

EXTENSIONS OF REMARKS

MAIL FRAUD

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 28, 1997

Mr. STARK. Mr. Speaker, too bad Dante isn't still alive. He would surely write a special place in Hell for the vultures who prey on seniors with false and alarmist mailings, demanding money to save the seniors from some phony threat.

A more immediate punishment would be fines and imprisonment for postal fraud by the U.S. Postal Service.

Following is a letter I have sent to the U.S. Postal inspectors regarding the recent mailings by United Seniors Association and the Seniors Coalition and their misrepresentation of the Kyl amendment issue.

U.S. POSTAL SERVICE INSPECTION
SERVICE, FRAUD DIVISION,
Washington, DC, October 27, 1997.

DEAR SIR: Pursuant to 18 U.S.C. 1341 which reads, in part "Whoever, having devised or intending to devise any scheme or artifice to defraud, or for obtaining money or property by means of false or fraudulent pretenses, representations, or promises . . . for the purpose of executing such scheme or artifice . . . places in any post office . . . any matter or thing whatever to be sent or delivered by the Postal Service . . . shall be fined under this title or imprisoned not more than five years, or both"

I wish to report a postal fraud by United Seniors Association, 3900 Jermantown Road, Suite 450, Fairfax, VA 22030 and urge your immediate action to impose appropriate penalties.

Enclosed are two mailings from the United Seniors Association (USA) urgently asking for money on the basis of false pretenses and representations. The USA letter contains innumerable inaccuracies and errors of fact. It is so blatantly wrong that it cannot be a simple act of stupidity, but is a calculated scheme to frighten Medicare beneficiaries out of money. In particular, in the letter of September 22, 1997, the paragraph on the first page which reads "Here's what this appalling new law does: if you are a Medicare patient and you want to personally pay for a treatment which Medicare does not want to cover—it will be nearly impossible to do so."

This statement, repeated in numerous ways throughout the mailings, is false.

Medicare beneficiaries have always been able to contract privately with doctors for services which Medicare does not cover. Nothing in any law has changed that right. Under certain conditions, the new law actually extends that "right" to services which Medicare does cover—a new right to be billed more than the Medicare payment rate by physicians, which did not exist before. See enclosed memoranda.

I also urge you to investigate for fraud the enclosed recent Seniors Coalition mailing (11166 Main Street, Suite 302, Fairfax, VA 22030). This mailing calls for "an emergency contribution" to help fund a lawsuit on the private contracting issue. The cover letter is rather extraordinary in that it asks people

to send money to help fight something for which the writer has "no time to explain." The statements in the letter over Mary Martin's signature is false: "your health care will be rationed in a Clinton HMO." The enclosed news articles contain numerous errors and misrepresentations. I believe that this mailing may also be a mail fraud because it uses false statements in the cover letter and inaccurate or incomplete statements in the news articles to scare people into sending money to support plans for a lawsuit. I know of no such lawsuit or any grounds for it, and I ask your investigators to determine whether there is in fact such a planned use of the money bilked from the public.

Congressional offices report receiving numerous letters and calls expressing concern and confusion as a result of these two mailings and therefore I assume that a number of Medicare beneficiaries have been defrauded out of some money as a result of these alarmist misrepresentations.

Before additional harm is done to Medicare beneficiaries, I urge an immediate investigation and fines and/or the return of money to the beneficiaries.

The issue of private contracting and Medicare payment rates are complex and worthy of a rational debate. These two mailings are false, alarmist, and destructive to public debate while frightening beneficiaries out of money "by means of false or fraudulent pretenses, representations, promises" etc.

Thank you for your review of these mailings.

Sincerely,

PETE STARK.

THE 25TH ANNIVERSARY OF THE HISPANIC INFORMATION CENTER OF PASSAIC, INC.

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 28, 1997

Mr. PASCRELL. Mr. Speaker, I would like to call to your attention the momentous occasion of the 25th anniversary of the Hispanic Information Center of Passaic, Inc.

The Hispanic Information Center of Passaic was established in 1972 to identify, study, and articulate the human service needs of the Hispanic community in the city of Passaic. Today, through its different programs, the agency reaches out to the most at-risk populations. It contributes to economic and social stability by means of job placement and support to families, youth, seniors, the disabled, people suffering from addiction, and the homeless. Services are rendered with no regard to race, color, or national origin.

Each and every program at the center is administered with the utmost of professionalism and caring. The Community Service Program of the Hispanic Information Center strives to inform low- and moderate-income clients of the resources available that will help them develop and maintain economic self-sufficiency. In addition, the program assists in providing social service information and helps with so-

cial adjustment, job placement, emergency shelter, food referral, advocacy, translations, and referrals.

The center also offers a program of the youth counseling services which was created to serve individuals referred by schools, State agencies, or families. They work to prevent dropping out of school and provide individual and group counseling to help young people cope with family, school, and environmental problems through behavior modification. They also provide tutoring, pre-delinquent and family intervention, vocational and educational orientation, as well as recreation and field trips. This program serves as an advocate for youth in school, city, county agencies, and courts.

The Homebound Program caters to persons who are homebound due to age or illness with the goal of preventing institutionalization. Services are geared toward improving the quality of life and independent living within the heritage characteristic of a Latino culture. Services included but are not limited to case management, counseling, referral, translations, interpreters, recreational activities, and social events.

Other programs aimed at fostering family settings include the Host Program which is designed to assist children whose natural parents are unable to provide adequate care at home. Families are recruited in order to provide a temporary home environment. The goal of the program is to reunite the child with their family or to ensure that the child will have a safe and nurturing family environment. The program is founded on the premise that all children have the right to physical and emotional protection. Host parenting is not a lifetime commitment to a child but a commitment to make a meaningful contribution to a child's life. Additionally the goal of the Bridge Family Program is to provide a temporary placement for children ages 7 to 10 who have been adopted and the adoption was disrupted. Further, the Teaching Family Program is designed to help adolescents currently placed in residential facilities or being considered for such placement with alternative family settings within the community. The program provides support and guidance to assist them in their transition to a permanent family environment.

The Alcohol Outreach for Minorities Program was established to serve the needs of individuals suffering from the consequences of alcoholism. The program provides a 16-week treatment service and is the only Hispanic alcoholism treatment and referral service program in Passaic County which takes into consideration the cultural uniqueness of the Hispanic client.

The Immigration and Citizenship Program was established with the purpose of helping immigrants achieve social stability through immigration aid, which gives information and basic orientation to the immigrants that wish to become permanent residents or legalize their migratory status. The new citizenship project aids eligible permanent residents in completing naturalization forms, lending them the

• 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.

service of fingerprinting, photos, and educational services to better prepare them for the test required by INS for naturalization.

Mr. Speaker, I ask that you join me, our colleagues, the city of Passaic, and the people of north Jersey, in recognizing the momentous occasion of the 25th anniversary of the Hispanic Information Center of Passaic and its many outstanding and invaluable contributions made to the community.

A TRIBUTE TO CHANCELLOR
CHANG-LIN TIEN

HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 28, 1997

Mr. DELLUMS. Mr. Speaker, Mr. Speaker, I rise today to pay tribute to a courageous and exemplary citizen, Chancellor Chang-Lin Tien. While there have been many educators, few have been as distinguished and dedicated as Chancellor Tien. Today, he will be the first recipient of the American Courage Award established by the National Asian Pacific American Legal Consortium, and I take this opportunity to add my voice to that of the consortium. Dr. Tien consistently exemplifies America's highest principles of equality, fairness, and justice and the consortium's award recognizes and honors an individual who has lifted America to her ideals of freedom and justice.

Chancellor Tien is an outstanding educator, scientist, and administrator. He served as chancellor at the University of California, at Berkeley for 7 years, from 1990 to July 1997. The Berkeley campus must be one of the most challenging campuses in the world. Challenging not only because of its high academic performance, but challenging because of the mixture of students, faculty, and staff of the Berkeley campus. In the context of one of the most politically active communities in the United States, all of this combines to provide one of the more dynamic and sometimes, volatile, communities.

This politically sophisticated group considered him an exceptionally effective, competent and charming chancellor; a very rare accomplishment and one deserving of special recognition. One instance of his courage and leadership is in his highly vocal and visible opposition to the University of California's Board of Regents' abandonment of affirmative action policies of the university students, staff, and faculty.

Chancellor Tien was particularly sensitive to the needs of the city of Berkeley in which the university plays such a prominent and essential role. He executed with brilliance, grace, dignity, and effectiveness, the high profile position of chancellor. We have worked closely together on issues of importance and common concern to the university and to my congressional district.

Chancellor Tien was the first Asian American to head a major research university in the United States. Currently, he is the NEC distinguished professor of engineering at U.C. Berkeley. Chancellor Tien, was born in Wuhan, China and received his Bachelor's degree from the National Taiwan University. He first came to Berkeley in 1959 after completing his master's degree studies at the University of Louisville in 1957. He then earned a second

master's degree and a doctorate in mechanical engineering at Princeton University.

In addition to his numerous public service contributions, Chancellor Tien has achieved a remarkably distinguished record as a scientist and educator. Internationally recognized for his research in heat transfer technology, he received many honors, including the Max Jakob Memorial Award, the highest international honor in the field. He is a member of the National Academy of Arts and Sciences. At the age of 26, Chancellor Tien became the youngest professor ever to win the U.C. Berkeley's prestigious Distinguished Teaching Award.

Anchored in both American and Asian cultures, Dr. Tien is deeply committed to maintaining excellence and to broadening the democratic reach of education to all groups. He is involved heavily in his community, focusing on educational reform programs particularly in primary and secondary schools. Chancellor Tien has become a leader in enhancing communication between the East and West through worldwide engagements. He is a member of the Pacific Council on International Policy, the U.S. Committee for Economic Development, the Council on Foreign Relations, and serves on the boards of numerous institutions such as Asia Foundation, Wells Fargo Bank, and Chevron Corp. In addition, he is also chairman of the San Francisco Bay Area Economic Forum.

I am grateful that Chancellor Tien continues to reside in Berkeley. His work and his contributions which are immeasurable, continue to flow to our community and we are grateful.

IN RECOGNITION OF PETER
TILLES RECEIVING THE HUMANITARIAN
AWARD OF THE PEDERSEN-KRAG CENTER

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 28, 1997

Mr. ACKERMAN. Mr. Speaker, I rise today to join with my constituents and the friends of the Pedersen-Krag Center as they honor Peter Tilles as the recipient of their Humanitarian Award on this their 40th anniversary. The Pedersen-Krag Center, founded in 1957 is a State licensed nonprofit outpatient mental health and chemical dependency agency offering a full continuum of services to Long Islanders of all ages.

Peter Tilles represents the true humanitarian who, despite significant business and family commitments, has always been able to devote considerable time and resources to serving a variety of communities in need of leadership and resources. In the area of building development, Peter has built and managed millions of square feet of office space on Long Island. Nassau Crossways International Plaza and the Big "H" Shopping Center in Huntington serve as examples of his expertise in this area.

Yet in the field of philanthropy and civic involvement, Peter has compiled an equally impressive record. He is an active trustee of the Long Island Jewish Medical Center, has chaired the golf tournaments of the March of Dimes, the Coalition on Child Abuse and Neglect, and the Tilles Center's Swing for Kids Program. In addition, he serves as a trustee of

the Planting Fields Arboretum, is a member of the advisory board of Title Guarantee and a committee member of Israel Bonds.

Mr. Speaker, I ask all my colleagues in the House of Representatives to join with me and the Pedersen-Krag Center in saluting Peter Tilles. It is the goodwill and support generated by Peter Tilles that has helped countless patients of the center find the compassion and stability so necessary to enhance and fulfill their lives.

