

EXTENSIONS OF REMARKS

THE FEDERAL PROTECTIVE SERVICE REFORM ACT

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 10, 1998

Mr. TRAFICANT. Mr. Speaker, today I am introducing the Federal Protective Service Reform Act of 1998. This legislation makes much needed reforms to the Federal Protective Service (FPS). These reforms will allow FPS to better meet the growing threat posed by terrorism to federal buildings and the people who work in and visit federal buildings.

On April 19, 1995, a truck bomb destroyed the Alfred P. Murrah federal building in Oklahoma City, Oklahoma. The tragic and despicable act killed 168 people and wounded hundreds of others. The Oklahoma City bombing served as a sober reminder that the United States is not immune to acts of terror. The bombing also revealed that we were woefully unprepared for such an act.

I was deeply disturbed to learn that there was only one contract security guard on duty in Oklahoma City on April 19, 1995. That contract guard was responsible for providing security at the Murrah building and two other federal buildings in Oklahoma City. There is evidence that those responsible for bombing the Murrah building cased the building in the days and weeks leading up to the bombing. The fact that the Murrah building was, for the most part, unprotected, could have played a role in the decision of the terrorists to bomb that building.

In the wake of the Oklahoma City bombing, the Public Building Service (PBS) of the General Services Administration (GSA) has made great strides in improving the physical security of the 8,300 federal buildings under its control. But, as a recent hearing by the Transportation and Infrastructure Subcommittee on Public Buildings and Economic Development revealed, the security upgrade program initiated in the wake of the Oklahoma City bombing has been hindered by mismanagement and a reduction in staffing. In addition, structural and personnel problems within the Federal Protective Service are also hindering GSA's ability to upgrade and improve security.

At the present time the FPS is a unit within PBS. The head of FPS reports to the PBS commissioner. The PBS commissioner does not have a law enforcement background and his main responsibility is real estate management—not law enforcement. While we do have a very able and talented PBS commissioner, I did not believe that security is best served by having FPS as a sub-entity within PBS.

While I recognize that the use of contract guards is necessary, I am concerned that the use of contract guards may not be appropriate at certain federal buildings. I am also concerned over the fact that contract guards do not undergo the same type of background checks as FPS officers. All FPS officers undergo a full and detailed background inves-

tigation, including a review by the Federal Bureau of Investigation. Contract guards, on the other hand, only undergo a cursory background check. At the present time there are only 648 full-time FPS officers, as opposed to more than 5,000 contract guards. The best deterrent to a terrorist bombing or attack on a federal building is a highly trained, professional and fully staffed FPS.

I have great admiration for the men and women who serve so ably on the FPS. That's why I am deeply troubled that FPS officers are paid significantly less than other federal law enforcement officers that perform the same function. This is not fair. Equally as disturbing, the low level of compensation combined with poor communication between management and the rank and file is causing a morale and turnover problem that could further compromise security. Morale plays a key role in the effectiveness of any law enforcement agency. The Federal Protective Service Reform Act will make the changes needed to boost morale, improve management and make FPS better able to respond to terrorist threats to federal buildings.

Quite simply, Mr. Speaker, the goal of my legislation is to remake the FPS into an elite federal law enforcement agency with a well trained, professionally led, highly motivated and appropriately compensated cadre of officers. Another goal is to ensure that decisions to how best to ensure the security of federal buildings are based on sound law enforcement and intelligence analysis—not on budgetary considerations. The main features of the Federal Protective Service Reform Act will:

Establish, by statute, the Federal Protective Service as a freestanding service within GSA, with the responsibility of serving as the principal law enforcement and security agency in the United States with respect to the protection of federal officers and employees in buildings and areas under GSA's control (under the Public Buildings Act, the GSA Administrator has the authority to appoint special police officers and investigators, but the Act does not require GSA to establish an FPS).

Make FPS a service within GSA, separate from PBS. Under the bill, the FPS would have its own commissioner who will report directly to the GSA Administrator (currently the head of FPS has the title of Assistant Commissioner within the Public Building Service).

Clarify the responsibilities and authority of FPS officers, including giving them the ability to carry firearms to and from work, providing officers with a "buffer zone" of responsibility extending as far as 500 feet from a federal building, and clearly delineating the circumstances under which FPS officers can make arrests.

Establish a pay scale and benefit package for FPS officers similar to that of the Uniformed Division of the Secret Service.

Require GSA to hire at least 730 full-time FPS officers within one year of enactment of the bill into law, and bar GSA from reducing the number of full-time FPS officers unless specifically authorized by Congress (the PBS

commissioner recently stated that GSA's long-term goal is to have 724 full-time FPS officers).

Require contract guards to undergo the same background checks as FPS officers, and require GSA to prescribe adequate training standards for contract guards.

Direct a General Accounting Office study of the feasibility of merging all federal building security services under FPS.

Require that the FPS Commissioner be a career civil servant with extensive law enforcement experience.

Direct FPS to work closely with other federal agencies in gathering and analyzing intelligence.

Direct the FPS commissioner to provide assistance, upon request, to other federal, state and local law enforcement agencies.

Mr. Speaker, the Federal Protective Service Reform Act of 1998 is an urgently needed piece of legislation that will allow this country to better protect itself from a terrorist attack. This legislation should be an integral part of our counter-terrorism strategy. I urge all Members to support this bill.

TRIBUTE TO BRIAN STOWE

HON. JOHN F. TIERNEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 10, 1998

Mr. TIERNEY. Mr. Speaker, I rise to salute Mr. Brian Stowe of Lynn, Massachusetts who has received an award from the Lynn Hispanic Scholarship Fund, Inc. for academic excellence.

I hope Brian appreciates and is proud of his accomplishments. At a young age, he has realized the value of helping those less fortunate than himself by volunteering in his community. A particular passion of Brian's has been his involvement with My Brother's Table, a food pantry which services the needy. A native of Lynn, Brian will leave home for the first time in the fall as he begins his college career at Fairfield University in Connecticut. I trust that he understands the value of continuing his education, and I am certain that he will enjoy many new challenges. His dedication and commitment are to be commended. I have no doubt that he will be successful in his future endeavors.

Indeed, Mr. Stowe has worked hard to achieve his goals. Mr. Speaker, I am proud to stand here to recognize the accomplishments of Brian Stowe, and I hope my colleagues will join with me today in wishing Mr. Stowe the very best as he continues his education.

SEXUAL HARASSMENT

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 10, 1998

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for Wednesday,

• 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.

May 27, 1998 into the CONGRESSIONAL RECORD.

SEXUAL HARASSMENT

When I came to Congress in the 1960s, women were beginning to define the feminist movement and to provide their own answers to the question, "What do women want?" Women have since advanced in all areas of American life, from Little Leagues including girls, to the military academies admitting women, to women serving in greater numbers in the highest ranks of government and business. Women have also helped shape public policy on a number of fronts, including workplace laws barring sex discrimination and promoting equal pay as well as laws providing for family and medical leave and gender equity in education.

Recent events, including the Paula Jones suit, the Clarence Thomas-Anita Hill hearings, and the sex scandals in the military, are focusing public interest on sexual harassment in the workplace. Sexual harassment claims have increased as more women have entered the workforce and the issue has gained greater attention. The number of sexual harassment complaints filed with the Equal Employment Opportunity Commission (EEOC), the federal agency responsible for enforcing discrimination law, increased from 6,800 in 1990 to nearly 16,000 cases in 1997.

What precisely constitutes sexual harassment, however, continues to be a vexing question. There are few established guidelines for employers and employees in this area, and the relevant federal laws do not even include the words "sexual harassment." The vague nature of current law and the increase in cases before the courts have added pressure on the legislative and judicial branches to clarify the law in this area.

Overview: The Civil Rights Act of 1964 is the primary law addressing sexual harassment. Title VII of this law does not specifically mention sexual harassment, but makes it unlawful for employers with 15 or more employees to discriminate against any applicant or employee on the basis of sex. The law implies that when a supervisor sexually harasses a subordinate because of the subordinate's sex, that supervisor discriminates on the basis of sex.

The EEOC will generally enforce Title VII claims in the following manner: Upon receiving a complaint from an employee, the EEOC investigates the case and renders a decision on whether there is reasonable cause to believe that discrimination has occurred. If the EEOC substantiates the charge but is unable to reach an acceptable conciliation agreement between the employer and employee, then the EEOC will issue a right to sue letter on behalf of the employee. If an employee chooses to file a private lawsuit under Title VII, the employee must begin with filing a charge with the EEOC.

Sexual harassment cases are generally divided into two basic categories, "quid pro quo" and "hostile working environment" harassment. Traditional quid pro quo harassment takes place when an employee suffers tangible harm—the loss of a job, promotion, income or benefits—because the employee has resisted sexual advances. Recently, the legal definition of sexual harassment has been expanded to include hostile working environment harassment. Hostile working environment harassment is defined as an "intimidating, hostile, or offensive environment" or an environment which unreasonably interferes with an individual's work performance.

Unresolved Areas: The federal courts are now wrestling with a range of issues in this area of the law.

Defining quid pro quo: The Supreme Court is considering whether a worker has a legiti-

mate quid pro quo case if the employee neither submitted to the employer nor suffered any tangible detriment for saying no. The employee in the pending case alleges her supervisor made sexually lewd comments throughout her employment, including specific remarks implying her job was on the line if she did not comply with his advances, but the employee never suffered adverse consequences for not complying. The Supreme Court's decision on this case could potentially lower the threshold for what constitutes legitimate quid pro quo harassment, and could directly impact cases pending in federal court, most notably the Jones case.

Defining hostile work environment: In moving a hostile work environment claim, the employee is required to show that the supervisor's conduct was so severe or pervasive that it created a hostile work environment. Federal courts have split on the question of whether an employee must prove not only that the conduct complained of would have offended a reasonable victim, but also that she suffered serious psychological injury as a result of the conduct. The Supreme Court attempted to clarify the matter in 1993, concluding that a victim of sexual harassment need not experience a "nervous breakdown" for the law to come into play. But as the Jones case demonstrated, the issue continues to be hotly debated.

