

plan [IEP] and the least restrictive environment provision for bona fide security reasons and compelling penological reasons. In addition, the bill will permit public agencies to not serve juveniles who are incarcerated in adult correctional facilities who have not been identified or did not have an IEP in their last educational placement.

In exercising these new authorities, public agencies should remember that children with disabilities who are incarcerated in adult correctional facilities will be more likely to return to prison after their initial release if they do not have the educational tools to survive in life after prison. The small savings gained by not serving these children while they are in adult correctional facilities will pale in comparison to exorbitant future costs of additional prison time or reliance on social welfare programs.

In ensuring compliance with the act, the appropriate education and/or prison official will have the obligation to determine if a youth entering the prison system had been previously identified as eligible for special education services. The prison officials should develop a system for making this determination that includes: interviews with each incoming youth under the age of 22 regarding prior special education participation, notice to each youth under the age of 22 regarding the special education process, and a procedure for contacting educational authorities, including those in correctional or juvenile institutions, to determine special education eligibility and to obtain prior special education records.

BOB DEVANEY'S LEGACY LIVES
ON

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 19, 1997

Mr. BEREUTER. Mr. Speaker, Bob Devaney has left a tremendous legacy that extends across the State of Nebraska and continues to touch coaches, players, and fans with whom he came into contact. As a football coach, he instilled a sense of pride in his players and their fans and helped make Nebraska a winner both on and off the field.

It is clear from the statistics that Bob Devaney was an exceptional football coach. He took a team with a history of losing and instantly transformed it into a victorious powerhouse with a national reputation for success. The turnaround was dramatic. Since his first year as head coach, the team has not had a losing record. During Devaney's tenure as coach, the Nebraska Cornhuskers won or shared eight Big Eight championships and were crowned as National Champion twice. His teams compiled an impressive record of 101-20-2. As a coach, Devaney was a skilled motivator and teacher.

However, Devaney's influence on Nebraska extended far beyond the football field. He created a unifying experience for the State's citizens which is unrivaled in the Nation. Devaney created a positive bond that was obvious not only on football Saturday, but during the week and throughout the year. He drew together east and west; urban and rural; man, woman, and child.

The State was fortunate to have the benefit of Devaney's leadership and expertise not

only as a coach but also as athletic director for the University of Nebraska. In that capacity, he helped establish quality facilities programs for women and men, and established a winning attitude throughout the athletic department.

Bob Devaney earned the respect of his coaches, his players, and fans across the State and throughout the Nation. He demonstrated what can be accomplished through collegiate athletics. With his competitive spirit, lively sense of humor, and genuine concern for his players, Devaney set a positive example of success and good sportsmanship which lives on in Nebraska's football program and throughout the lives of Nebraskans.

This Member would like to commend to his colleagues the following editorials from the Omaha World-Herald and the Lincoln Journal-Star. The editorials highlight the importance of Bob Devaney to the State of Nebraska and his legacy that will always endure.

[From the Omaha World-Herald, May 11, 1997]

BOB DEVANEY, BUILDER OF PRIDE

Bob Devaney.

The name unleashes a flood of symbols and memories. Johnnie the Jet. Gotham Bowl. The Game of the Century. Tagge-Brownson. Back-to-back national football championships. Tom Osborne. Expansion after expansion of Memorial Stadium. A sea of helium-filled red balloons, released by thousands of football fans on Nebraska's first touchdown of the game, hanging in the air above Lincoln on a brilliant fall day.

Even before Devaney's death on Friday, it had been an often-repeated cliché that Devaney's impact on Nebraska went far beyond football, that he brought Nebraskans together, east and west.

But like most other clichés, this one is backed by solid evidence. A stumbling athletic program wasn't the only negative that greeted Devaney when he accepted the head coaching job in 1962. The state's spirit in general had been bruised by events of the previous five years. The Starkweather mass murders were still fresh in people's memories. A governor had recently died in office. Angry debates over tax policy and school financing, gathering steam since the 1940s, were dividing urban and rural Nebraska interests.

Nebraskans were ready for a little good news. Devaney gave it to them. Under him, the Cornhuskers played with noticeably greater verve. They won games that they would have lost in earlier years. They began appearing in the national ratings. Then the Top 10. Finally, in 1970 and 1971, they were national champions.

Interstate 80 was pushing westward across Nebraska in those days. Westerners sometimes asked what good it was. Devaney's success gave people in Hyannis, Kimball and Scottsbluff a reason to use the new super-highway. Cowboy boots and Stetsons, often bright red, became a familiar sight in Lincoln on autumn Saturdays.

Lincoln's economy benefited. East-west friendships grew stronger. The financial success of the football team made it possible for Nebraska to have a high-caliber women's athletic program. The classy Devaney football teams gave the university national visibility.

Some people say that too much is made of college athletics, and they're right. Devaney knew that. Remember, he told fans before a game in 1965, there are 800 million people in China "who don't give a damn whether Nebraska wins or loses." There are bigger things in life than whether the team wins.