COMMON SENSE ON IMMIGRATION
FROM THE NEW BEDFORD
STANDARD TIMES

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 28, 1997

Mr. FRANK of Massachusetts. Mr. Speaker, the New Bedford Standard Times in the congressional district I represent is a newspaper which knows a great deal about immigrants. New Bedford has long been a port of entry for many immigrants, and the publisher, editors, and staff of the New Bedford Standard Times therefore know a great deal about the value of immigration to American society. On Tuesday, October 21, the Standard Times ran an excellent editorial about the cruelty and foolishness of much recent congressional policy on immigration. Coming as it does from a major newspaper in an area where immigration is a very significant fact, this editorial is entitled to a great deal of weight and given the debate that now rages in Congress over the wisdom of our immigration policy, I ask that the Standard Times excellent editorial be printed here.

TARGETING LEGAL IMMIGRANTS WILL RETURN
TO HAUNT CONGRESS

One must suspect that since a majority of the members of Congress voted to make ruthless cuts in the federal benefits available to legal immigrants, that most of them live in districts where immigration is not experienced first-hand. Either that, or there are enough members of Congress who simply don't care what happens when they pull the rug out from under people to pass regulations that most people would find abhorrent.

Welfare reform provided a convenient window of opportunity for immigrant-bashers to set out on a scorch-and-burn campaign. On the one hand, hundreds and perhaps thousands of legal immigrants who must resolve paperwork processing difficulties are being forced to return "home" to work through various U.S. embassies rather than stay in this country while the problems are straightened out. For many, it means leaving families here and going back to countries where they have no roots, no job, no families, no connections after many years away.

In other cases, ruthless border agents have been banishing to five years' exile many people who had been visiting here legally for many years on such things as business trips. There are ever-growing files of such people being detained for hours, questioned and humiliated before being deported. Yet the new rules strip virtually all due process; there is no right of appeal, sometimes not even an inking what has gone wrong. Vast discretionary power has been put in the hands of individual border agents, and they take that power very seriously.

Closer to home, though, what is proving intolerable in state after state is the relentless cutoff of such things as Medicaid and food

stamps to deserving legal immigrants, such as the elderly and disabled. A dozen states are dipping into their own treasuries to supply food stamps. Sixteen do the same to support Medicaid services. Eighteen use state money for cash grants for those who desperately need it. Massachusetts is included in each of those categories.

Perhaps this is fine with members of Congress who would wash federal hands of any such responsibility, and who view legal immigrants as burdens at best.

But immigration policy is a function of the federal government, not of the 50 individual states.

What's happening now is that the states' where the human trauma of cutbacks is the worst have felt compelled to act on their own and at their own expense to repair the damage caused by those federal cutbacks.

It is petty and small-minded of Congress, the president and the federal government to allow this to continue. Using legal immigrants as an ideological punching bag is a political gimmick unworthy of the United States—but not evidently, of many members of Congress.

SUPPORT GROWS FOR CARVE-OUT OF DISPROPORTIONATE SHARE COSTS FROM PAYMENTS TO H.M.O.'s MEMBERS INVITED TO COSPONSOR H.R. 2701

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 28, 1997

Mr. RANGEL. Mr. Speaker, on Wednesday, October 22, five of us introduced H.R. 2701, a bill to "carve out" disproportionate share hospital [DSH] payments from the amount Medicare pays managed care organizations, and provide it directly to the DSH hospital when an MCO patient uses that DSH hospital.

Today, I am adding Representatives MATSUI, COYNE, and MCDERMOTT to the list of co-sponsors.

To help explain the purpose of the legislation, I would like to include in the RECORD below a press release from the American Hospital Association in support of this legislation "which helps hospitals caring for large numbers of poor Americans."

I want to thank the Greater New York Hospital Association, the American Hospital Association, and the Healthcare Association of New York State for their early support.

AHA APPLAUDS BILL WHICH HELPS HOSPITALS CARING FOR LARGE NUMBERS OF POOR AMERICANS

WASHINGTON (October 22, 1997)—The American Hospital Association (AHA) added its strong support to legislation introduced today by Rep. Charles Rangel (NY) to ensure that Medicare payments meant to help hospitals caring for large numbers of low-income Americans actually reach those institutions. Other original co-sponsors included Rep. Pete Stark (CA), Rep. Benjamin L. Cardin (MD), Rep. John Lewis (GA) and Rep. Xavier Becerra (CA).

Within the Medicare program, hospitals that provide care to a large number of low-income Americans receive special payments to help serve these patients. Currently, these hospital payments are included in the rates Medicare pays managed care plans. Typically, these payments are not passed along by plans to hospitals that provide the care. The Rangel bill separates those payments

from Medicare managed care plan payments and directly pays them to the institutions that deliver this vital care in communities.

"This bill gives credit where it's due," said Rick Pollack, AHA's executive vice president. "Nearly 1,900 hospitals care for large numbers of the poor and are due these payments. This bill gives many hospitals the financial underpinnings necessary to continue providing such quality health care. It's an important step to ensure access to care for the poor."

A similar approach was included in the recent budget bill. Under the budget deal, Medicare payments to cover the costs of teaching our nation's physicians are passed directly to the hospitals that incur these expenses, and not folded into Medicare payments to managed care plans. The AHA strongly supported that measure. An AHA-supported proposal, similar to the Rangel bill, was discussed during the budget debate, but ultimately not enacted.

"We look forward to quick passage of this important legislation," said Pollack. In addition, Pollack noted that AHA will continue to seek repeal of the guaranteed 2 percent increase in Medicare managed care payments to help smooth out the still considerable variation in payment rates across the country.

The AHA is a not-for-profit association of health care provider organizations that are committed to health improvement of their communities. The AHA is the national advocate for its members, which includes 5,000 hospitals, health care systems, networks, and other providers of care. Founded in 1898, AHA provides education for health care leaders and is a source of information on health care issues and trends. For more information visit the AHA, web site at www.aha.org.

"BEAR" MILLS—STRIVING FOR EXCELLENCE

HON. LARRY COMBEST

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 28, 1997

Mr. COMBEST. Mr. Speaker, I rise today to commend Mr. "Bear" Mills from Midland, TX for recently receiving the 1997 Texas Elementary School Teacher of the Year Award.

Mr. Mills was an award winning columnist and radio commentator in Texas and overseas for 10 years before going back to school to obtain his teaching certificate in 1994. After several years of working with educators, including his wife Caryl, Mr. Mills decided education was right for him. Four years later Mr. Mills is the 1997 Texas Elementary School Teacher of the Year.

Mr. Mills teaching philosophy is simply, "If I'm not striving for excellence every single day as a teacher, then what right do I have to expect excellence of my students?" he says.

Being an expert in your field and a strong figure in the classroom are two things Mr. Mills believes creates a good teacher.

Mr. Mills is dedicated to strengthening the commitment to basic academics as well as educating our children in safe and nurturing environments.

I think as both parties discuss how best to improve our education system we should learn from Mr. Mills' example.

CONGRATULATING MAACO ON ITS 25TH ANNIVERSARY

HON. JAMES M. TALENT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 28, 1997

Mr. TALENT. Mr. Speaker, I rise today to congratulate MAACO on the occasion of its 25th anniversary.

In 1972, Anthony A. Martino, the man who had founded AAMCO Transmissions in the mid-1950's, decided to create another franchise system for quality production auto painting and body repair. He opened a pilot center in Wilmington, DE, and despite critics who proclaimed "you could never franchise paint and collision repair," today, on the 25th anniversary of MAACO Auto Painting and Bodyworks, there are 500 MAACO franchise centers in 48 of the United States, and in Canada, Mexico, and Puerto Rico.

Next week, MAACO will celebrate the culmination of its 25 years in business at the Hotel Del Coronado in San Diego, CA, and at the same time, observe that in this its 25th year, MAACO has also achieved the painting and repair of its 10 millionth vehicle, while opening its 500th center in North America.

Tony Martino, founder and still CEO of the chain today, has always believed that with a strong operating manual and a strong system, and, in the case of MAACO, by offering the public a quality paint and body repair service at reasonable prices, you can be successful.

Since 1972, MAACO has built a \$335 million franchise system and has made hundreds of men and women successful owners of a small business that has become part of the economic engine of America. As MAACO observes its 25th anniversary, it has proven that MAACO is more than a business to its hundreds of independent MAACO operators.

HONORING DR. GORDON P. EATON

HON. THOMAS M. DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 28, 1997

Mr. DAVIS of Virginia. Mr. Speaker, it gives me great pleasure to rise today and pay tribute to Dr. Gordon Eaton, who is an outstanding member of the Northern Virginia community. Gordon is retiring as the Director of the U.S. Geological Survey (USGS) which is an agency under the jurisdiction of the U.S. Department of Interior.

The mission of USGS is to gather information for every State in order to minimize the loss of life and property from natural disasters; to maintain water, biological, energy and mineral resources; to enhance and protect the quality of life; and to contribute to sound economic and physical development. It is the Nation's largest natural resources science and civilian mapping agency. In that role, USGS must work in cooperation with nearly 2,000 organizations across the country to provide reliable, impartial information needed by resource managers and planners. Guiding an agency with such an important and diverse mission is a difficult task requiring an individual that is both management-oriented, and has an understanding of several different scientific fields.

Gordon is a man with these skills and many more as evidenced by his tenure at the USGS.

Dr. Eaton is the 12th director in the 118-year history of the USGS. He has headed the agency for the past 3 years and has guided USGS through one of its most tumultuous periods. Dr. Eaton has led the bureau during a time of Government downsizing and has succeeded in redefining the mission of USGS so it may continue as a preeminent science bureau into the 21st century. When he came to the USGS, it was facing criticism that it had outlived its mission as a Government agency and no longer provided valuable scientific information. Dr. Eaton was able to expand the public's knowledge of the many contributions the USGS makes as well as make the services of the bureau more accessible to the public. Gordon was able to communicate the need for change to employees who felt threatened by and out-of-touch with their constituency.

Dr. Eaton helped the employees of USGS to rethink their position and helped the many different branches of the bureau to better coordinate their services. He made it a grassroots effort at the USGS as he tried to make sure everyone felt included in the changes at the agency. Dr. Eaton solicited the opinions of employees at every level in deciding how the agency could most effectively adapt to a new mission. Dr. Eaton's leadership skill and willingness to face down any challenge will certainly be missed by the many employees at USGS who enjoyed his open-door management style.

Mr. Speaker, I know my colleagues join me in honoring and thanking Gordon Eaton for his achievements in guiding the U.S. Geological Survey into the next century. We appreciate all of his hard work and devotion in making the USGS an efficiently run agency that is able to provide the highest level of service to the American public.

LUPUS, A HARMFUL AND RAVAGING DISEASE

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 28, 1997

Ms. ROS-LEHTINEN. Mr. Speaker, recently, Congresswoman CARRIE MEEK and I hosted a forum at Jackson Memorial Hospital to talk about a disease, lupus, that burdens the lives of almost 2 million Americans, striking 1 out of every 185 Americans. Moreover, although this disease can affect individuals at any age, and in either sex, 90 percent of those who suffer from this ravaging disease are women.

Lupus is not an equal opportunity illness. It not only targets women, but African-American and Hispanic women face an increased threat—as many as three times over.

Lupus, whose name comes from the facial rash it produces, is an autoimmune disease, where instead of protecting itself against viruses, bacteria, and other foreign materials, the body makes antibodies against itself. It is in a class of illnesses that includes forms of diabetes, arthritis and, according to recent research, many also include a number of conditions such as Parkinsons. All of these illnesses occur when the immune system ends up attacking the very body it is supposed to defend.

