

# EXTENSIONS OF REMARKS

## THE CONSTITUTION AND THE AMERICAN DREAM

**HON. WILLIAM F. GOODLING**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 15, 1997*

Mr. GOODLING. Mr. Speaker, I want to share with you one of the best speeches I have ever heard. It was not delivered by a professional speaker, but by a professional student at the Christian School of York before several hundred people attending a banquet.

Jonathan delivered the speech with conviction and compassion—without notes.

THE CONSTITUTION AND THE AMERICAN DREAM  
(By Jonathan D. Markley, Christian School of York)

"Give me your tired, your poor,  
Your huddled masses, yearning to breathe free!"

When hundreds of foreign immigrants mouthed these words in the late 1800s, they dreamt the impossible dream: freedom! They came, from Ireland, and Poland, and South-eastern Europe. These families risked, quite literally, everything that they called their own. They severed their traditional family ties to the homeland. And they chased after something that was truly inconceivable to them and yet, for once, absolutely within their grasp. What earthly call could possibly elicit so great a sacrifice? That call was freedom! The call of the American Dream!

It has been well over one hundred years now since Emma Lazarus penned those exhilarating words. Yet, in the interim, the same Dream that beckoned immigrants to our shores has been abused. That Dream requires that we be involved in our government. It is not an option; rather it is a God-given privilege! And because we have proven lax in our responsibilities, our patriotic American Dream is fading . . . fading into a maze of apathy. For example, only 49% of the American people voted in last year's election . . . Certainly, we have shirked our duties!

The American Dream, with its rights and responsibilities, is guaranteed by two theories built into our United States Constitution. These concepts, Limited Government and Popular Sovereignty, remove the power of government from any one party and, instead, vest that power totally in the control of the people. Our Constitution does not refer to a ruling body with absolute authority; but, rather, the preamble states, "We the People . . . do ordain and establish this Constitution for the United States of America." What a revolutionary idea: People ruling themselves! Government by the consent of the governed! The conclusion of this argument, therefore, is that such freedoms demand our involvement.

We can readily observe just how severely the sands of time have dulled our sense of this privilege. In this decade, our court dockets are jammed with tort litigation suits, totally countless millions; proving, once again, that our concept of the American Dream seems limited to personal benefits instead of prosperity for all Americans. Consider the epidemic of flag-burning—deliberately desecrating our country's ideals. My friends, this

is not merely an issue of a person's rights to burn a piece of fabric. No! It is indicative of a mindset that pervades our nation and threatens to stifle our comprehension of the true essence of liberty in a free society.

Our passion for patriotism has flickered dangerously in the last decades. Today, it is not uncommon for many to argue against the Constitution and against American Dream, as if the former is hopelessly dogmatic and hackneyed and the latter is only realized by avaricious capitalists. How they are wrong!

To see what the American Dream really symbolizes, journey with me to Valley Forge in the winter of 1778. As the torrents of snow cascaded down upon the remnants of the Continental Army, they were realizing tremendous personal sacrifice for this ideal of freedom. Nevertheless, an internal spark motivated them to lay down their own lives upon the fields of Brandywine and Bunker Hill. They never wavered in their patriotic dedication to our infant republic. In the words of Bart McDowell, they all were guilty of treason. "They knew the risks—death by hanging for themselves, poverty and dishonor for their families—," and yet there was absolute conviction in Patrick Henry's voice when he asked "Is life so dear, is peace so sweet, as to be purchased at the price of chains and slavery?" What then followed was one of the most noble allegiances ever made to America. He said, "I know not what course others may take; but as for me, give me liberty or give me death!" His words shook both those house chambers and the hearts of every soul who was willing to protect liberty with life itself, if sacrifice so required. Today, where is that spirit, that zeal, that fire of patriotism?

After our revolution, they founded a document to protect that Dream for their posterity. Their Constitution has guided our country through two hundred years of change and transition: through war and peace; through slavery and emancipation; through poverty and prosperity. Our Constitution has been a beacon of hope for our citizens, challenging them to dream, regardless of their birth; or nationality; or creed; or religion. Because our forefathers struggled valiantly to obtain these hopes and dreams, we cannot afford to be apathetic! Becoming involved is hardly convenient, but we must measure our own consecration to this cause in light of their noblest of sacrifices, their purest form of heroism. Far from being dogmatic or hackneyed, our Constitution has transcended time. Certainly, it is not obsolete! Certainly, it can lead us into the next century!

Let us remember once again, let us ponder deeply the words of Emma Lazarus. Somehow, these words paint a poignant image of the American Dream that must never be expunged from our consciences. Once we have ascertained these privileges, we must be willing to pay the price:

"Give me your tired, your poor,  
your huddled masses, yearning to breathe free,  
The wretched refuse of your teeming shore,  
Send these, the homeless, tempest tost to me.  
I lift my lamp beside the golden door!"

I pray, that that lamp, beside that golden door, may never be extinguished in our world!

## TRIBUTE TO PAT ASSALONE

**HON. BILL PASCHELL, JR.**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 15, 1997*

Mr. PASCHELL. Mr. Speaker, I would like to bring to your attention the selfless and steadfast dedication and outstanding public service of Pasquale "Pat" Assalone, to the community of West Paterson.

After more than 30 years of service on the West Paterson police force, Deputy Chief of Police Assalone is retiring. Pat has been a dedicated and loyal servant of the public, coming up through the ranks within the police department and eventually being promoted to the rank of deputy chief of police.

Pat is a well-decorated officer, with numerous meritorious service awards and citations from the department. He has been honored by the State Police Benevolent Association many times for meritorious service, life saving, and honorable service. As the deputy chief of police, Pat oversees every facet of the department's administration, from training to public relations, scheduling to grants.

Always serving above and beyond the call of duty, Pat has been a natural leader within the police department as well as the community. He was an integral part in the institution of the borough's Drug Abuse Resistance Education [DARE] program 6 years ago and has been an instrumental part in maintaining the success of the program ever since.

Pat remains steadfast in his commitment to the community and his family: wife, Judy, daughter Lisa, and two grandchildren, Shane and Steven, and to the memory of his loving son, Vincent, who has recently passed away.

Mr. Speaker, I ask that you join me, our colleagues, Pat's family and friends, members of the law enforcement community, and the entire borough of West Paterson, in recognizing the outstanding and invaluable service of more than 30 years to the community of Deputy Chief of Police Pat Assalone.

## IN MEMORY OF JOSEPH PATRICK O'NEIL

**HON. DENNIS J. KUCINICH**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 15, 1997*

Mr. KUCINICH. Mr. Speaker, I rise to honor Joseph Patrick O'Neil, a son of Parma, OH, who lived the American dream.

Mr. O'Neil was a truckdriver and a proud union member of Teamsters Local 407. Mr. O'Neil earned the respect of his fellow union members during his 43 years with the union. He served in the position of recording secretary for 11 years. He also served as a steward.

Mr. O'Neil was a veteran, and served in the U.S. Army during World War II as a master

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

sergeant in Germany and France. He was awarded two Bronze Star medals for valor at Normandy and in central Europe.

Mr. O'Neil is survived by his wife of 51 years, Erika; sons, Edward of Brunswick and Kevin of Lakewood; and two grandsons.

He will be missed.

IN COMMEMORATION OF NATIONAL CRIME VICTIMS' RIGHTS WEEK

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

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 15, 1997*

Mr. SOLOMON. Mr. Speaker, far too often, the criminals who terrorize our society are glorified through massive media attention, while the rights of the victims and the general public who are made to suffer and live in fear are virtually ignored. While the rights of these destructive individuals are scrupulously and vigilantly guarded, the rights of those whose lives they devastate fall by the wayside.

This travesty is the focus of National Crime Victims' Rights Week, which falls this year on April 13-19. During this week, organizations such as the Capital District Coalition for Crime Victims' Rights, are focusing their efforts on bringing maximum public attention to the many trials and tribulations faced by the victims of crime in America. On April 14, the Capital District Coalition dedicated a plaque at the site of a tree planted last year in commemoration of all the victims and survivors of crime in Saratoga County, NY, in my congressional district. Events such as this are critical in the effort to raise awareness of the impact of crime on its victims and their families. I sympathize immensely with the heartbreak suffered by those whose lives are permanently altered by the devastating effects of crime, and who then must sit by while they are often either ignored or victimized even more by the justice system. We in Congress are trying to do our part to remedy this shameful situation by enacting legislation such as the Victims' Rights Act of 1995, but it is the tireless efforts of individuals and organizations who devote countless amounts of their time and effort that will ensure that the crisis in victims' rights takes its rightful place at the forefront of the media's attention.

Mr. Speaker, I ask all members to rise in recognition of National Crime Victims' Awareness Week. Hopefully, through this designation and the work of crime victims' rights organizations nationwide, victims of crime in America will receive the respect and consideration to which they and their rights are entitled.

BYE-BYE NATO

**HON. DAVID R. OBEY**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 15, 1997*

Mr. OBEY. Mr. Speaker, Thomas Friedman, the respected international affairs columnist for the New York Times, has written an excellent column questioning the wisdom of the expansion of NATO.

He raises important concerns about whether or not the expansion of NATO will, in fact, di-

lute it, making it less likely that NATO will serve as an effective military instrument to defend any of the countries under its umbrella.

It is a sobering article and I urge every member of the administration to heed the concerns raised by Mr. Friedman:

[From the New York Times, Apr. 14, 1997]

BYE-BYE NATO

(By Thomas L. Friedman)

BRUSSELS.—Some enterprising Russian p.r. experts recently visited NATO headquarters and suggested a novel way to ease tensions between an expanding NATO and Russia: Just change NATO's name, the Russians suggested, because NATO is a four-letter word for Russians. So how about calling it TOMATO (Trans-Oceanic Military Alliance and Treaty Organization), or POTATO (Peace Organization for Trans-Atlantic Ties and Operations), or maybe VODCA (Vanguard Organization for Defense, Cooperation and Assistance)?

NATO's savvy boss, Javier Solana, laughed off the Russian proposal. But discussions with officials here left me convinced that if NATO goes ahead with its expansion, just about everything other than its name will be changing—and that's too bad. I rather liked NATO the way it was—a tightly knit group of like-minded democracies capable of taking on any military foe in the world. Everyone is assuming that NATO can expand and keep that focused identity. Don't believe it. The real truth is NATO is now locked on a path of expansion that will dilute its power every bit as much as baseball expansion diluted Major League Pitching and made every 90-pound weakling a home-run threat.

It didn't have to be this way. NATO has always had two core functions. One was defense management—the commitment by each member to defend the others in the event of attack. The other was peace management—the commitment by NATO's 16 members to share their defense plans and budgets so that everyone knew what his neighbor was up to. Mutual defense kept peace between NATO and Russia and peace management kept peace among NATO's 16 members.

The question NATO asked itself after the cold war was: How do we preserve our defense strength while expanding our peace management capabilities to stabilize newly liberated Central Europe? It came up with a solid idea: Partnership for Peace. P.F.P. was a junior NATO in which 27 non-NATO European states—including Russia—engaged in joint exercises, sent ambassadors to NATO, were educated on NATO standards, discussed problems and participated with NATO in peacekeeping in Bosnia. The one thing P.F.P. members didn't get was NATO's commitment to mutual defense, which was confined to the core 16. The beauty of P.F.P. was that it preserved NATO's core strength while creating a framework to fill the power vacuum in Central Europe—without threatening Russia or setting up a competition over who gets into NATO and who doesn't.

So what happened? Unfortunately, in 1996 the Clinton team abandoned P.F.P. in favor of expanding NATO's core members. It was a clinical effort to attract votes from Polish, Czech and Hungarian Americans by promising their motherlands membership. This silly decision set NATO on a slippery slope to who knows where.

NATO now has three options. One is that it eventually expands to Russia's border, including the Baltic states Latvia, Lithuania and Estonia. If that happens, it will be the end of NATO as a mutual defense alliance because there's no way the U.S. Army is going to guarantee the Estonia-Russia border. In this scenario NATO becomes just a mini-U.N.

Or as a senior NATO military officer told me: "The more nations that come in, the more NATO becomes just a collective security organization, in which members watch each other—not a collective defense group against a common enemy. That's not the NATO we have now."

Scenario 2 is that NATO doesn't expand beyond Poland, Hungary and the Czech Republic and tries to maintain its current defense and peace management functions, with just three new members. But then we'll have a permanent gray zone of states between NATO and Russia. The states left out will fight to get in and Russia will fight to keep them out.

Scenario 3, the one the White House is counting on, is that NATO begins to expand now but simultaneously deepens NATO-Russia cooperation and aid to Russia. This creates so many incentives for Moscow to be nice that NATO will be able to steadily creep toward the Russian border, and fill in the gray zone with new members, without alienating Moscow.

Which will it be? No one at NATO can tell you. In other words, NATO expansion is a swan dive into an unknown future. What a reckless way to deal with the most successful military alliance in history.

INTRODUCTION OF THE FAMILY TAX CREDIT ACT OF 1997

**HON. DAVE CAMP**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 15, 1997*

Mr. CAMP. Mr. Speaker, today, I rise to introduce legislation to provide much-needed tax relief to America's middle class. Today—April 15—millions of Americans are putting their tax forms in the mail. Last year, the average American family paid 38 percent of their income taxes—Federal, State, and local taxes—to feed an ever hungry Government that demands more and more taxpayer dollars. Contrast this April 15 with April 15, 1947. Fifty years ago, Americans paid just 22 percent of their income in taxes.

My bill, the Family Tax Relief Act of 1997, would provide a \$500 per child family tax credit to every middle-class family with children under age 18. The Family Tax Relief Act of 1997 will cut the income tax burden of a family of four earning \$30,000 per year 51 percent, and the tax burden of a family earning \$40,000 by 30 percent. Families earning \$75,000 would see their tax burden reduced by 12 percent. The credit is for truly middle-class families—phaseouts begin to cut or eliminate the credit for families making over \$75,000. Fifty million children, from 28 million Americans families, are eligible for the credit. The credit eliminates the total tax burden for families making less than \$23,000.

In the last Congress this family tax credit was a part of the Balanced Budget Act that was vetoed by the President. The American people sent us to Washington with a clear mandate—reduce the crushing weight of taxes on everyday middle-class American households and cut spending.

But one key thing has been left out—middle-class tax relief. That is why I am introducing this legislation today. I believe that it is vitally important for Members of Congress to send a clear signal to all that middle-class tax relief will be an absolutely required component

of budget negotiations and any budget deal reached with the President.

It is time for the Congress to deliver on our promise and give tax relief to hard-working, overtaxed middle-class American families.

FORTY-FIRST ANNIVERSARY OF  
TUNISIAN INDEPENDENCE

**HON. NICK J. RAHALL II**

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 15, 1997*

Mr. RAHALL. Mr. Speaker, in acknowledgment of the 41st anniversary of the independence of the Republic of Tunisia, I wish to help commemorate March 20, 1997 as an historic day of celebration for the people of Tunisia. This year is particularly important, as Tunisia will be commemorating the bicentennial of the Treaty of Amity, Commerce and Navigation that was signed on August 28, 1797.

