

states. Let us leave local environmental issues to the locals.

Sustainability is a goal best realized with local initiative. This Nation needs more flexible, market-oriented regulations that allow businesses more options for controlling pollution but that retain limitations on overall discharges. Concern and cooperation has bred environmental self-reliant activism.

Communities have just now been able to achieve the National Ambient Air Quality Standards, and air quality is improving. According to the EPA, air pollutants have greatly decreased since the first Earth Day. Let's let communities continue to improve, rather than impose strict and costly new air quality standards before we know that they are based in sound science. We should be proud that we are reaping the benefits of our current standards.

The working people of this country appreciate and have a healthy respect for nature. People who live on the land are closer to nature. Coming from New Mexico, I see the interdependence and cooperation of agricultural, timber, native American, urban and environmental interests. Congress has funded such programs as my initiative to preserve one of the largest areas of riparian cottonwood in the world, the Rio Grande Bosque. In the middle of a growing city like Albuquerque, citizens can walk among the native trees and animals. At the Bosque del Apache National Wildlife Refuge, rare migratory birds coexist with agricultural development. We all strive to maintain a delicate balance in our society and on our planet.

We all have to live on this planet, at least for now. Some might say progress is a curse. I say we are blessed in this Nation to be leaders in environmental protection and to also enjoy modern conveniences. Continuing progress is a blessing to all our families; we must just proceed to take care of our planet as we learn to live better in it.

This Congress will continue to work to improve environmental quality, and we will build on the experiences and successes of the past. We must promise to better our lives, our Nation, and our world. Earth Day should be every day.●

CINCINNATI TEACHER AT THE TOP

●Mr. GLENN. Mr. President, I rise with a great deal of pleasure and pride to inform my colleagues that the 1997 National Teacher of the Year is Sharon Draper, an English and language arts teacher at Walnut Hills High School in Cincinnati, OH.

Ms. Draper won the 1997 Ohio Teacher of the Year Award and was selected from four finalists to the receive the Nation's top teacher award. President Clinton presented this award at a White House ceremony.

In addition to her talents as a teacher, Ms. Draper is an accomplished award-winning author. Her novel "Tears of a Tiger" won the 1995

Corretta Scott King Genesis Award. Her second novel, "Forged By Fire," has been recently published.

Ms. Draper's dedication and outstanding commitment to education as well as her efforts to improve education are the envy of every school system and Ohio is justifiably proud of her accomplishment.

At a time when our education is under a great deal of scrutiny and in need of much improvement, it is important to remember that there are many examples of educational excellence. Certainly one outstanding example is Sharon Draper.

I had the opportunity to meet with Ms. Draper and it was an honor. I was at the White House to participate in the ceremony where she received the Teacher of the Year Award.

Ms. Draper's 25-year teaching career has been filled with creativity and enthusiasm. I understand that she requires a research paper in her senior level classes. When her students turn in their paper the day before the prom she gives them a T-shirt that proclaims "I survived the Draper paper." She says that she was probably born to be a teacher.

I am pleased that the Council of Chief State School Officers and Scholastic, Inc., have selected Ms. Draper as Teacher of the Year. I know that her students, school, the city of Cincinnati, and our State are very proud. I congratulate Sharon, her husband Larry, and children Cory and Crystal for the contribution they have made to public education.●

TRIBUTE TO CHUCK CONNER

●Mr. LUGAR. Mr. President, for 17 years Chuck Conner has been my top agriculture and nutrition advisor, and for the last 10 years has been Republican staff director of the Agriculture, Nutrition and Forestry Committee. Chuck is departing the Senate to become president of the Corn Refiners Association.

Chuck has ushered four farm bills through the Senate, including last year's historic FAIR Act that ended 60 years of Federal production controls. Chuck's work can be seen in moving American agriculture to the free market, thoughtfully downsizing the Department of Agriculture, reforming hundreds of USDA field offices, making food safer through pesticide regulations, saving and then reforming the farm credit system, updating commodity futures legislation, and landmark reform of the nutrition sections in last year's welfare reform bill.

Chuck was with me on my Indiana farm June 28, 1985, when then Secretary of Agriculture Jack Block and I announced the first Conservation Reserve Program. Today that program is still a vital cornerstone of soil and water conservation in America, and the extension of the program last year was part of the most significant environmental legislation in the 104th Con-

gress. Chuck has been involved every step of the way.

He has combined a strong academic background, with an agricultural economics degree from the Purdue University School of Agriculture, and practical knowledge of how programs are implemented. His family continues to operate an 1100-acre corn and soybean farm in Benton County, IN. Chuck and his wife Dru maintain a herd of 100 registered Angus cows in Whitley County, IN.

