

Because this time line is relatively short, we sought to give schools flexibility in the methods from which they might choose to reach compliance.

The regulations interpreting the new law, however, do not provide the flexibility we sought. Unfortunately, the regulations prohibit schools able to comply with the guidelines under the current meal pattern, or another nutritionally sound meal pattern, from doing so. In fact, those already in compliance under the current meal pattern would be forced to change to one of USDA's new systems even though they are already in compliance with the guidelines.

Though studies have shown that most schools do not meet the guidelines under the current meal pattern, some schools are able to. Others believe they could meet the guidelines also if they make a few minor changes in cooking methods and food choices. I do not believe schools that are able to meet the guidelines under the current meal pattern or another nutritionally sound meal pattern should be precluded from using those systems. Our goal is to provide healthier meals, not to ensure certain methods are used for achieving healthier meals. Specifically this legislation allows schools to use any reasonable method to meet the guidelines, including those provided by USDA.

The Clinton administration deserves great credit for working to improve the health of schoolchildren. This amendment is in keeping with that effort. Our bill says to schools: We don't care what method you use to provide your children healthy, nutritionally balanced meals, just make sure you get it done.

I firmly believe that the problems posed by the inflexibility of the USDA regulations can be corrected by the Secretary, and there will be no need to go forward with the bill. Again, I commend the administration for its work in this area and look forward to continuing our bipartisan effort to improve the nutritional value of school meals.

#### CHINA POLICY ACT OF 1995

SPEECH OF

**HON. STENY H. HOYER**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 20, 1995*

Mr. HOYER. Mr. Speaker, I rise today in support of H.R. 2058. I want to commend the efforts of my good friends Ms. PELOSI and Mr. WOLF against the human rights atrocities in China.

Mr. Speaker, the United States has granted MFN renewal to China annually since 1980. Since the massacre in Tiananmen Square in 1989, we have been extremely focused on China's human rights performance. There are some Members who de-link international trade and human rights and believe that the infusion of Western business practices and ideas will lead to greater freedom in China.

Mr. Speaker, it has been 6 years since the Chinese regime directed the brutal massacre of pro-democracy protesters in Tiananmen Square. There has been little change, at best, in the dismal human rights record of the Chinese government.

There still has not been a full accounting for the victims of the 1989 crackdown. And, fur-

thermore, just 2 months ago, scores of well-known activists and intellectuals were rounded up and arrested for filing open petitions to the government urging a complete list of those who died.

Over the past 2 years this Congress has been, in my opinion, lenient towards the continued denials of freedom of expression, association, and religion in China.

Clearly, the time has come to send a clear and strong message to President Zemin and the National People's Congress that the United States will no longer stand idly by as products are made by slave labor for export, dissidents are permanently exiled, and torture and denial of medical care continues in Chinese prisons and labor camps.

The bill before us clearly states the Congress' outrage at China's violation of international nonproliferation standards. It also calls upon China to respect and uphold the U.N. Charter and universal declaration of human rights.

Despite previous concessions and promises made by the Chinese regime on human rights, the State Department recently reported that there continues to be widespread and well-documented human rights abuses in China.

Mr. Speaker, let me be clear \* \* \* I agree that we must engage the Chinese. I recognize the over \$9 billion of exports to China last year and the thousands of American jobs associated with those products and services.

However, we should not help underwrite the totalitarian regime in China any longer. This MFN debate is very different than others in the past.

This is a hallmark moment in United States-Sino relations. The post-Deng Xiaoping transition period approaches. With the fall of the Soviet Union, the Korean peninsula has become the most dangerous place on the planet.

As we have learned in country after country in Europe, the United States develops its strongest alliances and ensures its lasting security when we stand firmly and unequivocally for the principles upon which our own Nation was founded.

Mr. Speaker, whether we like it or not, the fact is that MFN is the only bargaining power we have with the Chinese each year. Our continued policy of unconditional engagement and economic stimulus to encourage human rights and nuclear nonproliferation is a failed policy.

H.R. 2058 directs the President to undertake intensified diplomatic initiatives to persuade the Chinese Government to, among other things, adhere to prevailing international standards regarding nonproliferation of weapons and respect the internationally recognized human rights of its citizens.

These initiatives will be carried out in our bilateral relations with China, and through the United Nations, the World Bank, and the WTO.

This bill requires the administration to report every 6 months on the progress of these initiatives and the Chinese Government's willingness to bring about reform.

Essentially, this bill will not allow the administration to walk away from the reality of the human rights abuses or nuclear proliferation.

It will also require the Chinese to make real reforms now, rather than empty and worthless concessions days before MFN renewal each year.

Mr. Speaker, there is a general consensus in the Congress that the best China policy is

one that advocates a prosperous, strong, and democratic China. This bill is a compromise which makes great strides toward effectively pressuring the Chinese to make needed reforms, while not denying MFN status to China at this time. For that reason, I will support this bill. Thank you.