Tunisia has taken bold steps toward a more democratic system of government by broadening political debate, advancing social programs, developing economic programs encouraging privatization of the banking and financial sectors, and improving the quality of life for the people of Tunisia, in spite of instability emanating from neighboring countries. Further, Tunisia has acted as leader and catalyst for peacekeeping missions in suffering countries, contributing military contingents to operations in Cambodia, Somalia, the Western Sahara and Rwanda. Tunisia has been a voice of moderation in the Arab-Israeli peace process had has called for greater international efforts to fight terrorism.

Tunisia has, and continues to be a success story in a very volatile region of the world. I am pleased and proud to witness stronger relations between the U.S. and Tunisia. I have had the fortunate opportunity to spend time with Tunisia's Ambassador, His Excellency Azouz Ennifar, and have the strong impression that Tunisia is emerging as a healthy, independent and politically secure country. I encourage and support continued commitment and cooperation between our two countries and urge my colleagues to take this occasion to salute the Tunisian Government and its people.

COMMEMORATION OF VENTURA  
COUNTY CHILDHOOD CANCER  
AWARENESS WEEK

**HON. ELTON GALLEGLY**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 15, 1997*

Mr. GALLEGLY. Mr. Speaker, I would like to commemorate the week of April 14 through April 20 as "Childhood Cancer Awareness Week" in Ventura County, CA.

Through the unwavering dedication of Steven Firestein and the American Cancer Fund for Children, which he founded, the lives of countless children suffering from cancer have been touched. This organization has brought the issue of childhood cancer in the United States to the forefront and heightened community involvement in social services to families in need.

Each year, approximately 10,000 children in the United States are diagnosed with cancer, the leading cause of death by disease among children in this country. Incited to action by these staggering numbers, the American Cancer Fund for Children has not only worked to heighten awareness, but to provide financial assistance for medical procedures, food, clothing, transportation, prosthetic devices and social service programs to young people in treatment at hospitals throughout Los Angeles County and serving residents of Ventura County.

The American Cancer Fund for Children has accepted the challenge of meeting the demand for patient and family services to help promote the chances of survival. These services provide a variety of patient psycho-social services designed to foster self-esteem, encourage peer interaction, and develop special patient communication.

I would especially like to thank Steven Firestein who, out of the death of his friend, began his mission to improve the lives of other children stricken with cancer. From this personal tragedy rose an array of services and programs to assist childhood victims of cancer.

Mr. Speaker, I ask all of my colleagues to join me in recognizing the outstanding efforts of the American Cancer Fund for Children in conjunction with Ventura County during Childhood Cancer Awareness Week.

50TH ANNIVERSARY OF THE BOYS'  
AND GIRLS' CLUB OF CLIFTON

**HON. BILL PASCRELL, JR.**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 15, 1997*

Mr. PASCRELL. Mr. Speaker, I would like to bring to your attention the momentous occasion of the 50th anniversary of the founding of Boys' and Girls' Club of Clifton, NJ.

Founded in 1947, the Boys' Club of Clifton provided recreational activity opportunities to young men in the community. These recreational programs were held after-class hours in the local school until 1958, when the current building on Clifton Avenue was opened and became a center for the children in town.

In 1966, the Girls' Club was founded to provide similar recreational activity opportunities for young women in the community and in 1979, the Girls' Club initiated Clifton's first after-school day-care program for 30 children.

Since 1986, the two clubs consolidated, becoming the Boys' and Girls' Club of Clifton, Inc. The Boys' and Girls' Club still occupies the Clifton Avenue building, but over the years additions to the building were constructed to house the executive offices and the teen program. An adjacent building contains the pre-school area and a recreational facility.

The current facilities are right now at maximum capacity as they serve approximately 1,400 children from Clifton and the surrounding communities at any given time, and provide services to more than 2,000 children yearly. After several years of exploring various expansion options, the Club's Board of Trustees finally settled on plans to add an addition that will connect the existing buildings as well as extensively renovating the facilities now in use.

The new addition will house a modern pool, learning center, computer room, counseling area, and offices. The renovations will allow for the Boys' and Girls' Club to redesign their current program space to provide new program areas and make the entire facility accessible for handicapped and senior citizens.

Mr. Speaker, I ask that you join me, our colleagues, the members of the Boys' and Girls' Club of Clifton, and the city of Clifton, in recognizing the momentous occasion of the 50th anniversary founding of the Boys' and Girls' Club of Clifton, Inc., as they commemorate the founding with a groundbreaking celebration on Sunday, April 6, 1997.

IN RECOGNITION OF STATE ROAD  
ELEMENTARY SCHOOL'S 75TH  
ANNIVERSARY

**HON. DENNIS J. KUCINICH**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 15, 1997*

Mr. KUCINICH. Mr. Speaker, I rise to honor State Road Elementary School of Parma, OH, on its 75th anniversary. State Road Elementary has been the starting place for thousands of proud, educated and involved Parmanians. They have grown to become leaders in their unions, respected members of their churches and capable and loving parents.

State Road Elementary began humbly as a small school. But it grew with the neighborhood. It fit in with the neighborhood's character. State Road Elementary is located in a neighborhood where family values are strong. These are families that work hard at their jobs, support one another, look out for one another and stand up for what is right. State Road Elementary prepared children to be active and outstanding members of their community.

For three-quarters of a century, this Parma neighborhood has sent its daughters and sons to start their education at State Road Elementary. I see no reason not to think that another four generations of families will be able to count on State Road Elementary for a healthy start and a head start for their children.

EXPEDITED RESCISSIONS ACT OF  
1997—AN EFFECTIVE AND CON-  
STITUTIONAL ALTERNATIVE TO  
THE DISCREDITED LINE-ITEM  
VETO ACT

**HON. DAVID E. SKAGGS**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 15, 1997*

Mr. SKAGGS. Mr. Speaker, today I am joining three other Members in introducing a bill to give the President and Congress new, effective—and constitutional—powers to weed out wasteful Government spending.

This bipartisan approach, the "Expedited Rescissions Act of 1997," is being cosponsored by the gentlewoman from New Jersey, MARGE ROUKEMA; the ranking Democrat on the Budget Committee, JOHN M. SPRATT, Jr.; and CHARLES W. STENHOLM, a long-time leader in the fight for a balanced budget. I am very pleased to have their support for this measure.

We all know that sometimes a large appropriations bill includes an item that could never

pass if it had been considered on its own. Being able to cut that kind of unnecessary spending out of a bill is essential to be prudent in how we spend taxpayer money, to get the Federal budget under control, and to restore public faith in Congress. The line-item veto was supposed to be a way to deal with that. But while the diagnosis was right, the proposed remedy went too far—further than the Constitution permits. That's why it's been struck down in court.

Our bill is a better prescription—one that will work and that will pass constitutional muster.

Under our bill, whenever the President wants to cut a particular spending item in an appropriations bill, he would be able to require Congress to reconsider and vote separately on rescinding that item, under tight deadlines and without amendment.

So, like the line-item veto act, our bill would let the President throw a bright spotlight onto spending items and have Congress vote on them separately, up or down, without changes and in full public view. Since the wasteful spending we're trying to get at is the kind of project that would never pass on its own, this process will be a completely reliable and effective way to block that kind of waste of taxpayer money.

Our legislation is patterned after, but stronger than, the enhanced-rescission authority passed by the House in 1993. Unlike the 1993 bill, our approach does not let the Appropriations Committee come up with its alternative way to rescind the same amount of money that would be cut by the President's proposed rescission. Our legislation requires that the actual rescission proposed by the President—that one, without any amendment, and with no alternative to it—be voted on by the Congress.

Unlike the line-item veto, our bill is constitutionally sound. It does not attempt to give to the President the basic law-making authority that the Constitution vests solely in the Congress.

Constitutionally, the line-item veto act could not be effective—it wasn't real. This bill would give the President authority that could be used effectively—it is real.

The administration has said it will ask the Supreme Court to reverse Judge Jackson's decision striking down the line-item veto. I do not believe appeal will be successful. Judge Jackson's unusually emphatic opinion makes it clear that he was completely convinced that the line-item veto is profoundly unconstitutional. I'm confident the Supreme Court will agree.

We in the Congress ought to pass this new bill. That way, when the Supreme Court does sound the final death knell for the line-item veto act, we will have an effective, constitutionally valid alternative in place and ready for use. A majority of Congress wants a mechanism to cut out of appropriations bills that spending that could not withstand a separate up-or-down vote; the President wants that mechanism; a majority of the American people wants us to have that mechanism. This bill will give us that.

INDIA MUST STOP KILLING SIKHS

### HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 15, 1997*

Mr. SOLOMON. Mr. Speaker, I would like to take this opportunity to wish the Sikh Nation a happy Vaisakhi Day. Vaisakhi Day is the birthday of the Sikh Nation, the anniversary of its founding by Guru Gobind Singh in 1699. The Sikhs have always been a tough, freedom-loving people, and I take this opportunity to salute them.

However, not everyone shares my enthusiasm for the Sikh Nation's love of freedom. From 1984 to 1992, according to the Punjab State Magistracy, which represents all the local judges in the state of Punjab, the Indian regime murdered more than 200,000 Sikhs. Since then, the Punjab Human Rights Organization reports that more than 50,000 have been murdered by the brutal Indian regime. That means that in excess of a quarter of a million freedom-loving Sikhs have been murdered since 1984 by "the world's largest democracy."

One recent case will illustrate the brutality of India's methods in occupied Khalistan. On March 15, a 26-year-old Sikh named Kashmir Singh, who was the publicity secretary of the Akali Dal—Amritsar—in the district of Hoshiarpur, was picked up in the middle of the night along with his father. The police threw them into a van. Somewhere down the road, Kashmir Singh's father was thrown from the van while it was still moving. Kashmir Singh was then tortured and murdered and his body was dumped at the Hoshiarpur district hospital at 4 in the morning for a post mortem.

The police falsely claimed that Kashmir Singh was killed in an encounter with the police. This claim is so ridiculous that even the pro-Government newspaper the Indian Express could not accept it. The Indian Express described the murder of Kashmir Singh as a cold-blooded killing.

Unfortunately, the murder of Kashmir Singh is not an isolated incident. It is part of a pattern of intimidation designed to put a fear psychosis in the minds of Sikhs both in Punjab, Khalistan and outside in order to scare them into dropping their demand for freedom. An ongoing incident which has been closely watched in this Congress is the case of Jaswant Singh Khalra, who was kidnaped by the police on September 6, 1995, after he published a report exposing the fact that over 25,000 young Sikh men have been abducted by the regime, tortured, and murdered, then their bodies have been declared unidentified and cremated. In many cases the family members have never been notified. The Punjab and Haryana High court described this policy as worse than a genocide.

Eighteen months after Mr. Khalra was kidnaped, Khalra's whereabouts remain unknown. The Khalra case and his findings are discussed in detail in a video released last year called "Disappearances in Punjab," produced by a Hindu human rights activist named Ram Narayan Kumar. Recently, Mr. Kumar was himself detained overnight at the Delhi airport when he attempted to fly to Austria to be with his wife. The regime even detained an American citizen, Balbir Singh Dhillon, for 9 months on trumped-up charges, apparently

because he advocates an independent Khalistan.

Mr. Speaker, these are not the tactics of a democracy. The oppression of the Sikhs, the Muslims of Kashmir, the Christians of Nagaland, the black "untouchables" known as Dalits—the aboriginal people of the subcontinent, the Assamese, Manipuris, and others continues at a feverish pace.

On October 7, 1987, the Sikhs declared their independence from India and named their independent country Khalistan. India has responded to the peaceful movement to liberate Khalistan by stepping up the repression.

This kind of repression is not acceptable in any country. It especially offends us when that country proclaims its commitment to Democratic values. In that light, it is appropriate for the United States to take measures to bring democracy to all the people of South Asia. We should publicly declare our support for an internationally supervised plebiscite on the question of independence for Khalistan, similar to the periodic votes we hold in Puerto Rico. The United States should also cut off all aid to India. These actions will begin to bring freedom to the subcontinent.

### A SHOCKING TRAGEDY

### HON. LINCOLN DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 15, 1997*

Mr. DIAZ-BALART. Mr. Speaker, I am placing the Council of Khalistan's press release on a recent tragedy into the RECORD. Press reports have recently stated that in attempting to capture an alleged terrorist, Indian police officers killed two adults and a 3-year-old child. The death of a 3-year-old child must shock the conscience of the international community.

I call on the Indian Government to conduct a full and exhaustive investigation into this tragedy and to punish all those responsible. Justice delayed is, truly, justice denied. We must always remember, in the eloquent words of Dr. Martin Luther King, Jr., that an injustice anywhere is an affront to justice everywhere. [From the Council of Khalistan, Dec. 17, 1996]

INDIAN REGIME MURDERS 3½-YEAR-OLD LABELS TODDLER "TERRORIST"

WASHINGTON, DC.—A story in the December 10 issue of *The Hitavada*, an Indian newspaper, reported that a 3½-year-old Sikh boy was murdered by the police, then the police claimed that he was a "terrorist" who was killed in an "encounter."

According to the story, the police murdered little Arvinder Singh, his father Jaswinder Singh, and the young boy's maternal uncle along the Grand Trunk Road to collect bounty money which was offered for the killing of militants. These Sikhs were not militants. The family has not been given the bodies because they were cremated. The police attached phony identities to the bodies of these victims using the names of known militants. Then they claimed bounty money for killing these militants. When the boy's grandfather brought a complaint against the police, Punjab and Haryana High Court Justice Iqbal Singh stated that a three-year-old boy could not be a "terrorist," according to the article. According to the *Hitavada* article, witnesses were coerced into supporting the police version of the incident by testifying that the bullets which killed these Sikhs did not come from the police weapons.

The court ordered India's Central Bureau of Investigation to investigate the killing of little Arvinder Singh and to submit its report promptly.

"If India has to murder a 3½-year-old child to take its brutal, corrupt empire together, then freedom for Khalistan cannot be far behind," said Dr. Gurmit Singh Aulakh, President of the Council of Khalistan. Khalistan is the Sikh homeland which declared its independence on October 7, 1987. "This incident is a clear reflection of the immorality of the Indian regime and the character of the Punjab Police, who do not hesitate to kill their brothers and sisters to make themselves rich," Dr. Aulakh said. "They do not realize that they are pushing future generations into the darkness of continued repression," he added.

Dr. Aulakh called on the U.S. government to take strong measures to punish this brutality. "I urge the Administration and Congress to cut off U.S. aid to India, place an embargo on India like the one America had on South Africa before Apartheid ended, and support freedom for Khalistan and all the other freedom-seeking nations of the subcontinent," he said. "This kind of brutal repression is unacceptable. Freedom-loving nations like the United States must not tolerate it," he said.

"If Indian police are killing toddlers like Arvinder Singh and labelling them as terrorists," Dr. Aulakh said. "Then the world has a moral and legal obligation to isolate India until they are ready to join the ranks of civilized nations and peacefully end its occupation of Khalistan and other South Asian nations; so that democracy in South Asia can be a reality and not a well cultivated lie."

