

EXTENSIONS OF REMARKS

WELFARE FOR GOLD MINERS

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 14, 1995

Mr. MILLER of California. Mr. Speaker, I would like to bring to the attention of all Members an article which appeared in the March 13, 1995, issue of U.S. News and World Report, and to insert in the RECORD an editorial by the editor-in-chief, Mortimer B. Zuckerman. The article, by Michael Satchell, reports on the deplorable situation now confronting Yellowstone National Park due to the onerous and archaic provisions of the 1872 mining law. Mr. Satchell describes the ill-advised efforts of a Canadian-owned mining company to open a gold mine on the outskirts of Yellowstone Park, thereby creating a potentially dangerous predicament for one of the crown jewels of our National Park System. Mr. Zuckerman's editorial confronts the absurdities of the archaic law, daring Congress to "show some muscle about abuses that lose Federal revenues" by taking on "the politically powerful mining industry and its Western congressional allies" and reforming this "silly law".

Mr. Speaker, this coverage by U.S. News and World Report is particularly relevant and timely, in light of the recent introduction in the Senate of yet another industry-backed bill—craftily designed to look like reform but, in reality, devised to insure that the mining industry maintains its free-ride on the public dole. Representative NICK J. RAHALL and I have also introduced legislation, H.R. 357, identical to the bill passed by the House last year on a three-to-one bipartisan vote. Last year, over 300 House Members—including 70 Republicans—voted to bring some fairness into the hard rock mining system. This year, instead of only cutting school lunches and rent money for poor working families, I hope the Republican majority will have the determination to expunge some of the welfare enjoyed by the corporate elite. Reforming the 1872 mining law by enacting H.R. 357 would be a big step in the right direction.

[From U.S. News & World Report, Mar. 13, 1995]

BURY THIS IN GRANT'S TOMB

(By Mortimer B. Zuckerman)

How's this for a dream? You are free to roam anywhere on 600 million acres of public land in the West, staking out mining claims in the happy knowledge that if you strike gold or silver or copper, you can extract your find absolutely free. And, dream on, you will have the option on purchasing the land outright at a price of no more than \$5 an acre.

It's no dream. An antique called the General Mining Law of 1872, signed by President Ulysses S. Grant to encourage migration into the Rocky Mountain states, provides such beneficence. The West has long been settled, but prospectors and mining companies are still getting rich off the 1872 law, and the taxpayers are still getting robbed.

It gets worse. You could have bought—or patented—17,000 acres of oil-shale claims

near Rifle, Colo., for a mere \$42,000 and a month later sold the package to Shell Oil for \$37 million. But someone beat you to it. And that deal was no freak. An investigation by the U.S. General Accounting Office of some 20 patents examined at random found the government had been paid \$4,500 for claims worth somewhere between \$14 million and \$48 million. Just last year the Secretary of the Interior was infuriated to discover he was obligated to let a Canadian company acquire, for a nominal amount, Nevada land with gold reserves estimated to be worth \$10 billion. He called it "the biggest heist since the days of Butch Cassidy and the Sundance Kid."

To date, 3.2 million acres of public land—an area the size of Connecticut—have been sold. More than \$230 billion in mineral reserves in 13 Western states has been given away since the passage of the 1872 law—more than 315 million ounces of gold, 5.5 billion ounces of silver, 79.5 million tons of copper, 19.2 million tons of lead and 13.9 million tons of zinc. Today, as much as \$4 billion worth of hard-rock materials is taken out every year. The language of the law is such that a lot of "mining" land has been bought, then used to build everything from private homes to gambling casinos and luxury resorts. The not-so-funny name for all this is the Great Terrain Robbery.

Injury is added to insult. The law contains no environmental protection. The mining residue—some 70 billion tons of tailings—has been left exposed to the elements, polluting rivers and ground water. There are also 550,000 abandoned mines and open pits, such as the infamous Berkeley Pit in Butte, Mont.—a mile wide, a mile and a half long, half a mile deep—filled with water that is more acidic than vinegar. You know who bears the cleanup cost. Yes, you, the taxpayer. A new crisis has emerged with the plans of Noranda, Inc., a Canadian corporation with a history of environmental problems, to mine 3 miles from Yellowstone Park's northeastern boundary.

Today there is a moratorium on further land transfers. Yet nearly 400 patent applications are back up from companies that hope to slip through their claims to get their hands on \$21 billion in reserves before the 1872 act is reformed.

The reformers want the mining companies to be treated like other extractive industries, which, astonishingly, they are not. First, fair prices for these patents should be determined by the marketplace; they should include the cost of reclamation and the enforcement of environmental standards. Second, there is the issue of royalties. Loggers, coal producers and offshore oil and gas companies pay royalties when they extract wealth from public land. Reformers want mining companies to pay a royalty on their ore based on gross sales. With net revenues estimated at 25 percent of gross values extracted, a royalty is easily affordable. So is compliance with environmental standards—federal standards, because oversight by the states, which the mining industry favors, has proven weak. It also makes sense to withdraw some federal lands from mining if they are close to national parks or similar natural resources.

Why has this silly law lasted this long? Because a politically powerful mining industry and its Western congressional allies have blocked any revision. The argument that it

would cripple a key regional industry and costs jobs is essentially a rational for gouging the public.

Here is an opportunity for the "new" Republican Party. If it is determined to expunge abuses in federal spending, it should show some muscle about abuses that lose federal revenues.

SECURITIES LITIGATION REFORM ACT

SPEECH OF

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 1995

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 1058) to reform Federal securities litigation, and for other purposes.

Mr. STOKES. Mr. Chairman, I rise in strong opposition to H.R. 1058, the Securities Litigation Reform Act of 1995. We should not, in an attempt to decrease the amount of frivolous class action lawsuits, forsake our duty to act in the best interest of individual small investors and consumers by limiting their ability to seek redress in the courts. This ill-conceived and hurried legislation will not only fail to reform the securities litigation system in the United States, but will in fact compromise Americans' faith in our securities industry.

The bill before us today, the Securities Litigation Reform Act of 1995, will not only attempt to curtail unwanted lawsuits, but will also make it impossible for regular Americans to have access to the Federal courts. Such an assault on American citizens' rights to access to the courts is unacceptable and I will oppose this legislation for many of the same reasons I opposed H.R. 988, the Attorney Accountability Act of 1995. H.R. 1058 is a restrictive bill that will certainly undermine many of our most important efforts to provide a forum that provides legal redress for individual Americans and our ability to insure the integrity of the securities markets.

Mr. Speaker, one of the stated purposes of the Securities Litigation Reform Act is to shift fee burdens to a losing party including defrauded individual small investors. Proponents of H.R. 1058 have stated that this provision is intended to discourage frivolous class action lawsuits, and encourage parties to settle disputes prior to trial.

This bill also establishes new loopholes and limited liability provisions for brokers and firms who defraud investors. Finally, the bill contains other technical modifications that make it easier for wrongdoers to commit fraud and more difficult for investors to seek redress in the courts.

This bill is hostile to the American justice system's over 200-year-old policy that favors access to the Federal courts for citizens with a claim. Adoption of the "loser pays" standards in H.R. 1058 would inhibit the will of the

• 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.

people by transferring all of the burden of the costs of rendering justice in the courts from the wealthy, well-connected and privileged to the individual small investor. The clear result of imposing a "loser pays" rule would be to destroy regular Americans' rights under the Federal security laws to have access to the Federal courts.

Mr. Speaker, by disproportionately transferring to plaintiffs the burden of the cost of pursuing securities litigation this bill is clearly in opposition to over 200 years of American common law. Furthermore, the reasoning behind this unfair and unjust bill is not supported by the facts. So-called frivolous lawsuits actually make up a minute portion of all lawsuits litigated in this Nation. Noted securities law experts like Professor Arthur R. Miller of the Harvard Law School have pointed out that: "There is absolutely no evidence that the 1 percent of cases on the Federal court docket under the Securities Acts is any different, in terms of the problem of frivolousness, as the other 99 percent of the Federal judicial docket."

Under current law, the Federal rules of civil procedure give judges the opportunity to hold attorneys accountable for bringing frivolous lawsuits. Rule 11 of the Federal rules of civil procedure presently authorize Federal courts to impose sanctions upon attorneys, law firms, or parties for engaging in inappropriate conduct or for bringing frivolous or harassment lawsuits. The facts clearly show that despite the fact that there were thousands of cases filed last year, in less than 1 percent of those cases did Federal judges determine that rule 11 sanctions were justified.

Mr. Speaker, we have also been told that frivolous securities lawsuits are at the crest of a wave of securities litigation that is overwhelming the courts and sapping the strength of corporate America. Neither statement could be further from the truth. This is confirmed by the testimony by the Securities and Exchange Commission's William R. McClucas, who testified that: "According to statistics obtained from the Administrative Office of the U.S. Courts, the approximate aggregate number of securities cases—including SEC cases—filed in Federal District Court does not appear to have increased over the past two decades." In fact, the figures from the Administrative Office of the U.S. Courts also reveal that in 1993 there were 298 class-action lawsuits, slightly less than the 305 filed over 20 years ago in 1974.

Mr. Speaker, while I am sympathetic to the goal of eliminating frivolous securities litigation, H.R. 1058 in its present form fails to provide adequate protection or incentives to preserve the rights of victims of abuses of the securities laws, and in particular, those investors and consumers in my home State of Ohio.

As you all know, several municipalities and counties throughout the United States have been plagued by massive losses as a result of involvement in risky securities investments. My home district has not been immune to the abuses that exist in the securities brokerage industry. Due to the high risk leveraging and derivatives investments peddled by many Wall Street brokerage firms, Cuyahoga County's \$1.8 billion investment pool, the Secured Asset Fund Earnings [SAFE], has been dissolved, and these investments have cost Cuyahoga County taxpayers approximately \$122 million. More than 70 government agencies, including Ohio cities, counties, and school districts participated in the SAFE fund, which

held more than one-fourth of its investments in these highly speculative securities. As a result of SAFE's losses and dissolution, Cuyahoga County has had to cut next year's budget by 11 percent—\$35 million—and will freeze spending for 3 years after that.

This bill would clearly protect wrongdoers from lawsuits brought against them by defrauded investors. The "loser pays" requirements, loopholes and limited liability would make it virtually impossible for my constituents who have been victims of SAFE's collapse to seek judicial redress, should fault turn out to have contributed to its demise.

American securities markets are the envy of the world. They provide magnificent benefits to investors and businesses alike. Despite the claims of supporters of this bill that securities litigation is hampering capital markets. The facts reveal that initial public offerings have proceeded at a record pace in recent years, and a long list of notorious cases have recovered billions of dollars for thousands of defrauded investors.

Our markets attract investments because investors have confidence in securities industry honesty and efficiency. All investors are aware of the fact that there are risks attached to any investment, and these investors are willing to take such risks in exchange for the potential gain. Yet, investors are not prepared to be defrauded and swindled out of their hard-earned money. So when any investor is defrauded, the entire securities industry is placed at risk. Private securities actions actually represent an efficient and effective privatization of National Policy to counteract financial fraud. H.R. 1058 would seriously compromise such a counteraction.