Employer liability: A third issue is whether and when employers are liable for the actions of their employees. Most courts usually hold employers responsible for quid pro quo sexual harassment by supervisors, but employers are not automatically liable for a hostile environment created by supervisors or co-employees. In a hostile environment case, the employee must show that the employer's knew or should have known about the harassment.

Same-sex harassment: A fourth issue is whether sexual harassment can occur between an employer and employee of the same sex. The Supreme Court ruled this year that the law does allow for same-sex claims.

Conclusion: What impresses me about this issue is how much difficulty we have had sorting out relations between men and women in the workplace, how much confusion exists between the genders, and how vague and imprecise the law is in this area, even after three decades of evolution. It will not be easy for Congress or the courts to solve this age-old problem. We must, of course, keep trying for better laws and equal treatment, but men's and women's relationships have always been—and will remain—extremely complicated and filled with ambiguities.

The confusion and uncertainties of the sexual harassment laws create wasteful litigation and disruption in the workplace. Employers and employees may not know what is legal and what is not. A vague law makes justice depend on which judge or jury is deciding any particular case. It is time for Congress or the Supreme Court to clarify the law. With current cases pending, it is more likely the Court will speak first.

IN HONOR OF THE CONGREGATION
OF GEORGIAN JEWS' 16 YEAR
ANNIVERSARY CELEBRATION

HON. CHARLES E. SCHUMER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 10, 1998

Mr. SCHUMER. Mr. Speaker, throughout the past twenty-six centuries the Georgian Jews have carried the torch of the Jewish

faith, preserving the traditions, customs and practices of their age-old religion. This special unified community boasts riches of traditions and a unique history and interface with the world's Jewry.

The roots of the Georgian Jewish community extend as far back as the sixth century BCE, where upon expulsion by the Assyrians, as well as the fall of Jerusalem and the destruction of the First Temple, a group of Israelites settled in the Caucasus Region, presently known as the Republic of Georgia. Archaeological discoveries of a number of Jewish settlements from the period of the destruction of the Second Temple, clearly establishes the continuing connection between the Georgian Jews and Jerusalem. Neither Ashkenazi or Sephardi in their affiliation, Georgian Jews represent an independent string to the Twelve Tribes of Israel; a string that has played an integral role in the development and maintenance of the Jewish identity and nationality.

The Georgian Jews' undying devotion to the Jewish faith and patriotism for the Biblical Homeland continues to flourish in this century as well. The Georgian Jews managed to make themselves heard and recognized even from behind the Iron Gates of the Soviet Union in 1969, in the form of a letter sent to the United Nations, which demanded the right to emigrate to the State of Israel. This unprecedented call for freedom caused the first crack of the Iron Curtain that marked the beginning of the "Aliyah," the migration to Israel, of the oppressed Soviet Jewry to their beloved Homeland.

Today, the Georgian Jews are mostly settled in the United States and Israel and continue to follow in the footsteps of their ancestors, perpetuating the religious and spiritual traditions of their heritage. The Synagogue has always played an integral role in the communities of the Georgian Jews, serving as the center of religious life and the spiritual source of nourishment which feeds the souls of Georgian Jews around the world, from Israel to Georgia to the United States.

The Congregation of Georgian Jews in Forest Hills, New York, the main synagogue, represents the strength of Georgian Jews and is a beacon for their communities throughout the world. The synagogue is a symbol of the survival of the Georgian Jewry, and their dedication to their faith, culture and heritage.

I want to recognize the devotion and determination of the Georgian Jewry that they have continually exhibited towards their religion and communities. The Georgian Jews are truly inspirational. I am confident that their communities will continue to grow and flourish, and that with the future of their children, the light of the past will continue to shine.

LEARN TO FLY MONTH

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 10, 1998

Mr. DUNCAN. Mr. Speaker, the General Aviation Industry is one of the most important industries in our Nation. Since the Wright Brothers' first flight in Kitty Hawk, North Carolina, aviation has played a crucial rule in the livelihood of our Nation.

In the United States, business aviation and U.S. air carriers are experiencing record growth and are expected to carry over 1 billion passengers a year early in the next decade.

Aviation is an essential ingredient in the economic success of our Nation. The role of aviation can be seen each and every day at over 13,000 airports and landing facilities here in the United States. It is here that the men and women of the aviation industry strive to make the United States the world's leader in aviation.

The month of June has been designated as "Learn To Fly Month". I hope that more people will take an interest in aviation. In order to maintain our position as the world's leader in aviation, the United States must recognize the importance of highly qualified and well-trained pilots.

These pilots are a key ingredient in the success of the United States Aviation Industry and help to maintain the best aviation infrastructure in the world.

I place the following proclamation by Transportation Secretary Rodney Slater proclaiming June as Learn To Fly Month, in the RECORD and call it to the attention of my colleagues.

THE SECRETARY OF
TRANSPORTATION,
Washington, DC, June 9, 1998.

Whereas aviation is a vital link of our nation's transportation system and economy;

Whereas the growth, safety, and efficiency of aviation requires highly qualified pilots;

Whereas in 1996, fewer people undertook flight training than anytime since the Korean War, and the overall U.S. pilot population declined to the lowest number in over 20 years;

Whereas the United States Military is training fewer pilots than anytime in recent history;

Whereas the United States airlines and business aviation are experiencing record growth and are expected to carry over 1 billion passengers a year early in the next decade;

Whereas the General Aviation Revitalization Act of 1994 has stimulated the rebirth of light general aviation aircraft manufacturing in the United States;

Whereas general aviation is playing an increasingly important role in the nation's air transportation system serving over 13,000 airports and landing facilities;

Whereas the experience of flight offers the opportunity for personal challenge and self fulfillment in professional and personal endeavors;

Whereas GA Team 2000 has been formed by over 120 companies and associations representing all facets of the civil aviation industry with the specific purpose of stimulating more student pilots;

Whereas over 1600 flight training institutions and schools are participating in this national effort;

Therefore in special recognition of rebuilding America's pilot population, I Rodney Slater, Secretary of Transportation, do hereby proclaim June 1998 as Learn to Fly Month with the recognition that highly qualified and well trained pilots are an essential ingredient of our nation's aviation infrastructure.

RODNEY E. SLATER.

TRIBUTE TO PATRICIA FRANCIS

HON. JOHN F. TIERNEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 10, 1998

Mr. TIERNEY. Mr. Speaker, I rise to salute Ms. Patricia Francis of Lynn, Massachusetts who has received an award from the Lynn Hispanic Scholarship Fund, Inc. for academic excellence.

I hope Patricia appreciates and is proud of her accomplishments. She has challenged herself by transitioning from bilingual classes to English only classes after only one year in the bilingual program. She has also successfully balanced several extracurricular activities with her academic responsibilities. Serving in her role as a mentor for elementary school children, Patricia has undoubtedly made an impression upon them about the importance of making a commitment to education. Her dedication is to be commended. I have no doubt that she will be successful in her future endeavors as she pursues her career goals in journalism starting at Salem State College.

Indeed, Ms. Francis has worked hard to achieve her goals. Mr. Speaker, I am proud to stand here to recognize the accomplishments of Patricia Francis, and I hope my colleagues will join with me today in wishing Ms. Francis the very best as she continues her education.

THE BUDGET

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 10, 1998

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for Wednesday, June 10, 1998 into the CONGRESSIONAL RECORD.

THE BUDGET SURPLUS

One of the most striking economic developments this year has been the return of the federal budget surpluses. For the first time since the Johnson Administration the federal government will spend less than it receives in revenue. The deficits reached a record \$290 billion in 1992 under President Bush, and for many years they have dominated the policy debate in Washington. Turning this around has been a major accomplishment. Now Congress is faced with the quite different question of what to do with the surpluses.

LATEST PROJECTIONS

The latest projections are that the federal budget will run a surplus of around \$50-60 billion this year. The projections are even better after that, as the combined surpluses over the next ten years could exceed \$1.5 trillion. These surpluses reverse the trend of the past three decades in which the federal government built up most of the national debt, which now stands at \$3.8 trillion.

REASONS FOR SURPLUS

Part of the credit for the surplus goes to Congress, especially for passing the 1993 deficit reduction package. That helped to slow the growth of government spending and built greater spending restraint into the budget law. Major factors in holding down spending have been the shift toward managed care in Medicare and defense downsizing after the end of the Cold War.

But even more important than the spending restraint has been the growth in revenues coming into the Treasury because of the strong showing of the U.S. economy. More people have been working and hence paying taxes; the stock market has been booming, generating a sharp increase in capital gains taxes; and corporate profits have been high. Tax revenues during the month of April were some 14% higher than a year ago, and, because of the strong economy, tax receipts as a share of the economy have risen to 21.5%, a postwar record.

NEED FOR CAUTION

Yet that dependence of the budget surplus on the economy's remarkable performance means we must be particularly cautious. Our economy will at some point slow down. The current economic expansion is the second longest since World War II, and the business cycle hasn't been repealed. When the economy slows, incoming revenues will drop and the surplus could be reduced or eliminated altogether. Even an average-sized recession could mean a \$100 billion budgetary shortfall for a year or two.

There's a second reason to be careful with these surpluses. Long-range forecasts can be quite unreliable. The forecast of a surplus five or ten years from now is not much better than an educated guess. Early last year, for example, the Administration was forecasting a \$121 billion deficit for 1998; now they are forecasting a sizable surplus. If we cut taxes or increase expenditures now, that will be very hard to reverse if the forecasts are wrong.

A third reason to be cautious is that the surpluses are to some degree an illusion. They occur because the tallying of federal spending and receipts includes the surpluses in Social Security. If the Social Security accounts are removed, the remaining tax payments fall tens of billions of dollars short of covering the full cost of providing government services.

