for the State of Alabama. Jesse will be greatly missed by family and friends. However, the legacy he leaves behind shall preserve an indelible impression for all of us who came to know and love him.

#### 1994 NARCOTICS CERTIFICATIONS

##### HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 2, 1995

Mr. HAMILTON. Mr. Speaker, I would like to call to my colleagues attention the President's certifications on cooperation by major narcotics producing and transit countries for 1994, Presidential Determination 95-15.

The Foreign Assistance Act of 1961 requires that the President withhold 50 percent of the assistance allocated to those countries that are major producers of narcotics or major transit countries until he has certified that those countries are either fully cooperating with the United States on narcotics issues or that the national interests of the United States require continued assistance. Countries that are not certified become ineligible to receive virtually all forms of U.S. foreign assistance.

I would like to commend the Clinton administration for its honest attention to the certification requirement. The spirit and the letter of the law had been ignored by successive administrations for many years, largely because of unrelated political concerns. In contrast, the Clinton administration has consistently made objective assessments of the performance of the 29 countries subject to certification on the very important issue of controlling the production and trafficking of narcotics.

I would particularly note the President's decision this year to use the waiver authority of the Foreign Assistance Act to continue to provide assistance to Colombia, despite problems in our narcotics cooperation in 1994. While this decision may have some political consequences in our bilateral relationship with Colombia, it was the right decision. In my opinion, our cooperation with Colombia last year fell short of that which would have justified full certification. However, as the source of over 80 percent of the world's cocaine, and given the enormous threat to Colombia posed by narcotics trafficking, United States national interests are best served by continuing to work with the Colombian Government to address this problem.

Some may argue that addressing the drug problem overseas is a waste of time and money. However, I believe that any effective, comprehensive national drug control program must have an international component. All of the cocaine and heroin in America comes from overseas. We cannot deal with this problem only by trying to stop the drugs at the borders. If we ignore the source and transit countries, the volume of drugs coming to America will increase exponentially.

I believe that we need to do more domestically to reduce the demand for these drugs, and give our law enforcement agencies ade-

quate tools to address the violence that is so often associated with narcotics trafficking. But we also need to attack the production and transit of drugs overseas.

Once again, I commend the administration for its effort in this area and urge my colleagues to review this year's certifications.

#### INTRODUCTION OF THE EMPLOYMENT ENHANCEMENT REFORM ACT

##### HON. WILLIAM H. ZELIFF, JR.

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 2, 1995

Mr. ZELIFF. Mr. Speaker, I rise today with my colleague JOHN KASICH and 25 of our colleagues to introduce legislation to improve Federal job training.

The present job training situation is a boondoggle of Federal bureaucracy. Hundreds of programs with different rules and administrative structures confuse the people they are intended to help and waste taxpayer money. Currently, States bear the brunt of the conflicting rules, regulations, and definitions from this senseless bureaucracy, and it is there that we must address the reform.

The Employment Enhancement Reform Act will simplify and streamline the flow of Federal job-training dollars to the States to better serve unemployed Americans and hasten their reentry into the work force. The act consolidates over 90 Federal job training programs into one flexible block grant program.

This discretionary block grant will be distributed to the States by formula at the direction of the Secretary of Labor using the formula from the Joint Training Partnership Act. States will have one set of job training definitions and regulations to implement, and one funding stream to monitor. The result: more resources devoted to job training services and fewer dollars being wasted on administrative costs.

My bill will make the broken Federal job training program cheaper, more effective, more efficient, and more flexible. Today each of these 90 programs have different rules, regulations, and definitions. A youth can be any age from 14 to 30. On-the-job training participants have different eligibility rules and reimbursement rates depending on individual programs. This causes chaos for participants, administrators, and auditors.

Instead of hundreds of program regulations, States will have one set of job training definitions and regulations to implement, and one funding stream to monitor. They will have one State-established set of standards and definitions for program success rather than the multitude we have today. The responsibility for financial and programmatic audits will lie with State Governors. Federal philosophies and biases will no longer be mandated over State management of these programs. States will be responsible for demonstrating that funds are being spent effectively and efficiently to implement the goals.

Consolidating the programs will create a pool of funds totaling approximately \$11 billion. From this pool: \$7.6 billion—70 percent—would go to the States through formula grants; \$539 million—5 percent—would be distributed

by the Secretary to States containing populations of a national, rather than a State concern; \$2.7 billion—25 percent—would go to deficit reduction.

Our legislation assures that States have the flexibility to target job-training funds where they are most needed. States will work in partnership with private industry to provide training that supports the labor markets that exist in that State—rather than be subject to nationwide labor markets and fund distributions that have nothing to do with their State.

This act also repeals the 0.2 percent FUTA [Federal Unemployment Tax] surtax, adopted in 1976 and intended to be temporary. This repeal demonstrates to businesses that some Members of Congress are conscious of the mandates imposed by the Federal Government. This provision also takes another small step toward reducing the cost of regulation to business and encourages job growth.

The benefit to the Federal Government of a single, more efficient job training effort is a reduction in the deficit by approximately \$7 billion over 5 years.