Mr. Speaker, it is my belief that H.R. 1058, and the circumstances under which it is presented in this House, attempt to mislead the American people to believe that cookie cutter, simplistic solutions will cure what ails this Nation. Nothing could be further from the truth. As our Nation faces an epidemic of financial difficulties, bankruptcy and the abuse of consumer and citizens funds, the solution to these problems will not be found in quick fixes like the Securities Litigation Reform Act. The American people elected us to act in their best interest, not compromise their welfare because Government refuses to have the courage to meet its obligations. I urge my colleagues to join with me and vote against this bill.

TRIBUTE TO DOCTORS PHYLLIS
AND RAY PHILLIPS

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 14, 1995

Mr. GORDON. Mr. Speaker, I rise today to pay tribute to two outstanding individuals from the Sixth District of Tennessee who are being honored upon their retirement.

Drs. Phyllis and Ray Phillips have made tremendous contributions to the field of higher education, and their leadership has been invaluable.

By their very example, Ray and Phyllis Phillips have committed their lives to helping others learn. They have taught in Tennessee and Alabama, and their talents have taken them as far away as Augsburg, Germany to lead and participate in the American schools program.

Phyllis Phillips has shared her expertise in speech pathology, audiology, and speech communication through almost 50 years of teaching in elementary and secondary schools. In 1983 she joined Cumberland University in Lebanon TN, and in her 12-year tenure, developed a working adult degree program and helped develop the Cumberland University Fine Arts Council. She is responsible for helping countless children and adults overcome their battles with speech and hearing problems.

The board of trustees of Cumberland University named Dr. Phyllis Phillips "Professor Emeritus" in recognition of her tremendous contributions to education, speech pathology, and communication.

Dr. Ray Phillips earned his undergraduate degree from Cumberland University in 1941. His love for his alma mater never left him, and, in 1983, he returned to Cumberland with his wife to assume the vice presidency for academic affairs. He assisted my colleague from Tennessee, Bob Clement, then president of the university, in establishing the institution as a 4-year degree program.

In 1991, he was named the 23d president of the university. Enrollments during his administration were recordbreaking, and he aided in the development of the sports medicine and fine arts programs.

Dr. Phillips was honored with his wife by the board at Cumberland in 1994. He was named "President Emeritus" and "Professor Emeritus" for his outstanding service.

I join with those at Cumberland University and Tennesseans all across the State in thanking the Phillips' for their tireless dedication and enumerable contributions. We wish for them a happy and fulfilling retirement.

COURT REPORTER FAIR LABOR
AMENDMENTS OF 1995

HON. HARRIS W. FAWELL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 14, 1995

Mr. FAWELL. Mr. Speaker, I am joined by my colleague, Mr. BARRETT of Nebraska, Mr. ANDREWS, Mr. HOEKSTRA, and Mr. CHRISTENSEN, in the introduction of the court reporter fair labor amendments of 1995. The Department of Labor [DOL] has adopted a position concerning the status of official court reporters under the Fair Labor Standards Act [FLSA] which, if allowed to stand, threatens State and local courts with explosive liability costs and could force them to take actions which would result in severe job losses and reduced income for thousands of court reporters.

In most States, court reporters are typically employed by the State or local court with primary duties of taking down and reading back court proceedings. They are considered employees of the court and are typically compensated with an annual salary and benefits. While performing these duties, the court reporter—unless he or she falls within one of the FLSA's exemptions—is entitled to overtime compensation for work performed in that capacity in excess of 40 hours in a given work week.

However, in addition to in-court duties, many court reporters prepare and certify transcripts of their stenographic records for private attorneys, litigants, and others. The court reporter collects a per-page fee for the transcripts and generally earns much more than he or she would for an hour of salaried work for the court. Very often, it is possible for a court reporter to earn more from transcription work than from his or her annual salary. When working for this per-page fee, the court reporter is clearly acting as an independent operator, as has been specifically determined by the Internal Revenue Service [IRS]. The fee income is treated as separate and apart from the annual government salary for taxation purposes. Indeed, court reporters file self-employment income forms with the IRS and pay self-employment taxes on this income.

Unfortunately, DOL has not yet recognized the independent capacity of court reporters. In August 1994, the Wage and Hour Division took the position that, even while preparing transcripts for attorneys, litigants, and other parties, official court reporters in Oregon are still acting as employees of the court for purposes of FLSA. Similar letters have been received regarding official court reporters in Indiana and North Carolina. Official court reporters in the vast majority of States operate in circumstances similar to these three States.

If allowed to stand, DOL's interpretation would require State and local courts to pay court reporters 1½ times their regular rate of pay for all transcription work performed during overtime hours in a given week. The DOL position threatens to dramatically impact State and local court budgets. The State and local courts will either have to increase their salary budgets or cut costs elsewhere. In return, they would receive nothing except additional administrative duties and headaches.

Faced with possibly hundreds of millions of dollars of liability nationwide, State and local courts are considering dramatic changes in pay practices and in how transcription work is to be performed. Meanwhile, court reporters who continue to perform transcription work may be required to do it for substantially reduced compensation.

This legislation would allow an exemption under the FLSA for official court reporters while they are performing transcription duties for a private party, provided there is an agreement between the court reporters and the State or local court employer. The legislation would also bar lawsuits by court reporters for overtime back-pay. I urge my colleagues to support this measure so that a law designed to protect workers will not instead lead to job losses and reductions in income.

TRIBUTE TO WILLIAM MEEHAN

HON. ROBERT T. MATSUI

OF CALIFORNIA

HON. VIC FAZIO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 14, 1995

Mr. MATSUI. Mr. Speaker, the gentleman from California [Mr. FAZIO] and I rise today to pay tribute to Mr. William Meehan, a native California who has devoted his professional career to the preservation and growth of labor's health in this great State.

In the many years Mr. Meehan has been a major force in the labor realm, both of our offices have relied on his expertise and counsel. We join with the scores of colleagues to salute the outstanding leadership you have given to the Sacramento-Sierra's Building and Construction Trades Council and to the Sacramento Central Labor Council.

In an era of shrinking resources, Mr. Meehan has been one of Sacramento's great defenders, ensuring jobs for thousands of men and women throughout the region.

Not only has Mr. Meehan been an outstanding defender of the labor force, but we would be remiss in not commending his steadfast support of this entire community. The list of political, charitable, and labor related organizations with which he has aligned himself reflects the great characters all leaders strive to achieve. An abbreviated list of organizations who are indebted to his leadership and hard work include the Greater Sacramento Area Plan, Labor and Business Alliance, Sacramento Water Intelligently Managed, Private Industry Council, Auburn Dam Council, Friends of Light Rail, American Red Cross, Sacramento Employment Training Agency, Harps, National Toxics Coalition, United Way, Hundred Dollar Club, Sacramento Metropolitan Chamber of Commerce and the Sacramento Fire Board.

Truly, Sacramento is a better place to work and live thanks to what we hope is only the first half to Mr. Meehan's career. As he begins to undertake his latest challenge for the Painter's International, we ask our colleagues to join us in wishing him continued happiness and success.

REMEMBERING DAVID ROSS YOUNG

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 14, 1995

Ms. WOOLSEY. Mr. Speaker, I rise today to commemorate the life of David Ross Young, who died of AIDS earlier this month. I am proud to say that David lived in my district, in Sonoma County, CA.

David did more to touch the lives of others in his 32 years than most people do in a lifetime. After being diagnosed with the AIDS virus, David dedicated his life to preventing the spread of AIDS among young people, speaking to students at Sonoma and Marin County schools about the disease. In addition, he trained hundreds of speakers who will carry on his message in his wake.

Mr. Speaker, it is a truly great human being who, when faced with a limit on the amount of time he has left in this world, chooses to spend it helping others. My heart and my thoughts are with you, David. Your legacy lives within the hearts and minds of the youngsters whose lives you have touched and whose lives you have saved.

ODE TO FITZSIMONS

HON. PATRICIA SCHROEDER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 14, 1995

Mrs. SCHROEDER. Mr. Speaker, Mrs. Florence Gasser, whose father was a World War I veteran, was so disturbed about the proposal to close Fitzsimons Army Medical Center that she wrote a poem in protest. I would like to share Mrs. Gasser's poem with my colleagues:

FOR WHOM THE KNELL TOLLS

Who needs a veteran's hospital
In these cloudless peaceful times?
Who cares that four generations fought,
In those lands of different clime?

This century ends with record wars,
Many wounded strewn along the way,
Don't we have moral obligation,
To take care of all of them today?

If you remove their anchors now
Should old soldiers just fade away?
Places like Fitzsimons long has been
Security in world of disarray.

Oh, "they'll get help," indifferent say,
As protest cries, echo in nation;
To most veterans change will seem,
Like a physical amputation.

Fitzsimons spreads out protective arms
To those sick in body and spirit too;
To close its doors, will cruelly state,
Find help elsewhere, then start anew.

Those left groping at hospital door,
Need assurance old Fitz gave heartily;
That they could go on with their lives,
Through all of their sickness and injury.

Those who bled on foreign fields,
And served their country very well,
Should not see Fitzsimons lights go out
And hear that sorrowful, hopeless knell.

FEDERAL FUNDING FOR PUBLIC BROADCASTING SHOULD CON- TINUE

HON. CORRINE BROWN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 14, 1995

Ms. BROWN of Florida. Mr. Speaker, today I want to spend a few minutes telling my colleagues about four public broadcasting television stations in Florida's Third Congressional District. WJCT in Jacksonville, WFME in Orlando, WUFT in Gainesville, and WCEU in Daytona Beach are truly community assets. They provide programming which enlightens, enriches, entertains, and touches the lives of thousands of north and central Floridians.

These public broadcasting stations have been an integral part of our communities. They have been important partners in public education, providing instructional television and media technology resources to our schools since their beginning.

Public broadcasting reaches 99 percent of all American television households. Its high quality educational and cultural programs have contributed significantly to the quality of life in north Florida. And it's a great investment. Public broadcasting is one of the best public-private partnerships ever developed, matching Federal dollars on a 5 to 1 basis. And it delivers these dollars to the local level. It is also at

the forefront of the development and utilization of technology in education. For instance, through WJCT's National Teachers training Institute in Math, Science, and Technology, our local teachers learn the latest techniques for using technology in the classroom.

Programs like "Reading Rainbow," Sesame Street," and "Mr. Rogers' Neighborhood" are seen by school children and preschoolers in our community every day. Helping to prepare youngsters for school, and enhancing their education once they start school, are among public television stations' and our community's highest priorities.

Federal dollars are extremely important to these stations. Without them, WJCT's "Radio Reading Service for the Blind and Visually Impaired," and captioning of regularly televised local government meetings for the hearing impaired would not be possible. WCEU would not be able to produce programs like "Mathline," a pilot project, which trains teachers in the latest mathematics techniques. WMFE could not provide programming for public school systems in grades K-12, audio reading services for the visually challenged and print disabled, and public affairs shows like "Opinion Street." WUFT's daily half-hour News Five broadcasts, local television programs like the weekly "North Florida Journal" public affairs television programs, and the weekly minority affairs series "Reflections" would have to be reduced or eliminated.