The fourth reason for caution about the surpluses is a longer-term one. When the baby-boom generation begins to retire in about ten years, the whole demographic structure of our population changes. Between now and the year 2030 the number of people aged 65 or older will double, but the number of people ages 20 to 64 will increase by only about 15%. As the baby-boomers become eligible for Social Security, Medicare, and Medicaid, that will put an enormous strain on federal spending. The biggest chunk of federal spending, by far, currently goes for programs for older Americans, and that will only increase in the years ahead.

POLICY OPTIONS

The surpluses put us into an altogether new policy field, and there are many proposals in Washington today to cut taxes or increase spending. Yet I think a very strong case can be made for using the emerging surpluses to pay down the federal debt.

Despite the bright projections for the budget, the short-term uncertainties and the future imbalances due to the baby-boomers' retirement are cause for major concern. A key issue before Congress and the President is how to begin to prepare for the budgetary shortfalls that will surely arise. I find it helpful to think about this problem of the immediate surpluses in terms of ourselves and our children and grandchildren. If we cut taxes or increase spending now we can certainly provide benefits for ourselves. On the other hand, if we keep the surpluses to pay down the country's debt, that will boost the supply of private savings and investment and provide higher incomes for the next generations. Passing on a huge debt burden, which today requires interest payments of almost \$250 billion each year, is quite unfair to our

children and grandchildren and it is a poor way to prepare for the next century.

We cannot count on the favorable trends continuing; the wise thing to do is to wait and see what happens. We should also wait until Congress takes steps to shore up Social Security. We should not be spending the surpluses until the government's revenue and spending excluding Social Security are in balance and Social Security's long-term fiscal imbalance has been addressed. It is certainly premature to talk about spending a surplus when we have huge entitlement costs looming before us in the near future. We shouldn't spend money we may not have. Moreover, I don't see the American people crying out for government action, either on the spending side or the revenue side. And, with the economy performing quite well, I see little reason for changing the government's fiscal approach at the present time. So I think we should resist the proposals calling for new tax cuts or increased government spending. I believe we will get a higher economic return from future surpluses by using them to whittle down the \$3.8 trillion in federal debt held by the public.

I understand that it is possible to use the surplus to carefully craft tax cuts or new spending programs that deepen the nation's long-term capital base and encourage economic growth. But I am not at all sure that those sound proposals would emerge from the legislative process. On balance debt reduction probably makes more sense.

CONCLUSION

So my preference is to leave the budget surplus alone, and if sizeable surpluses do in fact arrive they should be committed to our future, not to the present. It seems clear to me that those who want to reduce the surpluses, whether by tax cuts or spending increases, will be impairing the incomes of our children and grandchildren. They are making a clear choice, preferring our generation to future generations.

A TRIBUTE TO THE ISRAELI MIA'S

HON. CHARLES E. SCHUMER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 10, 1998

Mr. SCHUMER. Mr. Speaker, I rise today to commemorate the capture of several Israeli soldiers who were taken prisoner by the Syrians in the 1982 Israeli war with Lebanon.

On June 11, 1982, an Israeli unit battled with a Syrian armored unit in Lebanon's Bekaa Valley. The Syrians succeeded in capturing Sgt. Zachary Baumel, 1st Sgt. Zvi Feldman and Cpt. Yehudah Katz. Upon arrival in Damascus, the identified tank and crew were paraded through the streets draped in Syrian and Palestinian flags.

Since that terrible day in 1982, the Israeli and the United States Governments have been working to obtain any possible information about the fate of these missing soldiers, joining forces with the offices of the International Committee of the Red Cross, the United Nations and other international bodies. According to the Geneva convention, the area in Lebanon where the soldiers first disappeared was continually controlled by Syria, therefore deeming her responsible for the treatment of the captured soldiers. To this day, despite the promises made by the Syrian Government and by the PLO, very little information has been forthcoming about the condition of

Zachary Baumel, Zvi Feldman, and Yehudah Katz.

June 11 marks the anniversary of the day that these soldiers were reported missing in action. Sixteen pain-filled years have already passed since the families of the MIA's have last seen their sons, and yet President Assad has still not revealed their whereabouts.

One of these missing soldiers, Zachary Baumel, is an American citizen from my district in Brooklyn, NY. A dedicated basketball fan, Zachary began his studies at the Hebrew School in Boro Park. In 1979, he moved to Israel with other family members, and continued his education at Yeshivat Hesder, where religious studies are integrated with army service. When the war with Lebanon began, Zachary was completing his military service and was looking forward to attending Hebrew University, where he had been accepted to study psychology. But fate had unfortunately decreed otherwise and on June 11, 1982 he vanished.

Zachary's parents, Yonah and Miriam Baumel have been relentless in their pursuit of information about Zachary and his compatriots. I have worked closely with the Baumels, as well as the Union of Orthodox Jewish Congregations of America, the American Coalition for Missing Israeli Soldiers, and the MIA Task Force of the conference of Presidents of major American Jewish organizations. The Stella K. Abraham High School for Girls forged a project that has increased awareness and support for the MIAs plight for freedom. These groups have been at the forefront of this pursuit of justice. I want to recognize their devoted efforts and ask my colleagues to join me in commending their efforts. These families have been without their children for sixteen years. Answers must be found.

THE 25TH ANNIVERSARY OF THE MARYLAND REHABILITATION CENTER

HON. BENJAMIN L. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 10, 1998

Mr. CARDIN. Mr. Speaker, I rise today to pay special tribute to the Maryland Rehabilitation Center, which is celebrating its 25th Anniversary on June 19, 1998. Since opening its doors in 1973, the Center has gained international recognition as a provider of quality comprehensive rehabilitation services. At the Center, more than 50,000 individuals with disabilities have received the services they need to help them reach employment goals and achieve greater independence.

Located on 14 acres in northeast Baltimore, Maryland, the Maryland Rehabilitation Center is operated by the Maryland State Department of Education, Division of Rehabilitation Services. It is one of only nine comprehensive vocational rehabilitation centers in the United States, and has earned an international reputation for its innovative approach to helping individuals circumvent or compensate for their disabilities.

In carrying out its mission, the Center offers a wide variety of services, including evaluations, therapies, and training programs. In helping those with disabilities become as inde-

pendent as possible, the Center helps identify suitable vocational goals and therapy needs.

Occupational training is offered in 12 areas, including office technology, computer programming, automotive repair and cosmetology. The Center often works with employers to hire qualified individuals who have the skills to do the job. In addition, the Center also offers remedial education, counseling, driver's education and specialized services for individuals who are deaf and/or blind.

I hope that my colleagues will join me in saluting the Maryland Rehabilitation Center for its dedication and commitment to helping those with disabilities achieve their goals for employment and independence. The Center's pioneering work has given thousands of individuals an opportunity to achieve success.

TRIBUTE TO SAMUEL SPINA

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 10, 1998

Mr. PASCRELL. Mr. Speaker, I would like to take this opportunity to introduce you to a remarkable man, Samuel Spina, the Mayor of the Township of West Orange, New Jersey. Sam and I have worked together for many years. His colleagues and I agree that he has always been considered to be one of the most dedicated and conscientious public servants in our great state.

Born and raised in West Orange, Sam attended local schools and received his degree from Seton Hall University. Following graduation, Sam served our country in the United States Marine Corps. After completing his service commitment, he returned to marry his high school sweetheart, the former Joan Coen. Settling in West Orange, they raised seven children, and have more recently been blessed with six grandchildren.

Mayor Spina began his distinguished career in public service in 1970 when he was elected to the West Orange Township Council, receiving more votes than any other candidate in that open election. In May 1978, Sam was elected Mayor for the first time. In 1982, Sam became the first candidate for Mayor to run unopposed in the history of West Orange. Clearly his talents and keen insight into public policy were not lost on the electorate. After being elected to an unprecedented fifth term in 1994, he continues to serve in that position to this day.

The citizens' appreciation of Sam's service and the recognition from his peers have been unparalleled. He was elected to serve as the President of the New Jersey Conference of Mayors in April 1988. Mayor Spina took the office to which he was elected seriously, making a concerted effort to educate the people of the Garden State on the fundamentals of local government. In 1991, he was elected Chairman of the Essex County Conference of Mayors.

In addition to his respected political career, Sam has been extremely active in the West Orange community. Known throughout Essex County as a man who gives freely of his time, he frequently can be seen at Our Lady of Lourdes Church. He is also dedicated to recognizing and promoting the interests of our seniors and disabled citizens, often organizing

activities devoted expressly to them. Mayor Spina is also a valued member of the World Wildlife Fund, Common Cause, the West Orange Animal Welfare League, and GASP.

Mr. Speaker, I ask that you join me, our colleagues, the citizens of West Orange, and Sam's friends and family as we recognize Mayor Samuel Spina's valuable contribution to the community.

TIME TO PAY OUR U.N. DUES

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 10, 1998

Mr. HAMILTON. Mr. Speaker, it is time to pay the arrears that we owe to the United Nations.

I include for printing in the RECORD a letter from the Honorable John Whitehead, Deputy Secretary of State in the Reagan Administration, and Chair of the United Nations Association. Mr. Whitehead eloquently outlines the reasons we should pay our arrears, and the costs to United States interests if we do not. He further refutes effectively the argument some have made that we do not actually owe this money to the United Nations.

I urge my colleagues to read this letter, and call on the Congress to take action to pay what we owe.

UNITED NATIONS ASSOCIATION OF
THE UNITED STATES OF AMERICA,

June 1, 1998.

DEAR MEMBER OF CONGRESS: The United Nations Association of the USA, representing millions of Americans through its nationwide chapters and affiliated organizations, regrets the continuing impasse over payment of US arrears to the United Nations. We urge you to consider the following points during the weeks ahead as Congress grapples with the problem of meeting long-standing financial obligations to the United Nations.

