

nearly 2,000 members in several States. The APUMEC continues to provide these services and has expanded to provide others, such as the scholarship program which awards scholarships each year to qualified students.

Margaret Montero is currently the 70th supreme president of the APUMEC. She joined APUMEC Council No. 4 "Progresso" on February 4, 1967, and has served as an officer since 1970. She is the third member of her family to hold the office of supreme president. Margaret's late brother-in-law, José (Joe) J. Montero was supreme president from 1930 to 1932. Her daughter, Jackie Montero Flynn, served as supreme president from 1973 to 1974. She and her daughter are the first mother and daughter supreme presidents of the APUMEC.

Ms. Montero was born on May 28, 1915, in Honolulu, HA. She has been a resident of the bay area for over 60 years. She owned a business with her now deceased husband, Mr. Joaquim (Harry) Montero, to whom she was married for 45 years, and she still resides in the city of San Leandro, CA. She has one daughter, Jackie Montero Flynn, one stepson, John Lewis Montero; three grandson; and two great grandchildren.

Ms. Montero has also served as a member of many other community organizations, including the IDES, ISMM, SES, SPRSI, UPPEC, UPEC, the Brotherhood of St. Anthony, the Cabrillo Civic Clubs of California, and the ICDES. She is also a representative to the Portuguese Fraternal Benefit Societies of California.

Ms. Montero will finish her term on June 20, 1995. During her tenure as supreme president, she brought in a total of \$575,000 in policies and over 85 new members to the society. This is a significant contribution to the organization. But perhaps even more significant is the tireless dedication she has brought to the APUMEC for the 28 years that she has participated in the organization.

Today, I want to congratulate Margaret Montero on her successful term as supreme president and recognize her for her commitment to the APUMEC and to the entire Portuguese community, I wish her much happiness in the years to come.

#### REAUTHORIZATION OF THE CLEAN WATER ACT

### HON. BLANCHE LAMBERT LINCOLN

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 16, 1995*

Mrs. LINCOLN. Mr. Speaker, I rise today to express my disappointment with provisions added at the last minute to H.R. 961, the Clean Water Amendments of 1995. The bill made an honest effort to correct some of the problems with the current Act. However, while I supported some of the strong elements of the bill, including the wetlands and the private property provisions, I could not, with good conscience, support the final amended bill.

During consideration of H.R. 961, the House approved an amendment that altered the allocation formula under the State Revolving Fund [SRF]. Under this new formula, the less industrialized States, like Arkansas, received significantly less money than they currently receive. The base bill contained a more equitable ap-

proach in its treatment of the allocation formula, but the amendment adopted by the House gutted the original agreement reached by the committee.

Last year Arkansas received nearly \$15 million under the SRF allocation. Under the amended bill, Arkansas would receive \$8 million—a 42 percent reduction.

Arkansas has a well run SRF program, leveraging two times the amount of its SRF funding. Last year, Arkansas leveraged nearly \$30 million from its \$15 million allocation. The severe reduction in the amended bill not only reflects a \$7 million reduction of federal obligated dollars, but it also adversely affects Arkansas' ability to leverage more funds. The bill's cut in fact represents a \$14 million total loss in funds that could be used to finance much needed wastewater treatment plants and infrastructure needs throughout the State. With the many Federal requirements imposed on our communities, they need the capital to comply with these national mandates.

Again, there were many provisions in the bill that I support, including relief for farmers under the wetlands and nonpoint source sections and small system hardship loans. However, when this bill pits Arkansas against other States in fighting for essential funds, I could not abandon Arkansas' needs in developing its clean water infrastructure.

I hope that the chairman and other Members involved in the negotiations with the Senate will press on in their obligation to consider this equity issue during the conference and resolve this unacceptable situation for Arkansas and 28 other States that lost SRF funding under the new allocation scheme. I would like to have a bill that I could support on behalf of my farmers and my rural constituents.

#### IN MEMORY OF EDWARD V. ROBERTS

### HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 16, 1995*

Mr. DELLUMS. Mr. Speaker, it is with profound sadness that I rise to remember the late Edward V. Roberts, the father of the independent living movement and cofounder of the World Institute on Disability. Mr. Roberts passed from this life on March 14, 1995, at his home in Berkeley, CA, at the age of 56.

Mr. Roberts undeniably exemplified the epitome of what people with disabilities can accomplish with the right attitude, individual empowerment, and mutual support. The undefeatable Mr. Roberts laid the groundwork for disabled rights as he pursued his dream of liberation and education. His lifelong battle for the rights of the disabled began in high school when he vigorously challenged his school principal who balked at granting Roberts a diploma because the teenager had not completed the required physical education courses. Polio left Roberts a quadriplegic at age 14. Roberts, unable to move below the neck and dependent on an iron lung to breathe, was deemed "severely disabled" and "unemployable," according to a counselor at the California State Department of Rehabilitation. Convinced that he could defeat the odds, Roberts never accepted the idea that disabled people could not when the rest of society

could. He pursued his educational objectives with this idea in mind. After winning the battle to obtain his high school diploma, Roberts went on to earn a bachelor's degree and a master's degree. He was the first severely disabled student to attend and be housed on campus at the University of California, Berkeley. While there, Mr. Roberts helped fellow students organize into a self-help group whose services included free counseling, off-campus housing referrals, and a repair crew whose expertise was wheelchairs. He also led the lobbying effort for dorm housing for the disabled and eventually secured Federal money to establish the first ever Physically Disabled Students Program at the university. This was just the beginning of Mr. Robert's legacy to people with disabilities.