Chuck and Dru met in the early 1980's while working in my office. My wife, Char, and I have enjoyed watching the growth of their four children: Katie, Ben, Andrew, and Emily.

I will miss Chuck's counsel, which Agriculture Committee members have trusted and respected. He now takes his leadership skills to agribusiness. On the committee he has hired, trained, and developed a talented staff that will be led by his longtime deputy Randy Green, maintaining continuity in service.

I speak for majority and minority members of the Agriculture Committee in wishing Chuck Conner, an extraordinarily talented and loyal friend, the very best.●

CONGRESS HAS 100 DAYS TO RESTORE IMMIGRANT BENEFITS

●Mr. KENNEDY. Mr. President, Congress has 100 days to restore urgently needed assistance to legal immigrants and refugees.

On August 1, 100 days from today, legal immigrants who have worked hard, but were injured on the job, will lose their Federal benefits under last year's so-called welfare reform law.

Refugees will lose their safety net. These are men and women who fled persecution in their own countries, only to find persecution now in America.

They are people who fought with us in Southeast Asia, and this is the thanks they get from hawks who kept the war going long after it should have stopped.

The Vietnam war and the cold war are finally over. But in the rush to forget, we cannot forget these brave families and their sacrifices, and treat them unfairly, because they are old or disabled.

In recent weeks, some needy immigrants have taken their own lives, rather than burden their families.

We must say enough is enough—100 days is long enough for Congress to undo the thoughtless damage an unthinking Congress did last year. I ask that a few recent news articles on this issue may be printed in the RECORD.

The articles follow:

[From the New York Times, Apr. 22, 1997]
CONFUSED BY LAW, NURSING HOMES BAR LEGAL IMMIGRANTS—FEAR OVER LOST BENEFITS

(By Rachel L. Swarns)

As the health care industry braces for Federal cuts that will leave thousands of immigrants without Medicaid this fall, nursing

homes have begun to mistakenly deny admission to some elderly and sickly legal immigrants who will not lose their health coverage.

Bewildered by the new Federal welfare law and fearful that immigrants will default on their bills, some health care centers in New York and around the country are asking prospective patients for citizenship papers instead of residency papers upon admission, hospital and nursing home administrators say.

And while New York State health officials acknowledge that a small group of immigrants will lose Medicaid as Federal restrictions go into effect later this year, they warn that the new practice unfairly denies care to the vast majority who will keep that coverage.

But as health care administrators peer into the faces of their elderly applicants and struggle to interpret the law, some have found it easier to refuse all legal immigrants—those with green cards but not citizenship—than to figure out who will keep benefits and who will lose them.

"It's heartbreaking, but we're all too terrified to admit anybody who is not a citizen," said Sheryl Geminder, the director of admissions at the Sephardic Home for the Aged in Brooklyn, which now rejects all legal immigrants who need long-term care. "A green card was the ticket in six months ago, but now our attorneys are warning us not to take any chances.

The confusion is the unintended consequence of the changes in the Federal welfare laws, which allow states to continue Medicaid to some legal immigrants while denying coverage to others.

New York, along with at least 35 other states, plans to continue benefits to poor legal immigrants who entered the country before Aug. 22 of last year, when President Clinton signed the welfare bill. But those who have arrived since then will generally find themselves ineligible for Medicaid coverage for five years.

No one knows how many eligible immigrants have been turned away from care centers for the elderly, but health care officials in New York said that dozens had been rejected in the last month.

And administrators at public hospitals in Miami and Los Angeles, who are also reporting their first cases, fear the problem will balloon if the law is not clarified, stranding immigrants in hospital beds needed by acute-care patients.

Already, legal immigrants too sickly to bathe and too senile to recognize their children are beginning to languish in hospitals. And families who can no longer care for ailing relatives now find themselves overwhelmed with few options.

"If this continues, what will we do with these people?" asked Carol Burger, an administrator at Elmhurst Hospital Center in Queens as she searched for a place for an 83-year-old legal immigrant from Romania, one of about 20 patients rejected by nursing homes for lack of citizenship. "Where are they going to go?"

Representative E. Clay Shaw Jr., a Republican of Florida and the chief sponsor of the new welfare law, called the situation "worrisome" and said he had never intended to deny care to eligible immigrants.

By law, nursing homes may refuse patients who cannot pay their bills. But Mr. Shaw said he doubted that elderly care centers that receive Federal funds, in the form of Medicaid payments, had the right to turn away legal immigrants who were eligible for care. "There's no question that it's discrimination," he said in an interview.