The United States, first of all, faces the loss of its vote in the UN General Assembly at the end of this year under Article 19 of the UN Charter. This penalty is automatically applied if a member state's arrears at the year exceed the previous two years' assessments. With the world's largest economy by far, the US historically has been the largest contributor to the UN system. But, the US is now responsible for some 60 percent of the debt of all member states—arrears more than double the UN's annual regular budget, which are crippling UN capabilities and paralyzing peacekeeping. Although various contingencies could avoid America's loss of vote at the start of 1999, the mere possibility that the world's leader may be placed in such a position does not benefit our great nation.

On another issue of evident priority to American policymakers, the US now has a limited window of opportunity to negotiate a lowering of its United Nations assessment—from its present rate of 25 percent of the UN's regular budget to 22 percent. UN member states have indicated a willingness to reopen negotiations on the assessment level if a substantial amount of US arrears are paid. One might note that the Reagan Administration—in which I served as Deputy Secretary of State—had opposed such a reduction, fearing diminished influence would follow; other countries oppose it on grounds of equity: A member state's assessment is based primarily on "capacity to pay," largely measured by each member's share of world in-

come—over 26 percent for the United States. The US already pays less than this amount. In contrast, for example, the 15 member states of the European Union which account for 30.8 percent of world income, are assessed 36.2 percent of UN costs. The assessment on the Japanese, even with their ailing economy, will rise to just above 20 percent in the year 2000.

Those calling for a lowering of the US rate of assessment argue that this country makes appreciable contributions to the maintenance of international peace and security in other ways, particularly through its defense commitments and refugee and other emergency relief programs. They argue that the United Nations does not reimburse the US for these contributions. When the United States Government decides to launch such operations on its own, under its own control—even if blessed by authorizing United Nations Security Council resolutions—other countries have no say in the mission (and indeed, may see it as susceptible to manipulation for US advantage). We would rightly object to paying through the UN for Russian troops under Russian command in Georgia, or for Nigerian troops under Nigerian command in Sierra Leone—so we cannot claim that the rest of the world owes us money for US operations. The Italians, who led a mission in Albania with very close Security Council oversight, acknowledge they have no claim to reimbursement from other UN members for the costs of that operation. With UN control goes UN financial responsibility—and with national control goes national financial responsibility. If a country asserts exclusive control over its deployments, it volunteers to pay the costs on its own.

Most of the United States' debt to the United Nations actually is owed to past peacekeeping activities, particularly in the former Yugoslavia, which the US voted to create. This means that many countries are owed significant sums for their previous contributions of troops and equipment to peacekeeping operations, and countries are increasingly reluctant to offer troops to the UN when there is no reimbursement. There is no doubt that UN peacekeeping is a cost-effective investment in stability—but if UN peacekeeping is to survive, the United States must pay its share of those expenses.

For all the furious debate over US financial contributions to the agencies and activities of the UN system, the US annually spends only about 0.1 percent of our federal budget—or \$7 per American—on all voluntary as well as assessed contributions. These limited amounts provide support to combat malnutrition, contain the spread of infectious diseases, minimize the devastating impact of refugee flows, harmonize actions on global environmental initiative, provide economic assistance to developing countries and provide for a neutral intervenor to keep the peace in potentially volatile political situations.

The American people do not want the United States to accept the costs of single-handedly being the world's policeman or to address on its own a host of worldwide social, economic and environmental challenges. It serves the national interest to promote consensus-building and burdensharing at the international level and to strengthen the notion of the rule of law on which international stability rests. Opinion research consistently finds that an overwhelming majority of Americans believe in strengthening the United Nations to meet the challenges before us. In a world characterized by a growing web of global connections, the United Nations and its system of agencies and programs offer unique and essential avenues for the United States to exercise leader-

ship in support of its values and its vision for the future.

Sincerely,

JOHN C. WHITEHEAD,

Chairman.

TRIBUTE TO GISSELLE RUIZ

HON. JOHN F. TIERNEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 10, 1998

Mr. TIERNEY. Mr. Speaker, I rise to salute Ms. Gisselle Ruiz of Lynn, Massachusetts who has received an award from the Lynn Hispanic Scholarship Fund, Inc. for academic excellence.

I hope Gisselle appreciates and is proud of her accomplishments. She is most deserving of the many awards which have been bestowed upon her. Her leadership potential and her willingness to give back to her community are evident by the extracurricular activities she has chosen. She is a role model for her peers and an inspiration to her family, being the first to graduate from high school and go on to college. I trust that she understands the value of continuing her education and hope that she will continue her hard work. Her dedication and commitment are to be commended. I have no doubt that she will be successful in her future endeavors.

Indeed, Ms. Ruiz has worked hard to achieve her goals. Mr. Speaker, I am proud to stand here to recognize the accomplishments of Gisselle Ruiz and I hope my colleagues will join me today in wishing Ms. Ruiz the very best as she continues her education.

THE U.S. ARMY SCHOOL OF THE AMERICAS: LEADING THE FIGHT TO KEEP DRUGS FROM REACHING U.S. BORDERS, WHILE PROMOTING DEMOCRACY AND HUMAN RIGHTS IN LATIN AMERICA AND THE CARIBBEAN

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 10, 1998

Mr. BEREUTER. Mr. Speaker, as many of my colleagues are aware, there has been a concerted effort on many fronts to close the U.S. Army School of the Americas (SOA). The opponents of the school have often used distorted or false information that only serves one purpose—to mislead the American public. Opponents of the U.S. Army School of the Americas are correct to point out that several of the school's graduates have been implicated in crimes, corruption, and human rights violations. Press reports have accurately noted that former Panamanian dictator Manuel Noriega was a former student, as was one of the Salvadoran officers responsible for the 1989 assassination of six Jesuit priests. However, my colleagues should be aware that more than 60,000 young Latin American officers have graduated from the SOA since its creation in 1946, the vast majority of whom have served their nations honorably and responsibly. Graduates of the SOA are personally responsible for the return of democracy in Latin American

nations such as Bolivia and Argentina. Also, many of the school's graduates have lost their lives while combating the Narco-guerrillas and drug lords in Colombia and Peru.

These counterdrug operations are of vital interest to the safety and security of our Nation as the efforts of these brave Latin American soldiers are aimed at reducing the flow of drugs into the United States of America. This Member feels it would be a disservice to brand all the school's graduates as criminals because of the misdeeds of a very few.

The School of the Americas was established to heighten the professionalism of military establishments throughout Latin America. While the early focus of the institution during the Cold War was on combating Soviet-backed insurgencies, in recent years the school's emphasis has primarily shifted towards counterdrug operations to combat drug trafficking. The SOA curriculum also provides training in medical assistance, humanitarian and civil assistance, demining operations, peacekeeping operations, and most importantly human rights training.

One very positive result of the recent exposure of the school has been a much greater emphasis on human rights. They now expose every student at the school to a rigorous formal and informal training program on basic human rights. Specific classes and case studies are used to enhance the training and to make U.S. concerns unambiguously clear. The roles and rights of civilians, clergy, human rights observers, and U.N. personnel are integrated into the training program.

While the SOA has subsequently increased its emphasis on human rights, this Member believes that there is a basic value in encouraging young Latin-American military officers to study and train in the United States. An institution such as the SOA, which annually hosts 1,300 students from almost 20 countries, provides a level of professional training that is not otherwise available. Moreover, exposure to the U.S. lifestyle, values, and ideals offers important lessons for the future military leaders of Latin America.

There have been many false allegations in the past regarding the School of the Americas, such as the alleged existence of SOA torture manuals. This Member can assure my colleagues that there are no such manuals. This Member has contacted the Department of the Army, and the Department confirmed that such manuals do not exist. The SOA does not in any way engage in or endorse such heinous activities. Regarding the allegations that the SOA trains death squads and assassins, this Member can assure my colleagues that this is not true. The SOA is run by Officers of the United States Army that must operate the school in accordance with the governing regulations of the U.S. Army, the Department of Defense, and U.S. Public Law. Therefore, this Member can readily assure my colleagues that the SOA is not operating a training camp for death squads and assassins. The curriculum of the SOA is based on U.S. Military doctrine and practices, and uses the same materials from courses presented to U.S. military personnel. It is really outrageous that some people would tell such lies and sad that any Americans would believe such lies.

In April, a member of my staff traveled to Ft. Benning, Georgia, with a staff delegation from the House Committee on National Security on a fact finding tour of the SOA. The staff dele-

gation received a briefing on the entire curriculum currently being taught at the school. My staff member, with the aid of a translator, was able to engage in dialogue with a group of Latin American enlisted soldiers and asked questions about the type of training they were receiving from the SOA. The soldiers were from various countries such as El Salvador, Ecuador, Peru, Argentina, Columbia, Venezuela, and Mexico. My staff member noted that all of the soldiers were proud to have been chosen to represent their respective countries at the SOA. Many of these soldiers will return to their home and train other soldiers that could not attend the SOA in the proper application of U.S. military doctrine, human rights, and democracy. In addition, my staff member observed no improprieties in the training being given to students during the staff delegation visit. In fact, the School of the Americas readily welcomes both its proponents and opponents to visit the school to gain a better understanding of the type of programs being taught at the school.

While, this Member cannot guarantee that no graduate of the SOA will ever abuse human rights or undermine civilian government. What this Member, can guarantee is that every effort will continue to be made to fully indoctrinate the students on respect for human rights and democracy at the U.S. Army School of the Americas. The training at this school undoubtedly does far, far more good to encourage appropriate human rights practices than any possible harm that could come from even a perversion of such an educational program some student might practice. This Member feels that it is really time for the congressional and religious opponents of the SOA to abandon this misguided attack on the SOA that misleads so many well-intentioned Americans who write their Senators and Congressmen.

IN HONOR OF OSCAR VIDAL
BENITEZ

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 10, 1998

Mr. MENENDEZ. Mr. Speaker, I rise today to honor Oscar Vidal Benitez, a true Cuban American hero and outstanding International Lions Club member.

In 1950, Mr. Benitez joined the Lion's Club in Bayamo, Cuba. Once in the club he set out to be a driving force in Lionism. By 1958 he was President of the local club and eventually he became Governor of an entire region of clubs in Cuba. He became well known for his work for the blind by becoming Director of the Rehabilitation for the Blind Program.

