EXTENSIONS OF REMARKS

NATIONAL PARK SYSTEM REFORM ACT OF 1995

SPEECH OF

HON. E. CLAY SHAW, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 18, 1995

Mr. SHAW. Mr. Speaker, I rise today to voice my support for H.R. 260, the National Park System Reform Act of 1995. First, I would like to clear up any misconceptions about the nature of this bill. H.R. 260 does not close a single park. As a strong supporter of the preservation of native resources, I would never support a bill that threatened our national parks.

In the last 10 years, the National Park Service budget has more than doubled, increasing by more than 30 percent above the rate of inflation. Despite these substantial increases, the National Park Service claims that their agency is suffering huge funding shortages. In the past, when similar proposed budget cuts have been recommended, the NPS has responded by threatening to close highly visible areas. In the NPS budget request for fiscal year 1996 only 48 percent of the $1.5 billion requested goes directly to fund park operations. In the remaining 52 percent of the budget, the administration has requested funding for projects such as $1 million to repair the White House sidewalks. Clearly, NPS funding could afford to be cut in many areas with little or no effect on parks. In fact, the National Park Service has already submitted a report to Congress recommending specific programs that could be cut to meet the budget reductions, without closing parks.

Many ask why the National Park Service doesn't just increase its park entrance fees. Currently, the NPS collects fees at only one-third of the areas it administers, resulting in the failure of the NPS to collect $60 million annually.

H.R. 260 is similar in scope to a bill which passed the House by a vote of 421 to 0 last Congress. It requires the NPS to develop the first plan in the history of the agency to define the mission of the agency. In addition, it requires that the NPS review the existing 368 areas managed by the agency—excluding the 54 national parks—to determine if all of them should continue to be managed by the NPS.

I quote directly from the bill, ''Nothing in this Act shall be construed as modifying or terminating any unit of the National Park System without a subsequent Act of Congress.'' This bill is not designed to save money but to ensure that our park system continues to be the best in the world.

LEGISLATION AMENDING THE INTERNAL REVENUE CODE RELATING TO THE EXPIRATION DATE FOR REFUNDING OF EXCISE TAXES ON GASOLINE BLENDED WITH ETHANOL

HON. TIM JOHNSON

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 19, 1995

Mr. JOHNSON of South Dakota. Mr. Speaker, I am pleased today to introduce legislation that would amend a technical error in the expiration date for refunds of excise tax on gasoline blended with alcohol fuels.

Although the exemption from the excise tax for alcohol fuels clearly does not expire until September 30, 2000, the provision in Internal Revenue Code allowing businesses who routinely blend alcohol with gasoline and other fuels expires on September 30, 1995. Businesses still qualify for refunds for the excise tax paid, but the expiration of the provision for routine refunding of the excise tax paid requires Herculean efforts on the part of blenders and likely will cause some to quit blending alcohol fuel altogether. Extending the refund to coincide with the expiration dates for the exemption from excise tax is fair and budget neutral, as businesses using this refund procedure clearly do not owe the tax.

Failing to extend the expiration of this refund will be negative for the environment, negative for the truly American industry of ethanol production, and negative for America's farmers as a significant market for grain will be reduced.

Mr. Speaker, I am certain that you and the rest of my colleagues would agree that it is good policy to fix technical errors in Internal Revenue Code. The alternative is the policy of unintended consequences. This serves no public interest. I ask you to join me in making this technical correction to the Federal Tax Code.

DENYING THE POOR EQUAL ACCESS TO THE LAW

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 19, 1995

Mr. LANTOS. Mr. Speaker, I invite my colleagues to join me in opposing those who continue to scapegoat the poor for our Nation's ills, and now seek to kill the Legal Services Corporation which is often the only source of legal aid for those least able to pay or navigate their way through our system of justice. I wish to draw my colleagues attention to an honest, take-no-prisoners editorial in the San Francisco Chronicle which clearly demonstrates how utterly repugnant these proposals are to eliminate Federal funding for legal aid. I urge my colleagues to join me in protecting this important and vital guarantor of justice in America.

[From the San Francisco Chronicle, Sept. 13, 1995]

DENYING THE POOR EQUAL ACCESS TO THE LAW

A repugnant attack on the poor gets a hearing on the floor of the U.S. Senate tomorrow with the scheduled vote on a bill that would slash funds for legal aid and eliminate the 30-year-old Legal Services Corporation.

The 323 shoestring community legal agencies funded by the corporation often provide the only recourse for members of the nation's underclass who are dealing with domestic violence emergencies, tenant problems, nursing home complaints, discrimination and wage disputes and myriad other plights requiring legal expertise.

But in the name of balancing the budget, the Senate Appropriations Committee passed a bill that would cut already-insufficient $400 million funding by about half, abolish the corporation and make right-wing fundamentalists happy by imposing restrictions on the kinds of cases, such as divorce, that can be represented.

A similar and equally harmful and distasteful measure by Representative George Gekas, R–Pa., is making its way through the House.

The issue is ''whether the government should be involved in breaking up families,'' was the know-nothing reaction of a spokesman for presidential hopeful Senator Phil Gramm when asked about the Texas Republican's support of the legal aid bills.

Typically, however, local legal aid lawyers working with limited funds must give priority to martial cases that involve spousal battering. They must often refer less urgent cases to others.

California received $47.2 million this year to help the poor with civil legal matters, far from enough to provide legal aid to all the indigent, not least of all poverty-stricken elderly, who need such help. Proposed cuts for the state could total $19 million.

Besides trying to use government-funded legal aid as a symbol of misplaced moral values, conservatives charge that the Legal Services Corporation spends too much time on high-profit class action suits.

To the contrary, most of the work of these dedicated, underpaid legal aid lawyers is spent on the gritty, routine case work involving families and housing , the disabled, patient rights, consumer and utility issues and wage issues. The legal and lawyers also help the poor wade through bureaucratic labyrinths that often make it difficult to collect the few federal benefits to which they are entitled.

The relatively small federal outlay in legal aid funds has meant the difference between justice and injustice for many poor Americans.

It is an investment that must continue to be honored if the country is not to abrogate its historic promise of equal access to the legal system.

CONGRATULATING THE NATIONAL CENTER FOR DISABILITY SERVICES

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 19, 1995

Mr. ACKERMAN. Mr. Speaker, I rise to salute the National Center for Disability Services, which is located in Alberston, NY. The National Center for Disability Services is a recipient of the U.S. Department of Labor's 1995 Epic Award, in recognition of its formidable success in assisting corporate America recruit and employ individuals with disabilities.

For over 40 years, this facility has demonstrated that people with disabilities can participate fully in our society if given the opportunity. This center provides a comprehensive array of services for people with disabilities, including a school for children, and career evaluation, training and placement services for adults.

Mr. Speaker, I ask all of my colleagues in the House of Representatives to join me now in congratulating Edmund L. Cortez, the center's president and chief executive officer, along with his entire staff, for this remarkable achievement.

PERSONAL EXPLANATION

HON. HERBERT H. BATEMAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 19, 1995

Mr. BATEMAN. Mr. Speaker, I was unable to participate in a number of rollcall votes in late July and early August. I also inadvertently missed rollcall vote 658 on September 13, 1995. In the interest of keeping my constituents informed of how I would have voted had I been present, I submit the following information:

Rollcall vote:

546	Yea.
547	Nay.
548	Nay.
549	Nay.
550	Nay.
551	Nay.
552	Nay.
553	Nay.
554	Yea.
555	Nay.
556	Nay.
557	Yea.
558	Nay.
559	Nay.
560	Nay.
561	Nay.
562	Nay.
563	Nay.
564	Yea.
565	Nay.
566	Yea.
567	Nay.
568	Nay.
569	Yea.
570	Yea.
571	Nay.
572	Nay.
573	Nay.
574	Nay.
575	Nay.
577	Nay.
578	Nay.
579	Nay.
580	Nay.
581	Nay.
582	Yea.
583	Nay.
584	Yea.
585	Yea.
586	Yea.
587	Nay.
588	Nay.
589	Nay.
590	Nay.
591	Nay.
592	Nay.
593	Nay.
594	Nay.
595	Nay.
596	Nay.
597	Nay.
598	Nay.
599	Nay.
600	Yea.
601	Yea.
602	Nay.
603	Nay.
608	Present.
609	Nay.
610	Yea.
611	Nay.
612	Nay.
613	Nay.
614	Yea.
615	Nay.
616	Yea.
617	Nay.
618	Nay.
619	Nay.
620	Nay.
621	Nay.
622	Nay.
623	Yea.
624	Nay.
627	Yea.
628	Nay.
629	Yea.
630	Nay.
631	Yea.
632	Yea.
633	Yea.
634	Nay.
635	Yea.
658	Nay.

RECOGNIZING THE DRUG ENFORCEMENT AGENCY FOUNDATION

HON. MICHAEL P. FORBES

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 19, 1995

Mr. FORBES. Mr. Speaker, I rise today to recognize Drug Enforcement Agency Foundation [DEA] and their contribution to helping the American public respect, appreciate, and support the efforts of the men and women of the Drug Enforcement Agency.