Although this devastating disease is not infectious, rare, or cancerous and it ranges from mild to life-threatening, the reality is that thousands of Americans die with lupus each year. Moreover, while many other chronic diseases make the headlines, lupus affects more individuals than AIDS, cerebral palsy, multiple sclerosis, sickle-cell anemia, and cystic fibrosis combined.

Even though the outlook for lupus patients has greatly improved, there is still a need for increased research. Therefore, I am proud to be a cosponsor of CARRIE MEEK's bill, H.R. 1111, legislation which will increase research funded through the National Institutes of Health from \$33 million last year to \$50 million for the next fiscal year and would make an additional \$50 million available to State and local governments, as well as nonprofit organizations, to assist with providing essential services to low-income individuals with lupus.

While improvements in medication can allow those afflicted to look forward to a normal life span, there is still much work to be done in education and research. It is my hope that this legislation will hasten the day when lupus is nothing more than a bad memory.

I implore my colleagues to take an active role during Lupus Awareness Month and sign onto H.R. 1111, which 84 of my colleagues have already cosponsored, so that those 2 million Americans afflicted with lupus will have a fighting chance of battling this harmful and ravaging disease.

PRIVATE PROPERTY RIGHTS IMPLEMENTATION ACT OF 1997

SPEECH OF

HON. RICK HILL

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 22, 1997

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 1534) to simplify and expedite access to the Federal courts for injured parties whose rights and privileges, secured by the U.S. Constitution, have been deprived by final actions of Federal agencies, or other Government officials or entities acting under color of State law; to prevent Federal courts from abstaining from exercising Federal jurisdiction in actions where no State law claim is alleged; to permit certification of unsettled State law questions that are essential to resolving Federal claims arising under the Constitution; and to clarify when Government action is sufficiently final to ripen certain Federal claims arising under the Constitution:

Mr. HILL. Mr. Chairman, I rise as a cosponsor of H.R. 1534, the Private Property Rights Implementation Act. I proudly voted for this bill when it passed the full House on October 23, 1997.

The fifth amendment in the Bill of Rights guarantees the protection of individuals against the power of all levels of government. According to recent studies, between 80 and 95 percent of all individuals trying to defend their fifth amendment rights in Federal court never get a hearing on the facts of their case. They get lost in a bureaucratic maze of administrative and judicial hurdles that waste time and money.

Of those 5 to 20 percent who break through that maze, it takes an average of 10 years be-

fore the merits of their case are even heard. That's 10 years of fighting just to have your fifth amendment claim heard in Federal court. That is 10 years of financial burden and stress for the private property owner in Montana.

Let me give you a specific example from my home State of Montana. There was a plan to develop a condominium project over a 4 acre area. The aim of this project was to provide affordable housing for the community, with plans to develop 34 units at about the average cost of \$85,000 per unit.

That sounds quite simple and certainly beneficial, but with the current process this was not the case. To go through the approval process, the project was zoned residential, went through a planned unit development hearing, numerous reviews, a redrawing of the plans approximately five times, and an extensive hearing process, all before the city commission granted a final approval. This took approximately 1½ years.

However, the city commission approved the project with only 24 units. This completely changed the concept of the project, and proved quite burdensome. After a year and a half of extensive hearings, what recourse did the project directors face? They could appeal, not to a court, but to the city commission who had granted this arbitrary number of 24 units or once again begin a costly and untimely review process.

Without access to a court, the project managers had little choice but to proceed with the city commission's inflexible recommendation of 24 condominiums. This, of course, had dramatic consequences.

What was supposed to be affordable housing units at \$85,000 per unit, ended up costing \$135,000 per unit. Due to structural modifications forced by the commission's approval, this excessive cost undermined the intent of providing affordable housing.

Furthermore, imagine if this were the case for first amendment rights protecting freedom of religion, or fourth amendment rights protecting against illegal search and seizure. I wonder whether those arguing against H.R. 1534 would feel so passionate about protecting the status quo. All Montanans including Montana property owners, deserve equal protection under the Constitution and an equal ability to defend their constitutional rights in Federal court.

The House spoke on behalf of guaranteeing equal protection when it passed this much-needed legislation. I look forward to working with my colleagues further in the hope that the Senate will take up this measure.

TRIBUTE TO W. PETER MCBRIDE

HON. BILL PASCHELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 28, 1997

Mr. PASCHELL. Mr. Speaker, I would like to call to your attention W. Peter McBride of Franklin Lakes, NJ who is being honored this evening as the "1997 Man of the Year" by the Boys and Girls Club of Paterson. This award is presented to Peter in recognition of his outstanding leadership activities throughout the north Jersey area, and his many philanthropic activities in the Greater Paterson community.

Peter was born and lived his early childhood in Paterson. He attended primary school in

Ridgewood and high school at the Delbarton School in Morristown. Peter went to Maryknoll College, a liberal arts college and seminary in Glen Ellen, IL. During college, Peter spent his summers doing community development work in Chicago and Mexico. He graduated in 1967 and opted to continue his education by enrolling in Seton Hall's graduate school of business.

The Vietnam war interrupted Peter's education and he enlisted in the U.S. Army, receiving a commission as second lieutenant. After his tour of duty, Peter entered the family business and has been active, first with his father Nevins and more recently his brother David, leading McBride Enterprises as it developed into one of New Jersey's premier real estate development companies.

McBride Enterprises has built a number of industrial and office parks, including those in Fair Lawn, Glen Rock, Wayne, Totowa, Oakland and Mahwah. Fair Lawn Industrial Park, the first project, became a model for the planned industrial park development. In addition to leading McBride Enterprises, Peter is also president of Urban Farms, Inc., a residential development company which has developed over 2,500 acres in Franklin Lakes and Wayne.

The McBride family roots are in Paterson, established by patriarch John McBride who emigrated from Ireland in 1863. Peter's grandfather, Frank A. McBride, founded a plumbing company in 1898, which, under the leadership of his sons Frank, Nevins, and Joseph, grew to become the F.A. McBride Co., Mechanical Contractors.

The McBride family has continued to maintain an interest in their ancestors' adopted home of Paterson and Passaic County. Several family members have been board members and volunteers at St. Joseph's Hospital, and Peter currently sits on the Board of the Hospital Foundation. Peter is past president and a board member of the Passaic Valley Council of the Boy Scouts of America. He has been one of the organizers of the scouts' annual sports celebrity dinner, which for 15 years has been the major fundraising activity of the council.

Peter is also cochairman of the Annual J. Nevins McBride Golf Outing for Scouting which benefits the youth of Passaic County. His involvement with scouting extends to his family, where his son is a boy scout with Troop 34 in Franklin Lakes. Peter also serves on the Ramapo College Board of Trustees, Most Blessed Sacrament Parish Council, the Archdiocese of Newark Finance Council and the Board of Directors of Hudson United Bank.

Peter lives in Franklin Lakes with his wife, Pam, and children Meredith, Peter, and Annie. Pam is the volunteer architect for "Woman Raise the Roof," a Habitat for Humanity Project in Paterson. Pam and Peter are also mentors for Operation Link-Up at Kennedy High School.

Mr. Speaker, I ask that you join me, our colleagues, Peter's family and friends, and the people of north Jersey in recognizing W. Peter McBride's many outstanding and invaluable contributions to the community and to the Boys and Girls Club of Paterson.

WORLD POPULATION AWARENESS WEEK

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 28, 1997

Mr. GILMAN. Mr. Speaker, this week is World Population Awareness Week. It calls attention to the growing population of mankind and the pressures it puts on the planet. At the current rate, the world's population will double from 5.8 to 11 billion people during our lifetime. Excluding China, 21 million women of childbearing age in the developing world are added each year—equal to the total number of women of childbearing age in California, Texas, New York, and Florida combined.

Population Awareness Week calls attention to our voluntary family planning program. President Nixon launched the U.S. international family planning program in 1969. The program improves the health of mothers and their children by increasing the time between births while reducing unintended pregnancies and abortions. After 30 years, the program helped reduce the average number of children in the developing world from six to four. Modern contraceptive use climbed from 10 to 35 percent. As contraceptive use in countries such as Russia rose from 19 to 24 percent, abortion rates fell from 109 per 1,000 women to 76. It is clear that family planning reduces unintended pregnancies and abortions in many countries. In sum, the Population Council estimates that without family planning programs, there would have been 500 million more people in the world today—almost twice the population of the United States.

The single greatest way to reduce infant mortality is to increase the time between pregnancies. Family planning also helps to reduce abortion. Family planning saves lives and creates greater opportunities for the health, education, and economic future of children.

I want to commend the leaders behind World Population Awareness Week, especially Werner Fornos of the Population Institute. The institute is one of the leading forces in bringing the attention of the Congress to key issues of population, family planning, and the environment.

FRONT-LINE HEALTH CARE WORKERS SHOULDN'T HAVE TO RISK THEIR LIVES TO SAVE LIVES

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 28, 1997

Mr. STARK. Mr. Speaker, along with over 20 original cosponsors, I am introducing the Health Care Worker Protection Act of 1997. This bill is designed to reduce the risk of health care workers from accidental needlesticks. The legislation would ensure that the necessary tools—better information and better medical devices—are made available to our frontline health care workers in order to reduce the injury and death which may result from accidental needlesticks each year.

Although needlestick injuries are considered to be widely under reported, health care workers report more than 800,000 needlesticks and

injuries from sharp products each year. According to the Center for Disease Control and Prevention [CDC] there have been at least 52 actual and 111 possible documented cases of HIV seroconversions among U.S. health care workers resulting from occupational exposures since 1994. Needlestick injuries caused by hollow-bore needles accounted for 86 percent of all reported occupational HIV exposures. Of the needles involved in the reported injuries, 2 percent or roughly 16,000 are likely to be contaminated by the HIV virus.

Imagine what someone must go through when accidentally pricked with a used needle device. Tests must be conducted to determine if the blood on the device contained an infectious agent. If so, the health care worker must undergo tests to see if they have been infected. If the blood contained the HIV virus, one could not be sure for up to 1 year whether an infection occurred.

While you can't put a dollar figure on the psychological toll of a needlestick, if only one employee becomes HIV positive, the direct cost to treat a needlestick injury can average \$2,809 even if there is no infection. If an infection occurs, direct and indirect costs can total more than \$500,000.

The Health Care Worker Protection Act of 1997 requires hospitals and hospital-owned facilities to use safe and approved hollow-bore needle devices as a condition of participation in the Medicare Program. Hospitals would be required to use safe needle devices as approved by the FDA in consultation with an advisory committee comprised of representatives from consumer groups, frontline health care workers, industry representatives, and technical experts. To enhance compliance, \$5,000,000 would be provided for education and training in the use of safety devices.

Support for this bill has come from all quarters: the American Nurses Association, the American Association of Occupational Health Nurses, the Service Employee International Union, American Federation of Teachers, Lynda Arnold's National Campaign for Healthcare Worker Safety, Association of Operating Room Nurses, American Association of Critical-Care Nurses, many product researchers and manufacturers, and most importantly, health care workers. Supporters of the bill share the opinion that this legislation will provide important protections for health care workers in the workplace.

Better information and better devices are the key to reducing injuries from needlesticks. Hospitals must be encouraged to substitute existing needlestick products with products proven to be safe. Nurses, doctors, and other frontline health workers care each day for those individuals we love. They shouldn't have to risk their lives to save lives. I urge my colleagues to support this bill.

CONGRATULATING ST. JOSEPH'S WIC PROGRAM

HON. MARGE ROUKEMA

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 28, 1997

Mrs. ROUKEMA. Mr. Speaker, I rise to congratulate St. Joseph's Hospital and Medical Center in Paterson, NJ, on its excellent system of WIC clinics and the work the clinics

have done on behalf of women and children in my State.