JUSTICE WARREN BURGER

**HON. ANDREW JACOBS, JR.**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 21, 1995*

Mr. JACOBS. Mr. Speaker, our friend, Warren Cikins, has written a predictably eloquent piece for Legal Times about Justice Warren Burger.

I am pleased to share it with all those members and scholars who read the CONGRESSIONAL RECORD.

WARREN BURGER'S QUEST FOR "FACTORIES WITH FENCES"

(By Warren Cikins)

Much is being written of Chief Justice Warren Burger's commitment to strengthening the criminal Justice system and to ensuring the punishment of wrongdoers, but the occasion of his death at 87 on June 25, should also be an opportunity to highlight his determination to give offenders a chance to reform. As he proclaimed in a 1981 speech, "When society places a person behind walls and bars it is an obligation—a moral obligation—to do whatever can reasonably be done to change that person before he or she goes back into the stream of society."

Burger's commitment to prison reform was part of his broader interest in improving the administration of justice. The number and breath of his contributions are themselves remarkable. In "The Politics of Judicial Reform" (1982), Burger's early endeavors are described by Dr. Mark Cannon, who held the position of administrative assistant to the chief justice from 1972 to 1986—a position Burger helped create to facilitate these reforms. Cannon chronicles Burger's joint efforts with the American Bar Association to create the Institute of Judicial Administration, his support of the interbranch Hruska Commission created in 1972 and continuing operations until 1975), his expansion of the functions of the Administrative Office of the Courts, his work with the Department of Justice to create the position of assistant attorney general for the Office for the Improvements in the Administration of Justice, and the greater involvement by the Judicial Conference of the United States (which he headed as chief justice) in the preparation of data necessary for legislation of major significance to the judiciary.

Burger also sponsored the National center for State Courts at Williamsburg, Va., supported the creation of the Federal Judicial Center (a brainchild of his colleague, Justice Tom Clark), promoted the National College of the Judiciary in Reno, Nev., helped create the State-Justice Institute, and sponsored the creation of the National Institute of Corrections and the National Corrections Academy in Boulder, Colo.

At his urging, the Brookings Institution sponsored a series of annual seminars that began in 1978 and continued through 1993. Attendees included the chief justice, the attorney general, the chairman and other members of the Senate and House Judiciary Committees and numerous other jurists and

senior Justice Department officials. As Burger noted in 1983, at these seminars, "the topics range from subjects as old as federal jurisdiction, to subjects as new as the impact of automation on the judicial process."

These seminars were more than theoretical discussions. As Burger stated, "Many proposals considered at Williamsburg have been enacted by Congress. They include the division of the 5th Circuit, the creation of the Court of International Trade, the merger of the Court of Claims and the Court of Customs and Patent Appeals into the Court of Appeals for the Federal Circuit, the passage of the Omnibus Judgeship Act of 1978 and the Dispute Resolution Act, the relaxation of Speedy Trial Act time limits, improved juror protection and compensation, and clarification and expansion of magistrate jurisdiction."

As these extensive and varied efforts demonstrate, Chief Justice Burger was deeply committed to fostering cooperation between the three branches of the federal government to improve the administration of justice.

Burger's thoughts on prison reform began to form even in his childhood. In a foreword to a 1993 book, "Privatizing Corrections Institutions," he wrote, "I remember a visit as a Boy Scout to the Stillwater prison where some inmates were indeed 'warehoused' even though Minnesota was a pioneer in prison production."

As chief justice, he continued his work on this issue, which he characterized in a 1981 speech as a choice between "more warehouses or factories with fences."

Burger's efforts on behalf of meaningful corrections reform ranged from appearing on Ted Koppel's "Nightline" to taking a distinguished group of Americans to Scandinavia to observe prison industries. Lloyd Elliott, then president of George Washington University, agreed to create a Center on Innovations in Corrections. An advisory board of senior government officials and representatives for the private sector was assembled to assist the center's director, Dr. Judith Schloegel. Job-training projects were identified to be implemented at the state level.

These efforts spawned the creation of the National Task Force on Prison Industries. Chaired by Frank Considine, president of the National Can Corp., this group included other prominent business leaders, criminologists, and senior government officials from all three branches of the federal government.

The task force helped create a national climate of acceptance for prison industries. This was (and continues to be) an especially sensitive issue, since inmate production engenders valid concerns about competition with nonprison workers.

A high-water mark of Burger's prison industries effort was a 1985 conference at Wingspread, in Racine, Wis. Participants considered the full range of legal and practical issues, including management, procurement, marketing, inmate compensation, staff and inmate training, job placement, business and labor concerns, research and evaluation, and media and public relations. Particular attention was given to controlling prison costs and to the establishment of programs designed to help inmates defray some of the costs of incarceration.

Among the representatives from private industry, corrections, legislatures, universities, and the public were a number of co-operating business people, some of whom went on to create or run prison-industry programs. For example, the Control Data Corp. set up a computer assembly plant in the Stillwater, Minn., prison and promised inmate workers jobs when they were released: Jack Eckerd of the Florida drugstore chain, Eckerd Stores, later took over on a private basis the job-placement effort for Florida state inmates.