Devaney never seemed driven or angry. He respected his opponents. His spirit of good sportsmanship lives on in the Memorial Stadium fans who traditionally applaud Nebraska's opponents at the end of each game, even when Nebraska loses.

Devaney never set out to transform Nebraska. He would have laughed if someone in 1962 said he was responsible for propping up the self-esteem of an entire state. He was just a man with something he could do very, very well. But excellence on the football field inspired excellence in other walks of life. Devaney's success, and the positive influence his accomplishments had on his adopted state, constitutes a memorial that will long bring honor to his name.

[From the Lincoln Journal-Star, May 14, 1997]

BOB DEVANEY TAUGHT US ALL TO REACH FOR
BEST THAT'S IN US

From Scottsbluff to Omaha, Nebraskans tip their hats to Bob Devaney, who will be honored with fondness and gratitude at an unprecedented statewide funeral observance today.

The funeral services in Lincoln will be telecast live over the statewide educational television network, allowing Nebraskans across the state to participate in the event.

Devaney's enduring gift to Nebraska was an awakening of unity and possibility and pride. He left behind more than those two national football championships and 101 Husker victories.

He brought a whole state to its feet, not only to cheer a winning football program that is still winning 35 years after his arrival, but ultimately to look and reach and achieve beyond that. As thrilling and satisfying as the football success has been, there is more to the Devaney legacy. He showed us the possibilities. He removed the limits. He extended our reach. He raised the bar.

Devaney established new standards. He did not stop at saying we could be better. He said we could be the best, and then he went out and did it. And the lesson began to dawn on us: If this small prairie state could be best in football, it could be best in other endeavors as well.

He showed us excellence. And if he could achieve it with hard work and an iron will, each of us might be able to achieve it in our own pursuits as well.

Devaney came our way from Wyoming in 1962, and immediately turned Nebraska's long slumbering football program around. The success was so instantaneous that it was stunning. The Huskers went from 3-6-1 in 1961 to 9-2 and their first bowl victory in 1962. They have not had a losing season since.

After Devaney's 1970 and 1971 national championships, he turned over the coaching reins to Tom Osborne and set about building the university's entire athletic program into one of the strongest in the country. That also stands as testimony to him today.

So, most vividly, does the red-splashed, sold-out Memorial Stadium of autumn Saturdays in Lincoln. It truly is the house that Bob built, Devaney Bowl. Its seating capacity when he came here in 1962 was 36,000. Four additions more than doubled the stadium's capacity during Devaney's football tenure.

Bob Devaney. Builder. Winner.

And a good-natured Irish wit. He also brought us the pleasure of joy and laughter, and he will be remembered with a smile today all across the state.

Perhaps Osborne knows best the measure of the man. When Devaney turned the football program over to his young assistant in 1973, he stepped back out of the spotlight and

tried to keep his shadow off Nebraska's new coach. Devaney told Nebraskans they had a better football coach now. And through the years, he gave Osborne his total support, never failing to praise him, never getting in the way.

It was a tough job following in the footsteps of Devaney at Nebraska. But it would have been even tougher for Osborne if Devaney had not worked so hard to smooth the way. Tom Osborne is another of Bob Devaney's legacies.

We're proud of you, Coach Devaney. We salute you. You gave us more than football victories and national championships. You showed us how to dream and do.

What we give back to you today is our gratitude—and the promise that we will cherish you now in memory and legend.

JONNA LYNNE CULLEN

SPEECH OF

JOHN JOSEPH MOAKLEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, May 16, 1997

Mr. MOAKLEY. Mr. Speaker, I want to thank my colleague from Michigan, Mr. UPTON, for taking this time to recognize a very special young woman, Jonna Lynne Cullen, for her service to the Rules Committee and to this House. Jonna Lynne—or "J.L." to her friends—was an outstanding staff member for the Rules Committee for many years. I got to know her when I came on the Rules Committee in 1975. She was already a seasoned staffer, working first for Chairman Colmer, then later for TRENT LOTT. She always had a great smile, a quick wit, and a ready comeback for anyone who cared to take her on. She had a real sense of what was going on, and served her party well with strategy and technical advice. She knew the rules of the House, how to make them work, how to make things happen. But she could also bridge the gap and work with those of us on the other side of the aisle. Her friendship had no political boundaries. For my part, J.L. is someone whose word you can trust and whose judgment is sound.

These past few years have been a challenge. But, as might be expected, she has lived in the face of grave illness with courage and an unflinching sense of humor. I want to join my colleagues today in extending to her our best wishes, our prayers, and our great thanks for the service she has provided to this institution.

EMPLOYMENT, TRAINING, AND
LITERACY ENHANCEMENT ACT
OF 1997

SPEECH OF

HON. JACK QUINN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, May 16, 1997

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 1385) to consolidate, coordinate, and improve employment, training, literacy, and vocational rehabilitation programs in the United States, and for other purposes:

Mr. QUINN. Mr. Chairman, I rise today in support of my colleague, Mr. OWENS' amendment to H.R. 1385. I have always been a strong supporter of the Summer Youth Employment Program and believe that it should not be eliminated.