WIC is a proven program that efficiently, effectively, and humanely helps children and families by providing food for pregnant women, breast-feeding women, and young children. Participants meet with a professional nutritionist who assess their nutrition needs, then issues coupons that may be redeemed at local supermarkets for products such as milk, infant formula, baby food, cereal, and other nutritious food. Unlike food stamps, the coupons can be used only for specific products—a coupon for a gallon of milk cannot be used to purchase snack food or candy, for example. The GAO says that for every \$1 spent on WIC, America realizes \$3.50 in savings on health care costs during the most important formative years of childhood. WIC means healthy mothers and healthy babies. In this, the most technologically advanced nation in the world, we cannot allow children to go to bed hungry.

In addition, WIC is a major Federal program that has endured none of the scandals that have plagued so many programs. It is most efficiently run. Yet this program has come under the threat of cuts repeatedly in recent years. I have had to fight to eliminate a cap on the number of participants and to restore cut funding in the last two Congresses. Further attacks on this program will not be left unanswered. Cutting WIC is literally a matter of taking food out of the mouths of babies.

I had the pleasure of visiting St. Joseph's recently to meet with both professional providers of services and the women who benefit from the program. It is clearly one of the best-run WIC clinics in existence and participants truly appreciate the assistance they receive. It shows that WIC funding is, in fact, well spent.

Founded in 1978, St. Joseph's is the largest WIC program in the State. With 19,000 clients per month, it serves residents of Bergen, Morris, and Passaic counties at 23 facilities across the tricounty area. Sites include hospitals, Health Department offices, community centers, Head Start programs and other social service agencies—locations where low-income mothers are present and able to learn of the services offered by the program. One clinic is located in a Paterson storefront and another is a mobile WIC on Wheels to enhance outreach.

In addition to its wide variety of locations, St. Joseph's takes other steps to make WIC services accessible. The main office in Paterson is open three evenings a week and the storefront office in Paterson is open Saturdays. If funding becomes available, extended hours may be offered at other locations as well. The staff reflects the cultural and ethnic mix of the programs participants, including speakers of Spanish, French, Italian, and Arabic. Outreach programs are conducted with Hispanic and African-American grassroots organizations and an Arab community liaison.

the clinic also promotes breast-feeding with a lactation consultant and two lactation peer counselors who visit new mothers in hospitals and follow up with telephone calls and home visits as necessary. Breast pumps and other supplies are offered at no cost.

The clinic provides a wide variety of other services, including immunization registry and referral; referrals to other health and social services agencies such as substance abuse and food pantries; and special education pro-

grams such as dental hygiene, child safety, and parenting. The clinic is also a training site for student nutritionists from Montclair State University and other colleges.

Nationwide, more than 7 million women, infants, and children depend on WIC for nutrition assistance. St. Joseph's is one of the most outstanding centers in that national network. This is one of the most efficient and effective programs our Government has to offer. And it is the type of program the government should offer—real help with real problems for people unable to help themselves. Never let us take the food out of the mouths of babies.

TRIBUTE TO JOHN J. GRADY

HON. CONSTANCE A. MORELLA

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 28, 1997

Mrs. MORELLA. Mr. Speaker, I rise today to honor the memory of John J. Grady, a constituent, a community leader, and a good friend who passed away this month.

Jack Grady, born in Springfield, IL, came to Washington to attend Catholic University. Although he returned to Illinois briefly, he called Montgomery County home for most of his life, and with his wife Patricia, raised his wonderful family here. He had a distinguished career in government and business, and he contributed to the community life of the entire Washington metropolitan area.

A former FBI agent, Jack also worked for the Foreign Operations Administration, first as the inspections division director and then in recruitment. He later became deputy to the Assistant Air Force Secretary and then deputy director of the International Cooperation Administration.

Jack was twice the recipient of the Air Force Exceptional Civilian Service Award and was presented the prestigious Arthur S. Flemming Award, given to the top 10 government workers under the age of 40. After leaving government service, he served as vice president of Carl M. Freeman Associates and head of its management company. In 1965, he founded Grady Management Inc., a firm that today employs 400 people and manages 12,000 apartments, as well as commercial buildings, in the Washington-Baltimore area.

Jack also served with dedication on the boards of the Apartment Home Council, the Apartment Owners and Builders Association, and the Century National Bank. A member of the John Carroll Society and the Knights of Malta, Jack also contributed his many talents and gifts to the board of trustees of Holy Cross Hospital in Silver Spring.

Above all, Jack was devoted to his friends and especially his family. My husband and I have precious memories of celebrating Pat and Jack's 50th wedding anniversary 4 years ago. The outpouring of love was moving and inspiring. Jack will "live on in love."

I offer condolences to his wife Pat, sons Kevin and John III, and his daughters Cheryl and Jan.

Mr. Speaker, I honor the memory of John J. Grady, a man who touched the lives of many people and a man who will be greatly missed by all who knew him.

CONGRATULATIONS TO THE FLORIDA MARLINS

HON. PETER DEUTSCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 28, 1997

Mr. DEUTSCH. Mr. Speaker, I rise today to congratulate the Florida Marlins for having won the 1997 World Series Championship. Created by Wayne Huizenga, administered by Don Smiley, built by Dave Dombrowski, and managed by Jim Leyland, this young team achieved the top honor, to which 28 teams aspire, in just 5 years. By reaching the World Series in record time, the Florida Marlins is the youngest franchise ever to win the World Series and has thus assured itself a place in history.

Before this reason, the Florida Marlins had never been in the play-offs. Throughout the 1997 division series, however, they never trailed in games won. They initiated their quest by overpowering the San Francisco Giants and then went on to win the National League Championship Series by upsetting the Atlanta Braves. Then, in a dramatic, extra-inning, seventh game, they defeated the Cleveland Indians to become the 1997 World Series champions. Within 5 years, the Florida Marlins attained a monumental goal that has historically taken championship teams decades to accomplish.

The 25 players who achieved this feat are: Kurt Abbott, Moises Alou, Antonio Alfonseca, Alex Arias, Bobby Bonilla, Kevin Brown, John Cangelosi, Jeff Conine, Dennis Cook, Craig Counsell, Darren Daulton, Jim Eisenreich, Alex Fernandez, Cliff Floyd, Felix Heredia, Livan Hernandez, Charles Johnson, Al Leiter, and Greg Zaun.

The Marlins' victory was a victory for all Floridians. In a community as diverse as ours, people from different backgrounds have united in their admiration and pride for our baseball team. I applaud the athletic prowess of these men and commend the dedicated efforts of their coaches and manager. I know that the Florida Marlins will continue to give Floridians as a spirit of unity and strength in years to come and look forward to another championship season in 1998.

TRIBUTE TO BECK MEMORIAL PRESBYTERIAN CHURCH ON ITS 183d ANNIVERSARY

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 28, 1997

Mr. SERRANO. Mr. Speaker, I rise to pay tribute to Beck Memorial Presbyterian Church, a South Bronx landmark that on October 26, 1997, celebrated its 183d anniversary in a worship service. The theme for the service was "Standing on the Promises."

Beck Memorial Presbyterian Church was founded in August 31, 1814 as West Farms Presbyterian Church, in the West Farms School House on the west side of Boston Road. The present church, directly opposite the original building, was constructed with a legacy from Charles B. Beck and dedicated on October 29, 1905. Beck has seen the South

Bronx community through times both of glory and of decline. Happily, this venerable institution survives not only to see the renaissance of the Bronx, but to contribute to it.

Mr. Speaker, I ask my colleagues to join me in extending best wishes to the Rev. Victor Aloyo, moderator of the Presbytery of New York and pastor of the Presbyterian Church of the Redeemer, and to the congregation and administration of Beck Memorial Presbyterian Church on the occasion of this momentous celebration.

BREAST CANCER AWARENESS
MONTH

SPEECH OF

HON. SUE W. KELLY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 22, 1997

Mrs. KELLY. Mr. Speaker, I rise today to commemorate Breast Cancer Awareness Month and to honor those women who are forced to live with this disease and to their families who support them during their time of need.

While we stand here and recognize October as Breast Cancer Awareness Month, I realize that in many families every month is Breast Cancer Awareness Month.

Sometimes because a mother is fighting the disease;

Sometimes because an aunt is in remission from the disease;

Sometimes because a grandmother lost her life to breast cancer;

Or in my case, because my sister is fighting this silent predator.

As if it is not enough that today over 2.5 million women in America are living with breast cancer, we read story after story about the additional hardships these women are made to endure.

Some women are forced out of a hospital 12 hours after a radical mastectomy with tubes left in their back and no one to assist them;

Some women are denied reconstructive surgery following a mastectomy and are told that it is deemed cosmetic—an excuse that masquerades the truth that denying coverage is merely a cost-savings measure;

Some women who have already lost several family members to breast cancer fear they will lose their job or health insurance if they decide to be genetically tested in an attempt to save themselves;

Some women are denied access to the full menu of medical options of breast cancer treatment because their physician has been gagged by the health plan for which he works;

Some women are diagnosed with an advanced stage of breast cancer because of a prior false negative test result and no insurance coverage for a second opinion.

These are real stories of real women who not only had to fight breast cancer, but then had to fight a health care plan which practiced bottom-line medicine instead of patient-first medicine.

Breast cancer survivors must be treated with compassion and dignity, not as an accounting figure. This is why I introduced the Women's Health and Cancer Rights Act of 1997, H.R. 616. This legislation:

Ensures coverage for inpatient hospital care for women following a mastectomy, lumpectomy, or lymph node dissection for a period determined by the physician and patient;

Allows for coverage of second opinions for all cancer diagnosis for men and women, whether negative or positive;

Requires coverage of reconstructive surgery for breast cancer patients—including symmetrical reconstruction; and

Protects physicians from retribution for recommending longer stays.

One breast cancer survivor wrote the following about the Women's Health and Cancer Rights Act: "It would be a wonderful feeling knowing that until there is a cure for this horrible disease women would at least be able to face breast cancer with dignity and peace of mind knowing that their health care plan would stand with them and not against them."

The experiences of the thousands of breast cancer survivors have made me realize that we should have no greater priority than empowering those with breast cancer the right and ability to play an active role in the management of their treatment. It is our obligation as leaders to ensure them that their medical treatment is in the hands of physicians, not insurance companies. It is a profound injustice when health care forgets about the patient, yet with regard to mastectomy recovery and breast reconstruction following a mastectomy, that is just what has been done.

Let's put the reality of this disease in perspective. When a woman is told that she has breast cancer, the feeling that immediately follows the initial denial is lack of control. My bill is a patient's bill aimed at providing patients, in consultation with their physicians, a greater degree of autonomy when deciding appropriate medical care and, therefore, taking back control of their lives.

Some people call the Women's Health and Cancer Rights Act a mandate. How is this a mandate when I only ask that patients get what they pay for—health insurance. If health insurance can abandon you, ignore you, or even kill you, it isn't insurance.

Now, to be clear, all insurance companies are not so insensitive as to not provide these basic benefits and, therefore, all will not be affected by this legislation. But we have a responsibility to protect the doctor/patient relationship, ensuring that the medical needs of patients are fully addressed.

The Women's Health and Cancer Rights Act should be the top social issue for the 105th Congress. I ask my colleagues to join me in making that a reality.

Lastly, my heart goes out to the women struggling with this disease, for whom we hold this special order tonight.

BETWEEN PEACE AND TERROR

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 28, 1997

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, I rise today to speak about terrorism. The suicide bombings at the pedestrian mall on Ben Yehuda Street in Jerusalem captivated my attention. Just days before the terrorist act, I had been there, in the exact spot of detonation.

In addition to the 3 Palestinian bombers, 4 innocent people died, more than 170 were injured. Three weeks prior, two Hamas members walked into an open-air market in Jerusalem, blew themselves up and killed 15 civilians. The total number of Israelis killed since the signing of the Oslo peace agreement in 1993 now exceeds 250.