Mr. Shaw said that care centers needed better guidance from state and Federal

health officials and that his Congressional committee would provide it, if others did not. "I can understand their confusion," he said of the nursing homes. "But obviously, some elderly people have fallen through the cracks."

Paralyzed by a stroke that left empty spaces in her memory, Raisa Kinker, a 74-year-old legal immigrant from Ukraine, spent one month at Huntington Hospital on Long Island, rejected by one nursing home after another, until a Brooklyn rehabilitation center took her in.

Withered by the stomach cancer that has left him marooned at Elmhurst Hospital Center for two months, Lois Bejarano, 74 and a legal immigrant from Colombia, has been told not to even hope for a nursing home bed, although he, too, will keep his Medicaid coverage.

And more than 30 legal immigrants from China, many of them too crippled to walk or brush their thinning hair, recently found themselves stranded with families who could not care for them when a Staten Island retirement home rejected their pleas for placement this month.

"These families come all the way from Chinatown and beg us to take their elderly relatives, and I've got to look in their eyes and tell them no," said Cindy Miner, the case manager at the Staten Island home, the Anna Erika Home for Adults and Assisted Living Programs, which caters to elderly Asian patients.

"We've taken these people into our country, and now when they need help, we have to turn them away," she said. "It's a horrible feeling. We'd love to take everyone, but it's just too much of a risk."

The confusion over eligibility stems, in part, from the Federal Government's distinction between "qualified" immigrants, who will keep benefits, and "nonqualified" immigrants, who will lose them.

In New York State, virtually all legal immigrants, those who arrived before Aug. 22, are considered qualified. These noncitizens, who include legal permanent residents, refugees and seekers of political asylum, will keep Medicaid, which covers nursing home costs. Even the estimated 87,000 legal immigrants expected to lose Supplemental Security Income benefits, the Federal cash payments accepted by retirement homes, will receive state funds to cover their stay, state health officials say.

The S.S.I. recipients' Medicaid status will be re-evaluated, but state officials say the coverage will continue unless the recipients are no longer poor or disabled.

Although the State Legislature has not formally passed the welfare law that includes this provision, Democrats and Republicans say there is no dispute over the issue.

"They should not be turning away this group on the basis that they will be losing Medicaid eligibility, because that will not happen," said Frances Tarlton, a spokeswoman for the State Department of Health.

But a group of about 16,000 immigrants, considered "present under color of law," who have been granted temporary residency and receive Government services, are expected to lose both Medicaid insurance and cash benefits beginning in August.

And legal immigrants who arrived on or after Aug. 22 of last year—a group that will increase over time—will be ineligible for Medicaid.

State officials said they had tried to make the distinctions clear. But health care administrators for the elderly are still frantically seeking guidance, calling politicians, reading trade newsletters and viewing Government World Wide Web sites.

"I'm getting calls from nursing homes and they're saying, 'I have a legal immigrant

here. What do I do?'" said Scott Sandford, director of regulatory affairs for the New York State Health Facilities Association, a trade group that represents 290 nursing homes.

"We have been telling our members, 'You have to be really careful about someone who is not a citizen.'" Mr. Sandford said. "We assume that Governor Pataki's proposal is going to pass, but we can guarantee nothing. It's a real risk."

The perceived risk varies from institution to institution. The Cabrini Center for Nursing and Rehabilitation, a 240-bed complex in Manhattan still accepts legal immigrants. Menorah Home and Hospital for the Aged and Infirm, a 253-bed center in Brooklyn, on the other hand, has turned several away.

"Some homes are being extra careful," said James E. Piazzola, the director of social work at the Los Angeles County-University of Southern California Medical Center, which saw its first legal immigrants rejected from nursing homes six weeks ago. "Rumors are flying everywhere."

Plans to ease the new welfare law's impact have been bandied about for weeks. President Clinton wants to restore most benefits to elderly immigrants. Republicans in Congress want to give some states money to help them manage the transition. And Mayor Rudolph W. Giuliani of New York City has filed suit to keep the Federal cuts from going into effect.

But while the proposals fly, hospital administrators say some legal immigrants are already suffering. And they fear that the situation will only get worse as the summer deadline for cuts in benefits approaches.

"As we get closer to August, more and more of the facilities are going to refuse them," said Jill Lenney, the administrator of social work at Jackson Memorial Hospital in Miami. "They're going to be occupying acute-care beds, and patients who need those beds will be spending more time in the emergency room."

Without clear guidance, nursing homes and retirement homes currently refusing legal immigrants have no reason to change their new policies, advocates for nursing home patients say.

"There are obviously people who need care, who are not going to be able to get it," said Cynthia Rudder, the director of the Nursing Home Community Coalition of New York State, which advocates on behalf of nursing home residents. "They're in limbo until the state makes some determination."