Officials in other areas of law enforcement interact regularly with the general public. However, the DEA special agent does not have this opportunity and must work undercover for safety and security reasons.

It appears that lately, Mr. Speaker, people have forgotten about these individuals, the special agents of the DEA, who risk their lives daily for us. It is important to acknowledge DEA special agents, and their families who are prepared to risk everything to make America a better, safer place for all of us.

The DEA Foundation was recently formed by a group of leading American figures in the business community and medical professions. These ladies and gentlemen saw the need to raise funds to help educate our children about the dangers of drugs and the need to offer financial support to families of DEA agents killed in the line of duty. These generous supporters give selflessly of their time and energy to help the men and women of the DEA.

The Foundation's board of directors has taken a pledge to donate time and resources to developing programs to further benefit the Drug Enforcement Agency, its special agents, their families and the general public.

Authorized by the Department of Justice and the DEA, the Foundation works tirelessly to provide services to the community and the Drug Enforcement Agency that are not provided for in the DEA operating budget. In addition, the Foundation serves as the primary link for agents and their families in a time of crisis or need.

Mr. Speaker, I am sure that you and all Members of this House agree our quality of life can improve greatly with a reduction in crime. Studies have shown the direct link between illegal drugs and crime, making the Drug Enforcement Agency, with its dedicated agents, our first line of defense.

I want to thank the Drug Enforcement Agency Foundation for its continued efforts in supporting the men and women of the DEA and in helping reduce crime on our streets. Mr. Speaker, I recognize and thank First Chairman Dennis Jay Schnur and First Vice Chairman Abbey J. Butler, and the other 27 founding directors, who had the vision to establish the DEA Foundation and without whose commitment this Foundation would not and could not exist.

TRIBUTE HONORING ST. PAUL LUTHERAN CHURCH OF DANBURY

HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 19, 1995

Mr. GILLMOR. Mr. Speaker, it gives me great pleasure to rise today and salute a church in my district. This year, St. Paul Lutheran Church in Danbury, OH, will celebrate the 150th year of its founding.

Located in northern Ohio along the coast of Lake Erie, the church was founded in a log cabin on August 29, 1845. Many of the same family names are still in the congregation 150 years later. In fact, the speaker for the celebration, Rev. Cecil E. King, Jr., is a son of the St. Paul congregation. The vision at its founding 150 years ago was to be a church where people live with God and work for the communal good.

The same vision is true today. The church building has been a source of civic pride for many years and the stately design of the building solidifies its place as a local landmark. A monument such as this does not survive on structure alone, however. The building is a testament to the dedication of the congregation in preserving links to their heritage.

Mr. Speaker, as the church marks its 150th year of service, we commemorate the past and celebrate the future. A new generation continues the exemplary record of community service and pride that distinguishes St. Paul's. I ask my colleagues to join me in honoring this special church.

TRIBUTE TO THE ALEXANDRIA HARMONIZERS

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 19, 1995

Mr. MORAN. Mr. Speaker, I rise today to give much deserved recognition to the Alexandria Harmonizers Barbershop Chorus, a 130-voice barbershop chorus from Alexandria, VA. Led by Scott Werner, the Harmonizers have been entertaining audiences since 1948. This year the Harmonizers have been recognized for the seventh time since 1979, as the International Barbershop Chorus Champions, distinguishing them as No. 1 among over 825 men's barbershop choruses internationally. I admire their efforts to preserve this piece of American culture where synthesizers and electronic instruments would have taken over. I submit for the RECORD an article from the Washington Post which further expands on the history, and essence of the Harmonizers.

[From the Washington Post, Aug. 3, 1995]

HARMONIOUS HOTSHOTS—BARBERSHOPPERS HIT PRIZE-WINNING PITCH

(By Lan Ngyen)

Strike another high note for the Alexandria Harmonizers.

The all-male singing group just won its third international barbershop chorus championship in nine years, beating out 21 groups from the United States, Canada and England.

With its performance of ''I'll Be Seeing You,'' a song above love, familiarity and remembrances that was written for soldiers in World War II, the 130-member chorus again wowed the judges at the annual contest sponsored by the Society for the Preservation and Encouragement of Barber Shop Quartet Singing in America.

The Harmonizers also staged a dazzling rendition of ''Sweet Georgia Brown,'' which was widely popularized as the Harlem Globetrotters' theme song and is about a woman who comes to town and stirs a commotion among the men. Along with their booming four-part harmony, the singers sway side to side, snap their fingers, dance in a chorus line and synchronize the flashing of their purple-sequined vests.

''We want to be the best we can to bring to people not only an excellent singing group but an entertaining group at the same time,'' said Scott Werner, the group's director of more than 20 years. ''It's not a professional group, but the level of our singing is comparable to a lot of professional groups. We've worked very hard at perfecting our hobby.''

The Harmonizers is one of more than 800 groups in the Wisconsin-based barbershop singing society, whose motto is ''Keep the World Singing.'' Their form of music is based on the four-part harmony of a bass, a baritone, a tenor and a lead, who sings the melody. The songs have simple versus and are sung a capella because the blend and the richness of the four tones require no instruments to embellish the sound.

This type of singing dates to the late 1800s, according to Brian Lynch, the society's public relations director. People on street corners and in churches would sing four-part harmony to pass the time. Yet barbershop singing began to fade with the demise of vaudeville in the 1930s, around the time the national organization was formed by two barbershop singing aficionados.

Part of the Harmonizers' mission is to keep barbershop music alive in an era of MTV, synthesizers and other electronic equipment that can play the sound of many instruments at once. For their part, the Harmonizers try to attract a wide range of audiences by singing more than traditional barbershop tunes, such as ''Sweet Adeline.'' At a free concert last week at Fort Ward Park in Alexandria, for example, they crooned their version of ''Music of the Night,'' a popular song from the play ''Phantom of the Opera.''

And unlike other barbershop chorus groups whose performances more resemble something you'd expect from a staid Sunday church choir, the Harmonizers emphasize pizazz in their pieces, with the help of Geri Geis, an actress and choreographer. In a remake of the 1950s rock-and-roll tune ''Little Darlin'' by the Diamonds, all the singers sport sunglasses. In a medley of selections from ''Guys and Dolls,'' they don 1930s costumes and act out scenes.

The Harmonizers range in age from 15 to 93, and they come from all walks of life—doctors, lawyers, students, architects and military colonels. Many grew up singing in church groups or performing in school musicals.

''Choruses like ours are made up of a bunch of Joes who like to sing,'' said Bob Sutton, a 10-year member. ''There's a tremendous reward for those who join. It's a part of my life. As long as I can continue to get the thrill that you get singing four-part chords, I'm going to continue to do that.''

The Harmonizers practice three hours a week, give two performances a month and stage two full-blown shows in the fall and spring to finance their trips and costumes. They've taken their act on the road for Supreme Court justices and for performances at Wolf Trap, Carnegie Hall and the Kennedy Center, where they've sung with the likes of Perry Como.

Members of the Harmonizers, founded 47 years ago by a dozen or so members, attribute their success and longevity to the fraternal bonds the men have forged practicing and singing together. They say they make lifelong friendships and keep in touch through a monthly newsletter that notes births, weddings and funerals.

''A lot of [the organizations' success] has to do with camaraderie and friendships that you build in an organization like this,'' said Tyce Light, 29, a D.C. computer analyst who joined the group three years ago. ''When members of the chorus are sick or wives have babies, the Harmonizers do pull together with strong family spirit.''

A POEM BY RITA RUDOLPH OF EULESS, TX, TO HONOR THE MEN WHO FOUGHT IN THE D–DAY INVASION

HON. JOE BARTON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 19, 1995

Mr. BARTON of Texas. Mr. Speaker, I submit the following for the RECORD:

D-DAY, 6TH OF JUNE; FIFTY YEARS LATER

White crosses, thousands, all in a row; how still.
Beneath them, young men who never grew old.
Heroes; some say, who died so that others could live in freedom.
Look closely at these crosses and listen to the voices of all these young men.
I died so that you might live in a free world.
I died so that you could do greater things with your lives.
I died so that this earth could be a better place for you and your children, so that peace, love and respect for each other as brothers would rein.
I gave you the rest of my life so that you could build a peaceful world. Each man living their lives for good; enjoying all the good things life has to offer.
I gave you the most precious gift I had; I gave you my life, my future.
Oh, if only we could rise up from this place where we have laid so long; we could show you what life should be like.
All of us here, could show you what life really means.

RYAN WHITE CARE ACT AMENDMENTS OF 1995

SPEECH OF

HON. GERALD D. KLECZKA

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, September 18, 1995

Mr. KLECZKA. Mr. Speaker, passage of the Ryan White CARE Act Amendments is the culmination of more than 20 years of untiring work by the HIV/AIDS community not only to reauthorize this landmark legislation, but to make it stronger. In a time when divisive politics has become the norm, the Ryan White CARE Act is a rare example of the good work that can be accomplished when individuals, despite different socioeconomic status, locales, and politics, come together in a strong partnership to work for a common goal.