The end result, Mr. Speaker, will be a program driven by results. More resources can be devoted directly to effective job-training services that put people back to work, and fewer dollars will be wasted on administrative costs.

These reforms are necessary to give Americans the skills our economy needs to grow and to get our welfare recipients back to work and back into the economy. State Governors are eager to develop partnerships with private industry and build successful programs. This legislation will make our job-training dollars work better and put people back to work. I urge my colleagues to join us in this effort.

I enclose a summary of my legislation.

#### EMPLOYMENT ENHANCEMENT REFORM ACT

The States shall use the money appropriated to the State's discretion with the following requirements:

##### POPULATIONS

The states will continue to serve the populations that were previously served by the consolidated programs and those that will benefit from the services. Those populations are: Disadvantaged Adults, Dislocated Workers, Veterans, Displaced Homemakers, Disadvantaged Youths, Persons with Disabilities and those requiring vocational education.

##### STATE COUNCIL

The Federal Government recognizes the benefits of coordination between government and business in the areas of job creation and worker retraining. States are encouraged to establish one coordinating council to facilitate worker transition from job to job or from unemployment to employment.

The council should advise the Governor and state legislatures as to emerging eco-

nomie and employment trends, job creation opportunities, and other employment and job training needs.

##### APPLICANT PROCESS

States shall centralize the intake of service applicants (those in need of job training/placement assistance) to facilitate the coordination of social services, of which job placement and employment skills are a part.

States are encouraged to utilize the concept of "one-stop-shop" as a means of facilitating centralization.

##### PROFILING

The state shall be required to profile/evaluate all participants in programs funded under this law, to determine participation eligibility. The profiling should include an evaluation of the candidate's employment readiness. Since profiling is already done for unemployment benefits, this should not be an added burden on states.

States, as part of the profiling process, shall determine, broadly, the readiness of each candidate to enter the job market. These candidates shall be defined as:

(a) Job-ready and in need of placement services; (b) job-ready but in need of minor skills enhancement; (c) non-job-ready and in need of remedial education and/or major skill enhancement. Job skills should be addressed after the candidate has demonstrated an education equivalent to a high school degree.

##### PROGRAM SUCCESS

Success for those participants needing job placement services shall be determined by continuous employment for a period of time of no less than six months, of at least 35 hours per week, with wages of no less than 65% of the immediate previous wage level.

Success for those participants needing minor skill enhancement shall be:

(a) Demonstration of proficiency of skill areas assessed as deficient followed by full time employment; or (b) full time employment for a period of time of no less than 6 months, of at least 35 hours per week, with wages of no less than 65% of the immediate previous wage level.

Success for those participants in need of remedial education shall be:

(a) Demonstration of proficiency in education and skills commensurate with a high school degree followed by full time employment; or (b) full time employment for a period of time of no less than 6 months, of at least 25 hours per week, with wages of no less than 65% of the immediate previous wage level.

##### STATE RESPONSIBILITIES/REPORTING REQUIREMENTS

The States shall report to the Secretary of Labor at the end of the first full fiscal year after date of enactment and annually, by fiscal year, thereafter:

(a) Total number of applicants for employment services, total number of applicants provided some form of service, and the post

evaluation determination of each served applicant (i.e. was applicant job-ready, in need of minor skill enhancement, or in need of remedial education/major skill enhancement).

(b) Total number of successes for each post evaluation determined group.

(c) Length of time, from time of profiling to time of job placement, for all applicants during fiscal year.

(d) An accounting of disbursement of appropriated funds.

(e) Report findings of audits performed during reporting period.

Given sufficient notice of request, States shall provide any and all additional information requested by the Federal Government.

##### SECRETARY OF LABOR'S RESPONSIBILITIES

If after consecutive reporting cycles, a state has failed to demonstrate continued aggregate progress to the success of the program, the Secretary of Labor shall abrogate funding in part or in whole to that state. States will have an opportunity to appeal this decision and such factors as natural disaster or severe economic downturn could be considered as justification for renewed funding.

The Secretary of Labor shall annually report to Congress the results of the Secretary's program oversight.

##### FURTHER RESTRICTIONS/REQUIREMENTS

None of the funds from this program shall be used for stipends or direct payments to participants for participation in the program except for needs-based transportation costs. However, participants are not excluded from collecting funds from other programs.

The Secretaries of Labor will jointly administer 5% of the funds of this Act for Indian tribes and migrant worker populations. The funds should be distributed according to the specific populations.

States are encouraged to disregard gender in aiding the applicant, and allow applicants to participate in education and job search for non-traditional occupations.

##### DEFICIT REDUCTION

This proposal generates approximately \$7 billion in deficit reduction over five years.

##### TAX CUT

The "temporary" 0.2 percent FUTA surtax is repealed, demonstrating to businesses that some members of Congress are conscious of the mandates the Federal Government imposes and are willing to reduce the cost of labor to business to encourage job growth.

##### EARNED INCOME TAX CREDIT AWARENESS

During the profiling and evaluation process of each participant, the participant will be informed if they are eligible for the Earned Income Tax Credit and will be encouraged to receive the Earned Income Tax Credit on a monthly, rather than yearly, basis. This is to help increase the monthly income of eligible participants.