While some may speculate on motives, I have come to my own conclusion: Suicide bombings on civilian targets are not meant to fulfill some thoughtful act of persuasion. They are designed to kill people—period.

My mission in Israel was sponsored by the United States—based non-profit American Israel Education Foundation. Five other Members of Congress made up our party. Our meetings with various Israeli and Palestinian leaders and officers, and United States Embassy officials, persuaded me that the Hamas terrorists didn't act alone.

The suicide bombers relied upon considerable help to plan, fund, and execute their terror. The bombings could have and should have been prevented.

My colleagues and I, who studied Israel together fired off a terse letter to Palestinian Chairman Yasser Arafat on September 8. "As members of the United States Congress who have supported our country's efforts to bring about peace in the Middle East, we are writing to express our collective outrage not only at the latest terrorist attack in Jerusalem, but at the indifference you continue to demonstrate at the brutal murder of innocent Israeli citizens," the letter read.

We supported our belief that Arafat had failed to fulfill the most fundamental commitments he had made to the peace agreements at Oslo. Because of that failure to take decisive actions against terrorism, the peace process is now on the verge of collapse. This is certainly not in the best interest of his own people.

Clearly, the peace process is seriously set back, perhaps mortally. By ending security cooperation with Israel and by resorting to inflammatory rhetoric, Yasser Arafat has left himself with only one option at this point: Comply with every term in the agreements he has made.

On her recent visit to the Middle East, Secretary of State Madeline Albright failed to press this point to a sufficient degree. There are plenty of issues upon which to measure the merit of further attempts to maintain Oslo, but the fact remains, that the PLO charter still calls for the destruction of Israel. Senior Palestinian Negotiator, Dr. Saeed Erekat looked me right in the eyes and assured me the pernicious clause would be removed by now.

If the United States is to ever expect the successful resumption of peace negotiations, it must demand specific responses from Arafat. The Palestinian Covenant must be amended, and the inflammatory rhetoric must end. Full security cooperation must be restored including the transfer to Israel of jailed terrorists accused of murdering Israelis and dramatic reduction of the Palestinian police force in accordance with the 1995 Oslo II agreement.

Moreover, the Palestinian Authority must take concrete steps to arrest and punish terrorists, confiscate their weapons and crush the underground network of support which makes terrorist attacks possible.

Unless the United States can pressure Arafat to honor the terms of past agreements,

there is little cause for optimism. However, America must never confuse its role in the Middle East. We are not a party to the Arab-Israeli conflict and our role is predicated on the desire of both parties to have us work with them to secure peace.

As such, the United States is in a unique position to press for swift compliance, issue by issue, and force Arafat to decide once and for all, between peace and terror.

CONGRATULATING THE ASSOCIATION OF SOUTH EAST ASIAN NATIONS (ASEAN) ON THE OCCASION OF ITS 30TH ANNIVERSARY (H.R. 282)

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 28, 1997

Mr. GILMAN. Mr. Speaker, I am submitting today a Resolution (H.R. 282) congratulating the Association of South East Asian Nations [ASEAN] on the occasion of their 30th anniversary. ASEAN's emphasis on cooperation and the nonviolent settlement of disputes has fostered peace among its members in a region of the world which has long been wrought with instability and conflict. It is now difficult to visualize armed strife between ASEAN nations.

Since its inception in 1967, ASEAN has grown to become an influential political and economic grouping composed of nine member nations. By tempting the longstanding rivalries among its members, ASEAN helps to foster a stable and secure environment conducive to economic growth and the political development of Southeast Asian nations.

Its efforts to promote the economic, social, and cultural development of the region through cooperative programs; to safeguard the political and economic stability of the region; and to serve as a forum for the resolution of intra-regional differences has made ASEAN a model of regional integration.

The United States has important strategic, economic, and political interests at stake in Southeast Asia. Maintaining stability remains an overriding U.S. security interest in the region. Instability would not only threaten significant U.S. economic interests, but could also undermine important U.S. political relationships. ASEAN's Regional Forum [ARF], the region's only security consultative platform, is a key partner of the United States in maintaining regional stability.

The ASEAN countries provide the United States with significant commercial opportunities. ASEAN, is the fourth largest trading partner of the United States and constitutes a larger market for United States exports than the People's Republic of China, Taiwan, and Hong Kong combined. Despite current difficulties, projections of future ASEAN growth indicate that the Southeast Asian regional market will become even more important to United States economic interests in the future. At the same time, U.S. policymakers hope to see greater trade liberalization among the nations of ASEAN as economic ties deepen.

The Congress rightfully has expressed its concern about the development of human rights and democracy for the nations of ASEAN but is pleased with the flourishing of democracy in Thailand and the Philippines. It

is hoped that these examples will encourage progress by the other nations of ASEAN in the furthering of democratic principles and practices, respect for human rights, and the enhancement of the rule of law.

The Congress looks forward to a broadening and deepening of friendship and cooperation with ASEAN in the years ahead for the mutual benefit of the people of the United States and the nations of ASEAN.

I call upon my colleagues in the House of Representatives to support this resolution.

H. RES. 282

Whereas 1997 marks the 30th anniversary of the Association of South East Asian Nations (ASEAN);

Whereas the emphasis of ASEAN on cooperation and the nonviolent settlement of disputes has helped to bring peace between the nations of the region which for decades had been characterized by instability and conflict;

Whereas the economies of the member nations of ASEAN have experienced significant economic growth benefiting the lives of many of their people;

Whereas ASEAN as a group is the 4th largest trading partner of the United States and constitutes a larger market for United States exports than the People's Republic of China, Taiwan, and Hong Kong combined;

Whereas ASEAN has successfully fostered a sense of community among its member nations despite differing interests, including the establishment of the region's only security forum, the Association of South East Asian Nations Regional Forum (ARF), and the Association of South East Asian Nations Free Trade Area (AFTA);

Whereas ASEAN has played a pivotal role in international efforts of global and regional concern, including securing the withdrawal of Vietnamese forces from Cambodia and diplomatic efforts to foster a political settlement to the civil war in Cambodia;

Whereas the United States relies on ASEAN as a partner in fostering regional stability, enhancing prosperity, and promoting peace; and

Whereas the 30th anniversary of the formation of ASEAN offers an opportunity for the United States and the nations of ASEAN to renew their commitment to international cooperation on issues of mutual interest and concern: Now, therefore, be it

Resolved, That the House of Representatives—

(1) congratulates the Association of South East Asian Nations (ASEAN) and its member nations on the occasion of its 30th anniversary;

(2) looks forward to a broadening and deepening of friendship and cooperation with ASEAN in the years ahead for the benefit of the people of the United States and the nations of ASEAN;

(3) encourages progress by ASEAN members toward the further development of democracy, respect for human rights, enhancement of the rule of law, and the expansion of market economies; and

(4) recognizes the past achievements of ASEAN and pledges its support to work closely with ASEAN as both the United States and the nations of ASEAN face current and future regional and global challenges.

WHAT HEALTH ANTI-TRUST POLICY?

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 28, 1997

Mr. STARK. Mr. Speaker, following is an editorial from the October 13, 1997, "Modern Healthcare." I wish I'd said it first.

AS GOVERNMENT CAVES, PROVIDERS MAKE THEIR OWN ANTITRUST POLICY

When the government sets antitrust policy for a particular industry, you would hope the policy is being driven by the concerns of buyers who are wary of the potentially anti-competitive market clout of sellers.

Not so in healthcare.

As evidenced by numerous events over the past several years, it's clear federal antitrust policy as it pertains to healthcare providers is guided by providers themselves and their well-paid lawyers and economists.

In other words, the sellers are setting their own rules of competition with the full acquiescence of federal lawmakers. The providers' sole justification? Trust us, we know what we're doing. We know what's best for patients.

In fact, the provider industry is so brazen and so confident it expects special treatment under the federal antitrust laws.

For a definition of brazen, read Mary Chris Jaklevic's coverage of the deal between the two largest hospitals in Grand Rapids, Mich., which merged despite not having final clearance from the Federal Trade Commission, or Charlotte Snow's story on how the only two acute-care hospitals in Greensboro, N.C., outwitted the FTC and the North Carolina attorney general's office to obtain their monopoly (Oct. 6, pages 2 and 14, respectively). The hospitals in both cases have promised to limit price increases and pass along millions of dollars in economic efficiencies to consumers.

Why shouldn't providers act with such braavado? The government has caved in to virtually all their demands:

In 1993 the FTC and the U.S. Justice Department release the first-ever antitrust enforcement guidelines for providers that created six "safety zones," or categories of business transactions that won't be subject to federal antitrust scrutiny.

In 1994 the two agencies revised the guidelines and added two more safety zones.

In 1996 the agencies released more lenient antitrust standards for reviewing physician networks.

Federal judges have thrown out the agencies' last three antitrust lawsuits against merging hospitals.

In a time when hundreds of deals are being put together, the government has only one pending case against merging hospitals and one against a physician network.

Despite all this, Sen. Orrin Hatch (R-Utah), who heads the Senate Judiciary Committee, recently said special antitrust rules for not-for-profit hospitals may be in order after he heard testimony from hospital executives, their lawyers and their consultants. Earth to Sen. Hatch.

Where are the buyers in this debate? The managed-care plans? The employers? The patients? Somehow, they've largely been left out of the antitrust policy reviews.

At first, newly consolidated hospitals and physicians will find it easy to generate economic efficiencies given the excess capacity and duplicated services in many markets. Only time will tell if they pass those benefits along to the public or use their power to stifle new competition. Let's hope somebody with influence is watching.

HONORING KATHY DIFIORE

HON. MARGE ROUKEMA

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 28, 1997

Mrs. ROUKEMA. Mr. Speaker, I rise today to thank Kathy DiFiore, of Ramsey, NJ, for the work she is doing on behalf of unwed mothers. Kathy is a dedicated and compassionate community leader who lends support to young women at a trying period in their lives. Her work is well-known across our State and has been supported by figures as prominent as former Gov. Tom Kean and the late Mother Teresa. We need more people like Kathy DiFiore to help with the issue of teen pregnancy.

More than a decade ago, Kathy opened a shelter for unwed mothers in her own, six-bedroom home. Today, she operates Several Sources Shelters, which has five homes for unwed mothers—two in Ramsey plus one each in Mendham, Newark, and Washington Township. Kathy a former Wall Street executive, has given thousands of women the moral and tangible support needed to bring their children into the world.

Even an effort as admirable as a shelter for unwed mothers does not succeed without overcoming obstacles. In 1984, State officials levied a \$10,000 fine against Kathy, claiming that her home—at that point a shelter—was being operated as an illegal boardinghouse. Similarly, Ramsey officials said it was unlikely she could be granted a zoning variance necessary to continue operation. The shelter's future was uncertain. Undaunted, Kathy convinced the State legislature to pass a bill allowing her to remain in operation, then-Governor Kean, however, was hesitant to sign the measure.

It was at that point that Kathy contacted Mother Teresa and asked her help. Mother Teresa responded and, in turn, contacted Governor Kean and urged him to sign the bill. Three days later, the legislation was law.

The Several Sources Foundation provides extensive counseling and information for pregnant women seeking an alternative to abortion and ultimately provides free shelter for expectant mothers and their children. The foundation has found that many young women, particularly teenagers, have no place to stay while pregnant. It is, tragically, not uncommon for angry parents to kick out their daughters upon learning that they are pregnant. The shelters allow mothers to stay during pregnancy and up to 1 year after the birth of a child. Each of the five shelters can house up to six mothers and their infants, supervised by an adult house mother.