This past Sunday I had the wonderful opportunity to join over ten thousand supporters of the Ryan White CARE Act at the Wisconsin AIDS Walk. Some walked to remember a loved one or coworker that had died of the disease; some walked in the hope they could raise money for research to help find a cure; some walked to promote awareness, or to show their support for the HIV/AIDS community. But they all walked together. And together they raised over $700,000 for the cause.

Similarly, because we all worked together, Republicans and Democrats, Members from urban areas and those from rural districts, the Ryan White CARE Act is even stronger than the original legislation. For example, the new funding formulas that were so carefully fashioned will increase Federal AIDS funding in Wisconsin by over $3 million.

It is through the commitment of the Ryan White CARE Act, that the Federal Government joins State and local governments in an inclusive partnership with health care providers, religious organizations, people afflicted with the AIDS epidemic, and members of the Wisconsin community who came out on Sunday to walk for a good cause. This partnership has afforded people with the HIV disease access to a comprehensive support structure that includes housing, medical care, legal and social services, and most importantly, hope.

I am proud to have been a part of this important bipartisan effort to reauthorize the Ryan White CARE Act. It is truly gratifying to see this bill pass overwhelmingly in both Houses. But on this important day, let us remember that we could not have reached this important goal if we had not all worked together.

DAIRY FREEDOM ACT OF 1995

HON. THOMAS E. PETRI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 19, 1995

Mr. PETRI. Mr. Speaker, today I am introducing the Dairy Freedom Act of 1995. This bill deregulates the diary industry within 5 years by eliminating the Federal milk marketing order system on January 1, 1996, reducing the Federal dairy price support over the next 4 years beginning January 1, 1996, and then eliminating the price support program on January 1, 2000. It also directs the first savings realized through this plan toward eliminating the current dairy assessment paid by farmers, then applies all subsequent program savings to reduce and eventually eliminate the taxpayers' contribution to the program.

Through an oppressive and costly system of Federal milk marketing orders, the Federal Government currently fixes the price of 70 percent of the raw milk produced in the United States according to how the processor intends to use it. The Federal order system also pools and then redistributes milk revenues among farmers by computing a blend price which all processors are required by law to pay to farmers. And through the dairy price support system, the Federal Government attempts to support the price of raw milk by entering dairy product markets and buying butter, cheese, and nonfat dry milk at minimum guaranteed prices. This creates artificial demand in the market for dairy products and effectively encourages overproduction of certain products due to the fact that the Government is required by law to purchase them.

The fact that this program uses centralized government planning methods in an attempt to micro-manage the dairy industry is bad enough. But what I and many, many folks in the upper Midwest find truly despicable about it is that it effectively discriminates against our dairy farmers by holding their milk prices down, while keeping prices artificially high in other parts of the country. It is ironic and sad that this program—supposedly created to help dairy farmers—is now substantially to blame for driving more than a few of them out of business.

In addition, this program continues to cost farmers, taxpayers, and consumers hundreds of millions of dollars each every year. Farmers are required to pay an assessment in order to help defray the cost of purchasing surplus dairy products through the Federal dairy price support system. Rather than allowing the free market to counter overproduction of certain dairy products, the current program effectively sets floor prices and taxes farmers for part of the cost of maintaining those prices by removing manufactured products from the market. Taxpayers pick up the tab for most of the program's cost, which is expected to total more than $370 million in fiscal year 1996 if the program remains unchanged. Finally, consumers pay for this program at the checkout counter when they purchase dairy products or other food products made with milk which has been priced artificially high by the Federal Government.

I feel very strongly that any Federal dairy policy which continues to prevent the proper functioning of the free market in the dairy industry, and which effectively discriminates among farmers on a regional basis, is unacceptable. Instead of keeping this program intact and reauthorizing some semblance of the status quo, I propose today that the Congress take action to free America's dairy industry by incorporating my Dairy Freedom Act into the agriculture reauthorization language which is to be included in this year's budget reconciliation bill. I urge my colleagues to join me in taking this bold yet long-overdue step in favor of free markets, lower prices for consumers, less waste of taxpayer dollars, and free and fair competition in the U.S. dairy industry.

TRIBUTE TO ELIZABETH KAUFMAN

HON. HOWARD L. BERMAN

OF CALIFORNIA

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 19, 1995

Mr. BERMAN. Mr. Speaker, we are honored to pay tribute to Elizabeth Kaufman, who has just completed her 1-year term as president of the San Fernando Valley Bar Association. Elizabeth, who immigrated to the United States from Poland in 1964, is the classic example of a person who became a success through hard work and perseverance.

Elizabeth began her rise as a law clerk in the Los Angeles City Attorney's Office, where she worked while simultaneously attending San Fernando Valley College of Law. She graduated from law school in 1975. After admittance to the California Bar, Elizabeth began her private law practice, emphasizing family law and personal injury. She also quickly became immersed in a wide variety of activities associated with the law.

For example, Elizabeth served as a free arbitrator for the State Bar of California and the Los Angeles County Bar Association; family law court mediator; Superior Court arbitrator; and trustee of the Los Angeles County Bar Association.

In 1988, Elizabeth was elected as a trustee of the San Fernando Valley Bar Association. Six years later she became president. Elizabeth's tenure was marked by the launching of Lawyer's World magazine, and a significant increase in membership.

Elizabeth, married to Dr. Hershell L. Kaufman and the mother of three teen-age daughters, has considerable duties outside of her home and the law. She is director of the San Fernando Valley Community Mental Health Center; director of the Northridge Chamber of Commerce; and director of the Heschel Day School.

Mr. Speaker, we ask our colleagues to join us today in saluting Elizabeth Kaufman, whose devotion to her community, profession and family is exemplary. She is an inspiration to all of us.

FOREIGN TRUSTS

HON. SAM GIBBONS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 19, 1995

Mr. GIBBONS. Mr. Speaker, I am introducing legislation today to prevent avoidance of our tax laws by individuals transferring their assets to foreign trusts. I am introducing this legislation because it responds to a real and growing abuse of our tax laws.

The legislation that I am introducing today includes several provisions similar to proposals recommended by the President in his budget submission for fiscal year 1996. My proposal contains substantial changes to the proposals recommended by the President. These changes are largely in response to concerns raised by tax practitioners. In particular, I would like to thank the New York Bar Association for its thoughtful analysis of the President's foreign trust proposals. Many of their recommendations have been incorporated into the legislation that I am introducing today. Although I have made substantial revisions to the original Treasury proposal, the Treasury has indicated that it would support my bill as a reasonable approach to the problem of tax evasion through foreign trusts.

Recently, we had a long debate over provisions designed to prevent avoidance of our tax laws by American citizens renouncing their allegiance to this country. During that debate, I became aware that many other wealthy individuals, while retaining their citizenship in this country, are abusing our tax laws by hiding their assets in offshore trusts or other accounts located in tax havens with bank secrecy laws designed to facilitate tax evasion. I feel that these individuals are worse than the expatriates because they are renouncing their responsibilities to this country while retaining the benefits of citizenship.

Mr. Speaker, there is ample evidence that trusts and other accounts in tax havens are fast becoming a major vehicle for abuse of our tax system. In the Cayman Islands alone, $440 billion are on deposit with over 60 percent of this money estimated to be from United States sources (Barron's, January 4, 1993, pg. 14). Barron's estimates that there is more American money on deposit in the Cayman Islands than in all the commercial banks in California. In addition, Luxembourg has $200 billion on deposit from United States sources and the Bahamas has $180 billion from United States sources (New York Times, October 29, 1989). Legal experts outside the United States told the Washington Post (August 7, 1993) that they were getting a 100-percent increase in the business of offshore transfers every 6 months. An article in the Washington Times (November 7, 1994) quoted a promoter of these schemes as stating ''only fools pay taxes in the United States.'' During the debate on the expatriate issue, there were constant assertions that the problem was neither large nor growing. That argument was dubious in the context of the expatriate issue but would clearly be erroneous in the context of foreign trusts. There is no question that the use of foreign trusts for tax avoidance is a problem that is both large and growing.

U.S. taxpayers are required to file annual information returns on trusts of which they are the grantor showing the aggregate amount of assets in such trusts. However, the rate of noncompliance with these requirements is staggering. The IRS estimates that in 1993 only $1.5 billion of foreign trust assets were

reported. Treasury estimates that tens of billions of dollars of assets could easily be contained in foreign trusts created by U.S. persons. It appears to me that the rate of noncompliance exceeds 85 percent. While no legislation can ensure compliance by everyone, the Treasury Department estimates that my legislation would result in $3.4 billion in additional revenues over 10 years.