#### PERSONAL EXPLANATION

### HON. CASS BALLENGER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 15, 1997

Mr. BALLENGER. Mr. Speaker, had I been present for rollcall votes 72, 73, 74, and 75 last week, I would have voted "yea." I am a cosponsor of H.R. 1003, the Assisted Suicide Funding Restriction Act of 1997, and applaud the leadership for bringing it to the floor for early adoption.

#### REDESIGNING THE SYSTEM

### HON. BILL ARCHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 15, 1997

Mr. ARCHER. Mr. Speaker, on behalf of myself and my good friend, the distinguished Majority Leader DICK ARMEY of Texas, I would like to submit for the RECORD an OP-ED on tax reform that ran in today's Washington Times. Today is the Federal income tax filing deadline for all Americans. Every April 15, we are reminded how much of our incomes are taken by the Federal Government and how long it takes us to figure out how much we owe.

Congressman ARMEY and I are united in our dislike for the current tax system. It is unfair, burdensome, complicated, and inefficient. We need a system that is far simpler, fairer, honest, encourages growth and rewards savings and investment.

The American people overwhelmingly favor a change in the current system, but we cannot radically overhaul our flawed income tax without the President joining our efforts. On April 15, tax day of 1997, the distinguished majority leader and I submit our OP-ED for the RECORD to let America know we stand on the side of real, substantial tax reform.

#### REDESIGNING THE SYSTEM

(By Bill Archer and Dick Armeay)

Along with the millions of Americans who have struggled to meet the April 15 income tax filing deadline, we support overhauling today's federal income tax. While the April 15 deadline reminds us all of our cumbersome tax system, its problems are with us every day of the year.

Last month's Federal Reserve decision to raise interest rates amounts to a devastating indictment of our current tax system. In effect, the Fed declared that in our current tax and regulatory environment, we are unable to handle anything more than a meager 2.4 percent growth rate without risking higher inflation.

This, to us, is unacceptable. Rather than resigning ourselves to continuing low growth rates, we believe it is time for bold change. When Congress' Joint Committee on Taxation invited a diverse group of economists to consider tax reform, everyone agreed our economy would grow faster with either a national consumption tax espoused by Bill Archer, chairman of the tax-writing Ways and Means Committee, or under House Majority Leader Dick Armeay's flat tax. We must replace our existing tax code with a system that is fair, honest, vastly simplified and more conducive to economic growth.

Our current tax system is complicated and unfair—it must be eliminated. It imposes, by conservative estimates, \$200 billion in annual compliance costs and immeasurable anxiety on American taxpayers. By punishing work, savings and investment, the current code hampers the creation of new and better jobs and reduces growth in take-home pay. In addition, due to high taxes, last year it took average American workers until May 7 to earn enough to pay their federal, state, and local tax bills.

Not only is our tax code burdensome, it is also fundamentally unfair. The current federal income tax is riddled with special-interest loopholes that allow people with similar incomes to pay vastly different amounts in taxes. According to a recent IRS study, some people earning more than \$200,000 a year pay no taxes at all.

Even if you do have to pay taxes, chances are you are not paying the correct amount. Money magazine hired 45 professional tax preparers to fill out a hypothetical family's 1996 return and they gave 45 different answers, for how much that family owed in taxes. In fact, only a quarter of the tax preparers came even within \$1,000 of the actual taxes due. Mistakes and inequity are inevitable so long as we keep our ridiculously complicated code.

We have and will continue to discuss our respective proposals to fundamentally restructure how the federal government collects taxes and how we can work together to replace the current tax system. As a result of our discussions, we have reaffirmed our support for legislation to completely replace the current tax system with a new, simple and fair system that:

Applies a single, low rate to all Americans. Requires a supermajority of both chambers of Congress to raise taxes.

Provides tax relief for working Americans. Protects the rights of taxpayers and reduces tax collection abuses.

Eliminates the bias against savings and investment and promotes economic growth to

create jobs and opportunities for our children and our grandchildren.

We are committed to working together to elevate the debate on comprehensive tax reform and to lay the groundwork in Congress for the enactment of tax reform legislation that meets these principles. Unfortunately, the Clinton administration has so far shown an unwillingness to substantially change our federal income tax. In February, the congressional leadership wrote the president urging him to submit a tax overhaul proposal by May 1. We will continue to ask the Clinton administration to face up to its obligation to beleaguered taxpayers and offer its own tax reform proposal.

Eliminating the current tax system and replacing it with a simpler, fairer, pro-growth system won't be easy. A recent study showed that Washington's lobbying industry employs 67,062 people, making it the largest private sector employer in the nation's capital. The livelihood of these well-funded special interests depends on preserving their favored treatment in the tax code. If we want to enact meaningful tax reform, America must prevail over Washington special interests.

While we may prefer slightly different paths to reach true tax reform, we stand firmly united in our resolve to replace today's antiquated tax system. There is no greater legacy we can leave our children.

#### TRIBUTE TO MS. EARTHA KITT

### HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 15, 1997

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to one of South Carolina's outstanding natives, Ms. Eartha Kitt.

Ms. Kitt's personal story reminds me of the famous Harlem Renaissance poet Langston Hughes who posed the question, "What happens to a dream deferred? Does it dry up like a raisin in the sun? Of fester like a sore—And then run? Does it stink like rotten meat? Or crust and sugar over—like a syrup sweet? Maybe it just sags like a heavy load. Or does it explode?"

Luckily, Eartha Kitt never considered deferring her dreams. Born on a cotton plantation in South Carolina, the young Eartha Kitt left the South to live with an aunt in New York at the age of eight. It was there that she blossomed into the magnificent entertainer she is today.

She has danced and sung her way to become one of the country's consummate cabaret performers, taken Broadway and the Silver Screen by storm, and amassed accolades from Tony, Emmy, and Academy Award nominations to receiving her own star on Hollywood Boulevard's Walk of Fame.

Ms. Kitt has also demonstrated her outspoken dedication to her strongly held beliefs. Her vocal opposition to the Vietnam war at a White House luncheon in 1968 resulted in her being blacklisted by the American entertainment community. That setback didn't stop Ms. Kitt from taking her act overseas where she still has a devoted following.

I applaud and commend the contributions this South Carolina native has made to the entertainment industry. Her inspiring career, which had its humble beginnings on a cotton plantation in the deep South, has enchanted audiences around the world. As a result of her accomplishments, Eartha Kitt has become a living legend.

Today, on behalf of the State of South Carolina, I offer a word of thanks as Ms. Kitt embarks on a performance from her heart. This week she participates in a special homecoming performance of Walter Rutledge's "SOULS—The Calah" benefiting Benedict College in Columbia, SC. Ms. Kitt's extraordinary talents, which have endeared this woman of the South to an international audience, will now be showcased for those back home.

I join with all South Carolinians in thanking Eartha Kitt for the example she has set, the accomplishments she has achieved, and the contributions she has made to our cultural livelihood. Her life as a testament to what one can achieve if their dreams are not deferred.

#### IN PRAISE OF CREDIT UNIONS

### HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 15, 1997*

Mr. KUCINICH. Mr. Speaker, I rise to praise credit unions. Credit unions do not charge exorbitant bank fees; they do not have excessive account minimums. They make low interest loans, mainly to their members in the communities in which they live. Credit unions are run by their members, who have a voice in the operation and policies of their credit union.

Small businesses depend on credit unions for those reasons because offering credit union membership as a benefit to prospective employees is a benefit which workers value.

Credit unions are very small compared with banks. The average credit union has less than \$28 million in assets—less than one-sixteenth the assets of the average bank. The two largest U.S. banks—Chase and Citibank—combined have more assets than all 12,047 credit unions combined.

Credit unions are modest compared to banks. Banks today control nearly every dollar in savings—93 percent—and in loans—94 percent—in the United States.

Banks overshadow credit unions by market share and profitability, as was recently detailed in the March 14, 1997, edition of the American Banker, "Commercial Banks Set \$52 Billion Profit Record Last Year, FDIC Says." I commend it to my colleagues.

[From the American Banker, Mar. 14, 1997]

COMMERCIAL BANKS SET \$52 BILLION PROFIT RECORD LAST YEAR, FDIC SAYS

(By Dean Anason)

WASHINGTON.—The banking industry earned a record \$52.4 billion last year, although losses on consumer loans continued to grow.

The Federal Deposit Insurance Corp. said Thursday that the nation's 9,528 commercial banks earned \$13.7 billion in the fourth quarter, up 14.5% from the same period a year ago.

For the year, profits rose 7.5% despite the \$650 million banks paid to help rescue the Savings Association Insurance Fund.

Profits were driven by noninterest income from fees and service charges, which increased 13.5% in 1996 to \$93.6 billion. Interest income rose to \$162.8 billion, but at half the rate of noninterest income.

Despite the record profits, FDIC Chairman Ricki Helfer described as "worrisome" the yearend statistics on consumer loans, particularly credit card loans.

Net loan losses rose to \$15.5 billion, a 27% increase from 1995. Credit card loan writeoffs accounted for \$9.5 billion of that total.

"We have seen both delinquent and noncurrent consumer loans increase at the same time that chargeoffs have risen dramatically," Mrs. Helfer said. "Chargeoff rates are approaching the levels reached in the last recession."

Commercial banks wrote off 2.29% of their consumer loans, compared with 1.73% in 1995. Credit card writeoffs amounted to 4.3% in 1996, up from 3.4% the previous year. Writeoffs reached 4.72% in the fourth quarter.

The doubling of credit card loans in the past four years and rising personal bankruptcy filings only exacerbate concern, Ms. Helfer said.

Ms. Helfer declined to say whether banks should tighten their credit card lending standards more, but she cautioned that banks must be "very careful" in making assumptions about a very unpredictable line of business. Further, she warned against underestimating risk caused by liabilities from credit card loans that have been securitized.

Not all loan categories performed poorly. Commercial and industrial loans rose 7.3 percent to \$710 billion, and real estate loans jumped 5.5 percent to \$1.1 trillion.

Average return on investment approached record levels, rising to 1.19 percent in 1996 from 1.17 percent in 1995. Nearly 70 percent of banks equaled or surpassed the traditional benchmark 1 percent ROA.

The industry's asset growth slowed for the second year in a row, increasing 6.2 percent to \$266 billion in 1996. Assets had grown at annual rates of 7.5 percent and 8.2 percent in the two prior years. Ms. Helfer described that as "probably a good sign" considering that rapid asset growth in the late 1980s and early 1990s foreshadowed industry downturns.

The bank deposit insurance fund topped \$2 trillion for the first time and reached reserves of \$1.34 for every \$100 of insured deposits at the end of 1996. After a \$4.5 billion capitalization in October, the thrift fund achieved reserves of \$1.30 for every \$100 at the end of the 1996, versus 55 cents per \$100 six months earlier.

A slowdown in merger activity and rising numbers of new banks caused the smallest quarterly decline in commercial banks in 11 years, according to the FDIC. Only five banks and one thrift failed in 1996, the fewest since 1972.

Echoing recently released figures by the Office of Thrift Supervision, the FDIC reported healthy thrift profits, too. The nation's 1,924 savings institutions earned \$7 billion in 1996 despite spending \$3.5 billion to capitalize the thrift fund.

#### INTRODUCING THE CORPORATE RESPONSIBILITY ACT OF 1997

### HON. PETER J. VISCLOSKEY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 15, 1997*

Mr. VISCLOSKEY. Mr. Speaker, today I am introducing legislation that will cut an estimated \$35.3 billion in corporate welfare over the next 5 years. My bill, the Corporate Responsibility Act of 1997, eliminates or reforms 12 Federal programs that currently use billions of taxpayers dollars to subsidize corporate America.

I am introducing this legislation because I am extremely concerned about the hundreds of billions of taxpayer dollars spent every decade on special interests and Fortune 500 corporations. Estimates of current total corporate welfare expenditures range from \$200 billion

to \$500 billion over 5 years, money that would go a long way toward balancing the budget and investing in our future. Last year, the Congress passed important legislation to reform the welfare system. It is time to reform the corporate welfare system by getting dependent companies off the Government dole.

In the 104th Congress, I introduced similar corporate welfare legislation. That bill, H.R. 3102, took aim at seven of the worst corporate welfare programs in the Federal budget, including the Market Promotion Program, the U.S. territorial possessions tax credit, and the Export Enhancement Program. I was extremely pleased when legislation was signed into law last year, Public Law 104-188, that eliminated the territorial possessions tax credit. Eliminating this program, which gave companies a tax break for sending good U.S. job abroad, will save taxpayers \$10.6 billion over the next 10 years.

While the premise of my new bill remains the same—to reduce corporate welfare—I have expanded the scope of my legislation, and added a lockbox mechanism to ensure that all savings and revenue go directly toward deficit reduction. This bill would save \$35.3 billion over 5 years by ending eight corporate welfare programs and reforming four others. Because I've limited this legislation to the most egregious examples, my bill is a litmus test for anyone is serious about ending corporate welfare. In short, this bill puts a balanced budget, jobs, education, and a clean environment ahead of handouts to Fortune 500 companies and special interests.

The legislation I am introducing today represents an important step in the effort to end wasteful spending and balance the Federal budget. I urge you and my other House colleagues to cosponsor and support the Corporate Responsibility Act.

The Corporate Responsibility Act of 1997 would:

Eliminate the Export Enhancement Program [EEP]: The U.S. Department of Agriculture [USDA] subsidizes the export of agricultural commodities by paying exporters cash bonuses to export agricultural products. Since its inception in 1985, EEP has paid out more than \$7 billion in bonuses, mostly to giant agribusinesses. Taxpayers should not be asked to hand out these corporate giveaways or subsidize the purchase of food products by foreign consumers. Estimated savings: \$2.1 billion over 5 years.

Eliminate the Market Access Program [MAP]: USDA subsidizes foreign advertising costs of multinational and U.S. corporations, such as McDonalds and Wrangler. MAP—formerly known as the Market Promotion Program—funds consumer-related promotion of products through trade shows, advertising campaigns, commodity analysis, and training of foreign nationals. Taxpayers should not be asked to pick up the tab for the advertising costs of large companies that can afford to advertise on their own. Estimated savings: \$350 million over 5 years.

Overhaul the 1872 Mining Act: Allowing foreign companies to buy public land for \$2.50 per acre and pay no royalties on the valuable minerals extracted is a license to steal that should be revoked. Many of the mining interests that benefit from this system are not even U.S. companies. My bill would establish a leasing system and require these companies to pay an 8-percent royalty on the valuable

minerals extracted from Federal land. Estimated savings: \$300 million over 5 years.

Eliminate the subsidy for the Tennessee Valley Authority [TVA]: TVA receives \$106 million each year in a direct Federal subsidy. In this era of power deregulation and deficit reduction, the Government can no longer afford to subsidize the TVA in this way. Even TVA's chairman, Craven Crowell, has said that his agency can make due without its annual appropriation. Estimated savings: \$500 million over 5 years.

Reform irrigation subsidies: Under current law, USDA gives farmers—often large agribusiness—Freedom to Farm payments along with irrigation subsidies for the same crops on the same land. My bill would end this double dipping by requiring recipients to pay for irrigation costs if they are already receiving Freedom to Farm subsidies. Estimated savings: \$500 million—\$1 billion over 5 years.