The Employment, Training and Literacy Enhancement Act of 1997 does not include a provision which would continue the excellent work achieved by the many at-risk youths who take full advantage of the opportunities provided by the Summer Youth Employment Program.

Summer Youth Employment provides millions of low-income youth their first vital lesson in the work ethic. Young people are reached at a critical time in their lives, helping them stay in school and graduate. In many ways, SYEP has proven to be an anticrime program by affording youths the opportunity to become productive citizens and staying off the streets of depressed areas.

This program has faced significant reductions in resources over the years. And if we do not make the program a top priority, I am afraid that it will simply be forgotten through H.R. 1385 in its current form.

I strongly encourage my colleagues to vote for Mr. OWENS' amendment which would preserve this very important program.

AMENDMENT TO BUDGET RESOLUTION TO SAVE AMERICA'S SURFACE TRANSPORTATION PROGRAMS

HON. BUD SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 19, 1997

Mr. SHUSTER. Mr. Speaker, I want to bring to the attention of my colleagues a matter of urgency regarding the budget resolution we will be asked to approve tomorrow and its potential impact on surface transportation infrastructure, pending ISTEA reauthorization, and the trust of the American people in the transportation trust funds.

While the budget resolution is a major step toward balancing the Federal budget and curbing runaway spending, it contains a major flaw: it would provide woefully inadequate funding for highways and transit programs that are so vital to American jobs and the economy even though Americans are already paying for those programs at the gas pump.

During consideration of the budget resolution, I and ranking Democrat on the Transportation and Infrastructure Committee JIM OBERSTAR, joined by Chairman TOM PETRI of the Surface Transportation Subcommittee and subcommittee ranking Democrat NICK RAHALL, will offer a bipartisan perfecting amendment. The details on this amendment follow, but the key point is that it is fully consistent with the goal of a balanced budget by fiscal year 2002 and it would be paid for by a just-over-one-third-percent reduction in domestic discretionary spending and tax cuts currently contemplated in the budget resolution. I am also providing an estimate of spending levels by budget function that would result from our amendment.

Mr. Speaker, our amendment reflects a modest, yet essential commitment to the Nation's surface transportation system. It is es-

entially the first step we will be taking in reauthorizing ISTEA. It will not, however, be our last major step in putting the "trust" back into the four transportation trust funds.

I urge my colleagues to join us in supporting the modest, reasonable amendment.

BIPARTISAN AMENDMENT TO THE BUDGET RESOLUTION BY THE LEADERSHIP OF THE TRANSPORTATION AND INFRASTRUCTURE COMMITTEE

THE PROBLEM

The budget deal is a bad deal for transportation. The Budget Agreement developed by the Administration and the Congressional Leadership continues the dishonest practice of using transportation trust fund revenues to mask deficit spending elsewhere in the budget. It also provides woefully inadequate funding levels for aging transportation infrastructure.

Trust Fund balances would skyrocket. Supporters of the balanced budget agreement say that their budget is good for transportation, but the fact is that highway and transit programs would be underfunded by about \$13 billion below the amount of revenue that will accrue to the trust fund! This means that the \$24 billion balance that has been allowed to accumulate in the Highway Trust Fund will soar to \$37 billion (or over 55%) by the year 2002. Furthermore, the balances in the 4 transportation trust funds will skyrocket from \$33 billion to \$65 billion during that period.

The will of the House is ignored. The agreement also fails to reflect the will of the House on the subject of taking the transportation trust funds off budget and freeing up their revenues to be used for their intended (and promised) purpose. In the 104th Congress, legislation to accomplish this passed the House overwhelmingly, by a vote of 284-143. Building on this mandate, in the 105th Congress, H.R. 4, the "Truth in Budgeting Act" already has 239 cosponsors.

THE SOLUTION

An honest, fair, balanced budget. Chairman Shuster and Ranking Democratic Member Oberstar, Subcommittee Chairman Petri and Subcommittee Ranking Member Rahall will offer an amendment to the budget resolution when considered on the House floor to begin correcting the long-standing misuse of Highway Trust Fund moneys. The amendment—

Will be fully consistent with achieving a balanced budget by making modest, perfecting adjustments to the Budget Agreement.

Will address future highway/transit balances honestly, restoring "trust" to the Highway Trust Fund.

Will provide adequate funding to address the most pressing surface transportation crisis.

Modest proposal. The Shuster-Oberstar-Petri-Rahall amendment will only prevent growth in Trust Fund balances in the future. It will not draw down the \$24 billion balance that has already accumulated and it will not spend the existing 4.3 cents-per-gallon gas tax that was created for deficit reduction.

THE AMENDMENT

Here's what the amendment does

Increases Highway Trust Fund spending so that outlays during the 5-year period of the Budget Resolution equal revenues into the fund during the same period.

Outlays would be increased by a total of \$12 billion above Budget Resolution assumptions—from \$125 billion over the 5-year period to \$137 billion.

Spending in FY 1998 would be the same as the Budget Resolution assumption; increases would be phased-in from FY 1999 to FY 2002.

Since outlays equal revenues over the period, trust fund balances will remain stable.