Many of these trusts are asset protection trusts established to avoid our tort laws rather than our tax laws. One promoter of asset protection trusts claims to have transferred over $4 billion to offshore trusts. Although these trusts may not be established for tax avoidance, their creators quickly realize that there is no third-party reporting to the Internal Revenue Service and they conveniently fail to report the income as required. Although I question the use of these trusts for what is in effect self-help tort reform, my legislation will not stop the use of these trusts for asset protection but will ensure proper payment of tax on the income from these trusts.

Mr. Speaker, I hope that the legislation that I am introducing today will be considered on a bipartisan basis. Neither party benefits when the public perceives that our tax laws can easily be evaded by wealthy individuals through devices such as expatriation or transfers to foreign trusts. We should be united in our efforts to ensure that there is maximum compliance with our laws. I am troubled by the fact that the Republican efforts to eliminate so-called waste, fraud, and abuse seem to be limited to programs for the poor and middle class. The Republicans decry the error rates in welfare programs and the earned income tax credit but do not seem to be bothered when wealthy individuals avoid tax through foreign trusts in tax havens.

Mr. Speaker, the bill that I am introducing today responds to the problem of tax avoidance through the use of foreign trusts in four ways. First, the bill modifies the current law reporting requirements by increasing the penalties for noncompliance, by providing the Internal Revenue Service with access to information to appropriately tax the income of foreign trusts, and by requiring reporting of trust distributions and large foreign gifts. Second, the bill modifies the grantor trust rules to prevent U.S. grantors from avoiding the provisions requiring current taxation of trust income and to prevent the manipulation of the grantor trust rules by foreign grantors. Third, the bill prevents the use of foreign nongrantor trusts for tax avoidance by modifying the interest charge on accumulation distributions and by treating use of trust property as a constructive distribution. Finally, the bill provides objective criteria for determining the residence of trusts and estates and clarifies the treatment of trust migrations under current law. Following is a brief technical description of these provisions.

I. Reporting Requirements.

A. PRESENT LAW.

Under current law, any U.S. person who creates a foreign trust or transfers property to a foreign trust is required to report that event to the Internal Revenue Service. Also, any U.S. person who is subject to tax under the grantor trust rules by reason of being the grantor of a foreign trust is required to file an annual information return. Civil penalties not to exceed $1,000 are imposed for failures to comply with these reporting requirements.

B. REASONS FOR CHANGE.

Compliance with the existing reporting requirements is minimal. Also, many foreign trusts are established in tax havens with strict secrecy laws. As a result, the IRS is often unsuccessful when attempting to verify the income earned by foreign trusts.

C. DESCRIPTION OF BILL.

The bill makes the following changes to the reporting requirements applicable to foreign trusts:

1. First, the bill increases the penalty for failure to comply with the current law requirement to notify the Internal Revenue Service when transferring assets to a foreign trust. The penalty for failing to comply with this requirement would be increased to 35 percent of the value of the property involved. The penalty would be increased in the case of failures that continue after notification by the Internal Revenue Service.

2. Second, the bill makes a U.S. grantor of a foreign trust responsible for ensuring that the trust files annual information returns. The U.S. grantor would be liable for penalties in the case of noncompliance.

The bill also ensures that the Internal Revenue Service will have adequate access to information to determine the proper tax treatment of U.S. grantors of foreign trusts by requiring foreign trusts with U.S. grantors to have an agent in the United States to accept service of process. This provision is similar to a current law provision requiring foreign corporations with U.S. subsidiaries to have U.S. agents.

3. Third, the bill requires U.S. beneficiaries of foreign trusts (including grantor trusts) to report distributions from those trusts and be able to obtain sufficient records to determine the appropriate tax treatment of the distributions.

The bill would also require U.S. persons to report gifts or bequests from foreign sources in excess of $10,000.

II. Grantor Trust Rules

A. PRESENT LAW

Under current law, existence of a trust is disregarded where the grantor or other person holds certain powers over the trust assets. These rules, called the grantor trust rules, result in the grantor or other person being subject to current taxation on the income of the trust. These rules are anti-abuse rules designed to prevent to prevent shifting of income to beneficiaries likely to be taxed at lower rates.

In order to prevent tax avoidance by transfers by U.S. persons to foreign trusts, section 679 requires income from assets transferred to foreign trusts to be currently taxed in the income of the transferor even though he has no powers over the trust assets.

B. REASON FOR CHANGE

Taxpayers have avoided the application of section 679 by structuring transfers to foreign trusts as sales in exchange for trust notes. Also, foreign persons becoming residents of the United States often avoid section 679 by transferring their assets to a foreign trust before becoming a U.S. resident.

Under existing grantor trust rules, a foreign grantor can establish a trust for the benefit of U.S. beneficiaries and avoid tax on the income paid to the U.S. beneficiaries by retaining certain powers over the trust assets. The retention of limited administrative powers is sufficient for this result.

C. DESCRIPTION OF BILL

The bill makes the following changes to section 679 which requires U.S. transferors to be taxed on the income of foreign trusts:

1. In determining whether a transfer qualifies for the current law exception for sales at fair market value, debt obligations of the trust or related parties will be disregarded.

2. A foreign person who becomes a U.S. resident will be subject to tax under section 679 on the income of property transferred to a foreign trust within 5 years of becoming a U.S. resident.

(3) If a domestic trust becomes a foreign trust during the lifetime of a U.S. grantor, the grantor will be subject to tax under section 679 on the income of the foreign trust.

The bill provides that the grantor trust rules apply only to the extent they result in current taxation of a U.S. person. This provision would not apply in the case of revocable trusts, investment trusts, trusts established to pay compensation, and certain existing trusts. This provision also would not apply where the grantor is a controlled foreign corporation, personal holding company, or passive foreign investment company.

III. U.S. Beneficiaries of Foreign Nongrantor Trusts

A. CURRENT LAW

1. Accumulation distributions

A U.S. beneficiary of a foreign trust which is not a grantor trust is taxed on the income of the foreign trust only when it is distributed. If the trust accumulates income and then distributes the accumulated income, there is an interest charge imposed on the beneficiary to eliminate the benefit of the tax deferral. The interest charge is based on a 6-percent rate with no compounding and the distribution is allocated to the earliest years with undistributed income.

2. Use of trust property

Under current law, taxpayers may assert that use of trust property by a beneficiary does not result in an amount being treated as constructively distributed to the beneficiary.

B. REASONS FOR CHANGE

1. Accumulation distributions

To effectively eliminate the benefit of the tax deferral in the case of accumulation distributions, the interest charge should be based on market rates with compounding.

2. Use of trust property

If a corporation makes corporate assets available for personal use by a shareholder, the shareholder is treated as receiving a corporate distribution equal to the fair market value of that use. In the case of domestic trusts, the absence of such a rule affects only which person is liable for the tax but not the amount of income subject to tax. However, the absence of such a rule in the case of foreign trusts can result in U.S. beneficiaries enjoying the use of trust income without any tax.

C. DESCRIPTION OF BILL

1. Accumulation distributions

For periods after December 31, 1995, the interest charge on accumulation distributions would be computed using the rate and method applicable to tax underpayments. Also, for purposes of computing the interest charge, the accumulation distribution would be allocated proportionately among the prior trust years with undistributed income rather than to the earliest of such years.

2. Use of trust property

The bill treats a loan of cash or marketable securities to a U.S. beneficiary as a constructive distribution. The bill also treats other uses of trust property as constructive distributions in an amount equal to the rental value of the property

IV. RESIDENCE OF TRUSTS

A. PRESENT LAW

The Internal Revenue Code does not contain objective criteria for determining whether an estate or trust is domestic or foreign. Court cases and rulings have applied a

variety of factors in determining the residence of an estate or trust. Also, the treatment of trust migrations under current law is unclear.

B. REASONS FOR CHANGE

Because the tax treatment of an estate or trust depends on its residence, it is appropriate to provide objective criteria for this determination.

C. DESCRIPTION OF BILL

The bill would provide that an estate or trust would be treated as domestic if a domestic court exercises primary supervision over its administration and one or more U.S. fiduciaries have the authority to control all substantial decisions of the trust. In other cases the estate or trust would be treated as foreign.

The bill would also provide that, when a domestic trust becomes a foreign trust, the trust would be treated as having made a transfer for purposes of section 1491 of the Code.

INDIA SHOULD RECOGNIZE FREE SIKH NATION OF KHALISTAN

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 19, 1995

Mr. CRANE. Mr. Speaker, I rise today to bring to the attention of the House a situation in India which is very troubling. This situation involves the treatment of the Sikh people living in India.

Since 1984 over 120,000 Sikhs have been killed, and other ethnic groups have had thousands of their members killed as well. The recent abduction of Human Rights Wing leader Jaswant Singh Khalra is but the least incident of repression focused on the Sikh people.

On October 7, 1987, the Sikh Nation declared its independence, forming the separate, independent country of Khalistan. At that time, Sikh severed all political connection with India, as we did with Britain in 1776. Sikhs were supposed to receive their own state in 1947, but were deceived by Indian promises of freedom. They ruled Punjab during the 18th and 19th centuries. They have their own language, religion, and culture. Clearly, the Sikh claim to independence is a legitimate one.