Eliminate the Tobacco Program: The Federal Government aids producers of tobacco through a combination of marketing quotas, price-supporting loans, and restrictions on imports. Tobacco is the sixth largest cash crop in the country and most of the price-supports and marketing quotas benefit huge companies like Phillip Morris and RJR Nabisco. Estimated savings: \$200 million over 5 years.

Eliminate the Advanced Technology Program [ATP]: ATP gives away nearly half a billion dollars a year in research and development grants to huge high-technology firms like Caterpillar, General Electric, and Xerox to help develop new products. These companies are very well financed and should be using their own money for R&D. Estimated savings: \$1.1 billion over 5 years.

Reform process for developing timber roads in national forests: Timber companies profit tremendously from the use of roads in national forest lands, but they pay virtually none of the cost of building them. My bill would stop subsidizing the construction of roads which are mainly used by timber companies go gain access to timber. Estimated savings: \$250 million over 5 years.

Reform the U.S. role in the General Arrangements to Borrow: The General Arrangements to Borrow [GAB], part of the International Monetary Fund [IMF], are intended to prevent any future internal monetary crisis caused by developing countries that are unable to pay their bills. We are bailing out these countries—and the banks that support them—despite the fact that they have enough capital to spend vast amounts of money on money-losing State-sponsored industries, huge bureaucracies, and large militaries. My bill would prevent increased U.S. participation in the GAB. Estimated savings: \$3.5 billion over 5 years.

End special tax treatment of alcohol fuels: Manufacturers of gasohol, a motor fuel composed of 10 percent alcohol, received a tax subsidy of 54 cents per gallon of alcohol used. Archer-Daniels-Midland—which produces most of the country's gasohol—has made billions of dollars from this tax break. These subsidies have a dubious balance of public versus private benefits, and they are an inefficient use of our energy resources. Estimated savings: \$2.4 billion over 5 years.

Eliminate the Foreign Sales Corporation [FSC] tax break: The Tax Code's FSC provisions permit U.S. exporters to exempt 15 percent of their export income from U.S. taxation.

This encourages U.S. companies to form subsidiary corporations in a foreign country—which can just be a mailing address—to qualify as an FSC. A portion of the FSC's own export income is exempt from taxes, and the FSC can pass on the tax savings to its parent company because domestic corporations are allowed a 100-percent dividends-received deduction for income distribution from an FSC. Estimated savings: \$7.5 billion over 5 years.

Eliminate the "title passage" tax break: Companies can treat sales income as foreign source income—therefore realizing a tax break—by passing title to the property sold offshore even though the sales activity may have taken place in the United States. The title passage rule allows a company with excess foreign tax credits to classify more of its income as foreign source, then the company receives an implicit tax subsidy. My bill would put an end to this practice by closing this tax loophole. Estimated savings: \$16.6 billion over 5 years.

Total estimated savings: \$35.3 billion over 5 years.

Deficit reduction lock box: This bill includes a deficit reduction lockbox to ensure that all savings/revenue go directly toward deficit reduction and are not used to finance other programs.

CENTENNIAL OF THE INDIANA  
OPTOMETRIC ASSOCIATION

**HON. TIM ROEMER**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 15, 1997*

Mr. ROEMER. Mr. Speaker, I rise today to recognize the 100th anniversary of the Indiana Optometric Association. I want to join my colleagues here and in the Senate and House of Representatives in Indiana in commemorating this event. Following is the text of the Concurrent resolution adopted by the 110th general assembly of the State of Indiana:

"Whereas, the Indiana Optometric Association (IOA) was founded in 1897 and will be celebrating its Centennial Anniversary during the year 1997, and

"Whereas, the IOA is marking 100 years of successful advocacy for the profession of optometry in Indiana, and

"Whereas, the IOA has provided 100 years of service the public interest on behalf of the eye care and eye health of Indiana's citizens, and

"Whereas, the IOA was instrumental in the decision of the Indiana General Assembly that established the Indiana University School of Optometry in the early 1950's, and has forged an ongoing professional relationship with the School of Optometry that is a national model, and

"Whereas, the IOA commends the Indiana General Assembly for its continuing support of the profession of optometry and the patients it serves, and

"Whereas, the IOA has historically distinguished itself as an exemplary professional optometric association in the United States, and

"Whereas, the IOA rededicates itself and the profession of optometry to serving the eye health and vision care needs of the citizens of the State of Indiana for the next 100 years,

"Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

"Section 1. That, on behalf of the people of the State of Indiana, we extend our sincere appreciation to IOA for its dedicated service to the people of the State of Indiana and the profession of optometry.

"Section 2. That the Secretary of the Senate is directed to transmit a copy of this resolution to the Indiana Optometric Association."

Mr. Speaker, it is my sincere pleasure to join my colleagues at the State house in saluting the Indiana Optometric Association. The dedication to the health of our fellow Hoosiers and to the education of future optometrists bring honor to the Indiana Optometric Association. They deserve to be suitably proud of this landmark in their existence.

100TH ANNIVERSARY OF THE UNI-  
TARIAN CHURCH OF MONTCLAIR

**HON. BILL PASCRELL, JR.**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 15, 1997*

Mr. PASCRELL. Mr. Speaker, I would like to bring to your attention the momentous occasion of the 100th anniversary of the Unitarian Church of Montclair, NJ.

The church dates from February 1897, when a few women gathered to consider the feasibility of forming a Unitarian Society. Having a church school for their children was of their greatest concern, and therefore the women began preparing themselves as teachers. In 1898, the church's first minister, the Rev. Arthur Grant, was called, and both the church and the church school were organized. Reverend Grant was succeeded in 1902 by Rev. Leslie Sprague, and it was during his ministry that the church was built on its present site.

In 1906, the Rev. Edgar Swan Wiers was called and continued as minister until his death in 1931. During his ministry, and with keen interest from himself and the congregation in the cultural life of the community, Reverend Wiers established a forum series, a Unity Institute, and a concert series which has continuously brought the best available talent to Montclair. Later in Reverend Wiers' ministry, Unity Institute was expanded to include a travel series as well as a chamber music series. Interest in the institute's programs of the performing arts, theatrical, musical, and the fine arts was vast and continued in numerous concerts, plays, monologs, and art shows. From the forum series grew the Collegiate Pulpit.

Dr. Norman Fletcher became the church's minister in 1932 and his concern for civil rights, as well as his love of English literature and the theater was evident. During the years of World War I, the church's women's alliance was very active in several war projects. The women's alliance continued with its concern for the people as well as its support for the church through projects such as fairs and rummage sales.

Throughout the 1950's, church membership soared with scores of chairs being placed in the church's aisles to accommodate the growing congregation. This remarkable increase in members led to numerous discussions concerning the need for a new church. The

church school, with close to 500 members, outgrew the basement classrooms and the public library located next door was bought from the township for church use.

In 1970, Dr. George J.W. Pennington was appointed as an associate minister, and in 1972, upon the retirement of Dr. Fletcher, who had become minister emeritus, Dr. Pennington became a full minister. With a second profession as a clinical psychologist, Dr. Pennington managed to increase the amount of counseling work done and also lent a psychological tone to many of his sermons. As with the times, the church became less formal, and in March 1982, Dr. Pennington resigned.

The Rev. Lee Barker was called to the ministry of the church in 1983 and had been with the church until June 1994. His ministry was distinguished by a growth of membership and a continuing commitment to community outreach.

Called to the pulpit in April 1995, the Reverend Charles Blustein Ortman became the seventh minister of the church on November 4, 1995. Reverend Ortman continues to serve as minister and, along with the church's congregation, is looking forward to the centennial anniversary of the Unitarian Church of Montclair.

Mr. Speaker, I ask that you join me, our colleagues, Reverend Ortman, members of the congregation, and the township of Montclair, in recognizing the outstanding and invaluable service to the community and the 100th anniversary of the Unitarian Church of Montclair.

#### THE FEDERAL RESERVE IS WRONG

#### HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 15, 1997*

Mr. FRANK of Massachusetts. Mr. Speaker, I have voiced my strong disagreement with the recent decision by the Federal Reserve to raise interest rates on the floor of the House. Recently I saw an article in the April 21 issue of *The New Republic* which makes the case in a cogent way that Mr. Greenspan was mistaken, and that his mistake will be damaging to our economy. Similarly, the *Economic Scene* column by Peter Passell in the April 10 issue of the *New York Times* does a good job describing the downside of the Fed's decision to clamp down on economic growth. I am inserting both articles here:

[From the *New Republic*, Apr. 21, 1997]

FED ACCOMPLI

Last week the Federal Reserve ended a five-year experiment: How many people can the nation put to work without triggering inflation? The results are fiercely contested, their ramifications enormous. Everybody wants unemployment to be as low as possible, but nobody knows for sure how low that is. Growth optimists believe unemployment can fall much lower than the current 5.3 percent without fueling inflation. Inflation hawks, led by Fed Chairman Alan Greenspan, don't.

But the debate is academic, because monetary policy isn't set by public debates and majority votes, it's set by Alan Greenspan. And Greenspan is sure that the current high levels of economic growth and employment will soon cause a spiral of higher prices. So he raised interest rates last week and ap-

pears likely to do so again, effectively ensuring that unemployment will not drop any lower than it is today. Given the data of the last two years, data that, despite endless scrutiny, shows not the slightest hint of creeping inflation, we wish the chairman were a little less certain.

Both Greenspan and his critics agree that prices hinge upon a balance of power between employers and employees. When joblessness drops, the value of labor rises. Employers raise salaries and pass the cost on to consumers. These higher prices cause other workers to demand raises. Such an inflationary spiral can only be stopped if the Federal Reserve slows the economy, making everybody worse off. The big question is how low unemployment can drop before an inflationary spiral begins. Conventional economists have long held that inflation would start to mount if unemployment fell below 6 percent. But the current economic expansion, which began in 1992, has brought unemployment down to 5.3 percent without a trace of rising inflation. For inflation hawks like Greenspan, this state of affairs can't go on.

The growth optimists, with varying levels of plausibility, suggest another story. They believe the economy has entered a new era, capable of sustaining lower unemployment than before. Why have the rules changed? There are several reasons:

Globalization. International competition makes it harder for American companies to raise the cost of their goods, lest foreign firms undercut them. It has also made workers less secure about their future and hence more timid in demanding raises. (Polls of employee confidence support this notion.)

Computers have increased productivity. This is the pivotal point. Productivity ultimately determines wages. If wages are rising just because employees have more leverage, then the boss has to raise prices. But if workers are producing more, then employers can pay for a wage increase out of profits instead of passing the cost on to consumers. The latter scenario seems to be the case. Productivity rose 1.5 percent last year, while real wages rose by just 0.6 percent. The share of the economy going to corporate profits is up a full percentage point from the peak of the last business cycle. This suggests that firms can pay their employees more without hiking prices.

Bad statistics. Most (though not all) economists believe the government has been overestimating inflation for years. That means we have less to worry about than Greenspan thinks. (Greenspan, interestingly, adheres to this theory himself, although he has of yet failed to reconcile it with his inflationary paranoia.)

Hard data to support the new era hypotheses remains sketchy. So far, however, the story checks out. And, even if it's wrong, failure entails nothing more than slightly higher prices and a future interest rate hike. At its current level, inflation appears unlikely to spiral out of control. A little inflation hurts, of course, but it doesn't really start to bite until it hits the mid-to-upper single digits. As MIT economist Paul Krugman wrote recently in *The Economist*, "3 percent inflation does much less than one-third as much harm as 9 percent."

One other recent even has strengthened the case for experimentation: welfare reform. If the government demands that all citizens who can work do work, it cannot simultaneously enforce Greenspan's explicitly anti-employment program. Or, at least, it should not do so without first attempting an alternative. The alternative—an effort to see whether we can successfully push unemployment below 5 percent, and perhaps improve the lives of millions in the American underclass in the process—may prove a pipe

dream. But the benefits of success outweigh the costs of failure. And we'll never know unless the Federal Reserve chairman opens himself to the possibility that he is wrong.

[From the *New York Times*, Apr. 10, 1997]

(By Peter Passell)

The latest labor market numbers have been widely greeted as fresh evidence that the Federal Reserve chairman, Alan Greenspan, has a direct line to the Oracle of Delphi. With data suggesting that the demand for workers is growing more rapidly than the working-age population, the Fed's preemptive strike against inflation last month seems to be one more sign that the Fed remains ahead of the game.

But not quite everyone is convinced that Mr. Greenspan's latest prognostication—or for that matter, the unbroken economic expansion since 1991—proves that he has all the answers. For while a recession-free six years may have marginalized his critics, it has not really established that the Fed has found a golden mean between stable prices and economic growth.

For that exquisite balance, if it exists at all, depends as much on value judgments as technocratic insight. "Where was it written," asks Robert M. Solow of M.I.T., a Nobel laureate in economics, "that absolute security against inflation is worth sacrificing unknown quantities of national income?"

Moreover, this seems a particularly unfortunate moment to choose to err on the side of fighting inflation at the expense of higher unemployment—and without even a whimper of debate. To make welfare reform work, there have to be jobs for those pushed off the rolls. Yet without tight labor markets, business will have little incentive to invest in the training needed to bring marginally competent workers into the mainstream.

No one disputes that Admiral Greenspan has kept the economy on an even keel since the recession of 1990-91. His performance seems all the more impressive when compared with that of German, French and Japanese policy makers, who have not been able to spring their economies from the doldrums. Today, unemployment is at 5.2 percent and the economy is growing at an annual rate well above 3 percent.

Indeed, even his critics are quick to praise Mr. Greenspan for flexibility in recent years, keeping interest rates steady as unemployment dipped below the level experience suggested would fuel wage-led inflation. "He deserves a lot of credit" for holding the line long after traditional conservatives were calling for a tougher stance, argues James Tobin of Yale, another Nobel laureate.

By the same token, most economists see the quarter-point interest rate increase last month as a sign of Mr. Greenspan's enlightened pragmatism and the best way to avoid a future recession brought on by painfully high interest rates. "By tightening a little now," suggests William Dudley of Goldman Sachs, "he makes it less likely he'll have to tighten a lot later."

So what's left to argue about? Plenty. Mr. Tobin says that inflation is simply not a clear and present danger. A close reading of other bellwether statistics—notably the proportion of the newly unemployed who were dismissed and the index of labor demand based on help-wanted ads—is surprisingly benign. "The risks of inflation seem no greater today," he concludes, "than when unemployment was up at 6 percent."

For his part, Mr. Solow is unconvinced by the conventional wisdom that gradualism works best. Small increases in interest rates early on—the preemptive strike—may seem less traumatic. But by Mr. Solow's reading of the evidence, larger increases once signs

of inflation are unambiguous are no more likely to generate overcorrections.

Economists are comfortable staying within the confines of this purely technical debate. A Greenspan-worshipping majority believes that unemployment is already below the rate that can be sustained without bringing on inflation, or that the economy's momentum will soon bring the rate into the inflationary range. An embattled minority suspects that fundamental changes in the economy—globalization, de-unionization, downsizing—have sharply lowered the level of unemployment that is compatible with stable prices.