In a tiny apartment in Brooklyn, a 75-year-old legal immigrant from Ukraine lives in that limbo. Rejected from the Sephardic Home for lack of citizenship, Villy Vaysman lies in bed, unable to move, his body mostly deadened by Parkinson's disease.

He is too heavy for his 76-year-old wife, Irina, to carry to the bathtub. So every morning, she washes him bit by bit, rolling him from one side to another, praying all the while that some nursing home will take him in.

"I don't have the strength to take care of a paralyzed man," she said as she wept last week. "I don't want to think that they won't take him. I don't know what we'll do."

[From the Wall Street Journal, Apr. 22, 1997]
SUICIDE SHOWS WHY WELFARE FIGHT PERSISTS—IMMIGRANT'S DEATH RAISES QUESTIONS OVER CUTS IN AID

(By Dana Milbank)

STOCKTON, CA.—A few days before his 76th birthday last month, Ignacio Munoz clambered down into a dried canal bed beneath the railroad tracks here, put a .35 caliber Colt revolver to his right temple, and pulled the trigger.

Three weeks earlier, the Mexican-born laborer, who came to America half a century ago, received an "Important Notice" from the government warning him that he might lose his \$400 a month of Supplemental Security Income. The reason: Mr. Munoz, though a legal immigrant, wasn't a citizen—and therefore stood to lose his benefits because of welfare overhaul. "They're going to cut me off," he told friends after receiving the letter. "If I had a gun right now, I would kill myself."

FUNDS MAY BE RESTORED

It's difficult to know what causes any suicide, or what other demons might have haunted Mr. Munoz. But in the debate over welfare policy, the laborer's story provides just the sort of powerful anecdote that can affect the course of events in Washington. Ronald Reagan's tales of welfare queens in Cadillacs helped spark the drive that led the government to revise the welfare system last year. And now tales of hard-working immigrants like Mr. Munoz are leading policymakers from both parties to question whether some of those changes went too far.

Leaders of both parties now support restoring some of the funding cut last year from benefits for legal immigrants, although they disagree on how much. Republican legislators, under pressure from GOP governors and worried about the public relations problems that stories like Mr. Munoz's could cause, have already proposed adding back \$2 billion of funding for immigrants over the next two years—mostly for SSI and food stamps. President Clinton and the Democrats are proposing adding back much more—more than \$14 billion over five years. If the White House and Republican leaders are able to reach a budget agreement, it will probably include a compromise on increased immigrant funding somewhere in between.

In Mr. Munoz's case, the sad irony is that he need not have lost his benefits. The law requires immigrants to either become citizens or prove that they have worked 10 years or more in the U.S. to keep their benefits. Mr. Munoz had worked in this country since the late 1940s, and a welfare counselor told him he could obtain an exemption if he could document his employment history. That, however, would have required his patrons to acknowledge that they had employed him against the law, and Mr. Munoz considered it a matter of honor not to betray his former bosses.

"I'd rather die," he told his friend Salvador Aguiere. Lupe Marquez, another friend, explains it this way: "He really loved the patron. He got in his mind that he'd have to put the finger on his patron. That's why he died."

Mr. Munoz, whose nickname was "Nacho," was born in 1921 on a ranch in Colotlan, in the Mexican state of Jalisco, the son of a laborer. He came to the U.S., illegally at first and alone, in the late 1940s. He lived in labor camps and cheap hotels or with friends. He held a string of odd, seasonal jobs—pruning pear trees in the winter, picking olives in the fall, working in a tortilla factory, and doing landscaping and office cleaning at a local radio station. Anselmo Ambriz, who met Mr. Munoz in the fields in 1951, says his friend worked until age 70, sometimes for 10 hours a day.

Whenever he worked, he was dogged by a fear that border police would catch him. Indeed, he was once returned to Mexico but snuck back in soon after. "He thought he was a criminal," says Frank Gonzales, whose family housed Mr. Munoz at various times.

Mr. Munoz developed intense loyalty to his patrones, his employers through the 1980s: Knox LaRue and Arnold Toso. Mr. Munoz worked illegally for both men, but Mr.

LaRue, under an amnesty program passed by Congress in 1996, obtained a green card and a legitimate Social Security number for him in the late '80s. "He was a very nervous little guy." Mr. LaRue recalls of the 5-foot-7 Mr. Munoz, who had bushy gray brows over sad, dark eyes. "He'd been on the lam for 40 years, looking over his shoulder."