I am introducing into the CONGRESSIONAL RECORD a speech given on August 15, 1995 by Dr. Gurmit Sikh Aulakh, President of the Council of Khalistan, the Khalistani Government in exile, at a conference on self-determination held at the Luther Institute. It lays out the case for Khalistan. I urge my colleagues to read it carefully and consider his claims for Sikh independence.

I certainly support the Sikhs' claim for independence and a separate nation of Khalistan.

The speech follows:

Ladies and gentlemen—I am very happy to be here today and to be given the opportunity to speak to you today on the topic of self-determination. Ironically, today is India's Independence Day. And since India continues to suppress Sikh independence while celebrating its own, I led a demonstration of Sikhs in front of the India ambassador's residence today to express our disapproval. So, forgive me if my voice is not 100 percent.

For the past decade I've been intimately involved with the issue of self-determination. As President of the Council of Khalistan, I have been charged with working in the international community to secure the independence of the Sikh nation from the brutal oppression of the government of India. In the minds of many Westerners, India is a land of peace and spiritual tranquility—the land where problems are solved not through violence but through civil disobedience. The experience of the Sikhs—to say nothing of the Muslims of Kashmir, the Christians of Nagaland, the Assamese, Manipuris and the Dalits—has been quite the opposite.

Let me provide you with a few figures. Since 1984, the Indian regime has murdered more than 120,000 Sikhs. Since 1947 India has killed over 150,000 Christians in Nagaland. The Muslims of Kashmir claim a death toll of 43,000 at the hands of Indian forces. Tens of thousands of Assamese and Manipuris have also been killed. The Dalits—the so-called ''black untouchables'' of India—are perhaps the most oppressed people on the face of the earth. Just last week newspapers and wire services carried the story of a five-year-old Dalit girl who was beaten and blinded by her teacher after she drank from a pitcher reserved for the upper castes.

Press reports state that 70,000 Sikhs are being held in detention by the Indian regime at the present time. The State Department reported that between 1991 and 1993, the regime paid more than 41,000 cash bounties to policemen for the murder of Sikhs. Human Rights Watch issued a report in 1994 which quoted a Punjab police officer as saying that ''4,000 to 5,000'' Sikhs were tortured at his police station during his five-year tenure. There are over 200 such police stations/torture centers in Punjab. Indeed, the Sikh homeland can rightfully claim the title of the torture capital of the world.

Why is there such oppression against the Sikhs and other minority nations in India? The answer brings us back to the issue before us today: self-determination. All the nations and peoples suppressed by the Indian regime have in one way or another attempted to exert their independence either politically or culturally. In the case of the Sikhs, we have demanded outright sovereignty and separation from India, having declared our independence on October 7, 1987, forming the separate country of Khalistan.

The International community upholds the right of self-determination for all nations. Here in America, the political system is predicated on the principle that when any government no longer protects the life, liberty and security of the people it rules, it is the people's right to rid themselves of that government. The principle that the consent of the governed underlies all legitimate government is fundamental to the American idea. These two principles are being exported around the world. But in too many places today, these principles are being widely violated. One such country is India.

The government of India has attempted to rob the Sikhs of our nationhood at every turn. It should be known that the Sikh nation ruled all of Punjab from 1710 to 1716 and again from 1765 to 1849. Our reign extended well into present-day Pakistan and Kashmir, stopping at the Khyber Pass.

In the mid-19th century, British power and influence expanded on the subcontinent, but the Sikhs were the last nation to fall. We were also the first to raise the cry for independence. During the struggle to oust Britain from the subcontinent, 85 percent of those hanged by the British were Sikhs; 80 percent of those exiled were Sikhs; and 75 percent of those jailed were Sikhs. And at that time, the Sikhs constituted less than 2 percent of the population of the subcontinent. The Sikh nation's contributions to the freedom of the subcontinent cannot be underestimated.

When the British first arrived on the subcontinent, they dealt with the Sikhs as a separate nation, fighting a series of three wars with the Sikhs. When the British left the subcontinent, they again dealt with the Sikhs as a separate, distinct, sovereign nation. Thus during its withdrawal, the British transferred power to three nation-groups, the Muslims, the Hindus and the Sikhs. The Muslims took Pakistan on the basis of religion. The Hindus took India, and the Sikhs took their own homeland, opting to join with the Hindus on the solemn assurances of Indian leaders like Jawarhar Lal Nehru and Mahatma Gandhi that no laws unacceptable to the Sikhs would be passed by the Indian Congress. I quote Nehru who said to the Sikhs: ''The Congress assures the Sikhs that no solution in any future constitution [of India] will be acceptable to the Congress which does not give the Sikhs full satisfaction. I also quote Mahatma Gandhi who told the Sikhs the following: ''Take my word that if ever the Congress or I betray you, you will be justified to draw the sword as taught by Guru Gobind [Singh].''

Implicit in these assurances is the recognition of that the Sikhs as a nation possess the right of self determination. Indeed, Nehru and Gandhi were not ordering the Sikhs to join their grand vision of an India encompassing the entire subcontinent. In fact they possessed no such power over the sovereign Sikh nation. Rather they were attempting to woo the Sikhs as a nation to join their union, something at which they failed with the Muslims. In retrospect, the Sikhs made the wrong decision; but having made that decision, we never forfeited our right to self determination.

Indeed, Sikh history under Indian rule is a history of constant agitation for our most basic rights as a nation, and India has betrayed its promises to the Sikhs at every turn. In 1950, when India ratified its constitution, the Sikh representatives at the Constituent Assembly refused to sign the constitution because it was inimical to Sikh interests, contrary to what both Mahatma Gandhi and Jawarhar Lal Nehru promised. Since then Sikhs have been struggling to reclaim their nationhood

In June 1984, India's attempt to suppress the Sikh nation reached a climax. The Indian army launched a military assault on the Golden Temple, the holiest of Sikh shrines. Over 20,000 Sikhs were killed. The Akal Takht, which houses the original writings of the Sikh gurus was destroyed. Thirty eight other Sikh temples throughout the Sikh homeland were also attacked. Make no mistake about it, the reason India likes to attack important temples is because it symbolically reinforces the government's total domination over a given people. To put it another way, India wanted to show the Sikhs who was the boss.

This is India's way—complete denial of self determination, even if it means military action. The Sikhs, therefore, appeal to the international community to support their right to freedom as a sovereign nation. Despite its constitution, India has proven itself anti-democratic. Despite its image as the home of spiritual tranquility, India has proven itself one of the worst violators of human rights in the world. The time has come for the world to demand that India honor the freedom of the Sikh nation and other nations that struggle against its repressive policies.

On February 22, 1995 the U.S. Congress took a step in this direction when 30 Members of the House introduced House Congressional Resolution 32, which expresses the Congress's opinion that ''the Sikh nation should be allowed to exercise the right of self-determination in their homeland, Punjab Khalistan.''

I encourage similar action throughout the international community. A cursory look will tell the casual observer that India is not one nation. Rather it is a conglomeration of many nations thrown together for administrative purposes by the British. With 18 official languages, India is doomed to disintegrate just as the former Soviet Union did. Freedom for Khalistan and all the nations living under Indian occupation is inevitable. The Sikh Nation's demand for an independent Khalistan is irrevocable, irreversible, and nonnegotiable. We have been denied our right of self-determination too long. India's lip service to the principle holds no water. The time is now for the international community to pressure India with economic sanctions to honor the freedom of Khalistan. The time is now for the Indian government to sit down with the Sikh leadership and formally recognize the clear boundaries which separate Khalistan from India. Sikhs have motto that says, ''*Khalsa Bagi Yan Badshah:* Either the Sikhs rule themselves or they are in rebellion.'' The Sikh nation will not rest until freedom is ours. It is our tradition. We are secure in our right to self-determination, and we will allow no foreign power to determine our fate,

Thank you.

CENTRAL SYNAGOGUE HONORED FOR YEARS OF SERVICE

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 19, 1995

Mrs. MALONEY. Mr. Speaker, I rise today to bring to the attention of my colleagues one of New York City's great centers of Jewish religion and culture. Founded 156 years ago, the Central Synagogue in Manhattan has played an important role in the development and growth of New York's secular and religious life.

In addition to serving as a pillar of New York's Jewish community, the Central Synagogue plays an active role in the community at-large. The Synagogue, through its wonderful members and staff, provides one-on-one English lessons for recent immigrants, food for 350 homeless persons per week, and a citywide AIDS service.

Completed in 1872, the Syngogue itself is one of New York's greatest landmarks. The imposing moorish sanctuary was designed by Henry Fernbach, the first Jewish American architect, and was subsequently designated as a National Landmark.

Two years ago, the Synagogue embarked one of the most ambitious capital revitalization projects in the congregation's history. On September 28, 1995, the first step in this revitalization program will be completed when the sanctuary is finally rededicated. Having meticulously restored the stain glass window and facade, the Central Synagogue will once again assume its position as one of the most beautiful and striking sights in New York.