Public radio and television provide these and many other services nationwide at the remarkable low cost of \$1.09 annually per person. On the local level, Federal funds make up approximately 14 percent of WJCT's budget, 17 percent of WFME's budget, 20 percent of WUFT's budget, and 34 percent of WCEU's budget.

"Privatizing" public broadcasting means commercials, and dollar-driven programming, which would radically change the face of this unique broadcasting medium. If instructional/educational broadcasting could generate high profits, public broadcasting already would have become a commercial venture.

As representatives of the people, we must be constructive, creative, and cost-efficient in achieving our national goals of good education and the opportunity for rich cultural resources for all of our citizens. If we realistically evaluate what public broadcasting actually offers to our communities, I believe that we will see the value of continued funding for this very cost efficient and successful, national educational and cultural institution. Thank you for allowing me this time to tell you about the importance of continued Federal funding for public broadcasting for my constituents in the cities of Jacksonville, Gainesville, Daytona Beach, and Orlando.

TRAVEL TIME IN COMPANY VEHICLES

HON. HARRIS W. FAWELL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 14, 1995

Mr. FAWELL. Mr. Speaker, today I am introducing legislation which will ensure that the Portal-to-Portal Act and the Fair Labor Standards Act are not misinterpreted by the Department of Labor [DOL] and the courts in such a

fashion that employers are required to compensate employees for their use of company vehicles in their commutes.

The use of company vehicles by employees is pervasive in many industries. Police departments, air conditioning contractors, heating oil retailers, plumbers, and carpet cleaners all provide vehicles to their employees. This is generally seen as a benefit to the employee who is able to carry personal tools and equipment in a company vehicle to the first job site, without having to physically check in at the company office. The employee also does not have to buy a vehicle for commuting and saves money on gasoline.

Despite the clear benefits to the employee from this practice, DOL has indicated that employers should pay employees for time spent in company vehicles commuting to the first job site. Last year, after some pressure from several members of this body, DOL agreed to stop enforcing the policy pending a departmental review. This policy would create additional paperwork for the employer and increased employers costs, with the end result of generally discouraging this practice. Many employers may then decide to arrange the central storage of all the vehicles and to require the employee to pick up the vehicle in the morning, transfer his or her tools into the company vehicle and drive to the first job site. At the end of the day, the employee would then have to return to the company, transfer the tools back to his or her vehicle and drive home. This alternative clearly does not benefit the employee.

The longstanding practice utilized by employees and employers works well and benefits both parties. My legislation would make it clear that the use of a company vehicle by an employee for commuting from home to the first job site and from the last job site to home does not require the employer to compensate the employee for commuting time. I look forward to enacting this legislation in the 104th Congress.

COMMON SENSE LEGAL STANDARDS REFORM ACT OF 1995

SPEECH OF

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 8, 1995

The House in Committee of the Whole House on the State of the Union had under consideration the bill H.R. 956, to establish legal standards and procedures for product liability litigation, and for other purposes:

Mr. STOKES. Mr. Speaker, I rise in strong opposition to H.R. 956, the Common Sense Legal Standards Reform Act of 1995. While I agree that some reform of our Nation's product liability laws may be appropriate, this legislation goes too far, favors producers of dangerous products too much and provides too little protection for ordinary citizens. I cannot support this effort to significantly curtail Americans' rights to seek redress in the courts when they have been needlessly injured, maimed, or killed by dangerous products.

This dangerous and hurried legislation will not only fail to truly reform the product liability litigation laws that need reforming, but will endanger the American public by stripping away the most important checks and balances sys-

tem Americans have—the American judicial system. It would be the height of irresponsibility for Congress to take from the American people their ability to protect themselves, their families and loved ones from dangerous products.

The bill before us today, the Common Sense Legal Standards Reform Act of 1995, will not only attempt to undo many of the important accomplishments of the U.S. Congress, Federal agencies and over 200 years of American common law, but also seeks to undermine many of our Nation's most important mechanisms to enhance safety for all Americans.

The stated purpose of the Common Sense Legal Standards Reform Act is to impose on State and Federal juries limits on the amount of punitive damages of \$250,000. It also imposes on States, Federal standards for all product liability lawsuits. Additionally, the bill contains several special interest exceptions for drug companies and aircraft manufacturers in addition to other friends of the new majority.

While I agree that Congress should investigate reforming products liability litigation, this proposed measure goes well beyond the legitimate objective of balancing responsibilities and risks. In fact, this bill is specifically designed to inhibit the will of the people by creating artificial special interest exceptions, and obstacles for injured and maimed citizens who seek redress in the courts. The current majority has long sought to weaken, if not totally eliminate, Americans ability to protect themselves in the courts.

Supporters of H.R. 956 have argued, and I agree, that most products produced in this Nation are the safest, highest quality products produced in the world. Yet, the fact remains that too many dangerous products exist. When injured by one of these dangerous products, Americans' last recourse is the American judicial system.

Proponents of this bill have argued that curtailing citizens' rights to open access to the courts is justified because there has been an explosion of product liability litigation. This argument is simply not supported by the facts. According to the "1992 Annual Report of the National Center for State Courts," the actual number of product liability claims is extremely low, a mere 4 percent of all personal injury cases. The evidence shows that products liability cases represent only .0036 percent of the total civil caseload in State and Federal courts.

There has been no explosion in products liability lawsuits as republicans assert. Excluding asbestos cases, the number of product liability cases filed in Federal courts between 1985 and 1991 actually declined by approximately 35 percent, from 8,268 to 5,263. The only significant increase in litigation over the past few years has not taken place in the area of products liability. It has been caused instead by large corporations suing other large corporations. A 1990 study reveals that corporate contract cases increased 232 percent and make up more than 18 percent of all civil cases as opposed to .0036 percent for product liability cases.

Another artificial justification for passage of H.R. 956 has been the alleged explosion in the frequency and size of punitive damages awards. The fact is, courts rarely award punitive damages. A 1993 Suffolk University law

school and Northeastern University study found that only 355 punitive damage awards were granted in product liability cases between 1965 and 1990. Only 20 percent of those 355 cases were affirmed on appeal. The research also shows that the vast majority of companies subject to punitive damages awards between 1965 and 1990 took some post-litigation steps to make their products safer. Without punitive damages many products would simply be more dangerous. Clearly, the current system of checks and balances system is working.

H.R. 956 will have a devastating impact on the children and elderly of this Nation. The limitation of damages awards places children and elderly at an especially significant disadvantage. Since compensatory damage awards are based solely on economic loss, these individuals can prove few tangible economic damages because they generally do not work, or work for small salaries, and would therefore not receive nearly as much compensation as the rich, who bring home big paychecks. This result would be fundamentally unfair to thousands of Americans, and would constitute an extreme injustice to the youth and elderly of our Nation.

I hope that no one in this House would want to increase the risk of disease, injury, and premature deaths caused by exposure to dangerous products. But that is exactly what H.R. 956 would do. This bill, in concert with H.R. 988, the Attorney Accountability Act of 1995, would slam the doors of the courthouses of this Nation in the faces of the American public. In my 27 years in congress I have seen few more obnoxious measures, that so cruelly and unfairly places a substantial burden on the American public.

This bill will also compromise citizen and worker safety. Last year, over 10,000 American workers died in the workplace. Another 70,000 were permanently disabled, and more than 100,000 contracted fatal occupational illnesses. H.R. 956 will greatly inhibit our citizens' ability to protect themselves from unsafe products, dangerous working conditions and avoidable disasters. I cannot in good conscience endanger American workers by supporting this bill.

In addition to endangering the health and lives of Americans, approval of H.R. 956 would not result in additional enhancement in competitiveness or innovation. The differences between the U.S. product liability system and the legal systems in other countries do not provide foreign manufactures with a competitive advantage. All companies are subject to the liability laws of the country where a product is sold or where the injury is incurred. Therefore, there is no significant harmful effect on American competitiveness as a result of the American products liability system.

Contrary to representations of proponents of H.R. 956, no real evidence has ever been presented that supports the claim that products liability laws have a chilling effect on business innovation. In fact, the current products liability system enhances innovation by providing a significant incentive for companies to develop safe products.

Mr. Speaker, this legislation is unprecedented in its scope and cynicism. Few areas of State and Federal products liability litigation will be unaffected by this measure, yet, with very little opportunity for open hearing, and with severely limited debate, this act has been

placed before us. The rule under which this bill has come before us is so draconian that many members with reasonable and bipartisan amendments will not be heard. A measure of this kind requires detailed analysis of the impact it may have on the American people, but no such review has or will take place. In the current rush to force this bill to the floor of this House, the will of the American people will certainly be compromised.

Furthermore, this legislation would remove from the wise discretion of State and local governments the determination of how to handle products liability litigation. My colleagues on the other side of the aisle have often claimed that they favor retracting the tentacles of the Federal Government from local people, who best know and understand the issues they face. Yet, this bill flies in the face of this often touted Republican ethic. H.R. 956 strips from local communities the ability to establish products liability standards. This modification of the products liability laws by Federal mandate is unjustified, ill-advised and will lead to injustice for working and middle-class Americans.

Mr. Speaker, it is my belief that H.R. 956 and the circumstances under which it is presented in this house is an attempt to mislead the American people to believe that meat cleaver, simplistic solutions will end the fictional "avalanche of litigation" so often mentioned by supporters of this bill. As the facts have shown, evidence clearly establishes that this bill has been pushed on us all under tragically false premises.

As our Nation faces an epidemic of joblessness, poverty, and economic troubles, the solution to these problems will not be found in quick fixes like H.R. 956. The American people elected us to act in their best interest, not compromise their welfare because congress does not have the will to permit Americans to protect themselves from dangerous products. I urge my colleagues to vote against this bill.

DADE COUNTY'S OUTSTANDING WOMEN HONORED

HON. CARRIE P. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 14, 1995

Mrs. MEEK of Florida. Mr. Speaker, it is my great pleasure to join with the city of Miami Commission on the Status of Women in recognizing the achievements of eight talented women who are among Miami's most outstanding leaders.

The women to be honored this year are as inspiring as they are dedicated. They are outstanding women who make major contributions to our community every day but seldom make the evening news. They come from every part of our community, yet they share a common bond—service.

This year's honorees are:

Mercee Woods Adderly, Model City volunteer par excellence, who helps to provide our youth with sound guidance and assist Haitian adults in making the adjustment to the United States;

Maria Elena Dellutri has worked with physical and mentally challenged individuals and poor children throughout Dade County;

Detective Therese Homer is a pioneer in domestic violence awareness and victim awareness intervention programs;

Sallye E. Jude, a leader in historic preservation including the revitalization of the Miami River area;

Joann Monroe, an advocate for children's education and welfare through Head Start Programs;

Rosalie B. Pincus, a caring and devoted high school counselor who teaches to touch a life, not just to make a living;

Suzette S. Pope, an extraordinary volunteer who has been a long-standing and faithful volunteer in service to the elderly;

Dr. Majorie P. Wessel has waged many battles against discrimination to bring about sports equity for girls and women.

Mr. Speaker, this event is a celebration of unity in diversity and provides an opportunity for women in Miami from all generations, racial and ethnic groups, socioeconomic levels and occupations to get together, exchange ideas, and share their vision and experience.

I am happy to join with our entire community in recognizing this year's honorees.