But the debate can be confined only to the technical by ignoring its social dimension. No one really knows whether the magic "nonaccelerating inflation rate of unemployment" is 5.5 percent or 4.5 percent. So decisions about the target implicitly have as much to do with how one weighs the consequences of erring on the side of slow growth against the costs of inflation.

Fear of inflation has been an easy sell since the trauma of the oil shocks in the 1970's. Uncertainty about prices leads to economic inefficiency—and, horror of horrors, lower stock prices. Besides, inflation breeds recessions because it eventually brings down the wrath of the monetary gods. But not to belabor the obvious, living with 5.2 percent unemployment if the economy is able to sustain 4.5 percent also has costs: every tenth of a percentage point represents at least 130,000 jobs.

It may be tidier to leave monetary policy in the hands of a benign despot. But it's also a little sad: if the 5 percent unemployment barrier cannot be tested when inflation is beyond the horizon and a Democrat is in the White House, when can it?

**HOOSIER HEROS—SPECIAL  
OLYMPICS COACH JERRY KNOOP**

**HON. DAVID M. McINTOSH**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 15, 1997*

Mr. McINTOSH. Mr. Speaker, I rise today to give my report from Indiana.

During the recess break I had the opportunity to meet with and listen to the stories of the people all throughout the great State of Indiana. These stories of hope, dedication, and family are truly inspirational. Hoosiers who have dedicated their time and compassion to make a difference in the lives of others in communities. These people are truly heroes, Hoosier heroes. I would like to share with you a story of a father who goes above and beyond the responsibilities of a parent. Jerry Knoop, of Fairland, IN, has always been involved in the community. Whether it would be coaching his children's athletic teams, or supporting the local athletes, Jerry has helped unselfishly to better the lives of others.

After an accident left his son, Eddie Knoop, mildly mentally handicap at the age of 8, Jerry discovered that the local athletic programs could no longer accommodate the needs of his son. He then took it upon himself to make sure his son and others like him received the attention they deserve. By working with the local school's special education programs as well as the Special Olympics, Jerry made himself known throughout the community as the man who can't say no to volunteering. When his son became old enough to attend Shares Inc., a local shelter for the handicap, Jerry quickly involved himself by coaching several of

the athletic teams. His wife, MarySue, commented that it takes a unique person to coach people with disabilities. Jerry approaches the athletes with a lot of patience and caring.

He takes the time to break down things to the athletes so that they can understand the fundamentals of the sport. He often ends up repeating himself to try and help them as much as they can. It is this type of patience and commitment which won him the 1997 U.S.A. Weekend Most Caring Coach Award.

Nominated by his son, Jerry's commitment to helping others has invoked his family and friends to also involve themselves with the Special Olympics. His daughter and son-in-law, Kileen and Jack Clay, have also coached Special Olympic teams. Kevin Pagent and Don Wright, two coworkers of Jerry have followed Jerry's example by coaching and supporting Special Olympic athletes, often traveling as far away as 2 hours to get to a game. Jerry's influence has also reached to the young people in the community. Kurt Benshimer, a junior at Trinton central High School, got involved with the Special Olympics after learning of Jerry Knoop's dedication through his church, where Jerry also volunteers putting together the weekly bulletin.

Jerry Knoop wholeheartedly puts others in front of himself. We should all follow the example that Jerry sets. Mr. Speaker, I would like to salute Jerry's efforts in the State of Indiana and recognize the positive impact that he has had on the community.

Jerry Knoop is truly a Hoosier hero. That concludes my report from the Second District of Indiana.

**THERE THEY GO AGAIN; THE BIG  
LABOR BOSSES VERSUS AMERICAN  
TAXPAYERS, EMPLOYERS,  
AND JOBS**

**HON. RANDY "DUKE" CUNNINGHAM**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 15, 1997*

Mr. CUNNINGHAM. Mr. Speaker, there they go again. In 1996, the big labor bosses in Washington attempted to buy a political party and the elections, using \$35 million in union dues from honest working men and women—40 percent of whom opposed the union bosses' endorsed Presidential candidate. Now they are coordinating with the Clinton administration an expansive, expensive, and bureaucratic new Federal contracting regulation to shake down everybody else—American taxpayers, employers, and the 90 percent of workers who are not union members—for the self-serving interests of the labor bosses in Washington.

It should go without saying that the President's proposed Executive order on project labor agreements is in addition to existing Federal contract and labor law, which includes but is not limited to the Service Contract Act, the Davis-Bacon Act, the Fair Labor Standards Act and the minimum wage, the Equal Pay Act, the Family and Medical Leave Act, the Employee Retirement Income Security Act, the Civil Rights Act, the Americans With Disabilities Act, and the Occupational Health and Safety Act, among others, plus the laws of the States.

I enter into the RECORD a memorandum from AFL-CIO President John Sweeney that

outlines the labor bosses' plan, so that Members may read it and draw their own conclusions.

AMERICAN FEDERATION OF LABOR AND  
CONGRESS OF INDUSTRIAL ORGANIZATIONS  
Memo to: National and International Union  
Presidents.

From: John J. Sweeney.  
Subject: Support for Pro-Worker Federal  
Procurement Reforms.

Date: March 25, 1997.

The purpose of this memo is to alert you to an exciting initiative that requires the immediate attention of affiliated unions, and to request your assistance in building the case for these much-needed reforms.

As you may recall, the Clinton Administration recently announced its intention to undertake several initiatives that will protect worker rights and workplace standards while improving federal government procurement and contracting practices. If properly implemented, these initiatives will affect the expenditure of hundreds of billions of dollars every year. In any given year federal contracts total as much as \$200 billion, and federal contractors and subcontractors employ approximately one-fifth of the labor force. At any given time perhaps 3% of the labor force is directly employed in the performance of a federal government contract.

In order for these initiatives to take effect and withstand Republican and business community opposition in Congress and the courts, we need the assistance and active involvement of AFL-CIO unions. We are asking affiliates to undertake the efforts described in the attached memorandum, and to designate one person from each organization who will work with us in coordinating these efforts.

Our short term goal is to develop material to buttress our case for these reforms from a hostile attack from the Republican Congress. The long term goal is to build and sustain a body of information to help us make the most of these initiatives and have a positive, pro-worker impact on the world of federal contracting.

The government will be issuing proposed procurement regulations that will accomplish three reforms.

First, the government will evaluate whether a bidder for a government contract has a satisfactory record of labor relations and other employment practices in determining whether or not the bidder is a "responsible contractor" eligible to receive a particular government contract.

Second, the government will not reimburse federal contractors for costs they incur in unsuccessfully defending against or settling unfair labor practice complaints brought against them by the National Labor Relations Board.

Third, the government will not reimburse contractors for the money they spend to fight unionization of their employees.

These proposed amendments to the Federal Acquisition Regulations will be published in the Federal Register for a 60-day notice and comment period by the public, and then issued in final and binding form following consideration of those comments.

President Clinton will also issue an executive order directing all federal departments to consider using a project labor agreement when they undertake government-funded construction projects. This order is not subject to notice-and-comment or other administrative steps.

Republicans in Congress and the business community attacked these plans as soon as the Administration announced them. Republican leaders have said they may try to override them and are also threatening litigation. Both groups assert that the initiatives

are bad policy and simply a payoff to the AFL-CIO for its efforts during the 1996 election campaign.

In order to secure final issuance of the procurement regulations, and to defeat the campaign that is coalescing against them and the proposed executive order, it is imperative that AFL-CIO affiliates bolster the case in support of these changes with specific information and examples of corporate lawbreaking or bad practices that justify the regulations, and successful experiences with project labor agreements in both the private and public sectors.

We are reaching out in particular to organizers, lawyers, researchers and lobbyists for AFL-CIO affiliates to ask their assistance in securing this information, and to consult as appropriate with other staff in their union and its affiliated local, district and similar bodies.

The attached memorandum describes these initiatives in more detail and specifies the information and materials we need. Responses should be sent directly to AFL-CIO Corporate Affairs Department Director Ron Blackwell, who is coordinating the AFL-CIO's research efforts for the procurement reforms. Ron can be reached at AFL-CIO headquarters at 202-637-5160.

Thank you for your help in our campaign to win these important reforms.

#### INFORMATION NEEDED IN SUPPORT OF PROPOSED GOVERNMENT CONTRACTING REFORMS

The Clinton Administration will soon be proposing regulations to modify the Federal Acquisition Regulations in three areas, and will be issuing an executive order on project labor agreements. A description of the forthcoming proposals, and the information needed to support these proposals, follows:

##### 1. REQUIRING GOVERNMENT CONTRACTORS TO HAVE SATISFACTORY LABOR AND EMPLOYMENT PRACTICES

Under the regulations that govern federal procurement and contracting—Part 9 of the Federal Acquisition Regulations—before the government can award a contract for goods, services or construction, such as computers, building maintenance or the erection of a government office building, it must evaluate the contractor's past performance record; its record of integrity and business ethics; and its capability to perform the contract.

In selecting contractors, the government has only occasionally taken into account a contractor's labor relations and employment practices. Often, then, a contractor with a shabby record of treating its workers has won a government contract, and on only rare occasions has the government decided that a contractor's labor relations were so poor that it could not satisfactorily perform the contract up for bid.

The government will now revise its procurement regulations so they expressly provide that a satisfactory record of employment practices is a component of both the "business ethics and integrity" and "capability" qualifications for being "responsible." This means the government will review a contractor's labor and employment policies and practices and its compliance with laws and standards concerning safety and health; wages, benefits and other labor standards; equal employment opportunity; and the right to organize and bargain collectively.

The AFL-CIO has stressed two important public purposes that are served by this initiative. First, it ensures that the government won't award contracts to companies that don't respect worker rights or adopt sound workplace standards, because these companies aren't trustworthy or reliable enough for the government to do business with. Second, it will improve the perform-

ance of government contracts because employers with good labor relations and employment practices are more stable, productive and efficient.

In order to support this initiative, we need information and documentation about government contractors that either are lawbreakers or have substandard labor and employment practices or policies—for example, government contractors that—

Have been held liable for substantial breaches of the National Labor Relations Act; the Occupational Safety and Health Act; the Fair Labor Standards Act; the Employee Retirement Income Security Act; the Civil Rights Act of 1964; the Age Discrimination in Employment Act; or other federal laws protecting workplace standards and barring employment discrimination.

Are being investigated, sued or prosecuted for such violations (examples: Caterpillar and Mitsubishi) even though no final determination has been made.

Pay substandard wages; have no defined workplace rules and arbitrarily administer employment policy; provide few or no benefits; provoke ongoing worker dissatisfaction or unrest; experience unusually high turnover and workforce instability; enforce unfair or degrading rules and procedures; or provide no means for workers to raise on-the-job problems.

We need names, dates, related documents and, just as important, union representatives or workers who can attest to these situations or provide at least anecdotal information. If your organization has compiled any relevant general data, that would prove very useful as well.

We particularly suggest that: Lawyers gather records of cases involving government contractor violations of workplace laws; lobbyists review their files where local unions or other internal bodies have requested intervention with either the Congress or the Executive Branch over a problem with a government contractor like the ones described in this memo; organizers review ongoing and recent organizing campaigns at employers that are government contractors; and researchers investigate the records of contractors in the principal industries they represent.

##### 2. ENDING GOVERNMENT REIMBURSEMENT OF EMPLOYERS' ANTIWORKER EXPENSES

###### *a. Defense of Unfair Labor Practice Complaints*

Under current government procurement and contracting regulations—Part 31 of the Federal Acquisition Regulations—the government now precludes the reimbursement of government contractors for their costs in unsuccessfully defending or settling criminal indictments and certain civil proceedings brought by the government involving fraud or similar misconduct or the imposition of a monetary penalty. But the regulations don't specify whether the defense of unfair labor practice complaints issued by the NLRB General Counsel charging violations of the NLRA is a reimbursable cost incurred in the performance of a contract that contractors can pass on to taxpayers. Now those regulations will preclude the use of public funds for that private purpose where the contractor is found liable or the contractor resolves the case by settlement. This will end the self-defeating practice of the government funding both the enforcement and the defense of government litigation to enforce the labor laws.

We need information about employers that have defended unfair labor practice complaints brought by the NLRB General Counsel during the performance of a government contract, where either the NLRB held that the contractor violated the NLRA or the contractor settled the case after a complaint was issued. We are looking especially for sit-

uations in which the contractor violated organizing rights during an organizing campaign; refused to bargain in good faith for a first contract; tried to destroy an established collective bargaining relationship; or unlawfully discharged or otherwise retaliated against employees because they supported a union.

If known, we especially need cases where the government reimbursed the contractor for the cost of unsuccessfully defending the ULP complaint. We recognize that it is unlikely that the union would know these details. Identification of the organizing campaign alone would be helpful; we will try to obtain information about reimbursement from other sources.

In particular: Lawyers should provide citations to NLRB decisions, and copies of ALJ decisions, settlement agreements and other documents arising from ULP prosecutions of government contractors; organizers should provide information about the organizing campaigns at worksites of government contracts that gave rise to ULPs and identify the union staff of workers who had direct experience with the matter; lobbyists, again, should review their files where local unions or other internal bodies have requested intervention with either the Congress or the Executive Branch over a problem with a government contractor like the ones described in this memo; and researchers should undertake associated research into these matters.

###### *b. Anti-Union Campaigning*

Under several federal statutes and regulations, including those governing Head Start, Medicare, the National and Community Service Act and the Job Training Partnership Act, federal contractors and fund recipients have long been barred from using government money to fight their workers' efforts to exercise their rights to organize and bargain collectively.

The government will now revise its regulations—specifically, in Part 31 of the Federal Acquisition Regulations—to specify that as a general rule covering all government procurement, contractors will not be able to obtain government reimbursement for these sorts of activities.

This reform will create a more level playing field when employees of government contractors try to exercise their rights under the National Labor Relations Act by ending the grossly unfair practice of taxpayers underwriting employer efforts to fight or influence their employees' decision about exercising their rights. This initiative will save taxpayers these expenses, which have nothing to do with guaranteeing satisfactory government contract performance.

We need unions to identify instances where organizing campaigns took place in bargaining units of employees that were actually performing the government contract. Again, if known, instances of government reimbursement should be described. We are especially interested in situations in which the employer aggressively opposed the campaign; the employer committed ULP's during the campaign; the employer broke or skirted the law but, for whatever reason (such as where the union won the election), the union did not pursue NLRB objections or charges; and other situations where the employer engaged in an anti-union campaign, such as during collective bargaining.

In particular, Lawyers should review organizing and contract campaigns they were involved with, particularly those in which the employer incurred substantial legal expenses; organizers should review organizing and contract campaigns and, again, identify both the union staff and workers who had direct contact with the situation; lobbyists should, again, review their files as described

earlier; and researchers should undertake associated inquiries.

3. AUTHORIZING PROJECT LABOR AGREEMENTS FOR GOVERNMENT CONSTRUCTION.

A project labor agreement is a comprehensive collective bargaining agreement negotiated at the outset of a project between the construction owner or manager and the unions representing all the workers who will construct the project. This agreement sets the wages, working conditions, work rules and dispute resolution procedures for the duration of the project. They usually guarantee that projects will be built without strikes, lockouts and similar disruptions. In the private sector, project labor agreements have long proven their worth in the construction of large utility, manufacturing and other complexes.