Mr. Speaker, there is a great deal to be proud of in New York City. The majesty, history and vitality of the Central Synagogue is something that we can all take pride in. I congratulate the Synagogue on the restoration of its sanctuary and wish the entire congregation luck as it continues with its capital improvement campaign.

THE ETHIC OF SERVICE

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 19, 1995

Mr. JACOBS. Mr. Speaker, Leslie Lenkowsky, president of the Hudson Institute and member of the board of directors of the Corporation for National Service, has written a most enlightened and thoughtful article which was published by the Washington Times on August 4, 1995.

I insert the article in the RECORD.

[From the Washington Times, Aug. 4, 1995]

THE ETHIC OF SERVICE

(By Leslie Lenkowsky)

Today, the General Accounting Office is scheduled to issue the draft report of its analysis of AmeriCorps, the 10-month-old national service program.

If some in Congress had their way, this year would be AmeriCorps' last—the House voted Monday to provide no further funding. The GAO report, and my own experience as a member of the board of directors overseeing AmeriCorps, suggest the Senate should take a second look.

Here's what GAO concludes: AmeriCorps itself is investing slightly less per participant than originally estimated. Other parts of the federal government are also providing support, in nearly exactly the amounts AmeriCorps had predicted.

Parts of the GAO Report will trigger debates between supporters and directors of AmeriCorps—including whether private sector contributions, or state and local support, are a valuable benefit or just an addition to cost. But the bottom line for Congress' consideration should be that over which it has responsibility—the federal contribution—and there, AmeriCorps is right on budget.

GAO suggests that AmeriCorps is also on mission. The audit teams found local programs doing exactly what Congress had intended: rehabilitating housing, tutoring, analyzing crime statistics and developing prevention measures, strengthening communities, encouraging responsibility and expanding opportunity.

These findings track an earlier cost/benefit study done by an impressive team of economists. Like GAO, the economists didn't establish either AmeriCorps' costs or its benefits—but did present a well-reasoned estimate of what AmeriCorps may produce, if programs are held to their contractual objectives.

Therein lies Congress' challenge. GAO shows that it would be disingenuous to kill AmeriCorps on the basis of cost. It isn't costing the taxpayer any more than was intended, and it is difficult to premise fiscal salvation on a savings that amounts to less than one-thirtieth of a penny on a tax dollar.

Nor is it fair to attack AmeriCorps as the death-knell of selfless charity. AmeriCorps is too small for that, and Americans are too big. In the main, AmeriCorps members provide local charities with useful resources that can make more effective the voluntary assistance you and I can provide.

So should we worry about AmeriCorps being a political Trojan Horse—or at least a stalking horse for Clinton-Gore '96. I have to admit that I have been watching this topic very carefully. One test of intent and not rhetoric came in the willingness to examine the activities of ACORN Housing Corporation, an investigation I pushed for as a Board Member. The Corporation for National Service did the right and thorough thing—and even the Washington Times praised the outcome.

Politics can be expected to intrude upon nearly every policy debate. But Republicans have alternative to killing AmeriCorps. They can recognize that the initiative's foundations—responsibility, opportunity and citizenship—are distinctly Republican ideals (advanced with eloquence in William F. Buckley's ''Gratitude,'' although not an endorsement of a new program). And AmeriCorps' structure places the bulk of the money and much of the decisionmaking in the hands of the states—thanks to Republican efforts when the legislation was drafted in 1993. Finally, despite the fracas within the Beltway, in the heartland this thing is wildly popular—with Republican governors like New Hampshire's Steve Merrill and many others; with businessmen who like the results they see in their own markets; with ordinary voters who (in Wall Street Journal polls) have wanted to defend AmeriCorps even more than Big Bird.

No, AmeriCorps won't revolutionize America—whether it's Newt Gingrich's revolution or Bill Clinton's. But it is making a difference for America in a distinctly American way. And it deserves both time and constructive criticism. As the Congress and the president do the job they have been elected to do—set national budget priorities—I would encourage them to emphasize innovative ways of using government to strengthen (not overpower) communities and encourage the ethic of service. Those goals can provide real meaning to the search for common ground.

TRIBUTE TO THE 1995 INDUCTEES TO THE ENTREPRENEURSHIP HALL OF FAME

HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 19, 1995

Mr. LIPINSKI. Mr. Speaker, I rise today to recognize the entrepreneurial achievements of a select group of leaders from the Chicago metropolitan business community. I am proud to salute these entrepreneurs and founders of small and mid-sized businesses for their induction into the 11th Annual Entrepreneurship Hall of Fame, Thursday evening, October 19, 1995, in Chicago.

The Institute for Entrepreneurial Studies in the College of Business Administration at the University of Illinois at Chicago cofounded and continues to sponsor the Entrepreneurship Hall of Fame, honoring outstanding business leaders whose spirit and success help keep America's business community strong and vital.

The sponsors, the Arthur Anderson Enterprise Group, William Blair & Company, LaSalle National Bank, Lord Bissell & Brook, and the University of Illinois Chicago, have enabled the university to cement this partnership and recognize outstanding entrepreneurs. The program is exceptional because it creates an active partnership between the academic and business communities. Students and entrepreneurs alike benefit from an exchange of knowledge, experience and creativity.

Today, I would like to congratulate these leaders, each of whom is listed below, for using their imagination and resources to foster an excellent program which enhances the quality of higher education and underscores the value of entrepreneurship in America. I am sure that my colleagues join me in recognizing

these entrepreneurial leaders for their important contributions to employment generation, the entrepreneurial spirit and our great Nation.

1995 INDUCTEES TO THE ENTREPRENEURSHIP HALL OF FAME

Robert Alcala
Richard Alcala
Robert H. Boller
Phillip Corcoran
Charles Wolande
Tom Corcoran
Barbara R. Davis
James L. Gaza
Sue Ling Gin
James L. Hanig
Henry Kalmus
Donald Lord
Helene J. Kenton-Taylor
Terry L. Kirch
Jim Liautaud
Richard B. Mazursky
Jack Miller
Melody O'Neal
Shan Padda
Bruno A. Pasquinelli
Anthony R. Pasquinelli
Frank Portillo
Michael A. Regan
Sally J. Rynne
Robert Sapio
Mitchell H. Saranow
Gary F. Seamans
Gordon Segal
Bill Steffenhagen
Ann Steffenhagen
Sanford Takiff
Janet Taylor
Charlie H. Trotter
Bob M. White
Arthur W. Wondrasek Jr.

A STRONG MARITIME INDUSTRY

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 19, 1995

Mr. GALLEGLY. Mr. Speaker, as events in Bosnia, the South China Sea, and the Persian Gulf have demonstrated time and again, it is absolutely critical that the United States maintain a strong Navy, Merchant Marine, and shipbuilding and repair industrial base.

Since the end of World War II, which we recently commemorated, our Merchant Marine has fallen from over 3,000 vessels to today's 350 vessels flying the Stars and Stripes. It has been over 60 years since the Merchant Marine Act was signed into law and 25 years since the Congress last approved a maritime promotion program.

Similarly, American shipyards, which, in 1944 produced surface combatants at a rate of 1 every 2½ weeks, are now down to 6 primary construction yards bidding on less than 10 new vessels each year.

These statistics are unacceptable and must be reversed. This Nation needs a new maritime program which will help preserve our shipbuilding industrial base while providing the U.S.-flag commercial shipping capability necessary to maintain our military and economic security.

These sentiments were forcefully stated recently by Senator TRENT LOTT who Chairs the Subcommittee on Surface Transportation and Merchant Marine. Senator LOTT stated that,

> Without a U.S. merchant fleet and a powerful U.S. shipbuilding industry, the U.S. would have to depend on foreign interests for sealift and logistics support.

In his testimony before Senator LOTT's subcommittee, Gen. Robert Rutherford, Commander of the U.S. Transportation Command, stated that:

> We have not forgotten the importance of the U.S. maritime industry to our overall sealift capabilities. Just as we did in the Gulf War, Somalia, and most recently back to the Gulf, we rely extensively on our commercial partners to support our worldwide commitments.

Today, the Congress has an opportunity to reverse the recent trends in our commercial shipping experiences.

H.R. 1350, the Maritime Security Act of 1995, and the Senate counterpart, S. 1139 would initiate a 10-year program to create a Maritime Security Fleet which would boost national security, stimulate the economy and domestic shipbuildings and promote a stronger, more efficient U.S. flag commercial fleet.

In a letter to the Commerce Committee, our colleagues HERB BATEMAN, RANDY CUNNINGHAM, CURT WELDON and others stressed that the:

> Enactment of H.R. 1350 will preserve and create American maritime jobs, generate much-needed revenues for federal and state taxing authorities, improve our balance of trade and ensure that our country will not become totally dependent on foreign nations and foreign crews to transport the supplies and equipment needed by American servicemen oversees.