REMEMBERING TIM SULLIVAN

SPEECH OF

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, March 13, 1995

Mr. PALLONE. Mr. Speaker, thousands of people in Monmouth, Ocean, and Middlesex Counties, New Jersey, were helped over the years by a dedicated public servant whose name most never knew. This public servant worked tirelessly and without personal gain or recognition assisting veterans, Social Security beneficiaries, students, and others on critical personal problems. He helped mayors and councilmen fix bridges, dredge waterways, and restore downtown areas so that men and women could work and the Jersey Shore could prosper.

Timothy F. Sullivan, this public servant in the truest sense, died Saturday of a heart attack. For 17 years, from 1965 to 1982, he was administrative assistant to Representative James J. Howard, former chairman of the House Public Works and Transportation Committee.

When Jim Howard, my distinguished and accomplished predecessor, won an uphill battle for Congress in 1964, he had the good judgment to ask Tim, his good friend, fellow teacher, and campaign advisor, to come to Washington as his chief aide.

Because Democrats were rarely elected in that old Third Congressional District on any level, Jim Howard's prospects for reelection were less than bright. But Jim and Marlene Howard had been eager to take the risk and their enthusiasm was catching.

Tim and his wife, Marilyn, pulled up stakes with six young children. Tim quit his job and came to Washington to begin his long career as a trusted advisor and manager, taking the heat over the years when necessary but not claiming the credit when it was his due. He kept Jim Howard's office on an even keel through tough elections and crises in the district like life-threatening coastal hurricanes and

proposals to shut down Fort Monmouth and put thousands out of work.

Through it all, he helped Jim Howard develop a reputation for excellent constituent service. Tim had a right to be proud in the early eighties when the New York Times cited a poll taken of New Jersey staffers and Members of Congress in which Jim Howard's office operation was voted the best in the New Jersey congressional delegation.

Many of my colleagues and their staffs will remember Tim as I do, a warm and compassionate person with a dry Irish wit that earned him many friends and the love of his staff. He was often a help to me as I was starting my legislative career and I drew upon his wealth of wisdom and experience when I had the opportunity.

To Marilyn, his wife of 50 years, his 6 children and 10 grandchildren, I send my deepest condolences for a very great loss.

INTRODUCTION OF THE STUDENT LOAN AFFORDABILITY ACT OF 1995

HON. PATRICK J. KENNEDY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 14, 1995

Mr. KENNEDY of Rhode Island. Mr. Speaker, I rise today to announce the introduction of the Student Loan Affordability Act of 1995. Many of my colleagues already agree that the best way to ensure the future prosperity of America is to empower our students to meet the demand for the high skill high wage jobs of the 21st century. Post-secondary education is an essential component in developing the skills necessary to be competitive in today's global markets. Unfortunately, with the costs of post-secondary education dramatically rising the number of middle class families who can afford to send their children to college is falling.

The Student Loan Affordability Act will offer middle income families the relief they need, and empower them to engage in the most important of tasks: sending their children off to college. The proposal will establish a tax deduction for the interest payments on student loans, just like that provided for interest on mortgages. As a result of this legislation, students and their families will be able to reduce the costs of their education.

Mr. Speaker, I sincerely hope that this bill is supported by my colleagues on both sides of the aisle. The education of our students should not be a battleground for partisan politics but a source of pride and consensus that we may all support. We must invest in our children's education today if we are going to be competitive in international markets tomorrow.

I encourage all my colleagues to support this legislation.

Mr. Speaker, I ask that a copy of the legislation be printed in the RECORD.

H.R. —

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Student Loan Affordability Act of 1995".

SEC. 2. DEDUCTION FOR HIGHER EDUCATION EXPENSES.

(a) DEDUCTION ALLOWED.—Part VII of subchapter B of chapter 1 of the Internal Revenue Code of 1986 (relating to additional itemized deductions for individuals) is amended by redesignating section 220 as section 221 and by inserting after section 219 the following new section:

"SEC. 220. INTEREST ON STUDENT LOANS.

"(a) ALLOWANCE OF DEDUCTION.—In the case of an individual, there shall be allowed as a deduction an amount equal to the interest on qualified higher education loans paid by the taxpayer during the taxable year.

"(b) QUALIFIED HIGHER EDUCATION LOAN.—For purposes of this section—

"(1) IN GENERAL.—The term 'qualified higher education loan' means a loan which—

"(A) is made to a student to meet the student's cost of attendance at an institution of higher education;

"(B)(i) is made, insured, or guaranteed by the Federal Government;

"(ii) is made by a State or a political subdivision of a State;

"(iii) is made from the proceeds of a qualified student loan bond under section 144(b); or

"(iv) is made by an institution of higher education (as defined in section 1201(a) of the Higher Education Act of 1965 (20 U.S.C. 1141(a))); and

"(C) in combination with all other financial assistance awarded to (or on behalf of) such student to meet such cost of attendance, does not exceed such cost of attendance for the academic year for which such loan is made.

"(2) COST OF ATTENDANCE.—The term 'cost of attendance' has the meaning given such term by section 472 of the Higher Education Act of 1965 (20 U.S.C. 10871l).

"(3) INSTITUTION OF HIGHER EDUCATION.—Unless stated otherwise, the term 'institution of higher education' means an institution which—

"(A) is described in section 481 of the Higher Education Act of 1965 (20 U.S.C. 1088), and

"(B) is eligible to participate in programs under title IV of such Act.

"(c) NO DOUBLE BENEFIT.—No deduction shall be allowed under subsection (a) for interest on qualified higher education loans with respect to which a deduction is allowed under any other provision of this chapter.

"(d) REGULATIONS.—The Secretary may prescribe such regulations as may be necessary or appropriate to carry out this section, including regulations requiring record-keeping and information reporting."

(b) DEDUCTION ALLOWED IN COMPUTING ADJUSTED GROSS INCOME.—Section 62(a) of such Code is amended by inserting after paragraph (15) the following new paragraph:

"(16) INTEREST ON STUDENT LOANS.—The deduction allowed by section 220."

(c) CONFORMING AMENDMENT.—The table of sections for part VII of subchapter B of chapter 1 of such Code is amended by striking the item relating to section 220 and inserting:

"Sec. 220. Interest on student loans.

"Sec. 221. Cross reference."

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 1995.

TRIBUTE TO ROGER E. PETERSON

HON. HARRIS W. FAWELL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 14, 1995

Mr. FAWELL. Mr. Speaker, I rise today to commend Mr. Roger E. Peterson, chief execu-

tive officer of Ace Hardware Corp. Ace Hardware is a dealer-owner cooperative founded in Chicago in 1924 and has its corporate headquarters located in Oak Brook, IL. Roger has announced his retirement effective May 31, 1995.

Under Roger's leadership Ace reached more than \$2.3 billion in sales to its 5,000 independently-owned stores in all 50 States and 55 countries and territories in 1994. I am pleased to add over \$205 million of those sales were accounted for by almost 400 Ace retailers in Illinois.

These retailers characterize what Roger, the State of Illinois, and Ace are all about: excellence, leadership, friendliness, team work, family orientation, and striving to always be the best they can be.

Roger began his career with Montgomery Ward after graduating from the University of Miami (Florida) in 1960. Prior to joining Ace, Roger was also executive vice president and general manager of C/P Products Corporation in Elkart, IN. His other experience includes various management positions with the J.C. Penney and Ben Franklin, Division of City Products Corporation.

Mr. Speaker, Roger joined Ace in September, 1976, as national distribution manager. In 1983, he was promoted to vice president of operations with additional responsibilities for traffic, labor relations, corporate security, and physical distribution center planning, including site selection negotiations.

Within 2 years, Roger was appointed executive vice president, and on August 5, 1986, he became president of Ace. In January, 1990, Roger was given the additional title CEO by the Ace board of directors. He has served longer as president than all but the legendary Richard C. Hesse who reigned for 44 years.

Under Roger's leadership, Ace's distribution system expanded from 5 distribution facilities in 1976 to the current total of 14. One of these facilities, at 1.1 million square feet, is the largest in the industry.

The Ace Hardware Corporation's Ace 2000 program and its accelerated version, the New Age of Ace initiated under Roger's leadership, has an objective of making Ace Hardware, Home Center, and LBM retailers the premier hardlines retailers in the industry by the year 2000.

Clearly Mr. Speaker, Roger defines Ace's corporate mission as being a total " * * * retail support company * * * providing independent Ace dealers with quality products, programs, and services. We exist to serve the Ace dealer and we know that Ace's success is based on the success of that independent Ace dealer," stated Roger.

He has worked diligently, not only for Ace, but for the hardware industry as well, as illustrated by the leadership award presented to him at the International Hardware Dealers Association convention in March, 1994. Roger personifies that true leadership is making people better than they ever thought they could be.

Mr. Speaker, Roger's management style, philosophy and leadership are paying huge dividends today and will continue to do so for years to come. After many years of distinguished and superior service to the Ace hardware Corp., I wish Roger all the accolades he so rightfully deserves. May his years of retirement bring Roger all the best with his wife,

Joyce, and their six children, Stephen, Cindy, Linda, Kristin, Kathrin and Scott.

GROWING LUNCH MEALS,
GROWING KIDS

HON. RON PACKARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 14, 1995

Mr. PACKARD. Mr. Speaker, some things will never change. The Democrats continue to ignore the facts and continue to spew liberal lies. The Republican food and nutrition block grant proposal will not take food out of little Johnny's mouth. Republicans know that hungry children can't learn. Our plan takes the Federal bureaucratic fat out of the school lunch program, leaving more money for the kids.

Block grants will rid this country of a Washington-based, Washington-regulated, and Washington-mandated system that has failed our children. Our Republican proposals ensure that needy children are put in front of bureaucrats, not lost in their administrative maze. Children must and will get the services they need.

Removing the thick layer of Federal bureaucracy allows local and State governments to do a better job with less paperwork and less regulation. Our Republican proposal recognizes that local government knows what works best for the children in their communities. They know best how to get increased mileage out of the Federal money. Furthermore, cutting out the Federal middleman gets more money to the State and local level. Republicans make sure that States don't replace Washington bureaucrats with their own State bureaucrats.

Under our food and nutrition block grant proposal States cannot spend more than 2 percent of their block grant on administrative costs. Getting bureaucrats out of our children's school cafeterias permits funding to grow 4.5 percent a year, a rate above inflation.

Not one needy child will have food taken from his or her mouth. At least 80 percent of Federal funds must be spent on low-income children. Block grants actually will increase the amount of money that gets to the kids. In 5 years we'll be spending \$1 billion more per year on school meals than we are today.

Mr. Speaker, Americans want us to reform our disastrous welfare state. Republicans want to get Washington out of the business of running these programs. Moving the money closer to the children ensures that we feed more kids with less money. Food and nutrition block grants are good for our kids and good for America.

GRASSROOTS ORGANIZATION

HON. MICHAEL P. FORBES

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 14, 1995

Mr. FORBES. Mr. Speaker, since its founding in 1921, the National Association of Retired Federal Employees [NARFE] has been a guardian of the rights of retired Federal em-

ployees. On this, the occasion of its 75th anniversary, I am pleased to tell my colleagues in the House that NARFE has been and continues to be sensitive to the needs of society at large, as well as those of the retired Federal employees.