Like so many Cubans, he was forced to flee his homeland and settled in the New York/New Jersey metropolitan area. Once in America, while attempting to adjust to his new country, he began his work for the Lion's Club almost immediately. In 1963 he founded and became President of the New York Lion's Club of Cubans in Exile. Mr. Benitez fought to get the club recognized by the International Lions Club and eventually the club branched out to form many active Lions Clubs in the metropolitan area.

Next, Oscar Vidal Benitez moved to Miami where he was founded and President of the

Miami Buena Vista Lions Club. In 1971, this club was recognized internationally for gaining one of the largest increases in membership in the world.

In total, Mr. Benitez is responsible for the founding of 15 Lions clubs in the United States and since joining the Lions in 1950, he has never missed a meeting. Mr. Benitez has been internationally recognized for his contributions to Lionism. He has received many President's and Governor's medals of appreciation, he was inducted by the International Board of Directors as a Life Member of Lions International and he has been honored as a Member of the World Humanitarian Fraternity Melvin Jones Fellowship on three separate occasions. Mr. Benitez has done an incredible job of spreading Lionism by starting new clubs, attracting new members and raising money for charity, but his most lasting contributions on behalf of the Lions Club may be his work with the blind.

Mr. Benitez is a life member of the Florida Lions Eye Bank Century Club and the Conklin Center for the Blind and he has received a Presidential Honor for his work with the Lions Home for the Blind, Inc. He is also the founder of the Home for the Blind Foundation which is now funded by Dade County.

On Wednesday, June 10, the West New York Lions Club will honor Oscar Vidal Benitez for his incredible contributions to Lionism and to the community. The West New York Lions Club is the largest in New Jersey and it traces its roots to the New York Lion's Club of Cubans in Exile which Mr. Benitez founded when he first came to the United States.

In closing I would like to thank Mr. Oscar Vidal Benitez for his outstanding work on behalf of the Lions Club. His work across two countries and three states will never be forgotten.

RECOGNIZING THE MORRIS
ARCHITECTS

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 10, 1998

Ms. JACKSON-LEE of Texas. Mr. Speaker, I, Congresswoman JACKSON-LEE, submit the following document concerning the Congressional Recognition of Morris Architects.

CONGRESSIONAL RECOGNITION OF MORRIS
ARCHITECTS

Whereas, Morris Architects was founded in 1938, S.I. Morris and Talbot Wilson sixty years ago, and;

Whereas, throughout the last sixty years, Morris Architects has served the city of Houston and the great state of Texas in fields of entertainment, government, education and health care architectural work and;

Whereas, Morris Architects have always been on the cutting edge of providing monumental landmarks and economic development throughout the United States and;

Whereas, the Alpha Kappa Omega Chapter has always maintained the highest level of excellence, evidenced by the more than sixty awards won by Morris Architects in the last twenty years, to establish a higher standard of life for the residents of Houston and the United States.

Now therefore, be it resolved that Morris Architects, a firm that has prospered

through diversification, expansion and a solid commitment to high quality architectural design, is a valued and recognized leader in the world of architecture and the Houston community. Furthermore, he is resolved that Morris Architects continually improves the quality of life through their visionary and innovative architectural works that create a lasting impression on Houston and other cities.

THE HONORABLE CLIFF STEARNS,
M.C. HONEST BALANCED BUDGET
ACT OF 1998

HON. CLIFF STEARNS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 10, 1998

Mr. STEARNS. Mr. Speaker, I want to let my colleagues know about legislation I have introduced called the "Honest Balanced Budget Act of 1998." It is identical to the bill introduced by Senator FAIRCLOTH earlier this year.

The Social Security Trust Fund's surplus shouldn't be used to fund other programs. AND it should not be used to mask our nation's debt.

Did you know that the Social Security Trust Fund will be running a \$100,000,000,000 Surplus for fiscal year 1999? How is this possible when we keep hearing that the Trust Fund is in trouble?

Let's restore the trust for our seniors. We must ensure that the purpose for which the trust fund was set up is not violated.

No other bill does this simply.

HONORING ARCHBISHOP SUMBAT
LAPAJIAN FOR A LIFETIME OF
PUBLIC SERVICE

HON. JAMES E. ROGAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 10, 1998

Mr. ROGAN. Mr. Speaker, our nation is as diverse in character as it is in geography. Our communities are held together by faith, spirit, and a commitment to a bright future for our children. Recently many of my constituents celebrated an important anniversary by saluting a prominent religious leader who has exemplified those values. Today, I echo those same sentiments by honoring the life's work of Archbishop Sumbat Lapajian.

A native of Beirut, Sumbat was ordained to the priesthood in 1958 and began a distinguished career of public service. His work was recognized by his peers, and he was soon appointed to serve as rector at the Armenian Apostolic Holy Cross Church of Los Angeles, a position he held until June of 1973 when he was consecrated Bishop by His Holiness Khoren I of Cilicia.

Already well established in his own parish, his work in our community continued to expand. Bishop Lapajian was instrumental in establishing after school and weekend programs for children and worked throughout Southern California to build a strong faith-based educational system. He also worked to build from the ground up three of the largest Armenian Apostolic churches in the Los Angeles area, of which one, St. Mary's Church, is in my home-

town of Glendale, California. All continue to flourish today.

In April of 1981, Bishop Lapajian was honored by Catholicos Khoren I with the title of Archbishop in the Armenian Apostolic Church—one of its highest honors.

Mr. Speaker, for 40 years, Sumbat Lapajian has dedicated himself to educating our youth, comforting the sick, inspiring students, and unconditionally working for others. His faith, devotion, and life's work are an inspiration to us all. For his lessons of love, compassion, and humility, and in honor of his lifetime of public service, I ask my colleagues here today to join me in saluting His Eminence Archbishop Sumbat Lapajian.

TRIBUTE TO HEIDY PEREZ

HON. JOHN F. TIERNEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 10, 1998

Mr. TIERNEY. Mr. Speaker, I rise to salute Ms. Heidy Perez of Lynn, Massachusetts who has received an award from the Lynn Hispanic Scholarship Fund, Inc. for academic excellence.

I hope Heidy appreciates and is proud of her accomplishments. She has continually challenged herself and graduated sixth in her class. By not taking the easy path, she has given herself the tools to advance her hopes for the future. I trust that she understands the value of continuing her education and hope that she will continue her hard work. In choosing nursing as a career path, she is following her desire to provide care to many who need it most, and I have no doubt she will do so with compassion. Her dedication and commitment are to be commended, and I am certain that she will be successful in her future endeavors.

Indeed, Ms. Perez has worked hard to achieve her goals. Mr. Speaker, I am proud to stand here to recognize the accomplishments of Heidy Perez, and I hope my colleagues will join with me today in wishing Ms. Perez the very best as she continues her education.

THE HIGHWAY BILL

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 10, 1998

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for Wednesday, June 3, 1998 into the CONGRESSIONAL RECORD.

IMPROVING OUR TRANSPORTATION SYSTEM

Last week, Congress, with my support, significantly boosted investment in our nation's transportation system by passing a six-year highway bill. This bill increases federal funding for transportation by 40%, and provides special funding for key projects in southern Indiana, including the Ohio River bridges project in the greater Louisville area and the U.S. 231 project in Spencer County. This highway bill will improve the quality of services throughout our state, and is one of the most important pieces of legislation for Indiana in decades.

The measure includes funding for construction and maintenance of highways and

bridges, highway safety programs, and expansion of mass transit systems. It will also help improve air quality, enhance recreational bike and pedestrian trails, assist current and former welfare recipients get to work, and further innovative "intelligent transportation" projects to help move our transportation system into the 21st century.

The transportation bill is of vital importance to Indiana. Maintaining the 93,198 miles of highway in Indiana is a difficult challenge, but the highway bill will help us improve the network of roads and bridges in our state.

THE NEED FOR GOOD ROADS

Indiana is known as the "crossroads of America", a few other states are as dependent on highways. Economic development is not possible without good infrastructure. It helps businesses grow and expand and means more jobs for Hoosiers. I often hear from Hoosier business leaders about how the improvement of a local road has helped community businesses and community development.

Across our state, however, we can see a lot of problems with the condition of our roads. According to one recent study, 57% of Indiana roads are rated as being in poor, mediocre, or fair condition. There are two primary reasons for this situation. First, a growing Indiana population means more drivers and higher road use, causing more wear and tear on the roads. Second, over the years, funding for highways has persistently lagged far behind the amount needed just to maintain top condition. The combination of these two forces—more drivers and less money—has made the upkeep of our highways difficult.

The concern is that without greater investment in our transportation system, the long-term prospects for our economy will suffer. The global competitiveness of our economy depends in large part on the efficiency of our infrastructure, especially transportation. Our ability to move goods and services to market must be second to none.

FUNDING INCREASES

The bill will benefit Indiana in two important ways. First, the bill boosts our overall share of federal highway funds. Under the old highway formula, Indiana and other so-called "donor" states were paying in more in go as taxes than what they were receiving in federal highway funds, and were thereby subsidizing highway spending in other "donee" states. In particular, Indiana was getting back about 78 cents from every dollar of gas pump taxes. The new highway bill, however, changes the formula so that every state is guaranteed a 90.5% return in highway funding on gas taxes paid by the state. Indiana's share under the new bill equals about 91%.

Second, the highway bill increases overall funding for the federal highway program by 40% over current levels. It provides \$204 billion over six years for all transportation programs, including \$167 billion for highways. As a result of the new formula and the bill's higher spending levels, Indiana will receive an average of \$617 million annually, which is a 52% increase over the approximately \$405 million Indiana received on average from 1992-1997. This increased funding will likely accelerate major highway and bridge projects in southern Indiana and throughout the state.

The bill will benefit our state and the nation in other ways as well. Mass transit projects, including commuter rail and bus systems, will receive at least \$36 billion over six years. Also, a total of \$500 million in grants has been set aside for states which implement anti-drunk driving initiatives.