With respect to domestic shipbuilding, a recent study released by the Maritime Administration indicated that jobs in commercial shipbuilding had declined some seven percent in 1994 and only one ocean-going commercial ship is currently on order.

While Navy shipbuilding has been the salvation of our shipbuilding industrial base over the past 7 years, the number of new orders is on the decline and must be stabilized at an adequate number. The Congress must continue to provide funding for the nuclear attack submarine fleet, the AEGIS surface combatant fleet and the amphibious and auxiliary ships necessary to support our Marine and Army forces.

Finally, the Congress can ensure the preservation of the U.S.-flag commercial fleet by resisting the proposal to repeal the Jones Act.

Since 1789, the United States has maintained a preference for carrying domestic commerce on U.S.-built, U.S.-flag vessels. In 1920, the Congress enacted the Jones Act mandating that cargoes carried between U.S. ports would be transported on U.S.-flag, U.S.-crewed vessels. These laws were seen as a way to promote the U.S. maritime industry as well as to ensure safe transportation and national defense considerations.

There are those who want to repeal the Jones Act claim the law is protectionist in nature. And, they may be correct. But, some form of Federal investment to promote a U.S. flag commercial fleet can be justified. Unlike the ocean-going fleet, the Jones Act operators do not receive any subsidy from the Federal Government either for operations or for construction. If preferential cargo treatment is the price we must pay to ensure that foreign flags-of-convenience carriers, who are not subject to U.S. safety laws and who cannot be counted on for our national defense do not enter our domestic commerce, then the investment may well be worth it. We simply cannot allow foreign vessels to gain total control over our domestic waterborne trade.

In addition, as Al Herberger, head of the Maritime Administration testified:

> When a U.S. shipper chooses to move cargo on a U.S.-flag vessel as opposed to a foreign-flag vessel, most revenue that is paid for freight remains in the U.S. economy. On the other hand, freight paid to foreign flag operators, increases our trade deficit because that revenue goes to foreign nationals.

Again, as Senator LOTT stated at his subcommittee's hearing:

> I want to maintain and promote a U.S.-flag fleet, built in U.S. shipyards and manned by U.S. crews . . . when I go home, I want to see the greatest amount possible of Mississippi agricultural products . . . moving on U.S. built and flagged ships.

The Jones Act, since its inception, has provided an important service to the U.S. economy and the maritime industrial base. Previous attempts have been made to repeal this law. However, the majority in the Congress has always resisted these ill-conceived attempts to destroy the U.S.-flag commercial fleet. In fact, on July 24 the House reaffirmed its commitment to the principals of cargo preference embodied in the Jones Act when it voted 324 to 77 to permit the export of Alaskan North Slope oil exclusively on U.S.-flag tankers.

Mr. Speaker, since the beginning of our history, this Nation has recognized that as a maritime Nation dependent on secure transport of ocean-borne commerce and military strength, we must remain committed to a strong maritime industry, led by a viable U.S.-flag merchant fleet. This simple fact has not changed in over 220 years and must not change now. The Congress must continue to support a strong Navy, a viable merchant marine, and an efficient shipbuilding industrial base.

TRIBUTE TO EARL BALTES

HON. JOHN A. BOEHNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 19, 1995

Mr. BOEHNER. Mr. Speaker, I want to recognize Earl Baltes for his past and present efforts as a race track owner and promoter. Earl has been a promoter of auto racing for most of his life, providing race fans with the excitement of sprint car racing for more than 40 years.

Earl's racetrack, Eldora Speedway is just north of Greenville, OH, and has hosted veteran drivers such as Mario Andretti, A.J. Foyt, Johnny Rutherford, Roger McCluskey, and Bobby and Al Unser, Sr. just as they were beginning their careers. More recently, up and coming racers including Jeff Gordon, Ken Schrader, Ernie Irvan, and Jeff Purvis have competed at Eldora. Certainly, Eldora Speedway and the name Earl Baltes is familiar throughout the auto racing industry. While there may be a few who have raced at Eldora and do not have fond memories, they all fondly remember Eldora Speedway and Earl.

Earl's hard work and perseverance have come to fruition. Eldora Speedway ranks among the premier short-track facilities in the nation—attracting auto racing drives and fans from across the country and throughout the world. His dream of turning a cornfield into a top ranked race track has become a reality.

At age 74, when many have settled down to a life of retirement, Earl continues to thrill race fans with some of the greatest sprint car racing in the world. The sport has changed a great deal since Earl built Eldora Speedway in 1954, and only through determination and hard work has Earl remained successful.

Therefore, Mr. Speaker, I want to recognize Earl Baltes and thank him, on behalf of my district and on behalf of race fans everywhere for giving race car drivers the opportunity to excel and for providing fans the thrill of auto racing.

RYAN WHITE CARE ACT AMENDMENTS OF 1995

HON. JANE HARMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 19, 1995

Ms. HARMAN. Mr. Speaker, I rise in strong support of the Ryan White CARE Act. Its four different titles will continue to bring critical medical and support services to people with HIV/AIDS through the year 2000. It also provides for training programs for health practitioners who treat HIV-positive individuals, and funds demonstration projects to treat and care for HIV-infected individuals with particular needs. The CARE Act is a proven success, and I strongly urge its passage.

There is a very human face to HIV and AIDS, and I have witnessed the way that AIDS has impacted the lives of many of my constituents and my friends. Elizabeth Glasser touched my life deeply. She dedicated her life to raising awareness about pediatric AIDS, courageously fighting until she died. Her commitment demonstrated how much one person can do. The Children Affected by AIDS Foundation [CAAF], is another example. CAAF was started in 1993 by Joe Cristina, a vice-president at Mattel in El Segundo, who is also HIV positive. Its mission is to raise funds and support grassroots agencies nationwide that provide direct care, support, and assistance to children with AIDS. CAAF successfully involves corporate America, Hollywood, the media, service providers, advocates, and community organizations. Although CAAF has been incredibly successful in raising private support to combat pediatric AIDS, the Ryan White Act is critical to its continued success. Women's Link, located in Marina del Rey, is an information center for women with HIV that also relies on Ryan White Act funds, as does the Santa Monica AIDS Project, another successful program serving hundreds in my district.

Regrettably, Los Angeles stands to lose money under title I and title II of the bill because its appropriations are not sufficient to adequately fund currently eligible and newly added cities. The Senate version has a clause that allows the Secretary of Health and Human Services to fully fund the currently eligible cities in the second year. I strongly support that provision.

I strongly urge Congress to pass this authorizing legislation, and to fully fund the Ryan White CARE Act. The lives of over 1 million Americans infected with the AIDS virus depend on it.

INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 1996

SPEECH OF

HON. JENNIFER DUNN

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 13, 1995

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 1655) to authorize appropriations for fiscal year 1996 for intelligence and intelligence-related activities of the U.S. Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes:

Ms. DUNN. Mr. Chairman, I want to state for the record my strong support of H.R. 1655, the fiscal year 1996 Intelligence Authorization Act which the House passed last week. First, I would like to commend the chairman of the Select Committee on Intelligence, Congressman LARRY COMBEST, for reporting out a find bill that quite appropriately authorizes those intelligence functions that are consistent with out Nation's vital national security needs.

I believe the committee was wise to chose no longer to view the intelligence budget merely in terms of straight dollar figures. Dramatic changes in the geopolitical and military landscape during the last decade have significantly impacted key aspects of United States security. The magnitude of those changes continues to evolve in uncertain directions as do the implications for America. In other words, while the world is dramatically different from the cold war years, it remains an unstable and therefore dangerous place.

It is, in my view, entirely appropriate to continue the process of analyzing threats to U.S. borders, to our military, and to American leaders and citizens traveling or living abroad. And we must analyze them under the new terms of the evolving post-cold-war dynamic. As we prepare for the 21st century, I appreciate the committee's efforts to emphasize a more intense and evaluative consideration of our intelligence functions. As stated in the committee report that accompanied H.R. 1655, ''each [intelligence] program adjustment was considered as an individual, substantive issue.'' that, Mr. Chairman, is exactly what the taxpayers of the Nation expect and deserve.

Given the considerable importance and wide-reaching implications of the intelligence programs authorized in this bill, this bill is a remarkable accomplishment. H.R. 1655 is in keeping with the 104th Congress's disciplined effort to balance the Federal budget, and is a perfect example of our desire to scrutinize everything funded with the public dollar. Further, it exemplifies American legislative policy that supports not only our national interests but our drive to keep federal spending under control. I am proud to express my support for it.

SUPPORTING A DISPUTE RESOLUTION IN CYPRUS

SPEECH OF

HON. MICHAEL PATRICK FLANAGAN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 18, 1995

Mr. FLANAGAN. Mr. Speaker, I rise in strong support of House Concurrent Resolution 42, of which I am a cosponsor. I am most encouraged that the House unanimously passed this legislation on September 18, 1995. House Concurrent Resolution 42 encourages a resolution to the long standing dispute regarding Cyprus. It is a step toward securing world peace and will be of benefit to both Greek Cypriots and Turkish Cypriots.