Over the years of federal government has used project labor agreements on large construction projects, including dams, atomic energy facilities and other defense installations, but it has never had a policy to consider using them or to require its contractors to negotiate them where these agreements may facilitate efficient and timely construction.

Innumerable state and locally funded construction projects such as the mammoth cleanup of Boston Harbor, and bridges, office complexes, highways, and airports have been built under project labor agreements. In the past three years, Republican Governors Whitman of New Jersey and Pataki of New York and Democratic Governor Miller of Nevada have issued executive orders authorizing the use of project labor agreements for state-funded construction when it will promote the efficient, timely and safe construction of a project.

Under this new presidential executive order, when an agency decides that a project labor agreement will benefit a federal construction project, it may either negotiate one directly or require bidders to agree to negotiate one for the project.

This order advances fair and efficient government contracting by making it clear that federal agencies, just like state and municipal governments and private builders, have the option of using project labor agreements as one means of assuring that the project will be performed in a cost-effective, competent and timely manner.

In order to defend this order from anticipated political attack, we need information from Building and Construction Trades Department affiliates about recent or ongoing project labor agreements, whether public or private. Especially useful would be examples of experiences in the three states where executive orders encourage such agreements on public construction projects.

In particular, building trades: Lawyers should provide examples of publicly-funded project labor agreements whose lawfulness has been litigated; lobbyists should report efforts to have states and localities adopt project agreements on particular projects or general executive orders to promote them as a matter of policy; and researchers should compile lists and data regarding the use of project labor agreements.

We appreciate any assistance you can provide to our campaign to support these initiatives and counter the opposition coalescing against them.

HAPPY 298TH BIRTHDAY KHALSA PANTH

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 15, 1997

Mr. TOWNS. Mr. Speaker, I rise today to say happy 298th birthday to the Sikh Nation. April 13 is Vaisakhi Day, the anniversary of the founding of the Khalsa Panth. On this auspicious occasion, I would like to salute the Sikh Nation on their dedication to hard work, family, faith, and freedom.

Sikhism is a monotheistic religion which believes in the equality of all people, including gender equality. The Sikhs currently live under a repressive occupation by India. We have discussed some of the details of this tyranny many times. Let me just take this opportunity to express my solidarity with the Sikh Nation in its peaceful struggle to throw off oppression. Like the United States 200 years ago, the Sikh Nation will ultimately triumph because the cause of freedom is always the right cause.

The Council of Khalistan has recently issued a flyer for Vaisakhi Day. It contains more detailed information about the Sikh struggle. I would like to insert it into the RECORD at this time, and I recommend to all my colleagues that they read it.

HAPPY 298TH BIRTHDAY KHALSA PANTH

We are gathered to celebrate the 298th birth anniversary of the Khalsa Panth, or Sikh nation. On this day in 1699, the tenth and last living Guru of the Sikhs, Guru Gobind Singh Ji stood atop a hill in Anandpur Sahib in Khalistan and asked the Sikhs gathered if anyone would be willing to give their life for their Guru. Five times Guru Gobind Singh Singh Ji asked and five times a different volunteer would offer their head. Guru Ji would escort the volunteer to his tent and re-emerge with bloody sword in hand.

After Guru Gobind Singh Ji asked for the fifth volunteer and escorted him into the tent, Guru Ji came back out of the tent along with all five volunteers who were clad in resplendent robes, perfectly healthy and unscathed. Guru Ji told the congregation that these five Sikhs selflessly offered their lives for their faith, and in so doing, they are to be called the Panj Piaras—the five beloved ones.

Afterwards, Guru Gobind Singh Ji prepared Amrit by placing sugar in a steel bowl stirred with a double edged sword and reciting prayers from Sikh scripture. Guru Ji then administered the Amrit to the Panj Piaras. Afterwards, Guru Ji asked the Panj Piara to baptize him. Following Guru Ji's baptism, tens of thousands of Sikhs who were gathered at Anandpur Sahib, also became baptized.

Through this act of baptism, Guru Gobind Singh Ji created the modern Sikh nation—the Khalsa Panth. By baptizing himself, Guru Ji had taken the first step of transferring the Guruship to the Khalsa Panth. Nine years later, in 1708, Guru Gobind Singh Ji would proclaim an end to the era of living, human Gurus. He declared that the Sikh holy book, the Adi Granth—containing the writings, hymns and poetry of the previous nine Gurus—would permanently receive the Guruship.

On this day, we celebrate the fact that Guru Gobind Singh Ji vested the Khalsa Panth with our modern identity which has imbued us with a strong ethical and martial tradition and ensured our survival and the

integrity of our homeland for almost 3 centuries. This identity includes unshorn hair; the turban to keep the head covered as a sign of respect to God, and, the carrying of a kirpan—a weapon representing personal defense and readiness to protect the defenseless from injustice, exploitation and cruelty.

Sikhism is a religion anchored in service to God through service to humanity. We end our daily prayer with the words "Sarbat Da Bhalla", a prayer for the well being of all humanity. Sikhs reject idol worship, Sikhs reject all forms of caste and social hierarchy, and Sikhs believe in full gender equality and reject religious priesthood or any other intermediaries between God and humanity.

CELEBRATING SURVIVAL IN THE FACE OF GENOCIDE, FREEDOM IN THE FACE OF IMPERIALISM

Due in part to romanticized visions of India, fostered by movies like "Gandhi" (almost 40 percent of the film's budget came from the Indian Government and they retained editorial control), India continues to enjoy an international reputation as the "world's largest democracy." However, for outcaste Hindus and non-Hindu peoples and nations, India is not a democracy, but a totalitarian state far more ruthless than its British predecessors. Since 1988, Indian police and security forces have killed 43,000 Kashmiris. Indian government forces have murdered over 200,000 Christians since 1947. Tens of thousands of Assamese and tribal peoples have also been murdered by the Indian State.

In addition, the aboriginal people of South Asia, the Dalits, whose indigenous roots and black skin color has relegated them to the status of outcaste untouchables in Indian society, are subjected daily to subhuman treatment which has not changed for millennia. Unlike "Gandhi" the movie, Mohandas Gandhi did not represent India's untouchables but instead represented the Oxford-educated Brahmins of the Indian National Congress. Gandhi, who fervently believed in the Hindu caste system, went on a hunger strike when Daht untouchable leader Dr. Ambedkar demanded full and equal civil and political rights for Dalits. When Congress Party members threatened Dr. Ambedkar that they would start mob riots that would target Dalit communities throughout South Asia, he relented in his demands.

The Sikh homeland Punjab, Khalistan (from the Arabic root "sovereign country of the Sikhs") face similar threats in India. The attack on the Sikh's holiest shrine the Golden Temple, on June 4, 1984, was the beginning of a bloody and calculated attack to destroy the Sikhs politically, culturally and morally. Baptized Sikhs, Amritdhari Sikhs, were reclassified as terrorists as revealed in an excerpt of 'Batchit' [Military Order] Circular No. 153, which contain the official Indian military orders issued for July of 1984.

"Any knowledge of the Amritdharis [baptized Sikhs] who are dangerous people and pledge to commit murders, arson and acts of terrorism should immediately be brought to the notice of the authorities. These people may appear harmless from the outside but they are basically committed to terrorism. In the interest of all of us, their identity and whereabouts must always be disclosed."

With this military order, and the Draconian laws that followed, the Sikhs have faced its darkest period in 300 years. According to the Punjab State Magistracy, the group representing all of the local court judges in the Punjab. Indian police murdered over 200,000 Sikhs from 1984 to 1992. According to Punjab/Haryana High Court Justice Ajit Singh Bains of the Punjab Human Rights Organization (PHRO), over 50,000 Sikhs have been killed since then.

It is not surprising, therefore, that international human rights groups like Amnesty

International have not been allowed in Khalistan for almost 20 years.

EVEN AS THE SIKH GENOCIDE CONTINUES, SO DOES THE FREEDOM STRUGGLE

A quarter million Sikhs murdered since 1984 has not deterred the Sikh nation from our commitment to establish an independent and democratic Khalistan. Unlike what is reported by the Indian government and its media outlets, the Sikh struggle to re-establish our homeland as an independent state is not a violent one. We are committed to the Sikh tradition of peaceful, nonviolent civil and political disobedience called *Shantmai Morcha*, or peaceful agitation.

The Sikh Nation of Punjab was the last South Asian country to fall to British imperialism in 1849. The Sikhs ruled Punjab for almost a century before the British conquest. A century later, Sikh national sovereignty was expressly recognized by both the British and Indian leaders. Nehru assured the Sikhs that they would enjoy the "glow of freedom" in the Sikh homeland. Mohandas Gandhi told the Sikhs that if the Congress should ever betray them ". . . the Congress would not only thereby seal its own doom, but that of the country too. Moreover, the Sikhs are a brave people. They know how to safeguard their rights by the exercise of arms, if it ever comes to that."

In the intervening 50 years of Indian government rule, Sikhs have faced its darkest period in history. Even toddlers who have been baptized into Sikhism are not spared. Last December the Chandigarh court found that the police had murdered 3 year old Arvinder Singh, along with his father and his uncle, and labeled them as terrorists. Under Indian law, police can kill Sikhs, identify them as terrorists and receive cash rewards for the killing. In 1994, the U.S. State Department estimated that 41,000 cash bounties were issued between 1991 and 1993.

Throughout this horrible period, we Sikhs have never surrendered our right to national sovereignty, and we have never surrendered our rightful claim to a pluralistic democracy in an independent Khalistan. The Indian government genocide campaign, a campaign in which all baptized Sikhs are considered terrorists, is just the latest form of oppression set upon the Sikh nation; and is part of a larger pattern of Indian government imperialism over numerous nations and peoples in South Asia.

U.S. RESPONDS TO INDIAN OPPRESSION OF THE SIKHS

In response to the continued subjugation of the Sikhs in Khalistan, Congress has just introduced legislation, House Concurrent Resolution 37 (H. Con. Res. 37), which recognizes and supports the Sikh nation's right to national self-determination. The bipartisan resolution, co-sponsored by Gary Condit (D-CA) and Dana Rohrabacher (R-CA), urges the implementation of an internationally sponsored plebiscite so that Sikhs themselves could decide, by free and fair vote, whether or not they want to remain with India.

If India is the democracy that it claims, then it should allow the people of Khalistan to decide for themselves whether or not they want to be a part of India, just as the U.S. has done with respect to Puerto Rico and Canada has done with respect to Quebec.

Please join us in celebrating this auspicious holiday of the Sikh Nation, it is a time of feasting and festivity. But please also remember that there are millions of Sikhs in our homeland Khalistan who do not have much to celebrate. And think about them the next time you read something about the "world's largest democracy" and call your Member of Congress and ask them to co-sponsor H. Con. Res. 37—because everyone deserves the kind of freedom that we enjoy in the U.S.

Happy 298th Birthday Sikh Nation.

HONORING MARJORIE DAVIS FOR OUTSTANDING AND CONTINUED COMMUNITY SERVICE

HON. CARRIE P. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 15, 1997

Mrs. MEEK of Florida. Mr. Speaker, it is my pleasure to recognize Marjorie Davis who has contributed greatly to making our community safer and a better place to live. Ms. Davis, originally from Overtown but now a resident of Northwest Fort Lauderdale, has volunteered her time, effort, and hard work to eliminate drug dealers from the community, and has created programs that have helped unite the communities with one another. She is an outstanding individual who has helped shape community pride, generated respect, and manifested hope that was once lost.

The Miami Herald recognized Marjorie Davis in a January 20, 1997, article entitled "Building Bridges Between Communities" which commemorated her honorable civic service. I would like to submit this inspiring article for the RECORD.

MARJORIE DAVIS

The whistler has left the corner of Fifth Street and 18th Avenue in Northwest Fort Lauderdale.

A defiant intruder in a modest community of neighbors who know each other by name, he would stand with his hat cocked to the side, pucker his lips, and blow to signal his customers.

Mothers, fathers, and teenagers with an appetite for crack cocaine who heard the shrill would file to the corner like children chasing the song of an ice cream truck.

For a while, whistler thought the corner was his. That is, until he met Marjorie Davis, president of Dorsey-Riverbend Homeowners Association.

The corner is hers. Has been for 40 years. She owns a three-bedroom home with a gazebo at 1713 NW Fifth St., and was not afraid to let the whistler know it.

"I'm paying property tax for all this corner right here," she told whistler one day, looking him square in the eyes.

"Old lady, get back in the house," he said smugly.

In the '80s, whistler and his friends stood on corners throughout Davis' neighborhood in the heart of Fort Lauderdale's historic black community. Pimps with flashy cars and prostitutes in skimpy dresses strutted down the community's Main Street.

Their days were numbered.

Davis, then an elementary school teacher in her 50s, rallied the troops, a battalion of proud neighbors who weren't going to let their community be overrun by hoodlums. The association—organized in the '70s over lively conversation and plates of barbecue chicken and potato salad at a neighborhood cookout—haunted city commission meetings until they got police to beef up patrols.

Soon after, the whistler was arrested.

"I guess he thought I was just going to run in the house and be afraid," says Davis, a widow who turns 70 next month. "God doesn't like ugly."

A child of Bahamian immigrants, Davis was taught to stand up for what she believes in. She and her two siblings grew up in Overtown under the watchful eye of every adult on her tidy block until the highway divided her community.

Davis is spending her retirement making her neighborhood the kind of close knit community she knew as a child.

"You really need somebody to get the people together" says Lula Gardner, a retired domestic, standing in the doorway of a home she rebuilt and decorated with a garden of Impatiens and Chrysanthemums. "She keeps around here nice."

Davis has worked with the city to make it that way, adding shade trees, sidewalks, and a citizen patrol. Along the way, she's battled slumlords, billboards, and politicians looking to build a homeless shelter.

The fight keeps her young.

"My husband used to say, 'You put this community before anyone else,'" Davis says. "I think they appreciate it."

Marjorie Davis has demonstrated her commitment to strengthening and linking communities together. Her enthusiasm and service are special qualities that make her a remarkable individual who is greatly appreciated by many. Mr. Speaker, on behalf of my entire community, I commend Marjorie Davis for her outstanding service to our community and extend our best wishes for continued success.

IN HONOR OF MR. BENJAMIN EISENSTADT, FOUNDER OF CUMBERLAND PACKING CORP.

HON. CHARLES E. SCHUMER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 15, 1997

Mr. SCHUMER. Mr. Speaker, I rise in honor of a great man, Mr. Benjamin Eisenstadt, founder of the Cumberland Packing Corp.

I wish to honor him today not because he began what is now a successful company, but instead because he was, and remains, the example of a model employer who earned the admiration, respect, and loyalty of his employees. His legacy remains in these times when corporate downsizing has become the norm, and hardworking, loyal employees have become disposable commodities. The company he started is now described as a "family business that tries to treat its workers like family" by the New York Times. Mr. Eisenstadt's belief was that the workers do matter and business decisions should take them, and their families, into account.