SOUTHERN INDIANA PROJECTS

Passage of the highway bill will help meet the infrastructure needs of southern Indiana

and provides special funding for three important initiatives in our region. First, the bill includes \$40 million for the Ohio River Major Investment Study (ORMIS) project, which will entail construction of two new bridges in the greater Louisville area as well as building Spaghetti Junction in downtown Louisville. The funding will enable Indiana and Kentucky, working jointly on the project, to complete required design work on the project and begin acquisition of right-of-way.

Second, the highway bill includes \$600,000 for continued design work on the U.S. 231 project in Spencer County. This project involves the construction of a new four-lane highway linking I-64 in Indiana with the Natcher Bridge and the Kentucky Parkway system to the south. Indiana has completed initial environmental work on the project, and aims to move to construction by 2001.

Third, the highway measure includes at least \$27 million for continued work on the I-69 project, which will connect Indianapolis to Evansville. The new highway promises to bring growth and development to the southwestern portion of the state and to provide the Evansville area with a critical link to Indiana's interstate system.

ASSESSMENT

I believe the highway bill takes an important step in meeting our crucial transportation needs in Indiana and throughout the nation. One recent study pegged the cost of bringing our nation's transportation system into top condition at \$437 billion, including \$80 billion to repair the one of every three bridges in the nation that is structurally deficient. This measure will help us start to address these critical problems.

I am especially pleased that the highway bill achieves a more equitable distribution of revenues from the gas tax, thus sending more resources back to the states and increasing the flexibility of state and local governments to meet their most pressing transportation needs. The Indiana congressional delegation has worked in a bi-partisan fashion over the years to address this problem, and these efforts have now paid off.

Investment in our infrastructure is vital to maintaining the high quality of life Hoosiers and all Americans have come to expect. An excellent highway system will make our economy more productive and more competitive. The highway bill recently approved by Congress serves those important goals.

COMMEMORATING 100 YEARS OF RELATIONS BETWEEN PEOPLE OF THE UNITED STATES AND PEOPLE OF THE PHILIPPINES

SPEECH OF

HON. LUIS V. GUTIERREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 9, 1998

Mr. GUTIERREZ. Mr. Speaker, I rise today in support of House Resolution 404. I also take the floor to call on my colleagues to do more than simply commend the Philippine people on this historic occasion. I also ask that we pass the Filipino Veterans Equity Act—House bill 836—this year.

House bill 836 does more than offer cursory thank yous to the thousands of Filipino veterans who fought with us during World War Two. This bill provides the real compensation and veterans benefits that our government promised to these brave veterans in 1946.

100 years ago the people of the Philippines won their independence from Spain. Since

that time, the Philippines has remained one of our nation's closest allies in Southeastern Asia. I commend the people of the Philippines for reaching this important milestone.

The resolution before us today thanks the people of the Philippines for fighting on our side during the Second World War, Korea and Vietnam. Indeed, thousands of Filipinos died fighting for the freedoms that both our peoples now enjoy.

At the terrible battles of Bataan and Corregidor, Filipino soldiers defended the American flag. They fought side by side with boys from Chicago, the plains of Kansas and other small towns and cities in America. They also suffered the brutality and inhumane treatment that the Japanese army inflicted on allied troops throughout 1941.

These are historical facts that we recognized in resolutions passed in both chambers of Congress last year.

Yet today, as we move to recognize our close ties to the people of the Philippines, we sadly fail to honor the real debts we owe to these Filipino veterans who helped us keep the world free.

It has been more than a half century since Congress rescinded veterans benefits to members of the Philippine Commonwealth Army and Special Philippines Scouts. This is a half century too long. So today, as we commemorate 100 years of relations between the United States and the Philippines, I ask that we correct the injustices of the past by committing ourselves to greater action for Filipino veterans in the future.

Let us pass House Resolution 404 today and let us pass House bill 836, the Filipino Veterans Equity Act, later this session.

TRIBUTE TO J. WILLIARD (BILL) LINEWEAVER

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 10, 1998

Mr. WOLF. Mr. Speaker, I rise today to honor J. Williard Lineweaver, better known in his community as Bill, who recently retired as Mayor of the Town of Warrenton, Virginia, after 39 years of public service. Bill's dedication to the community has resulted in the preservation of Warrenton's small-town charm, and there is little doubt that his legacy will continue for many generations to come.

Bill has served the Town of Warrenton as an elected official since 1955 and became Mayor in 1974. Born in Rockingham County, "the Mayor" moved to The Plains/Middleburg area in 1929 and graduated from Marshall High School in 1939. He is a former president of the Virginia Municipal League, an organization which represents local governments before the General Assembly. Bill has also served as moderator of a televised debate for the United States Senate and as a member of the Governor's Advisory Council. Currently, he is serving on the Vint Hill Economic Development Authority, the Fauquier County Airport Committee, and as a member of a number of other town groups.

President Theodore Roosevelt once said that "The first requisite of a good citizen in this Republic of ours is that he shall be able and willing to pull his weight." Bill Lineweaver is a

man who has pulled many times his weight for nearly four decades. Those of us who have had the privilege to know him and work with him over the years know that he exemplifies what a good public servant should be.

Mr. Speaker, I ask my colleagues to join me in applauding Bill Lineweaver for his work and commitment. He will always be "the Mayor" in the hearts of the citizens of Warrenton.

RECRUITING SKILLED TECHNOLOGY WORKERS

HON. JON CHRISTENSEN

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 10, 1998

Mr. CHRISTENSEN. Mr. Speaker, I rise today to introduce new legislation that will help cure a problem that is widespread across our nation. I speak of the difficulties that American businesses are faced with in recruiting skilled, information technology (IT) workers. In my district of Omaha, Nebraska, we recently lost a company due to the fact that they could not recruit enough information technology workers to fill key positions.

As the turn of the century quickly approaches and technology throughout the world continues to progress at a rapid pace, the need for skilled, information technology workers grows as well. A study released by the Department of Commerce, entitled "America's New Deficit: The Shortage of Information Technology Workers," made light of the desperate need for new information technology workers. As a result of this report, the Information Technology Association of America (ITAA) released a study conducted by Virginia Tech—"Help Wanted 1998: A Call for Collaborative Action for the New Millennium." This study estimated that 346,000 information technology positions were currently vacant in three core information technology occupational clusters (programmers, systems analysts, and computer scientists/engineers). In addition, there were 129,000 vacancies in 5,874 information technology companies and 217,000 vacancies in 97,733 noninformation technology corporations with more than 100 employees. Moreover, the need for information technology workers will only get worse as technology continues to progress while the pool of skilled workers continues to decrease.

In response to these concerns, I would like to introduce legislation today that would create a tax credit for employers who provide technological training for their employees. I am confident that this legislation will encourage employers to make an investment in the future of their employees and our nation.

The credit would be an amount equal to 20 percent of information technology training program expenses; however, not to exceed \$6,000 per trainee in a taxable year. The value of the credit would increase by 5 percentage points if the IT training program is operated in an empowerment zone or enterprise community, in a school district in which at least 50 percent of the students in the district participate in the school lunch program, or in an area designated as a disaster zone by the President or Secretary of Agriculture.

Mr. Speaker, let me conclude by saying that I encourage all members of this chamber to consider cosponsoring this piece of legislation

and I insert the text of this legislation for printing in the RECORD.

H.R.—

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CREDIT FOR INFORMATION TECHNOLOGY TRAINING PROGRAM EXPENSES.

(a) IN GENERAL.—Subpart D of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 (relating to business related credits) is amended by adding at the end the following new section:

“SEC. 45D. INFORMATION TECHNOLOGY TRAINING PROGRAM EXPENSES.

“(a) GENERAL RULE.—For purposes of section 38, in the case of an employer, the information technology training program credit determined under this section is an amount equal to 20 percent of information technology training program expenses paid or incurred by the taxpayer during the taxable year.

“(b) ADDITIONAL CREDIT PERCENTAGE FOR CERTAIN PROGRAMS.—The percentage under subsection (a) shall be increased by 5 percentage points for information technology training program expenses paid or incurred by the taxpayer with respect to a program operated in—

“(1) an empowerment zone or enterprise community designated under part I of subchapter U,

“(2) a school district in which at least 50 percent of the students attending schools in such district are eligible for free or reduced-cost lunches under the school lunch program established under the National School Lunch Act (42 U.S.C. 1751 et seq.), or

“(3) an area designated as a disaster area by the Secretary of Agriculture or by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) in the taxable year or the 4 preceding taxable years.

“(c) LIMITATION.—The amount of information technology training program expenses with respect to an employee which may be taken into account under subsection (a) for the taxable year shall not exceed \$6,000.

“(d) INFORMATION TECHNOLOGY TRAINING PROGRAM EXPENSES.—For purposes of this section—

“(1) IN GENERAL.—The term ‘information technology training program expenses’ means expenses paid or incurred by reason of the participation of the employer in any information technology training program.

“(2) INFORMATION TECHNOLOGY TRAINING PROGRAM.—The term ‘information technology training program’ means a program—

“(A) for the training of computer programmers, systems analysts, and computer scientists or engineers (as such occupations are defined by the Bureau of Labor Statistics),

“(B) involving a partnership of—

“(i) employers, and

“(ii) State training programs, school districts, or university systems, and

“(C) at least 50 percent of the costs of which is paid or incurred by the employers.

“(e) DENIAL OF DOUBLE BENEFIT.—No deduction or credit under any other provision of this chapter shall be allowed with respect to information technology training program expenses (determined without regard to the limitation under subsection (c)).

“(f) ALLOCATIONS.—For purposes of this section, rules similar to the rules of section 41(f)(2) shall apply.”

(b) CREDIT TO BE PART OF GENERAL BUSINESS CREDIT.—Section 38(b) of such Code (relating to current year business credit) is amended by striking “plus” at the end of paragraph (11), by striking the period at the end of paragraph (12) and inserting “, plus”,

and by adding at the end the following new paragraph:

“(13) the information technology training program credit determined under section 45D.”