As the organization grew in size to national preeminence, it grew in importance to its members. NARFE has been instrumental in the evolution of the Government's retirement and disability income protection system for civil service retirees.

NARFE has consistently met its goal of promoting and preserving the interests of its members in a radically changing work force. Most important, it's an organization run by the membership. In the truest sense of the word, NARFE is a grassroots organization.

THE F22 IS REPUBLICAN PORK

HON. MAJOR R. OWENS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 14, 1995

Mr. OWENS. Mr. Speaker, I would like to make one more plea for justice. I want to again beg the leadership of this Congress to abandon its reckless demolition of the programs that have helped to make America great in the eyes of the whole civilized world. The way we as a nation have treated the least among us is the vital ingredient of our greatness. This is a plea for honest decisionmaking. Yes, there is waste in Government and it must be removed. But school lunches and summer youth employment programs are not wasteful. These are the Government programs that work. These are the programs that are still very much needed. The CIA is not needed at the level of \$28 billion a year.

The farm price supports for rich farmers are no longer needed at the level of \$16 billion a year. We don't need another *Sea Wolf* submarine. We certainly do not need to spend billions of dollars for F22 fighter planes. The F22 enterprise in Marietta, Georgia represents a long-term overwhelming pork barrel. For this same amount of money we could employ twice the number of people in the civilian sector creating infrastructure and services that are needed. The F22 is Republican pork. In the Federal budget this is a huge hog that deserves to be slaughtered.

THE F22 IS REPUBLICAN PORK

The F22
Pork not for me and you
The F22
Toys for skies blue
Empty of any
Enemy crew
The F22
Jobs for just a few
The F22
Rich Georgia stew
Pork pork pork
Not for me and you
Off the orphans
Starve the kids
Save the contracts
Roll out the bids
Bully the poor
Be a hi-tech dog
Eat the best meat
High on the hog
For the peach
Who gives a hoot

The F22
Pork is now
The Georgia State fruit
Pork pork pork
Where they grew
The F22
That's the Speaker's
Hometown too
The F22
Pork pork pork
Not for me and you.

REMEMBERING MARK DOSTAL

HON. BILL BAKER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 14, 1995

Mr. BAKER of California. Mr. Speaker, recently a tragedy befell my home area in the east bay region of San Francisco. Mark Christopher Dostal, a native of Moraga, CA, was a senior cadet at the U.S. Air Force Academy when he was killed in a training accident while flying a T-3 aircraft at the Academy February 23.

Mark was the kind of young person to whom our country has always looked as a future leader. He was a fine young scholar and a multisport athlete, serving as co-captain of his Miramonte High School football team and also was a member of the track and field team. And, too, Mark, loved skiing and rock climbing.

But it was in rugby, that toughest of land sports, that Mark especially excelled. He was a member of the High School All-American Rugby Team, on which he played for the United States in New Zealand. He was a starting player on the A-side men's rugby team at the Air Force Academy from his freshman year on.

Mark's academic career was no less outstanding. A 4.0 student at Miramonte, he was a 4-year member of the California Scholastic Federation. He won a prestigious award for one of his engineering drawings, and at the Academy, where he was majoring in behavioral sciences, he made the dean's list three times and superintendent's list twice.

Mark's promise as a leader was evident in the posts he held at the Academy. He was a projects non-commissioned officer and element leader, and was appointed squadron commander during survival training after his freshman year. He was in the Soar-for-All program, where he soloed in a motorless glider, and helped lead the assault course as an instructor for basic cadet training.

Mark took life at full tilt. His mother, Shirley, has said that over the course of his athletic career, he broke all his fingers at various times. He was a young man who would not quit, and who relished in the simple joy of being alive. He loved being with his friends, and knew how to laugh as well as to study and compete.

To his family and his many friends, I offer my deepest condolences. They have lost a son, a brother, and a friend. Our country has lost one of its most promising young leaders. Yet, in his memory, we gain enduring inspiration from a life characterized by a unique combination of excellence and joy. Mark's 20 years were too short, but the fullness of his living will remain.

THE SOCIAL SECURITY TRUST
FUND

HON. J. DENNIS HASTERT

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 14, 1995

Mr. HASTERT. Mr. Speaker, it is time to measure our progress in protecting the Social Security Fund, specifically the Old Age and Survivors Insurance Fund [OASIS]. This is the fund into which we all pay throughout our working lives and from which we expect to receive benefits when we retire.

In my tenure in the House of Representatives, I have had the opportunity to cast votes to protect the Social Security trust fund several times. Perhaps the most important vote I have cast was in 1990 when I voted to take the Social Security trust funds "off-budget." The purpose of this action to ensure that the Social Security trust funds would no longer be used to mask the true size of the Federal deficit. Instead, the trust fund would have a separate account. The administrative costs of the Social Security Administration were not taken "off-budget."

This action moved us closer toward honest accounting procedures and away from the concept of the "unified budget," a mechanism to place all revenues in one large pot from which the Government can draw. However, it turns out that the language included in the 1990 law was not enough to protect the trust fund.

In 1993, President Clinton undermined the trust fund by proposing a tax on Social Security beneficiaries at a rate of 85 percent of their benefits. The money collected from this tax would not go back into the trust fund, but was instead diverted to other programs in the Federal budget. I strongly opposed this tax. In fact, I went to the Rules Committee and offered an amendment to strip this tax on Social Security from the underlying budget legislation. But, the Rules Committee did not allow my amendment and the 1993 budget containing the tax on Social Security benefits passed into law with my strong objections.

Later in 1994, I had the opportunity to cast a vote in favor of making Social Security an independent agency. This legislation passed the House and Senate and became law. This means the Social Security Administration [SSA] is no longer counted as part of the Department of Health and Human Services. Thus, the budget for Social Security is completely contained in one agency and the administrative costs of the trust fund are clear and set aside with the "off-budget" trust funds. For the first time, there will be a bipartisan governing board that insulates the SSA from political influence and the everyday fiscal policy decisions of the administration in power. In fact, several improvements in the Social Security system as a whole will result from this change. It will now be much easier to monitor and thus, protect the Social Security trust funds. I am proud to have supported this important change in the system that bolsters the security of the trust funds.

This year, I cast a vote to support the balanced budget amendment [BBA]. This, too, was a vote to protect the security of the Social Security trust funds. During consideration of the BBA I voted for an amendment offered by my friend from Illinois, Representative FLANA-

GAN, to express the sense of the House of Representatives that Social Security would not be used to balance the Federal budget. This amendment passed and will provide crucial direction to the House in future years as we seek to balance the budget.

However, if Social Security had been statutorily exempt from cuts, I believe there are many who would try to expand Social Security to include benefits for nearly every group of Americans imaginable. Many of the benefits paid out by the Social Security Administration do not go to retirees, but rather drug addicts, children with learning disabilities and the like. I am fearful that this would not only continue, but expand under a system where only Social Security had an "exempted" status.

I have explained several key votes I have taken to protect the Social Security trust funds in the past several years. I do this because the people in the 14th district of Illinois want to know that their retirement benefits are safe.

In fact, a group that believes strongly, as I do, that these benefits be removed from the national budget and set aside for the intended use of retirees has recently contacted me. I have presented this history of my position to indicate that I am in full agreement. Congress should not use Social Security funds to balance the budget or mask the budget deficit, but rather to fund the earned benefits of our country's senior citizens.

FIFTIETH ANNIVERSARY OF
FRANKLIN ROOSEVELT'S DEATH

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 14, 1995

Mr. NEAL of Massachusetts. Mr. Speaker, as we approach the month of April, the Presidential library founded by Franklin Delano Roosevelt will inaugurate a series of exhibits, events, films, and a play to commemorate the 50th anniversary of the death of America's 32d President. I would like to submit for the CONGRESSIONAL RECORD an article by a constituent of mine, Edmund Walsh.

FDR'S LEGACY CONTINUES AT HYDE PARK
LIBRARY

(By Edmund A. Walsh)

Starting April 1, 1995, the presidential library founded by Franklin Delano Roosevelt will inaugurate a series of exhibits, events, films, and a play to commemorate the 50th anniversary of the death of America's 32nd president. The commemorative activities will start with an exhibit entitled "1945—The Year That Changed Your World." This program will cover FDR's inauguration for an unprecedented fourth term, with Harry S. Truman, former senator from Missouri, sworn in as his vice president. The exhibit will profile the Yalta Conference, where Roosevelt, Churchill and Stalin met to lay plans for the post-WWII world. The April program continues with displays showing the transition from "The New Deal to the Fair Deal" when a stunned Truman becomes president and moves to continue FDR's steps towards peace.

The "1945" presentation continues with the funeral of FDR and a description of "The Unfinished Legacy of the New Deal," and "The Birth of the United Nations." (Roosevelt passed away on April 12, 1945 in Warm Springs, Georgia; just two weeks before he was to host the San Francisco meeting that

saw the birth of the United Nations). "VE Day," Victory in Europe will be honored. The exhibit will also cover "The Atomic Bomb" and "The End of World War II." The April program concludes with a presentation of the president's legacy of leadership.

A film and discussion series follows the "1945" exhibit with programs covering the Yalta conference in May and the atomic bomb in June. President Truman is the subject of the July segment.

A public debate on the legacy of FDR will be presented by teams from Marist College and United States Military Academy at West Point in late April. This will interest those interested in the FDR years, as well those closely following the continuing discussions in Congress concerning entitlement programs. Chief among those programs is the Social Security Act, a major betterment of the early Roosevelt administration.

The Memorial Day weekend will feature a bivouac and salute to FDR by the Duffel Bag group of Carmel, New York. This group, founded ten years ago, is composed of 300 men, women, and some children, who reenact WWII battles, march in parades, and stage exhibitions of their equipment and vehicles.

Duffel Bag was conceived and promoted by Brian Benedict, a Carmel dealer in military surplus goods. Recently, Benedict said, the group reenacted the Battle of the Bulge in Indian Gap, Pennsylvania. They performed at half-time of the Army-Navy game in 1993 and are scheduled to appear again in this year's game.

At Hyde Park, Benedict went on, the Duffel Bag associates will create an attempt by enemy commandoes to kidnap President Roosevelt. The "army's" assignment will be to deny the attempt. Benedict promised a skirmish between the forces, complete with simulated gunfire. Kids of all ages, he said, are welcome to inspect their equipment which will include jeeps, trucks, and possibly half-tracks and light armor.

August will see the presentation of the nationally-known "Sunrise at Campobello" by the Rhinebeck Theatre Group. This drama tells the story of the summer of 1921 when FDR contracted polio. Theatre goers may remember the original Broadway presentation with Ralph Bellamy in the title role.

Since the wartime president always considered himself first and foremost a farmer, the FDR Library in conjunction with the Dutchess County Cooperative Extension, will present its first Agricultural Heritage Day in September. Farm groups, a farmer's market and various environmental groups will participate.

Other activities are planned for Warm Springs, the New York Museum of Television and Radio, and at Roosevelt University in Chicago. For more information on the plans at Hyde Park or other locations, call 800-FDR-Visit or 800-337-8474.