Committed to increasing the freedom of people with disabilities to live and work like other people and in response to increased demands for the services provided under the auspices of the Disabled Student's Program, in 1972, Mr. Roberts helped found the Center for Independent Living in Berkeley. The program was the first of its kind to be designed, developed, organized and managed by and for the disabled to achieve the best quality life possible. It became a national model for people with disabilities because it documented and resolved some of the basic problems of people with disabilities attempting to live independently with such essentials as personal care, modified living space, transportation, and wheelchair-accessible ramps and curbs. While at the center, Roberts successfully campaigned for the removal of Federal laws that were designed to keep the disabled out of school and work environments. His ideas were turned into law in the Rehabilitation Act of 1973. There are now some 400 independent living centers throughout the United States based on the Berkeley model demonstrating independent living with accommodations. Once again, Mr. Roberts scored a permanent mark for the disabled, transforming the way everyone thinks and acts toward the disabled and paving the way for the integration of the disabled into all forms of society.

Mr. Robert's longtime efforts and visions received affirmation when Governor Jerry Brown appointed Roberts to head the California Department of Rehabilitation in 1975. Roberts was the first California State director of rehabilitation with a physical disability. His presence alone at the agency, the same agency that sided with the University of California in denying Roberts admittance to Berkeley because the school had never had a wheelchair-confined student who required a respirator and iron lung, helped many understand the needs of the disabled seeking independence. With a staff of more than 2,500 and budget of \$140 million, Roberts implemented the independent living programs on the State level and established a national network of independent living centers. The independent living movement soon went national. Roberts' efforts to change disabled rights dramatically influenced policies that are in place today. Mr. Roberts was determined to change the whole system and move away from old ideas about the capabilities of the disabled.

In 1984, Mr. Roberts received a \$225,000 MacArthur Foundation award. Using this grant, he cofounded the Oakland-based World Institute on Disability [WID], to carry the philosophy of independent living into the national

arena. This organization, an influential think tank on disabled policy and research issues, is dedicated to eliminating handicappism through equity of opportunity, institutionalizing the full participation of the disabled within our society and ensuring economic parity for the disabled. Under Roberts, the organization conducted research and training on major policy issues, formulated new approaches to disabilities that are based on real-life emergencies and needs, began a disabled youth summer jobs and internship project, encouraged small businesses to identify barriers faced by the disabled and lobbied for small business loans for the disabled. His lobbying efforts gave rise to the Americans with Disabilities Act of 1990, section 504, and other important access laws for the disabled. Carrying his message of independent living, Mr. Roberts traveled worldwide pushing his message for disabled rights in Africa, Australia, Russia, El Salvador, and Japan, just to name a few.

Edward V. Roberts positively changed the perceptions of a whole society and revolutionized society's idea of what persons with disabilities could be. As a role model and leader with a vision, Roberts was committed to building an environment that supports the independence of people with disabilities. Roberts plotted his course early and never veered from his chartered path. He inaugurated a civil rights movement that changed the life of every disabled person and the structure of nearly every street and building in this Nation. Though there are no monuments to the man who launched the disabilities rights movement, we must recognize Mr. Roberts as the man who tried to build a dream that we all could share, now and in all generations to come. We will all mourn this loss.

#### ALDRICH AMES SPY CASE

### HON. LARRY COMBEST

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 16, 1995

Mr. COMBEST. Mr. Speaker, on November 30, 1994, the Permanent Select Committee on Intelligence issued its report on the Aldrich Ames espionage case. Among the findings of that report was the fact that "the CIA failed to keep the oversight committees fully and currently informed" about the case "despite several instances of pointed questioning by Committee members. The lack of notification extended to the end: Neither the CIA nor the FBI advised the oversight committees of the investigation until shortly before Ames' arrest."

This chilling finding left unanswered the question as to why the oversight committees had not been kept informed, as the law requires: Was it a witting coverup or inadvertent? Although neither answer would be comforting, the Permanent Select Committee on Intelligence deemed it necessary to close out this unanswered question with regard to the Ames case.

Despite the heavy press of business the committee's staff and Members made this a priority at the outset of this Congress. After extensive work by the staff and a review by the committee, the committee voted unanimously on May 11, 1995, to release the following statement:

#### CONGRESSIONAL OVERSIGHT OF THE ALDRICH AMES SPY CASE

On February 21, 1994, Aldrich Ames was arrested and charged with violating U.S. espionage laws and spying for the former Government of the Soviet Union and the Government of Russia. Since that date, the Committee has conducted an aggressive inquiry to determine what went wrong in the Ames case and how to fix it. In November 1994, we issued an exhaustive report that had specific recommendations for remedial action. The Intelligence Community and the FBI have taken significant steps to address problems we highlighted in our report. The remedial actions have had a positive effect on counterintelligence issues.