(c) NO CARRYBACKS.—Subsection (d) of section 39 of such Code (relating to carryback and carryforward of unused credits) is amended by adding at the end the following new paragraph:

“(9) NO CARRYBACK OF SECTION 45D CREDIT BEFORE EFFECTIVE DATE.—No portion of the unused business credit for any taxable year which is attributable to the information technology training program credit determined under section 45D may be carried back to a taxable year ending before the date of the enactment of section 45D.”

(d) CLERICAL AMENDMENT.—The table of sections for subpart D of part IV of subchapter A of chapter 1 of such Code is amended by adding at the end the following new item:

“Sec. 45D. Information technology training program expenses.”

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts paid or incurred after the date of the enactment of this Act in taxable years ending after such date.

NATIONAL UNDERGROUND RAILROAD NETWORK TO FREEDOM ACT OF 1998

SPEECH OF

HON. TED STRICKLAND

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 9, 1998

Mr. STRICKLAND. Mr. Speaker, I am proud to see the House of Representatives take up the National Underground Railroad Network to Freedom bill. This legislation will allow the U.S. Park Service to initiate public-private partnerships in order to interpret and commemorate the many sites and stories that make up the Underground Railroad.

The spirit and history of the Underground Railroad cannot be confined in a single museum or monument or National Park. Underground Railroad sites are scattered across my district in Southern Ohio, where slaves escaped the states to the South by crossing the Ohio River into freedom. Ohio has the longest border with slave states of any other free state in the union. Many families in Southern Ohio took great risks in order to help their brothers and sisters from the South shed the shackles of slavery. Most of these people had never even met the fugitives they harbored, and never saw them again.

The Underground Railroad Network to Freedom bill will establish a national list of the sites and trails where these daring rescues took place, so that future generations can learn more about the courage and fortitude of the passengers and conductors on the Underground Railroad. I look forward to the implementation of this bill, and I would like to thank my colleagues from Ohio, Representative STOKES and Representative PORTMAN for their hard work on this important legislation.

HONORING THE WORK OF
CLIFFORD TURNER OF LOUISVILLE, KENTUCKY

HON. ANNE M. NORTHUP

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 10, 1998

Mrs. NORTHUP. Mr. Speaker, today I would like to recognize someone who has devoted his time and energy to making Louisville, Kentucky a better place to live. Pioneering one of the first high-tech multifamily developments in the United States, Clifford H. Turner has played an invaluable role for the City of Louisville. Nine years ago Clifford Turner's extraordinary vision enabled him to convert an old elementary school into forty-three apartment units. Listed as one of the top ten HUD insured multifamily housing development, this development is more than housing—it represents community living where neighbors share concerns and dreams.

Building on this success, Clifford Turner continued his vision, converting an old parking lot into an additional twenty-eight housing units. This vision will not only provide new housing opportunities, but will provide new jobs for the citizens of Louisville.

A sense of community spirit is what Clifford Turner has contributed to citizens in Louisville. Working together with local corporations, Turner is involved in a new tutorial program which will teach children, many in the African-American community, to learn how to use computers and to develop pen pals in Africa. Having friends in the community and throughout the world, Clifford Turner is truly an asset to Kentucky and the City of Louisville. His work and his dedication to children and families in Louisville is to be commended.

I hope you will join me in recognizing the great talents of Clifford H. Turner of Louisville, Kentucky.

THE SILICONE BREAST IMPLANT RESEARCH AND INFORMATION ACT

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 10, 1998

Mr. GREEN. Mr. Speaker, as a Member of the House Commerce Subcommittee on Health, I am committed to ensuring patients have complete and comprehensive access to information before they make a decision about a medical procedure.

I am rising today as the House sponsor of the Silicone Breast Implant Research and Information Act because I believe it is critical to the advancement of women's health and is the first step towards answering the many questions about the safety and efficacy of silicone breast implants.

By introducing this bill today, Senator BOXER and I hope to draw attention to an issue that has been either neglected or out right ignored for too long.

It is estimated that as many as two million women have received silicone breast implants over the last thirty years. Unfortunately, the information provided to these women before they elected to have silicone breast implants

has been both incomplete and even inaccurate.

Moreover, results from past studies have only raised more questions about possible negative effects that ruptured or leaking silicone breast implants may have on breast milk, connective tissue, autoimmune diseases and the accuracy of breast cancer screening tests.

Our legislation ultimately seeks to change this by focusing on three critical points—information, research, and communication.

First, and in my opinion most importantly, this bill will ensure that information sent to women about silicone breast implants contains the most up to date and accurate information available.

Current information packets sent to women do not accurately describe some of the potential risks of silicone breast implants. While recent studies by the Institute of Medicine indicate the rupture rate may be as high as 70 percent, information sent to women suggests the rupture rate is only 1 percent.

Second, this bill encourages the director of the National Institutes of Health to expand existing research projects and clinical trials. Doing so will compliment past and existing studies and will hopefully clear up much of the confusion surrounding the safety and efficacy of silicone breast implants.

Finally, this bill establishes an open line of communication between federal agencies, researchers, the public health community and patient and breast cancer advocates.

Women, especially breast cancer patients, want and deserve full and open access to silicone breast implants. Therefore, it is critical that these products are safe and effective, and that women are provided complete and frequently updated information about the health risks and benefits of silicone breast implants.

While I unequivocally support a woman's right to choose to use silicone breast implants, I believe we have a responsibility to support research efforts that will provide the maximum amount of information and understanding about these products. I hope each of you join me in support of this important legislation.

TRIBUTE TO Foothill PARENT
TEACHER ASSOCIATION

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 10, 1998

Mr. CALVERT. Mr. Speaker, one of the things that makes America great is the dedication and commitment of many individuals throughout our country who participate in organizations to promote the well being of their community. The Foothill Parent Teacher Association is one of those commendable organizations.

The Foothill PTA represents Foothill Elementary School located in Corona, California. In order to provide an environment of quality programs and a high level of parental involvement, the Home-School Communications project was implemented. One of the purposes of this program is to provide weekly communication between home and school. Once a week each student is sent home with a packet of information, which the parent signs off on when received, allowing continual communication between home and school. The Foothill

PTA also sends out a newsletter every month, which includes a calendar of upcoming events and encourages parents and students to participate. Finally, the program offers up-to-date information to all parents by providing a 24-hour PTA Information Hot Line and a PTA web page on the Internet. It is important to acknowledge that the Home-School Communications project would not be possible without the volunteers who actively participate in the PTA.

This outstanding program should be applauded for the positive results it has brought to Foothill Elementary School. Since the commencement of the Home-School Communications project there has been an overall increase in parental involvement in school activities. There has been 99 percent participation at parent-teacher conferences and an increase of 110 percent in PTA membership, and it has brought a sense of togetherness and satisfaction to the parents, teachers, and office staff. There also has been an increase in attendance at school events, including the Halloween Carnival and the First Annual Reflections Awards Night.

All this effort and dedication by the members of the PTA has not gone unrecognized. The Foothill PTA received the California State PTA Advocates for Children Award in 1995 and the Outstanding Unit for California and Creative Membership Awards in 1997. In 1998, the Foothill PTA won Outstanding Unit for California and National PTA Outstanding Unit. Also, the Foothill PTA has been recognized as an Outstanding Unit at the council level for the last 4 years.

I want to thank the Foothill PTA for all their hard work and dedication to the children in our community. I am proud to have an organization like the Foothill PTA in my district. I encourage Foothill PTA members to continue with their involvement and wish them the best in their future endeavors.

TRIBUTE TO SISTER JOHN
NORTON BARRETT, O.P.

HON. E. CLAY SHAW, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 10, 1998

Mr. SHAW. Mr. Speaker, I rise today with great pleasure to honor Sister John Norton Barrett, who is celebrating her 50th anniversary as an Adrian Dominican sister.

Through her faith, dedication and service, Sister John Norton has become one of the pillars of South Florida. She is widely recognized in our community for her dedication to excellence and her achievements in education.

In 1948, when Sister John Norton entered the Adrian Dominican Congregation, she had a heartfelt passion to serve the Church and the community through education. She graduated from Siena Heights College and later continued her studies at Barry University where she received a Master's Degree in Administration and Supervision.

She began her teaching at St. Mary's Elementary School in 1949 and by 1957 was principal of St. Matthew's School in Jacksonville. In 1963, she moved down to Miami Beach as principal of St. Patrick's High School.

In 1966 Sister John Norton joined the faculty of St. Thomas Aquinas High School. She

served at St. Thomas for over thirty years as mathematics teacher, vice principal and principal. After her retirement, she continued her work for St. Thomas as director of the Development Office. Her tireless efforts and strong leadership have made St. Thomas Aquinas High School one of the top Catholic schools in the nation. The many awards and achievements for St. Thomas include the U.S. Department of Education Exemplary School Award as a Blue Ribbon School of Excellence for both 1985 and 1996. This year, alone, the high school boasts 21 National Merit Semifinalists and 26 Commended Students.

One of Sister John's most significant contributions to our community was the establishment of a community service program for St. Thomas Aquinas' students. This program, with the enthusiastic support of the students, requires that students dedicate 20 hours of service to needs in our community. As a result of this program, tens of thousands of service hours are given to the Broward County community each year.

Personally, Sister John Norton has been awarded the Primus Regnum Dei Ward from the Archdiocese of Miami in honor of her devoted service to the Lord and his Church. She has also received the Silver Medallion Brotherhood Award from the National Conference of Christians and Jews for her efforts in encouraging good human relations among all people.

Mr. Speaker, throughout the United States there are unfortunately too few individuals who dedicate their lives to education and community service. For fifty years, Sister John Norton has worked tirelessly for these causes, and we in South Florida are truly grateful. I am sure I speak for all my colleagues in congratulating Sister John Norton Barrett as she celebrates her golden jubilee as an Adrian Dominican sister.