INSIDE SALES COMPENSATION

HON. HARRIS W. FAWELL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 14, 1995

Mr. FAWELL. Mr. Speaker, today I am joined by my colleague, Mr. PETRI, in the introduction of legislation to amend the Fair Labor Standards Act of 1938 [FLSA] to make uniform the application of the overtime exemption for inside sales personnel. This legislation is necessary to repair the inequity that presently exists between retail and wholesale establishments.

Under the FLSA, the treatment of sales people for overtime purposes varies significantly based on circumstance. As it now exists, a wholesaler's inside salesperson must be paid time-and-one-half for his or her additional hours, while the employee performing precisely the identical job at a retail establishment does not. During an economic downturn, these costs are considerable and have contributed to layoffs and comparable overhead reduction.

In 1938, Congress had no way of foreseeing the effect that distinctions in the overtime law could have a century later. Differences based on an ability to supervise or a retail-wholesale dichotomy no longer serve a useful purpose. As old practices of doing business change, the differences between a wholesaler's sales staff and a retailer's sales staff are no longer significant.

This legislation would make the application of this particular overtime exemption under the FLSA consistent for retail, wholesale, and service establishments. I would like to note that the provisions defining who is covered under section 13(a)(1) of the FLSA and the 541 regulations are very confusing. Apparently, the language in the Act is the result of various amendments over the years. As we consider this legislation, I hope that we can also work to simplify and streamline the language.

COMMON SENSE LEGAL
STANDARDS REFORM ACT OF 1995

SPEECH OF

HON. STEPHEN E. BUYER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 8, 1995

The House in Committee of the Whole House on the State of the Union had under consideration the bill H.R. 956, to establish legal standards and procedures for product liability litigation, and for other purposes:

Mr. BUYER. Mr. Chairman, in the past 50 years, the cost of torts—personal injury, product liability, and medical malpractice cases—have grown at 4 times the rate of the overall economy. Currently, the cost of this system is in the neighborhood of \$132 billion.

Other than diversity jurisdiction in Federal court, predominately, tort actions have been tried in State courts. Historically, consumers bought goods and services locally—intra-state—where many companies primarily conducted commercial trade locally. State rules for tort actions were probably quite appropriate. In the last half century, however, interstate commerce has dominated the market. Consumers buy products that are manufactured in other States, with company headquarters in still another State. Companies no longer serve local markets, but sell products nationally, even internationally. The mechanism by which civil disputes are settled has not kept pace with a changing world and its economy.

From 1973 to 1988, product liability suits in Federal courts increased 100 percent; in State courts the increase was between 300 and 500 percent.

This increase in litigation has not come without a price. Because 70 percent of products manufactured in any one State cross State borders before the point of final sale, American manufacturers must contend with the un-

certainty of 50 different civil justice systems. The awards for damages in one State affect the prices to consumers, insurance rates, and job market in other States. According to surveys reported by Pace University Professor of Law M. Stuart Madden, because of liability costs, 36 percent of American manufacturers have withdrawn products from the world market, 47 percent have withdrawn products from the domestic market, 30 percent have decided not to introduce new products, and 25 percent have discontinued new product research.

It can be argued that our tort system is already federalized, except that no consistent standards apply. Even criminals in our criminal justice system face a clear definition of what constitutes crime and there is a limit on what punishment is deemed to be just.

For the average American, the current tort system denies the right of free choice in the marketplace and inflates the prices for available products. It also discourages innovation, retards capital formation and creates a distinct competitive disadvantage in the world market, affecting ability of the economy to create and maintain jobs.

The chief flaws of the existing system is that it is unpredictable and there is little individual responsibility where all are considered victims.

Article I, section 8 of the Constitution gives Congress the power to regulate interstate and foreign commerce. The intent of H.R. 956, the Common Sense Product Liability and Legal Reform Act, is to return a sense of reasonableness and predictability to this system.

H.R. 956 would: First, limit the liability of product sellers; second, limit the liability of manufacturers for injuries due to drug or alcohol abuse, or to the misuse or alteration of their product; third, institute a 15-year statute of repose on product liability; fourth, impose sanctions for bringing frivolous product liability suits; fifth, eliminate joint liability for non-economic damages in product liability suits; sixth, require a higher standard of proof for punitive damages in all civil suits; seventh, cap punitive damage awards in all civil suits at \$250,000 or 3 times economic damages, whichever is greater, and eighth, require strict standards of proof for claims against biomaterial suppliers.

In no way does H.R. 956 limit the ability of a plaintiff to recover actual economic loss—medical bills, lost wages, and the like.

This legislation will help benefit many of the small businesses in the 5th District of Indiana. Let me site just two examples.

Whallon Machinery of Royal Center, IN, manufacturers industrial material handling machines. The machines incorporate hydraulic and pneumatic components as well as sophisticated electronics. This equipment can be found in nearly every State and many foreign countries. In nearly 30 years of business, over 83 percent of all machines built are still in use. In 1993, Whallon received notice of an incident involving their equipment. Previous to this, Whallon had no product liability claims. A customer modified a Whallon machine to the extent that an operator could place himself into the working mechanism of the equipment while the machine was still in automatic operation. An operator, without first hitting the emergency stop button, as instructed by the owner of the machine, entered the machine while it was running and sustained injuries. Whallon ultimately settled out of court.

Whallon was quickly affected by this. First, its insurance carrier decided to not renew Whallon's policy. New insurance was found but at nearly 4 times its 1993 premium. The company had to alter plans for plant improvements and expansion, which meant neither additional hiring nor improvement in employee benefits.

In another example, medical device manufacturers, such as BIOMET, Zimmer, DePuy, and Danek in Warsaw, IN, provide critically needed products to patients across the country and in the world. Medical device manufacturers have improved the quality of life for countless individuals, through pacemakers, heart valves, artificial blood vessels, hip and knee joints.

Three major suppliers—DuPont, Dow Chemical, and Dow Corning—recently announced that they would limit, or cease altogether, their shipments to medical implant manufacturers. Under current law, suppliers of the raw materials used in implantable devices may be brought into the litigation process. Huge damage awards are often sought from these biomaterial suppliers, even though suppliers have no role in the design, manufacturer, or sale of the implantable device. The courts are not finding the suppliers liable—one supplier has a record of 258 to 1. Nevertheless, it can cost millions to defend and win these lawsuits. The risks and costs of responding to product liability suits far exceeds the limited revenues generated from the sale of these materials and it is driving suppliers away from the medical device industry.

Alternate suppliers have been identified for certain of the materials, but they have expressed similar liability fears. In many cases, no other supplier exists. Alternate suppliers will likely sell materials only to those medical implant companies with the financial ability to back stringent indemnification agreements. According to Dane Miller, president of BIOMET, he is having to look at offshore biomaterial suppliers and the substitute materials made available may be substantially different and require quality assurance and new testing. Small implant manufacturers and start-up companies, however, are not in a financial position to guarantee adequate indemnification to suppliers. Small medical technology manufacturers are a primary source of innovation in the medical technology industry.

By limiting liability to instances of genuine fault, H.R. 956 will enable life-saving and life-improving medical devices to remain on the market.

We must return a sense of reasonableness to ensure that injured parties are compensated in a manner that protects all consumers and America's competitiveness. H.R. 956 is a good start in that direction.

STOP TERRORISM

HON. CHARLES E. SCHUMER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 14, 1995

Mr. SCHUMER. Mr. Speaker, I rise today to bring your attention to an ad that recently ran in the New York Times, the Wall Street Journal, the International Herald Tribune, and the New Republic sponsored by the American Jewish Committee [AJC]. This ad is part of

AJC's recent campaign to educate people on international terrorism and the proposed U.S. international countermeasures. As the sponsor of H.R. 896, the President's Omnibus Counterterrorism Act of 1995, I would like to commend AJC for their efforts.

AJC is a national membership organization which protects the rights of Jews the world over; combats anti-Semitism and bigotry; works for the security of Israel, human rights, and democratic pluralism; and promotes the creative vitality of the Jewish people.

The AJC has recently begun work on raising public consciousness of the threat posed to all of us by terrorism, and developing appropriate responses to this threat.

I ask that the text of the AJC's ad on terrorism be included in the CONGRESSIONAL RECORD.

A TALL ORDER: STOP TERRORISM
NO ISSUE IS MORE URGENT, NO SECURITY
THREAT MORE OMINOUS

Since the World Trade Center bombing two years ago, terrorists espousing a radical, vengeful interpretation of Islam have struck in Buenos Aires (for the second time), Panama, London, Cairo, Algiers and throughout Israel.

Terrorists claim divine guidance, but their brutal acts are condemned by the 50-country Islamic Conference Organization as "a clear deviation from the teachings of the righteous Islamic religion and blatant violation of our values, norms and heritage."

Terrorists are funded, housed, equipped, trained and provided logistical support, according to the U.S. government, by such U.N. member states as Iran, Iraq, Libya, Sudan and Syria.

Terrorists have taken the lives of hundreds of men, women and children of many nationalities and religions. Their targets can be anywhere. The next bus. The next plane. The next skyscraper.

A global peril, terrorism must be confronted globally—and immediately.

First, the U.S. and like-minded nations must intensify their cooperation in the fight against terrorism, making it an urgent international priority. Intelligence-gathering and investigative resources must be increased, border control procedures reassessed, and the flow of financial support to terrorist "charities" blocked, consistent with constitutional safeguards.

Second, the international community's tolerance of states that support terrorism must end. In Europe and the Far East, nations that extend preferential loans and other concessions to such states must be pressed to reconsider their shortsighted policies.

Third, moderate Arab states must be supported in their efforts to contain the forces of extremism. They are on the front line in this struggle.

Fourth, we must work to further the process of reconciliation between Israel and the Arab world which benefits the entire region, and undercuts the appeal of extremism.

These steps will enhance safety across the globe, in every land menaced by terrorism, including our own. It's a tall order . . . and a vital one.

UNWISE CUTS IN EDUCATION

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 14, 1995

Mr. FRANK of Massachusetts. Mr. Speaker, from time to time I will share with my col-

leagues evidence from people who are at work in Massachusetts of the damage that is being done to our social fabric by the proposed cuts that the Republican Party is putting forward. By increasing military spending, keeping other spending such as the manned space station sacrosanct, and advocating large tax cuts, many of which will go to wealthy people, the Republicans are forcing unduly deep cuts in many important programs that help our society attain the degree of civility that is essential. Recently, the commissioner of education in Massachusetts wrote to me and my Massachusetts congressional colleagues to talk about how seriously damaged programs in Massachusetts will be by cuts in the education area. I ask that Commissioner Antonucci's letter in which he stresses "the important connection between education and the nation's economic competitiveness and the vital role of federal investment in education" be printed here as one more argument against the cuts the Republican Party is now launched upon.

THE COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF EDUCATION,

Malden, MA, February 28, 1995.

The MASSACHUSETTS CONGRESSIONAL

DELEGATION,
Washington, DC.

DEAR MEMBERS OF THE MASSACHUSETTS DELEGATION: As the Appropriations Committee proceeds to vote on March 2 on the re-scission package that would cut \$1.7 billion from Education programs, I have implored them to please consider the important connection between education and the nation's economic competitiveness and the vital role of federal investment in education.