It is often said that these qualities have long been lacking in corporate America. I submit to you that they are not, but only that we have overlooked them by focusing on wealth over character. Mr. Eisenstadt showed us all that it was, and still is, possible to build a successful business without sacrificing your employees. His company still provides good jobs with livable wages to its workers. In exchange Cumberland has their support and undying loyalty. His method was simple, people are your first and most important resource: Treat them well. I am certain that Marvin, his son, will continue this honorable legacy.

I wish for my colleagues to join me today in saluting this fine and good man, Mr. Benjamin Eisenstadt. Thank you, Mr. Eisenstadt, for showing us that the way of the future is not less, but more. More compassion, more opportunity, and more respect for working men and women.

TRIBUTE TO LEXINGTON HIGH  
SCHOOL

**HON. FLOYD SPENCE**

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 15, 1997*

Mr. SPENCE. Mr. Speaker, I rise to bring to the attention of my colleagues an article that appeared in the March 20, 1997 edition of *The State*, concerning Lexington High School, in my hometown of Lexington, SC. As a graduate of Lexington High School, I am especially proud of it receiving the Carolina First Palmetto's Finest award.

[From *The State*, Mar. 20, 1997]

LEXINGTON HIGH NAMED BEST IN STATE

SCHOOL BECOMES FIRST SECONDARY  
INSTITUTION TO WIN PALMETTO'S FINEST

(By Neil White)

A good year for Lexington High School got even better last week when it won the first-ever Carolina First Palmetto's Finest award given to a high school.

Strong programs in academics, athletics, arts and technology—highlighted by a pair of students who garnered perfect scores of 1,600 on the SAT and a basketball team that competed for its second-consecutive Class AAAA state championship—have kept the school in the forefront. Now this award adds to that.

"It's an exciting time for students, teachers and parents," Principal Allan Whitacre said. "Being the first high school, we feel very proud about that, too."

The Palmetto's Finest awards, coordinated by the S.C. Association of School Administrators, are in their 19th year, but this year, the program was expanded to include a secondary school. Irmo Elementary School was named in the elementary school category.

In addition to academic achievement and student leadership, a point system is used to rate school personnel, programs and curriculum, community involvement, physical maintenance of facilities, safety and communications. Nominations are received in the fall. The winners are chosen by a committee based upon the results of a comprehensive application process and two school visits.

"Receiving the Carolina First Palmetto's Finest award presents hard work, perseverance, cooperation and a commitment to excellence by our entire school community. Our school board and district office have supported that commitment," said Whitacre. "Everything we do, from the curriculum to the extra-curricular activities, is focused on giving students the best possible preparation we can provide to help them become productive, well-rounded citizens."

Since 1985 the school has received Department of Education incentive award money, which rewards the state's highest-ranked schools.

Following graduation, 79 percent of the students plan to attend college. Graduates in the class of 1996 received scholarship offers valued at more than \$4 million.

"There's a lot of pride for the student body in the whole thing," Whitacre said.

Lexington's High serves approximately 1,850 students in grades 10-12, and steady growth in the district keeps new students coming through the doors.

THE RON BROWN TORT EQUALITY  
ACT

**HON. ELEANOR HOLMES NORTON**

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 15, 1997*

Ms. NORTON. Mr. Speaker, the bill I introduce today broadens the rights of Federal employees and other Americans by amending the Federal Tort Claims Act. The need for this bill has been demonstrated in the aftermath of the tragic and needless accident which killed Secretary Ron Brown and 34 other Americans when their plane, piloted by the U.S. Air Force, crashed into a Croatian mountainside on April 3, 1996. I introduce this bill this month in memory of the Americans who died in Croatia to allow fair compensation to their relatives for their irretrievable losses and to deter similar accidents in the future.

News reports and constituent calls to my office have made clear the need for this bill. Some victims' families have faced financial hardship, in some instances, due to the minimal Government benefit payments. If a private plane had been responsible for this accident, the victims' families would have been entitled to recover no less than \$75,000, and if willful misconduct were shown, the amount recoverable would have been unlimited. The bill I introduce today increases the damages available to the victims of tragedies caused by the Federal Government and covers accidents occurring on or after April 3, 1996.

My bill will not unfairly open the United States to lawsuits by increasing its exposure in large numbers of accidents. The bill is limited to accidents in which the burden would be on the plaintiff to prove gross negligence, which the record shows to be a small number.

The official Air Force investigation found three independent causes, any one of which, had it not existed, would have prevented the accident. Surely, in the unusual circumstances of gross and preventable negligence, the country has an obligation to do more than mourn the victims and offer minimal damages.

My bill addresses two problems. The first affects only Federal employees. Under current law, the sole source of recovery for an injured Federal employee is the Federal Employees Compensation Act [FECA]. The act provides compensation benefits to U.S. employees for disabilities due to personal injury incurred while working. Although the FECA applies to injuries that occur here in this country and those that occur overseas, a Federal employee cannot sue for gross negligence. And if that Federal employee dies and has no dependents, the recoverable damages under FECA are practically nonexistent. My bill remedies this by allowing Federal employees to sue the United States for gross negligence, notwithstanding any compensation they would receive under the Federal Employees Compensation Act.

My bill addresses a second problem as well. This problem is that nonfederal employees who are injured overseas have no right of recovery against the Federal Government. Currently, under the Federal Tort Claims Act [FTCA], an individual may bring a tort suit against the Federal Government for injuries caused by the negligent or wrongful act or omission of any Federal employee acting within the scope of his employment. Under the

FTCA, an individual has 2 years to present a claim to the Federal agency involved, and if the agency denies the claim, then that person has the right to sue in Federal district court. Although this right exists for people who are injured in the United States, the individual who is injured overseas has absolutely no right of recovery under the Federal Tort Claims Act for the negligent conduct of the Federal Government. My bill remedies this problem by providing a cause of action.

The accident in Croatia pointed up in the most tragic way the need for this bill. The Air Force Accident Investigation Board revealed raw negligence from takeoff to landing. The Board found that the command gave authorization to fly certain procedures that had not been reviewed and properly approved, that the aircrew made errors in planning and executing the flight, that the approach to the airport was improperly designed, and that inadequate training was a substantially contributing factor. As a result of the investigation, 2 officers were disciplined under article 15 of the Uniform Code of Military Justice—the most serious form of military punishment short of a court-martial—2 received letters of reprimand, and actions were taken against 12 others.

We owe the families of those left behind after last year's accident in Croatia more than our continuing sympathy. We owe them just compensation and assurance that Federal tort law will deter such tragedies in the future. I urge my colleagues to support this legislation.

PRIVACY IN SOCIAL SECURITY

**HON. BARBARA B. KENNELLY**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 15, 1997*

Mrs. KENNELLY. Mr. Speaker. On March 5, 1997, the Social Security Administration [SSA] initiated online access to individual Social Security earnings data and projected benefits via the Internet. Because this access raised a number of serious privacy and security concerns, I recommended that The Social Security Subcommittee hold hearings on this issue and asked the General Accounting Office to review SSA's actions. Subsequently, SSA suspended its Internet access to these records, pending nationwide hearings to obtain public comment on the desirability of electronic access to individual data.

I am today introducing legislation to require the Social Security Administration to consult experts at the cutting edge of computer technology regarding the security and privacy of online Social Security files. I believe such consultation is necessary to assure the public that the Social Security Administration has used the most advanced technology available to protect individual Social Security earnings information.

The legislation would require the Commissioner to assemble a panel of experts to advise him on issues such as the confidentiality, security, and authenticity of online transmission of records. In addition, the Commissioner would receive advice on appropriate techniques for authenticating the identity of the person requesting the information and procedures for detecting unauthorized access to individual records. Such action should help to assure the public that, if these records are offered via the Internet, they have been protected by the most advanced means available.

The Social Security Subcommittee intends to move forward with a May hearing. In addition, SSA will be holding its field hearings in the next 60 days. With the addition of expert consultations, as proposed in this legislation, the public should have some degree of confidence that an appropriate balance has been struck between efficient access to personal Social Security records and the privacy and security of that data.

TRIBUTE TO JOSEPH A. LeFANTE,  
FORMER MEMBER OF CONGRESS

**HON. ROBERT MENENDEZ**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 15, 1997*

Mr. MENENDEZ. Mr. Speaker, I rise today to pay tribute to a dedicated public servant, Joseph A. LaFante of Bayonne. Congressman LeFante's death at age 68 was a loss for the State of the New Jersey and its residents.

Joseph A. LaFante grew up in his beloved Bayonne. When he turned 16, he started to work full-time at a manufacturing plant. As a young man, he became involved with unions and attended a 3-year study program at St. Peter's Institute of Industrial Relations. He graduated from the New Jersey Real Estate institute in 1957.

Congressman LeFante had an exemplary devotion to the Bayonne community. In his first experience with politics, he served as Bayonne Charter Commissioner. Then he went on to the city council and the local board of school estimate. He was elected to the New Jersey State Assembly in 1969 and served 7 years, culminating in his being elected speaker of the assembly. In 1976, he was elected to become a Member of the 95th Congress. After his service in the House of Representatives, he returned to politics in New Jersey as Gov. Brendan Byrne's commissioner of community affairs. Although he had an unsuccessful run in the Democratic primary for U.S. Senate in 1982, he continued to serve the citizens of New Jersey in the administrations of Governor Kean and Governor Florio. Throughout this time, he operated Public Service Furniture, a furniture store in Bayonne. In the past few years, he worked on his furniture businesses before his retirement.

Joe LeFante never forgot where he came from, was a man of good ethics, kept his word and was a man of principle. He had a passion for using government to help others, and he used that passion to improve the lives of the people he represented.

Mr. Speaker, it is honor to have had such a distinguished public servant living in my district. He always kept the best interests of the residents of Bayonne, his district, the State of New Jersey, and the Nation in mind when serving in his numerous offices. And he served those he represented with distinction.

TRIBUTE TO THE UNIVERSITY OF  
SOUTH CAROLINA

**HON. FLOYD SPENCE**

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 15, 1997*

Mr. SPENCE. Mr. Speaker, I rise to bring to the attention of my colleagues an article that

appeared in the March 9, 1997, edition of the State, highlighting the national honors that have been achieved recently by the University of South Carolina. The University is attaining prominence in a variety of areas of national and international importance. I would like to commend the faculty and students of the University of South Carolina on their commitment to excellence.

The article follows:

[From the State, Mar. 9, 1997]

USC RANKINGS SHOWCASE S.C.

(By Fred Monk)

The University of South Carolina basketball team is drawing national attention to the university and Columbia.

The impact of its performance isn't lost on USC professors, who are citing with pride the basketball team's achievement in discussions on academic excellence.

While USC's No. 4 basketball ranking has fans in a frenzy, other rankings are noteworthy.

The blend of academic and athletic performance is lifting USC's stature internationally.

Recently, USC received two important recognitions.

Its graduate international business programs were rated No. 2 in the nation by a U.S. News & World Report poll.

Since the poll's inception, USC has ranked No. 1 or No. 2.

This is no small feat, even though USC was knocked off the top spot by the inclusion last year of the American Graduate School of International Management, also known as the Thunderbird school, whose sole focus is international business.

USC is the only public institution in the top five. It leads Columbia University, the University of Pennsylvania and Harvard.

In February, USC received another Top Five national honor—one equal in university circles to the basketball team's national ranking, said Don Greiner, USC's interim provost.

For the second consecutive year, USC was awarded the Hesburgh Certificate of Excellence, this time for its faculty/student development program.

Father Hesburgh's name is synonymous with Notre Dame, a university known for its athletic and academic excellence.

Other recent national honors USC has received included:

No. 1 ranking in the Southeast and Top Five nationally by professional journals of the geography department's programs.

A Top Five national ranking for the pharmacy department.

The college of journalism's public relations and advertising programs are ranked 12th and 13th in the nation by U.S. News.

U.S. News also ranks USC's psychology doctoral program as third best in the nation.

USC's Naval ROTC program received the nation's highest academic ranking by the naval Education and Training Command.

The college of business was cited by Success magazine as one of the 25 best in the nation for producing entrepreneurs.

These are a few of many significant achievements USC has been cited for recently.

But there's another important aspect to recognition.

Coach Eddie Fogler crafted a basketball team around South Carolina Talent—nine of the 11 players are from South Carolina.

In academics as well as athletics, USC is trying to keep the best and the brightest at home, Greiner said.

Through its Carolina Scholars and Honors College program, USC is going after the best students in the state.

And it has scored well. The 1996 average Carolina Scholars SAT score was 1488.

But competition for South Carolina's best—in academics and athletics—is keen.

Some South Carolina high schools don't even include USC when recommending universities for their top students.

With a continued focus on an investment in academic as well as athletic excellence, USC's recognition will grow. And so will its ability to recruit talent.

Most important, the impact will be felt across South Carolina.

HONORING THE TRICKLE UP  
PROGRAM

**HON. CHARLES E. SCHUMER**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 15, 1997*

Mr. SCHUMER. Mr. Speaker, I ask my congressional colleagues to join me in honoring the Trickle Up Program for the outstanding job they have done to increase the possibility and opportunity for self-sufficiency amid the world's poorest populations. I hereby submit for inclusion into the CONGRESSIONAL RECORD the 1996 annual report.

The Trickle Up Program offers low-income people opportunity for income and self employment through entrepreneurship. In the past 18 years, more than 58,000 micro-enterprises have been started or expanded in 114 countries with support from Trickle Up. In 1996, 6,738 businesses were launched or expanded in 51 countries, benefiting 24,899 entrepreneurs and over 100,000 dependents. Eighty-two percent of the enterprises begun in 1996 are family owned, and 80% are the entrepreneurs' main source of income. Fifty-nine percent of the entrepreneurs are women.

REGIONAL HIGHLIGHTS

Africa: 2,314 micro-enterprises in 26 countries. In partnership with 126 local partners, Trickle Up helped start or expand businesses among the very poor, including refugees in Sierra Leone, displaced people in Liberia, people living with HIV/AIDS in Uganda, and families of streetchildren in Ethiopia. An exciting new partnership with the United Nations Volunteers was launched in Mozambique. The Peace Corps was an active partner in Africa, helping to start micro-enterprises in Mali, Benin, Kenya, Zimbabwe, Senegal, Sao Tome, and Togo. Many low-income entrepreneurs were reached by community-based organizations in Zaire, Tanzania, and Madagascar.

Asia: 2,970 micro-enterprises in 12 countries. Trickle Up continued to work in the poorest countries as well as those recovering from war or confronted with political dissent. In India the program was focused on isolated rural communities in Bihar and urban slum dwellers in Calcutta. Families in the far western region of Nepal were helped by UN Volunteers. In Bangladesh Trickle Up worked with women's organizations and tribal groups, and in China pursued initiatives linking environmental conservation with sustainable development. A new partnership was forged in Afghanistan with the World Food Programme, a UN agency.

Americas: 1,442 businesses in 9 countries. Micro-enterprises were started by single mothers and disabled people in Guatemala, mothers of malnourished children in Haiti, teenagers in Peruvian shantytowns, and Bolivian families in the Andes. Trickle Up often serves as the first step to business development among the poorest: 25% of one-

year-old businesses started through one Nicaraguan partner agency accessed loans for business expansion. Several evaluations of the sustainability and impact of Trickle Up's work showed the following results: in El Salvador, 58% of the businesses are continuing after five years; in Guatemala, 90% of 2- to 4-year-old businesses are continuing; and in Ecuador, 90% of the businesses begun by parents of working children were continuing after 18 months and helped reduce the hours worked by their children by 20%.