CONSIDERED CITIZENSHIP

Mr. Munoz stopped working after 1992 and moved into the Franco Center, a big, concrete building for the elderly poor, where he took a noisy one-bedroom apartment overlooking a freeway. He paid the \$184 monthly rent with his Social Security payment of \$286 and his \$400 of SSI. At some point, he contemplated becoming a citizen; among the possessions in his apartment is a wrinkled, 11-page list of study questions for the exam.

Mr. Munoz never married and had no children. He spoke little English and never visited the cantinas (tavern) with his friends. He had cataract surgery in January, and walked stiffly because of arthritic legs, but friends say he showed no signs of depression.

The trouble, says Mary Serna, a neighbor, "all started with that letter he got." He showed the letter to his friend Mr. Aguiere. "I worked all my life, now they're cutting me off," Mr. Aguiere recalls Mr. Munoz saying.

He paid a visit to a local advocacy group called Concilio, where Susan Casillas offered to help him document his work history. On Monday morning, March 17, he returned unannounced to the Concilio office. Ms. Casillas asked him to return at 1 p.m. Instead, he walked that afternoon down to the railroad track, past a cement and lumber yard, through some weeds and down into the dusty canal bed. He was found bloody but still breathing just after 1 p.m., the time of his appointment at Concilio.

Mr. Munoz was buried in a simple gray coffin in a plot for the indigent in the county cemetery. The police found \$717.40 in the dead man's pocket—the \$1,000 in savings he had recently withdrawn from the Franco Center office, less the price of the gun.●

TRIBUTE TO EVELYN MARCONI FOR BEING AWARDED THE LIFETIME ACHIEVEMENT AWARD

● Mr. SMITH of New Hampshire. Mr. President, I rise today to pay tribute to Evelyn Marconi of Portsmouth, New Hampshire, for being honored with the Lifetime Achievement Award by the Rotary Club of Portsmouth.

Evelyn has been my friend for more than a decade. I can think of no one more deserving of the recognition she is receiving by the Portsmouth Rotary Club.

She has given her life to public and community service. Evelyn has served on the Portsmouth City Council for 10 years, four of those years as assistant mayor. In 1989 she was nominated for the prestigious Norris Cotton Republican of The Year Award.

Evelyn has also been a cornerstone of business in Portsmouth and is known to everyone as she owns and operates the landmark Geno's Coffee Shop. In 1980 former U.S. Senator Gordon Humphrey recognized Evelyn's business leadership and appointed her as a delegate to the Small Business Conference where she participated in the Women in Business and Capital Formation and Retention. She also was a delegate to

the New Hampshire Constitutional Convention.

Evelyn's community involvements range from organizing fundraisers to keeping the local Pierce Island Pool open for the children, to being a member of several foundations, committees and executive boards and serving as the first woman president of the Navy League of the United States.

Among her neighbors Evelyn is known as a compassionate and concerned person who makes chicken soup for the sick, helps out with babysitting and works to secure anonymous donations of food or clothing for the underprivileged. Evelyn has been known to go out in a blizzard to deliver food to shut-ins when the city's "meals on wheels" was canceled due to bad weather.

Evelyn is always willing to take responsibility, whether to organize rides to the cancer treatment center for local patients, giving rides on election day to any voter, chairing committees or helping people in need. Whatever she commits to, she always does an outstanding job.

Mr. President, Evelyn has dedicated her time, talent and energy to serving the residents of Portsmouth in an exemplary way. I am proud to know Evelyn, and to honor her outstanding community commitment, which is so important to the future and prosperity of Portsmouth. We are indeed indebted to Evelyn for her efforts in business, public service and community dedication. Congratulations to my friend, Evelyn Marconi, for this distinguished recognition. I am honored to represent her in the U.S. Senate.●

THE THEME IS FREEDOM: RECONSIDERING U.S.-SINO RELATIONS

● Mr. ASHCROFT. Mr. President, no one did more to bring peace and prosperity in our time than our 40th President, Ronald Reagan. President Reagan's economic and foreign policies gave us the longest peacetime expansion in our history and made the world safe again for democracy. But more than that, Ronald Reagan called us to our highest and best: we never spoke with more certainty or sat taller in the saddle than when Ronald Reagan was riding point.

In his farewell address, Reagan told a wonderful story, a story of a refugee and an American sailor. In the early eighties, the U.S.S. *Midway* was patrolling the South China Sea when the crew happened upon a small craft, a decrepit little boat crammed with refugees trying to make their way to America. The *Midway's* captain sent a small launch to bring the ship to safety. And as they made their way toward the tiny vessel, a refugee glimpsed a crewman on deck and called out, "Hello, American sailor. Hello freedom man."

It was, as Reagan noted, "a small moment with a big meaning." Throughout our history, America has