For Massachusetts, a leader in education innovation and reform, the proposed cuts would shatter our best investment. For example, the Goals 2000 initiative so closely tied to each state's reform efforts is scheduled to be cut by \$142 million. Programs such as School To Work and Tech Prep have been lauded as providing high-skilled preparation to 7000 students each year in the work place and the community colleges—the only entry for these particular students for higher wage jobs.

The Safe and Drug-Free program has served each one of our cities and towns since 1986. Through these drug and alcohol abuse programs, we have seen a significant drop in alcohol abuse as reported by students since 1990.

The loss of \$2,000,000 in Adult Education funding has very serious consequences to our most vulnerable population. These monies provide workplace literacy to 1200 adult students, and literacy training to 1500 homeless adult students. Our business community has been so impressed with our success, that they match the federal grant with \$1,800,000 each year.

We have written each member of the Appropriations Committee. We need their vote to reflect a level of funding that ensures every student's educational success.

Sincerely,

ROBERT V. ANTONUCCI,
Commissioner of Education.

TRIBUTE TO THE DISTINGUISHED WOMEN OF CALIFORNIA'S 14TH CONGRESSIONAL DISTRICT

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 14, 1995

Ms. ESHOO. Mr. Speaker, I rise today during National Women's History Month to salute the remarkable women of California's 14th Congressional District who serve their communities as leaders of organizations that assist women.

This year, as we celebrate the 75th anniversary of women's suffrage, it is fitting that we honor those who devote their time and talents to organizations that promote women and meet their needs. The extraordinary efforts and public service of these outstanding women provide our district with great leadership. While we take time during this month to commemorate historic women and their achievements, we also take this opportunity to honor the contributions women in service organizations are currently making to our communities.

Our region is blessed with superbly capable women leaders. Among these distinguished women are: members of the San Mateo County Council on the Status of Women: Linda Crowe, Janet Frakes, Gale Frances, Barbara Gee, Laura Guluzzy, Barbara Hammerman, Zenaida Ivey, Teresa Jollymour, Mary McGlynn, Pat Paik, Ellen Petterson, Jo Anna Reichel, Mary Anne Rooke, Victoria Von Schell, Carol Tanzi, Edwina Wasson, Yvonne Webb, Eva Wright, and Brenda Yost; members of the Santa Clara County Commission on the Status of Women: Bonita Lynn Banducci, Annie Dandavati, Jean Graf, Norma Mencacci, Jyoti Pendse, Gwen Quail, Noreen Raza, Wiggys Sivertsen, Rosemary Stasek, Linda Tauhid and Wilma Wool; Madolyn Agrimonti of the Latina Mentor Program; Elizabeth Alonzo, president of OPEIU Local 29; Dorothy M. Ames, president of AAUW Cupertino/Sunnyvale; Nancy Berg, executive director, San Francisco Bay Girl Scout Council; Vera Berg, vice president, Mills-Peninsula Hospital; Nancy Biagini, president, Communication Workers of America, Local 9423; Crownie Billick, copresident, League of Women Voters, Los Altos-Mountain View; Cynthia Carey-Grant, CARAL; Felisa Castillo, secretary-treasurer, Bakers' Local 24; Kalamu Chache, executive director, the Consortium for Young Women; Marcie Cisneros, Sor Juana Ines; Lisa Conrad, president, League of Women Voters of South San Mateo County; Amy Dean, business manager, South Bay AFL-CIO Labor Council; Carmen Delgado-Contreras, Latina Mentorship Program; Rosalind Fisher, executive vice president, Visa USA Inc.; Nancy Fox, executive director, Girl Scouts of Santa Clara County; Wanda W. Ginner, Petersen/Ginner, Inc.; Dian J. Harrison, executive director, Planned Parenthood of San Mateo County; Ila Homsher, Pacific Gas and Electric; Karen Keane, the Women's Center; Rita Keefe, president, AAUW Los Altos/Mountain View; Jane King, president, AAUW Menlo/Atherton; Muriel Knudsen, copresident, League of Women Voters of Los Altos/Mountain View; Sue Mirch-Kretschmann, president, League of Women Voters of Cupertino/Sunnyvale; Ruth Nagler, the Women's Center; Eve

Orton, president, League of Women Voters of San Jose/Santa Clara; Fran Packard, president, Bay Area League of Women Voters; Sally Probst, president, League of Women Voters of Palo Alto; Nancy Roberts, president, AAUW, Palo Alto; Jeanine Meyer Rodriguez, SEIU Local 715; Linda Romley-Irvine, executive director, Community Breast Health Project; Mary Ann Sabie, president, Central San Mateo County of Women Voters; Marcy Schultz, business manager, Building Trades Council; Kristina Sermersheim, Service Employees No. 715; Charlene Shores, AFSCME, Council No. 57; Dorothy W. Smith, Elizabeth Toledo, president, California NOW; Betty Torrez, AAUW; Arleen Vallejo, program coordinator, the Women's Center; Ellen C. Weaver, Ph.D., Association for Women in Science; and Eleanor Curry Williams, Black Women in County Government and Linda Williams, executive director, Planned Parenthood Mar Monte.

We also honor the following members of our district's youth commissions: from San Mateo County: Priscilla Aguirre, Cassie Bergero, Catherine Bursak, Monica Yvonne Fuentes, Fiona Hsu, Virginia S. Lin, Nina Lu, Regina McMenomy, Anshu Mohllajee, Katie Moroney, Cecilia Pena, C.J. Ross, Mona Lisa Safai, Jocelyne Takatsuno, and Laurel Whitnah; and from Santa Clara County: Nashua Rachel Carlos, Siobahn E. O'Laoghaire, Carmen S. Paredes, Persees Goebel, Laurie Aguinaga, and Kristin Higaki.

In addition, we honor the young women who serve on the Student Advisory Board of the 14th Congressional District: Lisa Coar, Ashley Fay, Jessica Ginsburg, Shelly Gulati, JoAnn Hsiao, Aisha Machtinger, Alana Paull, Sara Tesfazghi, Caroline Tsou, and Serene Zloof.

Mr. Speaker, I ask my colleagues to join me in saluting these remarkable women and the extraordinary contributions they are making to their communities. These great leaders are fitting representatives of the many women who make history every day, and their efforts on behalf of the people of California's 14th Congressional District are invaluable and appreciated by all.

DISTINGUISHED PROFESSOR

HON. MICHAEL P. FORBES

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 14, 1995

Mr. FORBES. Mr. Speaker, I want to speak today on the occasion of the retirement of Robert R. Sokal, distinguished professor of ecology and evolution, at the State University of New York at Stony Brook, where his colleagues, former students, and family will gather on March 18, 1995, to honor him and his accomplishments.

Dr. Sokal began his teaching career at the University of Kansas in the summer of 1951, where he spent 18 years. He came to the University at Stony Brook in 1969.

During his years in academia, he has secured many honors, including being a member of the National Academy of Sciences, a fellow of the American Academy of Arts and Sciences, a fellow of the American Academy of Arts and Sciences, correspondent of the Museum National d'Histoire Naturelle in Paris, fellow of the Guggenheim Foundation, fellow of the Center for Advanced Study in Behav-

ioral Sciences at Stanford University, and winner of the Distinguished Statistical Ecologist Award of the International Association for Ecology.

He has conducted pioneering research in ecological genetics and is a founder of the field of numerical taxonomy. He developed important statistical methods that he and others have applied to study geographic variation, ethnohistory, and mathematical classification.

A coauthor of 10 books, he has contributed to over 175 learned papers in the biological sciences, and has served as editor of the *American Naturalist*, a flagship journal in ecology and evolution.

He has been elected to high office in many scientific organizations, including the American Society of Naturalists, the Society for the Study of Evolution, the Classification Society, and the International Federation of Classifications Societies.

At Stony Brook he has served as vice provost for research, department chairperson, and professor.

Born in Vienna, Austria, he and his family fled to Shanghai, China, in 1939, to allow his father's release from the infamous Dachau and Buchenwald concentration camps. He met his wife, Julie Chenchu Yang, when they were both students at St. John's University in Shanghai. They have two children, David and Hannahk, and three grandchildren.

TRIBUTE TO MAYOR SAM HALLOIN

HON. TOBY ROTH

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 14, 1995

Mr. ROTH. Mr. Speaker, I rise today to honor a leader who provided both a bedrock of stability and a progressive vision for the community in which he served.

After 16 years at City Hall, Mayor Sam Halloin of Green Bay, WI, will leave office to begin a well-earned retirement.

When Sam steps down this spring as the city's longest-serving mayor, the citizens of Green Bay will remember him as both a skilled political tactician and as a sculptor who shaped the city of Green Bay for nearly a generation.

As the guide of a changing city, it has been said that Sam tied all the loose ends together both in the community and in city council chambers, where he often encountered disagreement but never turned down an opportunity to listen to another's point of view.

From the beginning of his political career, Sam dedicated himself to considering all sides of an argument, announcing in his bid for the mayor's office: "I do not have the answers to all the problems that face us, but I will work actively for an honest government that will be responsible and objective in its service to the public."

Apparently, that was exactly what the people of Green Bay were looking for. They elected him to lead their city in 1979, defeating former Mayor Thomas Atkinson.

Sam's political career began in 1962 when he was first elected to city council. In 1974 he was elected city council president and served for two terms. He also served two terms as Brown County board chairman before announcing his candidacy for mayor in 1978.

In each of his successive mayoral terms, Sam Halloin added to a list of accomplishments with wide-ranging benefits to the city and people of Green Bay.

His successful completion of city projects such as the Old Fort Square development, East Town Mall and the industrial park created jobs and provided a boost to the local economy while many cities suffered through a recession.

Mayor Halloin helped transform Green Bay into an even more popular tourism and business destination with the construction of the Embassy Suites and Regency Conference Center.

He also was successful in negotiating the construction of a \$6 million State office building in downtown Green Bay, drawing hundreds of workers into the downtown area and creating a positive ripple effect in the local economy.

Always eager to share the credit, Mayor Halloin admitted recently that "as Mayor, you don't do anything on your own. You do it by working with others, and either you get the support of the Council or you don't."

Mayor Sam Halloin is still drawing the support necessary for creating jobs in the community. In the past year, Sam helped bring a large-scale revitalization proposal for the Broadway neighborhood to passage, and has guided city purchases of riverfront property to be sold to private owners.

Sam's dedication to the economic well-being of Green Bay and its residents will not be forgotten. Fortunately, the community will benefit from Sam's vision and initiative for years to come. In his years of service, he pointed Green Bay down a secure path to the 21st Century without compromising the hometown feel and neighborly spirit of this great Northeast Wisconsin community.

I wish to commend Mayor Sam Halloin for his years of hard work and service to the city of Green Bay, and wish him well as he faces the new challenges that await him outside City Hall.

Thank you, Mr. Speaker. I yield the floor.

WELCOMING HIS MAJESTY HASSAN II, KING OF MOROCCO

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 14, 1995

Mr. LANTOS. Mr. Speaker, I invite my colleagues to join me in extending a warm welcome to the United States to His Majesty Hassan II, King of Morocco, who is visiting our country over the next few days.