One issue, in particular, surfaced during our inquiry that necessitated additional follow-up: that is, whether the CIA violated Section 502 of the National Security Act of 1947 and whether that violation was intentional. Section 502 requires that the Congress be informed of "all intelligence activities . . . including . . . any significant intelligence failure." At a full committee hearing on February 7, 1995, and in correspondence with this committee, Acting Director of Central Intelligence Admiral Studeman has stated that the CIA failed to meet this statutory obligation.

The CIA's admission of its violation of Section 502 led us to the next question, whether this failure was intentional. The Committee has interviewed a wide range of current and former CIA officials involved in the Ames case. We also reviewed the voluminous reporting that we have received on the Ames case. This examination produced no evidence that any former Director of Central Intelligence, Deputy Director of Central Intelligence, or Deputy Director for Operations made a decision to withhold information about the loss of Soviet assets in 1985 and 1986 and the resulting investigation from this Committee.

At lower levels of the CIA, where the counterintelligence investigation was being conducted, it appears that no one ever thought to bring this matter to the Committee's attention. Five Members of this Committee asked precisely the right questions about espionage problems at CIA during the CIA's own investigation: former Chairman Anthony Beilenson; two ranking Members, Representatives Henry Hyde and Bud Shuster; and two Committee members, Representative Dick Cheney and Larry Combest. At a minimum, what is clear is that, at certain levels, CIA officials did not understand the requirements of the law. The CIA is taking steps to ensure that all employees are aware of Section 502. Moreover, it is important to note that it is not the responsibility of the Committee "to ask the right questions." The onus lies with the Intelligence Community to be forthcoming vis-a-vis its oversight responsibilities.

The Committee is taking the following additional actions:

We have prepared a letter for the new DCI, John Deutch, drawing his attention to Section 502 and the transcript of the February 7, 1995 hearing. We are confident that the new DCI will be vigilant in ensuring that the mandates of Section 502 are followed. Notification is not merely a matter of law, but is also a matter of common sense. Senior CIA officials must bring matters to the attention of the Congress when there is any "significant intelligence failure." This raises the corollary issue of ensuring that all officers of the CIA understand that they will be held accountable for the management of their operations, as Admiral Studeman has already informed personnel of the CIA. The new DCI has also pledged to make accountability a focus of his management policies.

The Committee has a continuing interest in the Ames case. A full briefing on the results of the Intelligence Community's damage assessment will be received later this year. Following that briefing, the Committee will determine if there is additional legislative or other remedial action that is required.

The Committee will also continue to monitor the counterintelligence reforms that have been put in place by the CIA, the Intelligence Community and the FBI to ensure that there is no backsliding on this matter.

#### MEDICARE DEPENDENT HOSPITAL RELIEF ACT OF 1995

### HON. E. CLAY SHAW, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday May 16, 1995

Mr. SHAW. Mr. Speaker, I rise today to introduce timely legislation that will allow Medicare dependent hospitals, defined as hospitals with Medicare patient loads of 60 percent or more, to be reimbursed more fairly under the Prospective Payment System [PPS]. These hospitals, both rural and urban, have significantly higher Medicare losses and lower overall Medicare margins than other hospitals. This disparity threatens the viability of these hospitals and the access to, and the quality of, care for Medicare beneficiaries.

This legislation, which I am introducing in conjunction with my good friend from Florida, Senator BOB GRAHAM, is titled the Medicare Dependent Hospital Relief Act of 1995. To remedy the problem facing Medicare dependent hospitals, this bill includes three main provisions. First, Medicare dependent hospitals will be statutorily defined as hospitals with Medicare patients loads representing 60 percent or more of total patient days. Second, each year the Prospective Payment Assessment Commission [ProPAC] will compute, and the Health Care Financing Administration [HCFA] will implement, separate PPS updates for Medicare dependent hospitals and other hospitals. The update for Medicare dependent hospitals will have to make the average Medicare loss for those hospitals equal to the average Medicare loss for all hospitals. The computation and implementation will be budget neutral, thus this bill will not create additional costs. Third, ProPAC's annual report to Congress will include recommendations to ensure that beneficiaries served by Medicare dependent hospitals retain the same access and quality of care as Medicare hospital patients nationwide.

The need for this legislation is simple. Between 1983 and 1988, Medicare phased in the PPS to replace cost-based reimbursements with prospective, or pre-determined, payments to contain costs and encourage efficiency. Various PPS adjustments have produced wide variations in hospital profits and losses from Medicare. Medicare dependent hospitals, as a group, have been at a distinct disadvantage. While hospitals on average lose 2.73 percent on their Medicare business, Medicare dependent hospitals lose much more: on average, those Medicare dependent hospitals with 60-64 percent Medicare loads lose 4.57 percent, while those with 65 percent or greater Medicare loads lose 5.45 percent. Medicare dependent hospitals have less ability to offset