Women who stay at the shelters are trained in the practical aspects of motherhood, including prenatal care and homemaking. School-age mothers attend high school and are tutored at the shelter during the last weeks of pregnancy. Women who have dropped out of school are assisted in passing their GED and are given classes in practical, employment-related skills such as typing. Some go on to college.

Several sources is a pro-life organization that offers a national telephone hotline for pregnant women. More than 200 women call the hotline each month and Kathy estimates that 15,000 abortions have been avoided

since she founded the organization. The group also offers information through a World Wide Web site on the Internet.

None of this could be done without help, of course. Kathy is assisted by a number of caring and dedicated volunteers, such as Donna Jacoby of Ridgewood. Others help the non-profit, nonsectarian organization through tax-deductible private donations and offerings at area churches.

Mr. Speaker, Kathy DiFiore is a deeply religious woman who has followed through on her Christian convictions. She communicated frequently with Mother Teresa, who served as her religious role model. She likes to say that it's necessary to pray the work. Her efforts might be described as working the prayer.

We need more people of deep conviction and conscience who do more than preach their morality and practice Christian charity in its truest form. Kathy DiFiore has transformed her convictions into action to help these women and children who are in greatest need, not only in daily care but also in educating and inspiring them to improve their lives and provide a promising, hopeful future for their newborn babies.

We all wish her renewed strength and inspiration so that many more might find life through her dedicated and devoted ministry.

CAMPAIGN FINANCE REFORM

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 28, 1997

Mr. KIND. Mr. Speaker, today I learned that the House Government Reform and Oversight Committee has scheduled a hearing on campaign finance reform for this Thursday, October 30. This is good news. I applaud Chairman BILL THOMAS for allowing this important issue to be given a proper hearing.

However, this is only the first step. Not only should campaign finance reform legislation be given a hearing, it also must come to the floor of the U.S. House of Representatives for a full debate and vote. The people of my district have told me repeatedly that they will not take no for an answer when it comes to changing the current campaign finance system. A hearing is not enough, the full House must be given a chance to vote on this issue.

Last week I joined 168 of my colleagues in signing a discharge petition on campaign finance legislation. It appears the pressure of that petition has forced the leadership of the House to schedule the hearing. I will urge my colleagues not to abandon the discharge effort until we are sure that a fair vote will be allowed on campaign finance reform.

With 2 weeks left before our expected adjournment for the year there is very little time left to consider this issue. I urge you to move quickly to bring a substantial reform bill before the House. I will not take no for an answer.

PERSONAL EXPLANATION

HON. JIM RYUN

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 28, 1997

Mr. RYUN. Mr. Speaker, I was absent on the afternoon of October 23 and October 24 to attend the wedding of my oldest daughter.

I request unanimous consent that the record reflect that had I been present I would have voted "no" on rollcall No. 525, "yes" on rollcall No. 529 and "no" on rollcall No. 531.

HONORING THE RECIPIENTS OF
THE 1997 PATHFINDER AWARDS**HON. CHET EDWARDS**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 28, 1997

Mr. EDWARDS. Mr. Speaker, today, I rise to congratulate 17 women from my Texas congressional district for being selected as recipients of the 1997 Pathfinder Award. These specially selected women from Waco and McLennan County have distinguished themselves through their unique service and contribution to the community.

Pathfinders is a special recognition program that honors outstanding women in McLennan County who have distinguished themselves in their chosen fields. Since 1984, the YMCA of Central Texas has honored 214 women with this distinguished tribute.

The women are selected for the honor based on three factors: First, they have served as an exemplary role model, second, they are a strong mentor for others, and third, have impacted lives for the good.

Receiving the 1997 Pathfinder Award are:

Joyce Briehof will be recognized in the area of science/inventions, having been extensively involved with the Green Classroom Project at Kendrick Elementary School in Waco.

Lynn Bulmahn will be recognized in the area of communications. Her coverage of health-related subjects including teenage pregnancy and Alzheimer's disease have earned her numerous awards.

Margie Cintron is the recipient of the Pathfinder Award for public service. She has helped create 24 neighborhood associations in Waco, and provides technical support in accessing city, county, and other governmental services.

Mary Duty will be recognized in the area of business/finance. She recently lobbied the Texas Legislature for passage of a bill to keep tobacco products away from underage children.

Toni Herbert, a member of the Waco City Council, will be recognized in the area of politics. She began the Neighborhood Training Institute, as well as initiating the Neighborhood Development Program for the city of Waco.

Ella Janes McKinney will be recognized in the area of volunteerism. A lifelong member of the Austin Avenue United Methodist Church, she helped organize the Meals on Wheels Program her church operates.

Eugenie Mygdal will receive the Pathfinder Award for the arts. An active volunteer of the Waco Art Center and the Hillcrest Professional Development School, she is also a sculptress and artist.

June Osborne will be recognized in the area of conservation. She is an avid ornithologist has sought to heighten the awareness of children and adults about the importance of nature conservation.

Linda Reasoner, administrator of the Waco Covenant Academy, will be recognized in the area of non-traditional roles. She has also been active in the development of home schooling in Waco.

Pam Smallwood, education director of Planned Parenthood, is the recipient of the Pathfinder Award in health. She is the creator of the nationally recognized program, "Nobody's Fool: Dating, Love, Sex and AIDS."

Maretha Smith will be recognized in the area of humanitarian. She is the founder of the youth program, "Save of our Sons," an organization which seeks to provide a positive focus on the African-American male.

Dr. Rosanne Stripling, superintendent of the Waco Independent School District will be recognized in the area of education. Earlier this year, she was named the first female superintendent of the Waco ISD after having served in a number of other capacities as a professional educator.

Helen Thueson, director of victim services for the Waco Police Department will be recognized in the legal area for her efforts to help victims rebuild their lives after a traumatic crime has occurred.

Dr. Nancy Upton, director of the Entrepreneurship Center at Baylor University, will be recognized in the area of entrepreneurial enterprises. She is the only chairwoman of an endowed entrepreneur center in the United States.

Greta Warren Watson will be recognized in the area of civic leadership. A volunteer since in the late 1950's, her numerous activities include the Senate Ladies' Club, the League of Women Voters, and the Big Twelve Task Force.

Ina Mae Wilson will be recognized in the area of volunteerism. She has contributed over 1,900 hours to the Community Hospice Service in Waco, specializing in the area of bereavement.

Patricia Wood is the recipient of the Pathfinder Award in the area of religion. She has opened her home to numerous foreign exchange students in her church. I am proud to say she is my mother-in-law and devoted grandmother to my two sons, John Thomas and Garrison.

In addition, Bobbie Barnes is receiving the Rountree Athena Award for her leadership in the areas of historic research, education, and preservation. Her work will allow the rich history and culture of Waco to be passed on to future generations.

I ask Members to join me in honoring the recipients of these distinguished awards. These women have demonstrated the dedication and exhibited the excellence that make our communities strong and our country great.

TRIBUTE TO BRIG. GEN.
SALVATORE "SAL" VILLANO, JR.

HON. DIANA DeGETTE

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 28, 1997

Ms. DeGETTE. Mr. Speaker, this November will see the retirement from the Colorado Air

National Guard of an individual I wish to commend.

Brig. Gen. Salvatore "Sal" Villano, Jr. brought to the National Guard a patriotic commitment to his country. But he also brought a strong desire to involve the Guard in the community it serves.

Sal Villano grew up in the part of my district known as North Denver. Anyone who knows North Denver knows it to be a neighborhood with a long history of strong family and ethnic ties. There Sal learned the value of honest work and spiritual integrity.

These values guided General Villano's rise in the Air National Guard. He saw it as his duty to lead with energy and integrity. But he saw it as his personal mission to have the Guard promote the general welfare while providing for the common defense of the Nation.

General Villano worked hard to bring armories to close-knit Colorado communities. The new Denver armory, conceived by Sal as an armory on the weekend and a neighborhood center during the week, is a good example of his vision to marry the Guard's mission with a community need. He pushed tirelessly to start innovative programs to turn troubled teens around. And, he took seriously his role to keep drugs off Colorado streets.

Mr. Speaker, America and the National Guard can learn a lesson from Gen. Sal Villano, a good kid from North Denver.

BREAST CANCER AWARENESS
MONTH

SPEECH OF

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 22, 1997

Mrs. LOWEY. Mr. Speaker, we have made progress in the war on breast cancer and the tragedy it causes. Early detection and aggressive treatment have enabled countless women across our Nation to survive this terrible disease.

Yet, so much more remains to be done. Women continue to face a one in eight chance of developing breast cancer during their lifetimes. It remains the most frequent major cancer in women and the second leading cause of cancer deaths among women. Last year, an estimated 182,000 women were diagnosed with breast cancer and nearly 50,000 died of the disease.

The Federal Government's support for breast cancer research has grown significantly in the past 10 years. The grants funded by the National Cancer Institute are on the cutting edge of science and have made important contributions to our understanding of this complex disease and to treatment.

But because of a lack of funding, the National Cancer Institute is able to fund only a small percentage of the outstanding applications for research it receives. An estimated one out of every four grants that has been approved for funding by NCI's expert panels goes unfunded because of budgetary constraints. This is simply unacceptable.

We must increase our investment in breast cancer research. We know very little about how to prevent the disease and treatment options are too few. At least two-thirds of breast cancers occur in women with no known risk factors.

For example, we must gain a better understanding of the genetic basis of breast cancer, including more about the BRCA series of genes in Jewish women and others.

Another important area of research is the link between breast cancer and the environment. We need to know more about so-called endocrine disruptors that are used to make pesticides, and other products.

We also need to improve breast cancer detection. There are promising developments in new detection technologies such as magnetic resonance imaging and ultrasound which could eventually save countless lives.

Each woman affected by breast cancer is a mother or a daughter or a sister or an aunt. And by that standard, breast cancer has torn apart the lives of literally millions in our country.

Promising research remains unfunded and important questions are going unanswered. Yet, breast cancer is the most common cancer in women and the cause of so much anguish.

H.R. 1070, would increase breast cancer funding at the National Cancer Institute from \$410 to \$590 million, an increase of 40 percent.

This is a bipartisan bill which I introduced with CONNIE MORELLA. We have 57 cosponsors and the list grows every day. The bill is supported by both the American Cancer Society and the National Breast Cancer Coalition.

In addition to the vital work of the National Cancer Institute, the war against breast cancer is being fought by other Federal agencies. The excellent, innovative breast cancer research program at the Defense Department deserves continued congressional support.

We have increased access to and improved the quality and safety of mammography screening. I am pleased that on October 1, the FDA issued its final rules on the Mammography Quality Screening Act, a bill enacted in 1992 with the strong support of the Congressional Women's Caucus. All facilities should now be in compliance with the act and women should no longer need to worry about the quality of their mammogram.

In addition, the Federal Government has provided low-cost breast cancer screening for over 1 million women through the Center for Disease Control's breast and cervical cancer screening program. The budget for this program has increased from \$50 million in 1992 to \$140 million in 1997. It's now available in all 50 States and is supported by private partners such as Avon and the YWCA. Of course, we need to continue to expand the program and target those women who are the most difficult to reach because of language and cultural barriers. No woman in our Nation who needs a mammogram should go without one.

Another important development at the national policy level has been the involvement of breast cancer advocates in decisions about how to allocate precious Federal research funds. Both at NIH and the Defense Department, advocates are adding a fresh perspective to review panels, helping scientists and administrators look at their research portfolios in important new ways. The National Cancer Institute has recently taken a significant step in this regard by involving advocates in its new breast cancer progress review group or PRG.

But we must also turn our attention to legal protections for breast cancer patients and other women who may develop breast cancer. I have introduced a bill, H.R. 2275, with Representative LAZIO to outlaw discrimination by

employers on the basis of genetic discrimination.