U.S. Update: Trickle Up helped start or expand 108 businesses through 17 Coordinating Agencies in 8 states. Expansion is planned along the eastern seaboard with a new grant size.

Europe: 22 micro enterprises. The Program remained active in Armenia and expanded to Georgia and Romania. The Peace Corps continues to be Trickle Up's main partner in the region.

In 1996, Trickle Up continued to fulfill its mission of reducing poverty by enabling the very poor to start or expand small businesses. Trickle Up accomplishes this with the generous support of foundations, corporations, organizations and individuals—many of them entrepreneurs. Trickle Up continues to rely on those who find in the Trickle Up process a way to make a difference and reduce poverty—one business at a time. Trickle Up brings the poor more than seed capital; it brings dignity, a job, self-confidence and real hope for a better future. Trickle Up has helped people start or expand nearly 60,000 businesses. Our goal is to start 100,000 by the millennium.

<i>Income Sources</i>	<i>Percent</i>
Foundations .....	41
Individuals .....	33
Corporations .....	6
Organizations .....	6
Governments .....	14

The Program: The Trickle Up Program provides business training material and micro-venture capital of \$100 to a family or group of 3 people to start a business. This start-up capital is conditioned upon investment of 250 hours or work per participant in three months, savings or reinvestment of 20% of the profit in the enterprise, and completion of a Trickle Up Business Plan and Business Report. The capital is given in two \$50 installments.

The Partners: The program is delivered through a network of "Coordinating Agencies", locally based organizations around the world who volunteer their services to Trickle Up. This partnership enables grass-roots agencies to incorporate a micro-enterprise component in their development work.

TESTIMONY OF PATRICK A. TRUEMAN

HON. JOHN T. DOOLITTLE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 15, 1997

Mr. DOOLITTLE. Mr. Speaker, I commend to the attention of my colleagues the testimony of Patrick Trueman, president of the American Family Association, who appeared before the Interior Appropriations Subcommittee concern-

ing funding for the National Endowment for the Arts. Mr. Trueman makes a compelling case for eliminating the NEA, claiming the agency poses serious problems in the prosecution of child pornography cases.

AMERICAN FAMILY ASSOCIATION

Pursuant to clause 2(g)(4) of the rule XI of the Rules of the House of Representatives, I certify that neither the American Family Association nor I have received any federal grant or contract during the current fiscal year or either of the two previous fiscal years.

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE: I want to thank you for the opportunity to appear before you today on behalf of American Family Association. As you are aware, for the past eight years AFA has been the leading organization opposing federal funding for the National Endowment for the Arts. In 1989, AFA president Rev. Donald Wildmon called to national attention the funding by the NEA of Andres Serrano's work "Piss Christ" which consisted of a crucifix submersed in the artists' urine. The fact that such a blasphemous work was federally funded outraged a great segment of American society and precipitated a battle to end federal funding of the agency. That battle will not end until funding for the NEA ends, rest assured of that fact.

The federal government should not be in the business of dictating what art is. That is not a proper function for the government and, in the case of the NEA, such a function poses a potential conflict with the federal criminal law. Year after year NEA grants make possible the production and distribution of a variety of sexually explicit material. During the last part of the Reagan Administration and during the entire Bush Administration I served in the United States Department of Justice, Criminal Division, Washington D.C. as Chief of the Child Exploitation and Obscenity Section. That office is charged with the prosecution of obscenity and child pornography crimes. Part of my job, as supervisor of the office was to review and make prosecutorial decisions on both adult and child pornography. Much of what we prosecuted in those two presidential administrations involved material of the same nature as that funded through the years by the NEA. Mr. Chairman, how can you expect common citizens to respect the rule of law, particularly the federal criminal law on child pornography and obscenity when Congress continues to fund the NEA knowing the agency has a pattern of conduct over the years and to the present day of funding material which may offend the criminal law. To continue to do so would be the height of hypocrisy.

I submit that the NEA poses a direct threat to the prosecution, on both the federal and state levels, of obscenity and child pornography crimes. In obscenity cases a jury is required to make a determination that the material is "obscene" based on the three-part test established in the U.S. Supreme Court case of Miller v. California, 413 U.S. 15 (1973): whether the material (1.) depicts specific sex acts in a patently offensive way; (2.) appeals to the prurient interest in sex as a whole; and (3.) lacks serious literary, artistic, political or scientific value. (emphasis added) It would be a relevant defense argument that material similar to that charged in a particular prosecution if funded

by the NEA as "art." Indeed it may be appropriate, on motion from the defense, for a judge to allow a jury to view a specific NEA-funded work that is similar to the work charged as obscene in the case to aid the jury in the application of the Miller test. Surely you can understand the dilemma this would pose to a jury which must make a unanimous finding on the obscenity or non obscenity of the material. Just one juror trusting the federal governments' opinion on the nature of such material would cause the acquittal of a hardcore pornographer.

The problems the NEA could pose in the prosecution in a child pornography case are somewhat different. The Miller test does not apply and thus a jury is not asked to decide whether the material is lacking in artist value. However, the imprimatur of the NEA on such material or similar material may play a deciding factor in prosecutorial discretion, i.e. whether a case should be prosecuted or not.

Should a case be charged against a particular NEA grantee for a work considered by a prosecutor to be child pornography (not an unlikely scenario given the history of the agency) the dilemma is more direct however. It would be difficult if not impossible to keep from a jury a defense argument that the material charged is not child pornography at all but rather "art" because the NEA has provided funding for its production or distribution.

The threat that the NEA poses in the prosecution on obscenity and child pornography cases is not merely hypothetical. The difficulties I have outlined in this regard were faced by the U.S. Department of Justice during my years in the criminal division with respect to the funding by the NEA of an exhibit by the late Robert Mapplethorpe.

The American Family Association is convinced after years of monitoring the NEA that the agency will never change. While it is only a small portion of its annual budget the NEA continues to fund pornographic works as "art." Some of the more recent and troubling works funded by the agency include grants to a group called FC2 and another called Women Make Movies, Inc. FC2 was provided \$25,000 in the past year to support the publication of at least four books according to U.S. Representative Peter Hoekstra who has been tracking the NEA: S&M, by Jeffrey DeShell, Blood of Mugwump: A Tiresian Tale of Incest, by Doug Rice, Chick-Lit 2: No Chick Vics, edited by Cris Maza, Jeffrey Deshell and Elisabeth Sheffield and Mexico Trilogy, by D.N. Stuefloten. These books include descriptions of body mutilation, sadomasochistic sexual act, child sexual acts, sex between a nun and several priests, sodomy, incest, hetero and homosexual sex and numerous other graphically described sexual activities.

Women Making Movies, Inc. received \$112,700 in taxpayer money over the past three years for the production and distribution of several pornographic videos. Here are descriptions of but two taken from the groups catalog: "Ten Cents a Dance" a depiction of anonymous bathroom sex between two men; and another called "Sex Fish" which is "a furious montage of oral sex."

Oral sex is not art and the NEA and Congress should not pretend that it is. Please stop offending the taxpayers of America. Funding for the NEA should be eliminated.

TELECOMMUNICATIONS TRADE  
AND FOREIGN INVESTMENT ACT  
OF 1997

**HON. EDWARD J. MARKEY**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 15, 1997*

Mr. MARKEY. Mr. Speaker, I rise to introduce the Telecommunications Trade and Foreign Investment Act of 1997. I am pleased to introduce this legislation today along with Commerce Committee ranking Democrat JOHN DINGELL, and committee members RON KLINK and TOM SAWYER.

The international trade agreement reached in Geneva last February on telecommunications basic services has provided an excellent opportunity for the telecommunications industry and policymakers to assess the progress this country has made in breaking open new telecommunications markets worldwide. Without question, there are significant new opportunities in the recent telecommunications deal for American companies. When U.S. companies make new inroads into foreign markets, that's good for American workers and the strength of our economy. Yet, we also know that in the agreement there are notable underachievers, most notably Canada, Mexico, and Japan—three of our largest trading partners.

As a Democrat who has voted in favor of both NAFTA and GATT, I subscribe to the view that America's future economic health is inseparable from the global economy. I believe that this Nation ought to compete for high end, information-based jobs across the planet. These are telecommunications, computer, software, and electronic commerce jobs. For this reason it is imperative that foreign high-tech markets be opened up for competition from the United States. The Communications Act of 1934 clearly did not contemplate a world where there would be trade agreements allowing foreign ownership of common carriers throughout the world.

The administration expects the Federal Communications Commission [FCC] to consummate this deal administratively by modifying its regulations to encompass the new multilateral trade pact. I am particularly concerned, however, about the administration's current interpretation of the FCC's authority because it implicates foreign ownership of U.S. television and radio stations. Section 310(b) of the Communications Act treats foreign ownership issues for both broadcasting and common carrier licenses the same way.

Congress certainly did not envision that the Communications Act could be read in a way that would wind up allowing 100 percent foreign ownership of U.S. television and radio stations. The administration's current reading of the statute would allow such an outcome. I appreciate the fact that the administration has stated that it has no intention of unraveling the prohibitions on foreign ownership of broadcast licenses. I believe it would serve a useful purpose to ensure that this cannot be done le-

gally and that the law should be appropriately modified to treat broadcasting as separate and distinct from common carrier issues.

Mr. Speaker, the legislation I am introducing today will cap foreign investment in broadcast licenses at 25 percent. This proposed legislation will not allow any future FCC to unilaterally limit, by rule, the scope and applicability of possibly determinative public interest criteria and thereby grant waivers for 100 percent foreign ownership of U.S. television and radio stations.

The legislation I am introducing today will also serve to update and amplify the statutory language with respect to common carrier foreign investment by making it clear that where America has a trade commitment, the FCC is directed to show deference to the President on such matters for applicants from countries that are part of the trade deal. This provision is a WTO-friendly provision and is intended to dovetail with the process that the FCC, as an independent agency, has indicated it will use to implement this multilateral trade pact.

In the last session of Congress, Mr. Speaker, the House was successful in legislating in this area of communications law. I look forward to working with Commerce Committee Chairman TOM BLILEY, committee ranking Democrat JOHN DINGELL, Telecommunications Subcommittee Chairman TAUZIN, my good friend Congressman MIKE OXLEY, who has long advocated updating our telecommunications foreign investment laws, as well as my colleagues—on both sides of the aisle—on the Commerce Committee and in the House, in fashioning common sense legislation that will modernize and clarify the foreign investment provisions of the Communications Act.

THE 135TH ANNIVERSARY OF THE  
DISTRICT OF COLUMBIA EMANCI-  
PATION ACT

**HON. ELEANOR HOLMES NORTON**

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 15, 1997*

Ms. NORTON. Mr. Speaker, I am very grateful to my distinguished colleague, Representative DON MANZULLO, for his generous and thoughtful attention to the District and to Emancipation Day and for his consistent assistance to District residents in this annual observance. We also very much appreciate the work of DC Reading is Fundamental in this educational event. Our thanks go as well to Mr. Arnold Goldstein, superintendent of the National Park Service, and to other Park Service officials and employees for their cooperation in helping us celebrate this commemorative event, just as the Park Service has been consistently helpful to the District in so many other ways.

It is 135 years after the emancipation of slaves in the District, yet we continue to celebrate the emancipation of 3,100 District slaves. Emancipation in the District was of further importance because it was the first such

action and culminated in the general emancipation of slaves in the United States. If I may, this day has importance for my family as well, because Richard Holmes, my great-grandfather, was in the District that day. Our family does not claim him as a run-away slave hero, because Richard Holmes simply walked off a Virginia plantation one day and laid down roots in the District. I can only imagine what this day must have meant to him.

The abolitionist movement in the District was especially strong. Abolitionists regarded slavery in the capital of the United States a national shame. Regrettably that expression was to continue to apply to other forms of denial of basic rights unbecoming to the capital of the free world. The District was a bastion of lawful racial discrimination and did not integrate its schools until the Supreme Court struck down illegal segregation in 1954. In 1997, the District remains the only jurisdiction where Americans pay taxes without full representation in Congress and the only jurisdiction, including the four territories, whose laws can be overturned at the whim of Congress.

Still, we are pleased today to note that when President Lincoln ended slavery here, nine months before the Emancipation Proclamation, the District led the country out of the most serious form of oppression any nation can impose. Our country would have been even better off had it followed the pattern laid out in the District of Columbia Emancipation Act because emancipation in the District did not involve war; slave owners were compensated and former slaves were allowed to emigrate and were themselves compensated, although at a lesser amount.

We continue to celebrate April 16th as District of Columbia Emancipation Day in the city, but surely not out of nostalgia or false comparison of ourselves to those who lived under slavery in the last century. I am very pleased about the participation of District of Columbia Reading is Fundamental. The involvement of DC Reading is Fundamental focuses us on today's problems and priorities, a worthy way to respect the memory of those who had no way to overcome such problems. The value of noting District of Columbia Emancipation Day is not history for its own sake, despite that worthy objective, but history to inspire our reenergized efforts to eliminate today's problems. Slavery is not one of them. Children who cannot read is a problem. Good schools where children function at grade level and improving high school graduation rates are where we must focus in 1997. Reducing crime, building strong family units, helping welfare recipients find work, reforming the District government, rebuilding our city—these are the issues of today.

The 3,100 District of Columbia residents who were emancipated by Abraham Lincoln on April 16, 1862, probably could not read and probably would have given everything to acquire that skill. In their memory, we commemorate their emancipation day and pledge to do all we can to emancipate ourselves from the problems of today and to accept the challenges of tomorrow.

TRIBUTE TO DON NEWCOMBE

**HON. JULIAN C. DIXON**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 15, 1997*

Mr. DIXON. Mr. Speaker, I rise today on the 50th anniversary of the fall of the color barrier in major league baseball to honor and acknowledge the valuable contributions made by Mr. Don Newcombe, a constituent, and pitcher for the Brooklyn and Los Angeles Dodgers

from 1948 to 1958. A contemporary of the legendary Jackie Robinson, Mr. Newcombe pitched in three World Series and four All-Star Games. He is the only man in the history of baseball to win Rookie of the Year, Most Valuable Player, and the Cy Young Award.

Mr. Speaker, Mr. Newcombe has not been content to rest upon his accomplishments on the field of sport. He has continued his extraordinary career, and is now director of community relations for my home team, the Los Angeles Dodgers. He has traveled worldwide in this capacity to deliver lectures to youth and

adults on the dangers of alcohol and drug abuse. This year, Mr. Newcombe is being honored for his work as the recipient of an honorary doctorate in the humanities by Daniel Webster College in Nashua, NH.

Mr. Speaker, I am proud to recognize Don Newcombe. He is a man who has made a difference in sport, in the humanities, and like many other black athletes, in the very structure of our society. I ask my colleagues to join me in recognizing his full and productive career, and in wishing him continued success in his future endeavors.