When Chief Justice Burger retired from the Supreme Court in 1986 to give full-time attention to his job as chairman of the Bicentennial Commission, he put his involvement in prison industries on the back burner. By the early 1990s, however, he was back in the fray, when he took up the cause of UNICOR, the federal prison-industry program created by Congress in 1934 to provide job training in federal prisons, paid for by products made by inmates.

The House of Representatives had adopted an amendment to the 1990 crime bill that would sharply restrict UNICOR in four key areas: furniture, textiles, apparel, and footwear. While this proposal was in conference—and appeared about to be adopted—Chief Justice Burger went into action.

As *The Washington Post* front-page story of Nov. 12, 1990 reported, "Burger fired off letters to House and Senate conferees labeling it an 'astonishing proposal' that would be 'an incredible setback to one of the most enlightened aspects of the federal prison system.'" Conferee Sen. Strom Thurmond (R-S.C.) told his colleagues that he would not accept the anti-UNICOR amendment, and that ended the matter.

#### MIDDLE GROUND

Burger lent his considerable energies to efforts to find a middle ground between the federal government and adversely affected industries and labor unions. He revived the Prison Industries Task Force, and prevailed upon former Attorney General Griffin Bell (and later, the former head of the Federal Bureau of Investigation and the Central Intelligence Agency, Judge William Webster) to serve as chairman of that group. In his January 1994 address to the task force, Burger cited the Scandinavian governments as role models for recognizing that most incarcerated individuals eventually return to society and therefore should be made literate and trained in meaningful jobs. "The U.S. needs to focus on education, training, and work to try to make offenders better people than when they entered the system," he urged.

Burger rejected the notion that his views on prison reform were at odds with his law-and-order approach to criminal justice. As the *Post* quoted Burger as saying, "My position on this is the most conservative one you can imagine. If you can take an individual and train him so he can do something a little more useful than stamping license plates, he's a little less likely to go back [into prison]. This isn't for the benefit of the criminal community. It's for the benefit of you and me."

Chief Justice Warren Burger continued his commitment to prison industries until the end of his life. In this quest for inmate rehabilitation, Warren Earl Burger honored his country.

#### TRIBUTE TO MRS. LENORE DONNELLY

#### HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, July 21, 1995

Mr. CLAY. Mr. Speaker, today we say farewell to Mrs. Lenore (Lenny) Donnelly, chief of democratic pages, who is retiring after 10 years of dedicated service in this position. She will be sorely missed.

Mrs. Donnelly's career in politics spans three decades and is quite impressive. She knew and worked with two great Democratic Presidents, John F. Kennedy and Lyndon B.

Johnson. She campaigned for President Kennedy and served President Johnson in the White House. She also worked for Senator Robert F. Kennedy. In 1985, she was appointed Chief of Democratic Pages by Speaker Thomas "Tip" O'Neill.

Mrs. Donnelly has been a valuable asset to this institution. She has trained and counseled more than 2,000 pages from across the country. Her contributions helped to make the page program a highly productive experience for the young men and women who participated.

I want to express my deep gratitude to Mrs. Donnelly for her outstanding assistance and wish her much success and great fellowship in the future.

#### REMEMBRANCE OF RICK NEUSTADT

#### HON. JANE HARMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 21, 1995

Ms. HARMAN. Mr. Speaker, earlier this month, the Democratic Party lost a creative voice and I lost a good friend.

Rick Neustadt and I met in the Carter White House, where his keen policy instincts were extremely valuable. He then moved to the private sector where he used his knowledge of communications policy to help fledgling new communications technologies to develop. He did good—and he did well.

He also continued his interest in refining and refocusing the Democratic Party to understand new technologies and the new workforce. His ideas were central to an excellent publication by the Democratic Leadership Council in California.

I learned a lot from Rick, and was hopeful he would play an increasingly prominent role in the DLC and the definition of the new Democrat. His untimely death in a rafting accident is a major loss to his friends, his party, and his country.

#### COMMEMORATING 150TH ANNIVERSARY OF BELVIDERE, NEW JERSEY

#### HON. MARGE ROUKEMA

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, July 21, 1995

Mrs. ROUKEMA. Mr. Speaker, I rise today to call attention to the 150th anniversary of the founding at Belvidere, NJ. The residents of Belvidere will hold a parade tomorrow as one of several events in a year-long celebration that began with a New Year's Eve party December 31. There have also been a costume ball, a charter signing re-enactment and a family fishing day. Obviously, there's so much to Belvidere's proud history that it cannot all be celebrated in just one day or just one event.

Belvidere was officially founded in 1845. But its history goes back to at least 1716, when William Penn and his partner, Colonel John Alford, purchased what was then the Lenape Indian village of Pequase. The property covered both sides of the Pequest River. The line