LOUISE SLAUGHTER is doing an outstanding job fighting insurance discrimination based on genetic information. Employment discrimination poses another threat to those women who want to be tested for the breast cancer gene but fear that the information will be used against them. Our bill would amend title VII of the Civil Rights Act to permit a cause of action for those who have been discriminated in the workplace on the basis of genetic information.

Congress also needs to act on legislation which would provide a minimal standard of care for women undergoing a mastectomy. The DeLauro bill provides a 48-hour minimal hospital stay. The Eshoo and Kelly bills provide reconstructive surgery. Insurers must not turn women out on the street involuntarily after a major procedure such as a mastectomy and they must not see reconstructive surgery as merely cosmetic surgery. Unfortunately, Congress has yet to hold hearings on any of the bills dealing with this issue and that's simply not acceptable.

Let's applaud the progress we have made in ending the scourge of breast cancer but now turn our attention to the many battles ahead.

IN MEMORY OF MARK WELLS

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 28, 1997

Mr. KUCINICH. Mr. Speaker, I rise today to honor the memory of Mark Wells, of Olmsted Township, OH, whose life was tragically ended a year ago on October 28, 1996.

Mr. Wells, 41, had been a mail carrier in North Olmsted and Lorain, OH, since 1987. He was well-liked and respected by his coworkers. Last year, Mr. Wells was on duty, standing behind his mail truck on a quiet Lorain Street, when a man with a history of driving under the influence drove his pickup around the corner and struck him. Mr. Wells died a short time later from multiple injuries.

The unfortunate accident stunned his family and coworkers at the post office. The pickup driver's sentence of 1 month's jail time, a suspended license and a small fine was a second blow. A memorial service will be held in honor of Mr. Wells on the anniversary of his untimely death.

TO AMEND THE CHARTER OF
SOUTHEASTERN UNIVERSITY

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 28, 1997

Ms. NORTON. Mr. Speaker, I rise today to introduce legislation which would remove the provision in the Southeastern University charter requiring that one-third of the board of trustees be Southeastern alumni. Southeastern University President Charlene Drew Jarvis and the board of trustees have asked me to introduce this corrective measure.

Southeastern University was incorporated by act of Congress on August 19, 1937. Its

charter contains a provision requiring that one-third of the university's board of trustees be alumni. On September 9, 1997, I received a letter from Southeastern University President Charlene Drew Jarvis asking that I introduce legislation to remove this provision. On September 9, 1997, I also received a letter from Board of Trustees Chair Elizabeth Lisboa-Farrow confirming that the board of trustees had authorized President Jarvis to seek this change. Copies of both letters are attached. The board of trustees would like this provision removed in order to let the university draw from a wider pool of potential board nominees. Because the university was incorporated by an act of Congress, only the Congress can effectuate this change.

Southern University is an important and productive institution which contributes to the economy of the District of Columbia by offering undergraduate and graduate degree programs geared specifically to the needs of working professionals. Under the able leadership of Southeastern's new president, Dr. Charlene Drew Jarvis, the university has begun to rebound from difficult financial circumstances. This legislation will allow Southeastern to expand its fundraising potential to complement these efforts. I urge my colleagues to support this corrective measure.

SOUTHEASTERN UNIVERSITY

OFFICE OF THE PRESIDENT,

Washington, DC, September 9, 1997.

Congresswoman ELEANOR HOLMES NORTON,
*U.S. House of Representatives, Longworth
Building, Washington, DC.*

DEAR CONGRESSWOMAN NORTON: I have been authorized by the Board of Trustees of Southeastern University to write to you to ask that you assist the university in obtaining an alteration of the Congressionally-granted charter of the university.

On Page 697 of the United States Statutes At Large for 1937 (Vol. 50, Part I), an Act of Congress is recorded as Chapter 700. This law, which was approved on August 19, 1937, amended an earlier certificate of incorporation granted within the District of Columbia and officially renamed the institution "Southeastern University."

The act also specified in part as follows: "Sec. 3. That the management of the said corporation shall be vested in a board of trustees consisting of not less than nine nor more than twenty-one in number as determined from time to time by said board of trustees, one-third of whom, at all times, shall be graduates of the said university, of the qualifications prescribed by the board of managers of the Young Men's Christian Association of the city of Washington, a corporation organized and existing under and by virtue of the Act of Congress approved June 28, 1864 (13 Stat. L. 411 and the Acts amendatory thereof), nominated by the alumni of the said university in the manner prescribed by said board of managers, and all of whom shall be elected by said board of managers; . . . so that the term of office of one class shall expire annually."

The act further specified, in another section: "Sec. 9. That nothing in this Act contained shall be construed as preventing the Congress from amending, altering, annulling, or repealing the same or any part thereof."

An Act amending the charter, approved on October 10, 1966, did contain significant changes in the language of Section 3, but it neglected to address the issue we are writing to you about today. Similarly, another Act amending the charter was approved on March 29, 1976, but it did not change the relevant language of that section, either.

Our request is that, under the authority of Section 9 of the Act, Congress now delete the provision within Section 3 of the charter which requires that fully one third of the Board of Trustees of Southeastern University at all times be alumni of the institution.

We seek this change because a new and more broadly-based Board of Trustees would be a more active and vigorous one, able to fund raise throughout the region and the country, unconstrained by restrictions placed upon it at a time when fund-raising was not such a significant aspect of service on university governing boards.

Let me assure you and your colleagues that the Board of Trustees understands that it is an excellent idea for alumni to serve on the governing board of this university. Indeed, our current Secretary of the Board is Dr. Ephraim Okoro, a much valued professor of Public Administration. Dr. Okoro is an outstanding alumnus, holding multiple degrees earned here. Several additional current members of the Board are alumni, as well. Therefore, the governing board certainly shall endeavor to continue to have graduates elected to such positions.

Our request, in conclusion, is that Congress amend Section 3 of the charter, to delete the reference restricting Southeastern University's ability to meet its mandates. The preferred language, based on that contained within the October 10, 1966, act, would be: "Sec. 3. The management of the said corporation shall be vested in a board of trustees consisting of not less than nine nor more than thirty in number as determined from time to time by said board of trustees. Each trustee shall be elected for a term of office of three years from the date of expiration of the term . . . of such predecessor."

Thank you very much for helping in this matter. If we at Southeastern University can be of aid as the process of amendment occurs, we would be most happy to provide whatever assistance is requested. Please do not hesitate to call upon us.

Sincerely yours,

CHARLENE DREW JARVIS, Ph.D.

President.

SOUTHEASTERN UNIVERSITY,
BOARD OF TRUSTEES,

Washington, DC, September 9, 1997.

Congresswoman ELEANOR HOLMES NORTON,
*Member, U.S. House of Representatives, Longworth
Building, Washington, DC.*

DEAR CONGRESSWOMAN NORTON: We, the Members of the Board of Trustees of Southeastern University, have authorized our university president, Dr. Charlene Drew Jarvis, to request from you Congressional action in order that the charter granted to us in 1937 by Congress be adjusted slightly.

The change we seek would delete from the charter that provision which requires that fully one third of the members of the Board be drawn from amongst ranks of our alumni. Dr. Jarvis will be writing to you with a citation drawn from our existing charter and the language we request in its place. The reason we seek this change is so that we may draw from a wider pool of potential Board nominees who can do significant fund-raising for the university.

Thank you for assisting us in this pertinent matter. Thank you, also, for your consistent support of the cause of higher education here in Washington.

Sincerely yours,

ELIZABETH LISBOA-FARROW,

Chair.

BREAST CANCER AWARENESS
MONTH

SPEECH OF

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 22, 1997

Mr. MENENDEZ. Mr. Speaker, I rise this evening to join the ranks of many of my colleagues who have taken time this month to focus on the terrible disease of breast cancer—its human costs as well as its economic costs; and the steps we are taking to combat it.

While breast cancer can strike both men and women, it is women who are most frequently its victims. Last year, an estimated 182,000 women were diagnosed with breast cancer and 46,000 died of this disease. Breast cancer is the second leading cause of death from cancer for women.

In my State of New Jersey, there are 98,000 women living with breast cancer. Many do not even know that they have the disease. This year alone, 1,600 New Jersey women will die of breast cancer.

Mr. Speaker, breast cancer is an epidemic in our country. Every 3 minutes a woman is diagnosed with it; and every 11 minutes a woman dies from it. It costs our Nation \$6 billion every year in medical costs and lost productivity. With these numbers, I am amazed that we are not dedicating more resources to learn more about the causes of breast cancer and to find a cure.

If you do not now know someone who has died from breast cancer or who is presently fighting it, you may be assured that at some point in your life, you will. Breast cancer strikes one in eight women, and is most common in women over age 65.

In 1991, the Medicare Program began covering biennial screening mammograms. However, in 1991–92, only 37 percent of female beneficiaries aged 65 and over received a Medicare-paid mammogram. This year Congress included in the budget expanded Medicare coverage for mammograms with the deductible waived for these screenings. It is imperative that women take advantage of this covered service. Early diagnosis is essential for successful treatment of this disease. Self-examination, and annual mammograms can save lives.

This year, the Pentagon's spending bill includes \$160 million for breast cancer research and related treatment. The bulk of this appropriation will go toward the Army's peer-reviewed research program, which focuses on innovation; and encourages new investigators to enter the field of breast cancer research, as well as foster multidisciplinary approaches to this research.

The Health and Human Services appropriations bill presently working its way through the Congress, has a House-passed level of \$145 million for breast and cervical cancer screenings.

The bill also contains language urging the National Cancer Institute [NCI] to strengthen its commitment to breast cancer research and to maintain support for the implementation of the National Action Plan on Breast Cancer.

In the House we need to pass legislation which will offer concrete assistance to victims of breast cancer. There are proposals pending

in the House which will first, guarantee a minimum hospital stay of 48 hours for a woman having a mastectomy; which will second, guarantee that insurance companies will cover the cost of reconstructive breast surgery resulting from mastectomies for which coverage is already provided; which will third, guarantee that no insurance plan will be allowed to deny coverage to women for annual mammograms for women aged 40 and over. We need to pass these measures. And, most important, we need to increase the amount of money we allocate for breast cancer research in this country.

Mr. Speaker, to borrow from a well-known television commercial, these women are our wives, daughters, mothers, grandmothers, and aunts. We must do everything we possibly can to eliminate this disease, which devastates so many lives and families each year.

ENCRYPTION POLICY—AMERICA'S
POLICE OPPOSE THE SAFE ACT
(H.R. 695)**HON. GERALD B.H. SOLOMON**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 28, 1997

Mr. SOLOMON. Mr. Speaker, if you want a perfect example of how the election process can be corrupted by using large amounts of money to enact policy which is detrimental to the interests of the American people, you need only look at H.R. 695, the SAFE Act.

The SAFE Act was drafted by and for the software industry with no consideration to the national security and public safety needs of the American people. I believe a compromise should be reached between industry's desires and the legitimate law enforcement concerns of the American people. However, Bill Gates, who is worth over \$40 billion, is asking Congress to ignore the safety of the American people so he will make more money.

Today, police may conduct a search of property or intercept communications only after they prove to a judge that they have probable cause to believe that a crime may occur. We possess the capability to safeguard the status quo in criminal justice by using an encryption process called key recovery. Yet, the sponsors of H.R. 695 are unwilling to accept this compromise. In other words, H.R. 695 eliminates one of our most important law enforcement mechanisms. This is the reason virtually every police and law enforcement organization in the country opposes H.R. 695. The Drug Enforcement Agency, the FBI, the National Security Agency, the National Sheriffs' Association, the District Attorneys Associations and the Association of Chiefs of Police oppose the SAFE Act.