Not only is King Hassan an outstanding and long-time friend of the United States, who has championed the cause of economic progress and democracy in his own country and peace and progress in the Middle East conflict, but he is the head of state of a country with which the United States has had a long and friendly relationship. Morocco was the first nation to recognize the independence of the United States of America in 1777, and it has been a steadfast ally of our country since that time.

During the 33 years of his reign, King Hassan has presided over the remarkable economic and political development of the Kingdom of Morocco. He was a dynamic leader in

the liberation of Morocco from French and Spanish protectorates. Shortly after ascending to the throne in 1961, King Hassan established a constitutional monarchy based on a multiparty political system including free elections, an elected parliament, a free press, and free trade unions. The King has worked tirelessly for the economic and social progress of his people. I also want to commend His Majesty particularly for his commitment to a pluralistic society that is tolerant of ethnic and religious diversity.

Morocco's leaders have promoted peace through diplomatic dialog long before the country was liberated from colonial rule. King Hassan has continued in that distinguished national tradition, and he has personally played an important international role that has benefited countries and peoples well beyond the borders of Morocco. King Hassan is a former head of the Organization of African Unity, and he is a leader in the Arab world whose moderating influence has helped stabilize this turbulent region.

Recently, under the leadership of King Hassan, Morocco has played an extremely positive role in seeking to bring peace to the Middle East. King Hassan was the first Arab leader to meet with Israeli Prime Minister Rabin and Foreign Minister Peres following the signing of the Declaration of Principles in Washington, DC, in September, 1993, between Israel and the PLO, and Morocco was the first Arab country after the signing of that declaration to establish a liaison office in Israel.

I have personally witnessed the remarkable progress and modernization of the kingdom of Morocco under the leadership of King Hassan, and I have had the opportunity to meet with His Majesty King Hassan on a number of occasions over many years. I have the utmost respect and admiration for the enlightened leadership he has provided the kingdom of Morocco, in Africa and in the Arab world.

Mr. Speaker, I urge my colleagues to extend a warm hand of friendship and goodwill to this champion of peace and democracy in the true spirit of our Nation on the occasion of his visit to the United States.

CLEANUP THE GREAT LAKES

HON. STEVE C. LATOURETTE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 14, 1995

Mr. LATOURETTE. Mr. Speaker, on Friday the 10th of March, I joined Congressman QUINN of Buffalo and Congressman OBERSTAR of Minnesota to introduce two pieces of legislation crafted to protect and enhance one of the world's most valuable natural resources—the Great Lakes. Representing over 90 percent of our Nation's fresh water supply, the Great Lakes' importance to our region's health and economy cannot be overstated. Currently, the Great Lakes supports a \$4.5 billion recreational fishing economy.

Unfortunately, historical pollution found in the sediments of Great Lakes rivers and harbors remains a severe impediment to our shipping and recreational opportunities, threatens fish and wildlife resources and places human health at risk.

Mr. Speaker, my first bill, the Assessment and Remediation of Contaminated Sediments

[ARCS] Reauthorization Act, will amend the Clean Water Act section 118 to continue the demonstration of innovative technologies to remediate contaminated sediments in Great Lakes rivers and harbors that was originally authorized in the 1987 amendments to the Clean Water Act.

The first ARCS program provided valuable demonstrations of technologies at the pilot scale that now need to be validated for commercial use. In the reauthorization, the Environmental Protection Agency's Great Lakes National Program Office will also consider new strategies for sediment removal and containment such as those being demonstrated at the Ashtabula River and Harbor in my congressional district in Ohio. To date, the formation of a new partnership among Federal, State, local government, and industry has been successful in avoiding a new Superfund designation and will lower cost and shorten the timeframe for cleanup. This is a success story that needs to be repeated throughout our country.

The second bill, the Great Lakes Federal Effectiveness Act, provides for enhanced research coordination efforts among the many Federal, State and Canadian parties across the Great Lakes Basin. By evaluating our current efforts against projected goals we can then prioritize among the agencies to ensure the best Federal investment while avoiding costly duplication of effort.

It is appropriate that I dedicate the Great Lakes Federal Effectiveness Act to the memory of Peter Seidl. As Secretary to the International Joint Commission's Council of Great Lakes Research Managers, Peter pioneered the concept and was instrumental to the drafting of this legislation. On May 7, 1994, Peter was on an environmental mission for the World Bank when his plane was lost over the Andes mountains enroute to La Paz, Bolivia. To date, the most extensive search and rescue effort in the history of South America has been unable to locate his plane.

While friends and family pray for Peter's safe return, I wish to memorialize his extraordinary efforts on behalf of the Great Lakes in service to both his homeland of Canada and his friends and colleagues in the United States.

BOY SCOUT TROOP 611'S EAGLE SCOUT COURT OF HONOR

HON. NORMAN Y. MINETA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 14, 1995

Mr. MINETA. Mr. Speaker, on November 5, 1995 in San Jose the accomplishments of seven members of Boy Scout Troop 611 were acknowledged. I was fortunate enough to play a part in the honoring of these seven accomplished and talented young men.

Congratulations to Kevin Endo, Dean Handa, Neal Nakano, Brian Tamekuni, Ted Nakano, Michael Leung, and Ryan Yoshida. Attaining the rank of Eagle Scout is not an easy task. It takes hard work, commitment, and a lot of support from your family, your community and your Boy Scout leaders. Your dedication, resolution, and perseverance in achieving this rank is to be commended and emulated by all residents of the community,

both those who will follow you and those who have gone ahead.

Mr. Speaker, I would like to respectfully request that the following account of the ceremony be placed in the CONGRESSIONAL RECORD.

On the evening of November 5, 1994, Boy Scout Troop 611, sponsored by the San Jose Buddhist Church Betsuin, held an Eagle Scout Court of Honor and dinner acknowledging the accomplishments of seven outstanding Boy Scouts. The recipients of Scouting's highest rank of Eagle Scout were Kevin M. Endo, Dean M. Handa, Michael S. Leung, Neal T. Nakano, Ted K. Nakano, Brian M. Tamekuni, and Ryan T. Yoshida.

Providing guidance and support for the seven Scouts were Scoutmaster Stan Kawamata and his assistants: Religious Advisor, Reverend Gerald Sakamoto, and Youth Director, Mrs. Jeanne Nakano. The Eagle Charge and Presentation and the Eagle Award Address were given by Mr. Doug McDonald, Santa Clara County Council Scout Executive. Among the dignitaries in attendance were U.S. Congressman Norman Mineta, a guest speaker, who presented an American flag flown over the United States Capitol to each Eagle Scout and Peter McHugh, the mayor of Milpitas, who made a special presentation to Ryan Yoshida.

Kevin M. Endo, the son of Mr. and Mrs. Jerry Endo, is a junior at Santa Clara High School. For his Eagle project Kevin supervised and participated in the construction of a four foot carved wooden Buddhist Wisteria symbol for the San Jose Buddhist Church Betsuin.

Dean M. Handa, a son of Mr. and Mrs. Ernest Handa, is a junior at Saratoga High School. Dean's Eagle project entailed supervising and helping to construct a display case for a kimono for the Yu-Ai-Kai Senior Center in San Jose's Japantown area.

Neal T. Nakano, the son of Mr. and Mrs. Mike Nakano, is a senior at Piedmont Hills High School. Neal's Eagle project included the planning, supervising, and construction of Japanese style fence toppers for the fence between the San Jose Buddhist Church Betsuin and the neighboring property.

Brian M. Tamekuni, a son of Mr. and Mrs. Kaz Tamekuni, is a senior at Bellarmine College Preparatory. For his Eagle project Brian supervised and participated in the construction of two large tables for the library in the Yu-Ai-Kai Senior Center in San Jose's Japantown.

Mr. Jimi Yamaichi was the Eagle project advisor for the preceding Eagle Scouts.

Ted K. Nakano, a son of Mr. and Mrs. Bob Nakano, is a freshman at West Valley College. For his Eagle project Ted designed, planned, supervised, and participated in the construction of three outdoor planters to be utilized by wheelchair users as part of their rehabilitation process. It was installed at a rehabilitation center run by the city of San Jose. Ted's father, Bob Nakano, was his project advisor.

Michael S. Leung, a son of Mr. and Mrs. Steve Leung, is a junior at Live Oak High School. For his Eagle project Michael planned and supervised the painting of a large map of the United States on the playground of Milpitas Christian School. His project advisor was Mrs. Celeste McVey.

Ryan T. Yoshida, the son of Mr. and Mrs. Richard Yoshida, is a junior at Bellarmine College Preparatory. Ryan's Eagle project entailed planning and supervising the refurbishing of the play kitchen area and the construction of a storage area for the kindergarten students at the Zanker Elementary School. Ryan's grandfather, Mr. Takeshi Sugimoto, was his Eagle project advisor.

TRIBUTE TO AL JOHNSTON

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 14, 1995

Mr. FILNER. Mr. Speaker and colleagues, today I rise to honor and remember a leader and hero, Al Johnston, known to many in San Diego as a legend of the barrio.

Al Johnston was not the type of a man to sit back and let the world go by; he took action to make his community a better place to live.

During the 1930's, he took his property and gave it to the less fortunate by converting an old car into a soup kitchen in Logan Heights. Later, he provided guidance and inspiration for many teens in the community by founding "Los Gallos," a club for restless teens. He led voter registration drives. He was committed to making a difference in the lives of many in the Latino community in San Diego. He is the type of leader we should all try to emulate.

Mr. Johnston was a proud leader of the spirit and soul of the barrio. He was adamant in his opposition to junkyards and pollution pro-

ducing industries in Logan Heights. In the 1970's, he led the campaigns for the conversion of most of a 5.4-acre parcel at the foot of Crosby Street into a bayfront addition to Chicano Park, a cultural landmark.

He was one voice who made a difference. My community has lost a great leader, and faithful fighter in the ongoing struggle to improve the quality of life for ourselves and our children. It is now up to us to continue his work and his dedication to the community.

My thoughts and prayers go out to his family and friends.

A TRIBUTE TO THE GIRL SCOUTS OF AMERICA

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 14, 1995

Ms. SLAUGHTER. Mr. Speaker, I rise today to applaud the Girl Scouts of Genesee Valley today as they take part in the first annual nationwide Girl Scouts "Be Your Best Day" by conducting a canned and nonperishable food

drive for the benefit of Foodlink in Rochester, NY.

Voluntarism in America is one of the most important forces in keeping the fabric of our society together. With nearly 3.5 million members, Girl Scouting of the U.S.A. is the largest voluntary organization for girls in the world. The Girl Scouts have carried the spirit of voluntarism through generations of American women.

I would like to thank the 12,000 Girl Scouts of Genesee Valley and 4,000 volunteers, who—along with Girl Scouts all over the country—are joining hands today to help the less fortunate. You are doing this great service for our country.

I would also like to acknowledge a significant anniversary that the Girl Scouts of Genesee Valley are having this year. Congratulations for 75 years meeting the special needs of girls from diverse racial, ethnic, and socioeconomic backgrounds and enriching voluntarism in America in the process.

Mr. Speaker, please join me in paying tribute to the Genesee Valley Girl Scouts and the Girl Scouts of America on "Be Your Best Day." The Girl Scouts' activities are an inspiration to us all.