Cyprus has endured the pain of 20 years of political deadlock since Turkey invaded its shores in 1974. Turkey's invasion drove over 200,000 Cypriots from their home, making them refugees in their own land. Over one-third of Cyprus was seized by the Turkish invaders who took 70 percent of the island's economic wealth and resources. Five Americans are part of the more than 2,000 inhabitants that are still missing.

Today, Greek Cypriots, which make up nearly 80 percent of the population, live in the southern two-thirds of the island. Turkish Cypriots live in the Turkish Republic of Northern Cyprus which is only recognized by Turkey. More than one-third of the sovereign territory of the Republic of Cyprus is under occupation by over 30,000 heavily armed troops. As the resolution points out, the Secretary General of the United Nations has stated that the occupied part of Cyprus is one of the most highly militarized areas in the world. Demilitarization of Cyprus, which is called for in House Concurrent Resolution 42, would reduce tension and help promote resolution of this over-20-old dispute.

Many sincere attempts have been made over the past years to resolve the Cyprus problem, but to no avail. Despite their best efforts, Presidents of both parties have been vexed by the situation. It is time for a new approach. Last year, President Glafcos Clerides of Cyprus unveiled a proposal for demilitarization which is, in part, incorporated into House Concurrent Resolution 42.

The House has sent out a clear message that the status quo on Cyprus is unacceptable and the resolution of the problem must be achieved. House Concurrent Resolution 42 is a well-reasoned bipartisan measure that will help to stabilize the eastern Mediterranean and benefit all, including the United States of America.

NATIONAL PARK SYSTEM REFORM ACT OF 1995

SPEECH OF

HON. JACK REED

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, September 18, 1995

Mr. REED. Mr. Speaker, I recognize the serious difficulties that face our National Park System, including the deterioration of our public lands and the impact of likely budget cuts. Like many of my colleagues, I strongly believe that we must address these challenges. However, I do not believe that H.R. 260 is the best way to do so.

Two bills intended to reform the National Park Service have been introduced to the House of Representatives this year. Both of these measures, H.R. 260 and H.R. 2181, recognize the need for efforts to improve the management of our national parks, but they adopt very different approaches toward this important goal.

H.R. 2181 would generate the revenue that our National Park Service needs to improve its visitor services and repair roads and trails in parks across the country. This bill would require individuals who sell concessions in our national parks to provide a fair return to our Nation's citizens for the first time in decades. H.R. 2181 would also make modest modifications in the fees charged for the use of our national parks and would direct the added revenue toward the needs of the National Park System.

H.R. 260 would require the Interior Department to develop a comprehensive plan for the

future of the National Park System. This bill, however, would also create a closure commission to recommend which of our nation's park units should be closed or privatized. Among the likely targets of such a commission would be hundreds of small, but important parks across the country.

One such park is the Roger Williams National Memorial in Providence, RI. This park is very small, both in its area and its demands on Federal funding, but it meets a large need of many Rhode Islanders. Each year, nearly 150,000 people visit the park, which, like its namesake, represents the best of our country. Roger Williams, who founded my home State, remains a proud example of our Nation's commitment to religious freedom. The park bearing his name honors his contribution to our Nation's history and provides Rhode Islanders with a needed recreational and environmentally preserved area in our State's capital city.

The status of the Roger Williams National Memorial and the hundreds of parks like it nationwide is a critical issue that deserves full and open debate. However, by bringing H.R. 260 to the floor under suspension of the rules, the Republican majority prevents open debate on this issue. Today, the House will not even consider H.R. 2181, despite the fact that this well-crafted measure is sponsored by distinguished members of both parties.

I urge my colleagues to stand for open debate on the future of our national parks. I urge my colleagues to oppose H.R. 260.

NATIONAL PARK SYSTEM REFORM ACT OF 1995

SPEECH OF

HON. RICK LAZIO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, September 18, 1995

Mr. LAZIO of New York. Mr. Speaker, I rise today to oppose H.R. 260, the National Park System Reform Act. Though there is a need to review the viability and status of national parks, in this era of fiscal constraint and increasing demand on the park system, the issues of park reform and review are not simple ones. This type of legislation should not be brought up under the suspension of the rules. The gravity of this bill calls for further debate and the possibility of offering amendments to this bill.

H.R. 260 would establish an 11-member Natural Park System Review Commission, which would make recommendations to Congress regarding which parks should be closed or managed differently. This commission does not have the authority to close or modify parks of its own accord and only presents non-binding recommendations to Congress. Nevertheless, we need to ensure that these recommendations are not simply rubber-stamped by Congress, but are, indeed, thoroughly reviewed.

Coastal areas are unique in character, and our national seashores should not be grouped along with the land-locked national parks when a review is made. My specific concern is for the preservation of the Fire Island National Seashore in its present form. This barrier island stands defiantly facing the Atlantic Ocean while protecting the waters of the Great South Bay and the mainland of Long Island. Fire Island residents have created 17 separate communities not only for summer recreation, but also to preserve the island's natural heritage. Congress was wise to grant Fire Island its current status as a National Seashore. A determination of this importance should not be reserved without proper safeguards. In order to continue to preserve our coastline's natural heritage, we need to ensure that Fire Island is protected in its present form. Bringing this bill up under the suspension of the rules without the opportunity to offer amendments or for additional debate will not ensure the proper protection for the Fire Island National Seashore or other coastal parks. I urge my colleagues to defeat H.R. 260 under the suspension of rules. This is not the right legislative procedure for a proper review of our national parks.

HONORING JAZZ GREAT BARRY HARRIS

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 19, 1995

Mr. CONYERS. Mr. Speaker, today I rise to honor jazz pianist, composer, and teacher, Barry Doyle Harris. Barry was born gifted, and started learning piano at the age of 4 from his mother. He followed in her footsteps and played for his church, but soon became fascinated by jazz. He played in his hometown of Detroit throughout the 1950's, the time when I was first awestruck by his shows. In those years, his piano genius took him from the bowling alleys to the Blue Bird Inn, the Motor City's most prominent jazz club. Already, he had as much a passion for imparting his knowledge of music as he had for performing it.

He put out his first album in 1955 at the age of 25 under the direction of Donald Byrd. That same year he worked for several months with Miles Davis. By 1957, he was widely acclaimed in bebop circles and he began teaching formally that year. In 1960, he took his act to New York City where he played with Cannonball Adderley, Yusef Lateef, and Coleman Hawkins for many years. In the early 1980's, he played with a 75-piece orchestra, performed at Carnegie Hall, and then founded the Jazz Cultural Center, an educational institute and club in Manhattan.

From the day that Barry Harris started teaching, he knew that talent was really a torch to pass on to the next generation. This brought him to a lifelong commitment to getting young people exposed to jazz, keeping music in the schools, and defending the larger role of the arts in our society. He once said, ''Teachers should teach where they come from, not where they are. They tell you life is complex and you have to suffer to give of yourself, and that's not true. Life is very simple, and if you simply live and simply learn to play, you'll really give.'' Today, with these words, I hope to reciprocate Barry's spirit of giving with a token of gratitude for his inspiring contribution to jazz, a great national treasure, just like him.

INTRODUCTION OF BIF/SAIF BILL

HON. MARGE ROUKEMA

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 19, 1995

Mrs. ROUKEMA. Mr. Speaker, today, I, together with my colleagues are introducing legislation that will have a monumental impact on the financial services industry. Its purpose is to provide a comprehensive reform of the deposit insurance funds and will merge the bank and thrift charters. This BIF/SAIF legislation reflects the hard work of a bipartisan working group of the Financial Institutions Subcommittee, which I chair, that was developed over the last several months.

Since the spring, the subcommittee has held three hearings on BIF/SAIF. The last of these hearings brought forth strong support for a comprehensive approach to the problem, which this legislation being marked up today represents.

In brief, the legislation provides a financial solution to the problem of the insurance funds similar to that proposed by the administration. It recapitalizes the SAIF and through the use of a one-time special assessment of SAIF members. It spreads the FICO costs proportionately among all members of the FDIC as of the date of enactment. In addition, it merges the BIF/SAIF.

What is critical here, is that it goes beyond the administration-sponsored financial fix and merges the bank and thrift charters on January 1, 1998, requiring thrifts to convert to banks. It tackles the complex tax treatment of bad debt reserves by advocating a fresh start approach, to avoid giving thrifts another lump sum obligation that would amount to billions of dollars. Finally, it provides for refunds for FDIC funds in excess of the designated reserve ratio.

It is my intention, given the requirements of the reconciliation process as determined by Banking Committee Chairman LEACH, that the movement of the BIF/SAIF legislation will be a two-track process. A markup of a similar provision in the Full Committee's markup of its budget reconciliation package is based on staff recommendations and is revenue-driven. My legislation will move in regular order and is based solely on crafting good public policy. In this regard, it is my commitment to continue to refine this legislation through a markup at subcommittee and hopefully at the full committee as it moves through the process in regular order to insure that there is a final legislative solution during this congressional session.