Justice Department officials testifying before the House Judiciary Committee stated that the SAFE Act, "would severely compromise law enforcement's ability to protect the American people from the threats posed by terrorists, organized crime, child pornographers, and other criminals. It is difficult enough to protect the American people from crime without making criminals' tasks any easier.

In a letter you received from our top law enforcement officials, they state that encryption bills which do not contain key recovery, such as the SAFE Act "risk great harm to our ability

to enforce the laws and protect our citizens." They believe key recovery is essential "to allow police departments, attorney generals, district attorneys, sheriffs, and Federal authorities to continue to use their most effective investigative techniques, with court approval, to fight crime and espionage and prevent terrorism.

INTRODUCTION OF THE KAKE
LAND EXCHANGE ACT**HON. DON YOUNG**

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 28, 1997

Mr. YOUNG of Alaska. Mr. Speaker, today, I am introducing the Kake Land Exchange Act of 1997. This bill will provide for an exchange of land between Kake Tribal Corp. [KTC], a village corporation formed pursuant to the Alaska Native Claims Settlement Act, and the U.S. Forest Service.

Specifically, the legislation makes possible an exchange in which the corporation transfers approximately 2,427 acres of its ANCSA entitlement lands surrounding the municipal watershed of the city of Kake, for an equal acreage of land managed by the Forest Service in the Saginaw Bay and Hamilton Bay areas. The bill serves two important purposes and enjoys the support of the Governor of Alaska, the city of Kake, Sealaska—the Regional Native Corporation—and the Alaska Federation of Natives, as well as other individuals and groups in southeast Alaska.

The two primary goals of the bill are to protect and preserve the Gunnuk Creek Watershed, which serves as Kake's supply of drinking water, and to enable the shareholders of KTC to realize benefit from its land entitlement in fulfillment of ANCSA's purposes.

The need for the bill was illustrated in the 1970's and 1980's when timber harvesting of the land in the Gunnuk Creek Watershed raised great concern in the community of Kake. To safeguard the watershed, logging activity on these lands halted. However, because the lands are owned essentially by a for-profit corporation, residents of Kake, many of whom are KTC shareholders, do not have total assurance that the watershed can be protected over the long term.

This legislation solves this dilemma simply by allowing KTC to exchange the watershed lands for other timbered lands. The lands transferred to the Forest Service will have long-term protection, while the lands conveyed to KTC can be used for the benefit of its shareholders.

In furtherance of the purposes of this bill, the city of Kake is willing to enter into an agreement with the U.S. Forest Service to manage the watershed property, once the exchange is completed. I believe this is a prudent move, and can be pursued either as part of this legislation or separately.

This exchange is an example of how economic development and protection of water resources can be simultaneously achieved in Southeast.

HONORING GERTRUDE SIMMONS
ON HER 100TH BIRTHDAY

HON. ROBERT W. NEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 28, 1997

Mr. NEY. Mr. Speaker, it is my pleasure to rise today to celebrate the 100th birthday of Gertrude Simmons of Tuscarawas, OH. Gertrude was born October 27, 1897 in Midvale, OH.

Gertrude was a member of the Midvale Methodist Church where she played piano and organ, directed the junior choir, and sang in the adult choir. She is the oldest member of the Midvale Club. After marrying her late husband, Walter, in 1920, Gertrude moved to Tuscarawas. She became a member of the Sharon Moravian Church where she sang in the choir and for weddings, funerals, and community events.

Gertrude is an avid sports fan and she enjoyed cooking, baking, gardening, and oil painting when still in good health. She attributes her longevity to hard work, enjoying life, and taking one day at a time.

Mr. Speaker, I ask that my colleagues join me today in celebrating Gertrude Simmons 100th birthday. I wish Gertrude a very happy birthday.

TRIBUTE TO DOUGLAS K. RUSH

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 28, 1997

Mr. SKELTON. Mr. Speaker, I invite my colleagues in the Congress to join me in paying tribute to Douglas K. Rush, a truly outstanding Naval officer and attorney from St. Louis, MO. After 29 years of exemplary active and reserve service in the U.S. Navy, Captain Rush is retiring from the military.

Doug Rush, a veteran of the Vietnam war and Operation Desert Storm, began his military career in 1968 as a cadet in the U.S. Naval Academy. Following his graduation in 1972, Mr. Rush served in the U.S. Navy through the end of the Vietnam war until 1978. Following his active duty tenure, Mr. Rush joined the Navy Reserves, where he served for 13 years. In 1991, Operation Desert Storm summoned Mr. Rush's reserve unit to active duty, and once again, he was called to serve his country in a foreign war. At the conclusion of Operation Desert Storm, Mr. Rush returned to reserve duty, whereupon he retired in May of this year.

Mr. Rush not only began an outstanding military career at the Naval Academy, but his education there laid the foundation for an outstanding civilian career. Earning a bachelor of science in military and political science from Annapolis in 1972, he went on to study at St. Louis University School of Law. In 1981, Mr. Rush graduated cum laude, earning a juris doctor degree. Mr. Rush worked at the Armstrong, Teasdale, Schiafly, and Davis firm first as a law student, then as an associate upon his graduation. He eventually became a partner and the assistant chairman of the Transportation Law Department. He remained with this firm until 1993, when he joined the Law

Offices of C. Marshall Friedman. As a member of this firm, Mr. Rush specializes in trial cases on behalf of injured railroad workers.

Mr. Rush also serves the community of St. Louis as a civic leader. He served for approximately 6 years on the St. Louis School Board, and was elected president of that organization. As a member of the school board, he lobbied for desegregation programs, and concentrated on efforts to raise achievement levels in the St. Louis public schools. Mr. Rush has received awards for his civic achievements, including the Outstanding Civic Leader Award, given by the St. Louis Junior Chamber of Commerce and the Government Achievement Award, given by the East-West Gateway Coordinating Council. Doug also has served as a trustee of the city of St. Louis Mental Health Board since 1992.

Today, we honor his service to this country, and we also honor Douglas Rush for his outstanding civilian achievements in the field of law and the community of St. Louis, MO. I wish him well in the days ahead.

TRIBUTE TO STEPHEN G.
RAYMOND

HON. JIM SAXTON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 28, 1997

Mr. SAXTON. Mr. Speaker, it is a great privilege for me to recognize and honor Stephen G. Raymond, longtime prosecutor of Burlington County for his many years of devoted public service to the residents of Burlington County.

His journey from youngest prosecutor ever appointed in the State of New Jersey to his service as our State's senior prosecutor has brought him a murder clearance rate which is virtually unmatched.

On the cutting edge of many victims' rights issues, Burlington County was the first in the State to institute a must-arrest policy in domestic violence cases; to open a child advocacy center, the only one in the State which is nationally accredited; to use closed circuit television in child abuse cases, a practice which has been endorsed by the U.S. Supreme Court; and, to institute annual comprehensive 24-hour mandatory training for all police officers in the county.

Through his efforts and leadership, Burlington County received a COPS MORE grant for \$2.7 million, one of the largest in the country, awarded due to the unprecedented level of cooperation among all county law enforcement agencies.

The strong working relationships his office has achieved with schools, victims' groups, community groups, and governmental agencies are another significant achievement of his tenure as prosecutor.

I have enjoyed working with Steve Raymond through the years on many issues of concern to our mutual constituents, and I wish him continued success in the future.

JUDICIAL ACTIVISM AT ITS
FINEST

HON. JAMES A. BARCIA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 28, 1997

Mr. BARCIA. Mr. Speaker, it is a terrible tragedy when innocent children are neglected or abused, especially if it is by a person they know such as their parent, relative or friend. My heart breaks each time I hear of a needless death or injury to a defenseless child. People who intervene in cases of abuse and neglect are a special breed.

One of my constituents, Judge Karen Tighe, is being honored October 29, 1997, by the Child Abuse and Neglect Council for her continued efforts to resolve these terrible situations and improve the quality of life for many children. The goal of the Child Abuse and Neglect Council is to end the suffering of children throughout Bay County. No one deserves this award more than Judge Karen Tighe for her tireless efforts to end the cycle of abuse and neglect.

A 1972 graduate of the University of Michigan, Judge Tighe pursued a law degree and graduated from the Detroit College of Law in 1976. Her life long commitment to helping abused and neglected children sprung to life when she worked for Neighborhood Legal Services in Detroit. Upon graduation, while many of her classmates took jobs with large firms, she took a full time job with Neighborhood Legal Services where she had volunteered countless hours during law school.

In 1977, Judge Tighe accepted a position as Assistant Prosecutor in Bay County. Shortly thereafter, she accepted the Assistant Friend of the Court position and in 1983 she started hearing domestic relations matters as a referee. Named Acting Circuit Court Administrator by her colleagues in 1990, Judge Tighe continued to defend the rights of children while overseeing the 40 employee court. Judge Tighe was elected Probate Judge in 1994.

While protecting the rights of children as an attorney and judge, she found time to further her goal to end family violence. Judge Tighe spent 5 years as a board member of the Bay County Women's Center and 4 years as President of the Bay County League of Democratic Women and Men. She was appointed to serve 2 years by the Governor on the Michigan board of Psychology. Judge Tighe also spent 2 years as Instructor of Family Law at Delta College and 2 years as Vice-Chair of the Michigan Family Support Council.

She could not have dedicated so much time and effort without the love and support of her husband, Thomas E. Bock, a local attorney and former City Commissioner and their 12-year-old daughter Sarah.

Mr. Speaker, if we want citizens who are absolutely driven by the concept of community and family, then we must continue to recognize individuals like Judge Karen Tighe. I ask you and all of our colleagues to join me in wishing Judge Tighe good fortune in all her future endeavors.

BREAST CANCER AWARENESS
MONTH

SPEECH OF

HON. STEVE R. ROTHMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 22, 1997

Mr. ROTHMAN. Mr. Speaker, I am proud to rise today and join my colleagues in recognition of October as Breast Cancer Awareness Month. We have all heard the figures: Last year, 182,000 women were diagnosed with breast cancer, 46,000 died of it, and currently 2.6 million women are living with it.

These staggeringly high numbers are one of the reasons why some of the first bills I put my name on as a cosponsor when I came to Congress last January were breast cancer related. One bill would guarantee a minimum hospital stay of 48 hours for a woman having a mastectomy. Another would require health insurance companies that provide coverage for mastectomies to cover reconstructive

breast surgery that results from a mastectomy. Still another would require insurance plans to cover annual mammograms for women ages 40 and above who choose to have the test.

These are important bills, and I hope they will move quickly through their respective committees and that the leadership will bring them to the floor so we can pass them and have them signed into law. However, as helpful as these bills may be, I wish that they were unnecessary. I wish we did not need to worry how to best treat the disease, or to create guidelines for hospital stays and insurance coverage. I wish that someday, someday very soon, breast cancer will be a thing of the past.

The medical community has made huge advances in detecting and treating cancerous tumors, and I applaud their accomplishments. Thanks to numerous studies, no one will dispute that early detection is a key component to surviving this devastating illness. In addition, Congress helped with the passage of the Balanced Budget Act which provided Federal funding for annual screening mammograms for women over the age of 39. With newer forms

of treatment available, early detection almost ensures survival.

Even with all that has been done, however, we still know very little about how to prevent breast cancer. More research needs to be done. Since at least two-thirds of breast cancer occurs in women with no known risk factors, we must work to find why these women acquired the disease. To do this we must continue to support researchers so they are able to find a cure.

Women who battle breast cancer are heroes. They survive and endure pain and treatment that no person should have to suffer. However, we need them to continue to be heroes in other aspects of life. We need them to continue to be mothers, wives, and daughters, teachers, workers, and full contributors to society. Some 2.6 million women have breast cancer. This number is unacceptably high, and will always be until it reaches zero. Let's continue to work together until breast cancer is a crisis of the past.