INDEPENDENT COUNSEL STARR
ADDRESSES THE MECKLENBERG
COUNTY BAR ASSOCIATION

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 10, 1998

Mr. CONYERS. Mr. Speaker, I enter into the RECORD the following transcript of a speech made by Independent Counsel Kenneth Starr to the Mecklenberg County Bar Association in Charlotte, NC on June 1, 1998.

REMARKS BY WHITEWATER INDEPENDENT COUNSEL KENNETH STARR AT MECKLENBERG BAR FOUNDATION, CHARLOTTE, NORTH CAROLINA

Mr. STARR: Thank you very much. Thank you, Bill. It is a great pleasure to be here among a number of friends and new friends, in this great and very dynamic city, building upon a rich tradition of wonderful lawyers, some of whom have graced the leading courts in the country, including the Supreme Court of the United States. So thank you for your very kind invitation.

And let me also say at the outset how grateful I am to the sponsors for directing the very generous gift to the Burger Library Project at the College of William and Mary. I was privileged to serve as a law clerk to the late chief justice, and this, as you might imagine, for those who have been privileged to serve as law clerks for federal judges, is a labor of love when one is given the opportunity to be supportive in some way or another of a project that one knows that—as

law clerks like to refer to their judge as either "the judge" or "the boss"—that the boss would say, "That is a good thing, and I'm very grateful." So I am very grateful to you.

Let me also say that in light of the comment about Arthur Miller—how many wives was that?—(laughter)—thankfully, I'm about to celebrate my 28th wedding anniversary. I was thinking about the dog. (Soft laughter.) The dog bit Arthur?

Ms. : Mmm-hmm. (Affirmative.)

Mr. STARR: Now I have argued against Arthur and with Professor Miller, and he's a very distinguished advocate and so forth. But I have a solution. Not only do I have the same wife for the last 20—almost—8 years; we've also had a limited number of dogs. (laughter.) And I've got a dog for Professor Miller—(laughter)—who is a dropout from obedience school. (Laughter.) No Phi Beta Kappa, he.

Thank you again for your hospitality.

Several days ago the nation was once again shocked when a 15-year-old boy walked into a school in a little community in Oregon, of all places, Springfield by name, and opened fire—I should quickly say "allegedly."

One can only wonder what lies behind this horror. The pundits are already thinking and commenting. Some may say it's easy access to guns. Some say it's the culture of violence in the mass media, on television and our movies. Others say it's parental failure, breakdown of families, parental responsibility and the like. But it seems to me that when we gather together as a legal community, we cannot lose sight of the broader cultural backdrop, and to look at these unspeakable tragedies of life against that backdrop.

A very thoughtful person, Professor Steven Carter of the Yale Law School, has recently written yet another thoughtful book entitled simply, "Civility". And in this book—perhaps you have seen it; it's, again, as his books tend to do—gathering a lot of attention, and rightly so, he discussed what he calls the de-civilization of American society. Professor Carter characterizes civility, a term that is very familiar to the legal profession, in a very intriguing way. He says, "It's the sum of the sacrifices that each of us as individuals make in order to live as part of organized society." The sum of our individual sacrifices.

Now, Professor Carter suggests, rather unhappily, that Americans are losing their sense, as a people, of civility. While individualism, and indeed, rugged individualism is a long and cherished tradition in American society, Professor Carter is seeing something different. Nothing wrong with being individualistic and asserting individual autonomy, but he says there is a cultural difference. His thesis is that, increasingly, Americans see themselves traveling through their lifetime journeys alone. Many believe that—again, Professor Carter's thesis—they should be able to act in a self-centered, egocentric, selfish way, and indeed, to act in whatever manner suits their interests, as they determine it at the time, regardless of the effect that it may have on others.

This callous disregard for civility, that sum of self-sacrifice, Professor Carter argues is threatening to this society. In his view, it threatens our very safety, but even more than that it threatens our political foundations, our democratic way of life.

Many observers believe that the legal profession, notwithstanding its greatness and its traditions, has likewise not been immune from this disease of selfishness. Justice O'Connor put it this way: she said, "Many lawyers appear to have forgotten the integrity and civility—" notice her marriage of the two, integrity and civility—"that once

distinguished our profession." She used the term "many lawyers," not all. Many seem to have forgotten these twin pillars of integrity and civility.

A striking example of what is said all too frequently, namely the low public esteem of the profession, is the fact that notwithstanding that 25—count them—of our 42 presidents has been lawyers, and some are icons. Think of them. Mr. Jefferson; Mr. Madison; Mr. Lincoln. Lawyers, and successful lawyers; practicing lawyers, lawyers who knew courtrooms, knew how to try cases.

Notwithstanding that storied past, one of the candidates in the Washington, DC, mayoral primary is campaigning on this: "Vote for me because I am NOT a lawyer." Now that's in Washington, DC. Makes one wonder. Times have changed. It was 150 years ago, not too terribly far from here, that one of the great courtroom lawyers of his day, Daniel Webster, had this boast: "Show me a man who is dishonest, and I will tell you, he is not a lawyer." We would say, "He or she is not a lawyer."

The lawyer of yesteryear was seen as a person who upheld the law and who stood steadfast against recklessness, against tyranny, and indeed against prejudice. As recently as 1960, which some of us do remember, a Southern novelist named Harper Lee wrote a little story. She expanded on what had been a short story, and you know it. She created this marvelous character, a lawyer named Atticus Finch, in "To Kill a Mockingbird."

Atticus Finch strove to find the truth while defending a black man who was wrongly accused of rape in a segregated community. The hatred that was directed against the innocent defendant even sparked a lynch mob, and Atticus had to stand and control that mob. And in acting in the story very bravely in the pursuit of truth, Atticus taught his children, through whose eyes we saw the story unfold; the town itself; and now countless Americans, including schoolchildren who across the country happily read this story; some have only seen the movie. But whether one has seen the movie and Gregory Peck or, hopefully, have read the book, have learned important lessons that a lawyer taught about justice, about basic human decency, about tolerance. Now in contrast to this very noble and trustworthy soul, today's popular culture portrays lawyers as greedy and unethical people who will cheerfully hawk their services—and, indeed, their very morals—to the highest bidder.

Whether it is the character Bruiser in John Grisham's novel, also a movie, "The Rainmaker" or Al Pacino in last year's movie "Devil's Advocate," popular culture now sees lawyers as anything but seekers of truth and justice. No Atticus Finches in the movies.

Today's fictional lawyer will do anything for the client. No longer is he or she portrayed as being accountable to society as a whole for the authority, responsibility, and indeed power, that the lawyer is able to wield through the justice system. Now many of us, and certainly many here in this room, question profoundly whether this portrayal of modern day is fair, because each of us, I am confident, knows a great many lawyers out there who fall much more on the spectrum of Atticus Finch than they do to Bruiser.

But we still have to concede that the profession has changed, and we face a host—we all know them—of both economic and structural issues quite familiar to everyone in the room. But now to speak personally, one of these issues has been as baleful to our profession as its apparent loss of respect for truth. Too many of today's lawyers take Mark Twain's old aphorism very much to heart. As Mr. Clemens said, "Truth is the most valuable thing that we have, so let's economize with it." (Laughter.)

Not Atticus Finch. Mr. Finch embodied two of the most important, and indeed noble, values of our system, loyalty to the client and yet respect for truth. For Atticus, these two values were not in conflict. The quest for the truth was very decidedly in his innocent client's best interest. What happens when those values do conflict?

When a search for the truth is not in the client's interest, which value should guide the lawyer's conduct? Lawyers have faced this question for some time, indeed I would say for generations. But the balance that the modern-day profession strikes appears to me to have changed.

As a great lawyer practicing in Boston, Justice Louis Brandeis, one of the most creative lawyers of our century, sided unapologetically with the search for the truth. Before becoming a Supreme Court justice, he consistently lifted up and sought assiduously to follow this credo: Advise a client what he should have, not what he wants. It sounds so odd to many ears, now.

Now, skip ahead a generation and Charles Curtis, a lawyer, very successful, in Boston, declaring a generation after the Brandeisian credo, quote, "One of the functions of the lawyer is to lie for his client." The Brandeis-Curtis debate, as it were, even though they were never on the same platform, continues to rage today among practitioners and scholars alike. But the modern day image of the lawyer is the Spielbergian image, if you will, of lawyers as hired guns, suggests that at least a good many lawyers have given the appearance, at a minimum, and perhaps have decided to pay less than scrupulous regard for the truth, the truth.

Now this choice, to the extent it is being made each day, is most unfortunate. It goes to the basic moral foundation of our system. Truth indeed is intended to be the primary goal of our judicial system, because without truth as a foundation, justice cannot predictably be achieved. Our rules of evidence and of procedure demonstrate this. And after all, at a very basic level that all of us as citizens understand, witnesses are not directed, "Tell whatever is in your interest. Be creative, be imaginative." Now, they are sworn to tell, in these wonderful words, "The truth, the whole truth, and nothing but the truth."

Countless judicial opinions have reaffirmed this, "this" being it is the truth and not the service of clients, is the legal system's abiding value. One of the more famous examples that I followed rather closely was a decision from just a decade ago, in a case called *Mix (ph)* against Whiteside. The defendant in that case was a gentleman by the name of Whiteside, and he indicated to his attorney that he intended to commit perjury on the stand, thought it might go better for him if he did.

The attorney, quite properly, threatened to withdraw from the representation, and in effect, he prevented Mr. Whiteside from getting on the stand and lying. Now, Whiteside was convicted. Beyond a reasonable doubt is a difficult standard, but the jury found it, and so he's on appeal, and he says, among other things, "I was deprived of the effective assistance of counsel within the meaning of the Sixth Amendment because my lawyer declined to allow me to lie on the stand." Speaking for the nation's highest court, and overturning the court of appeals that had accepted the argument—

Mr. STARR: Thank you—(laughter)—Chief Justice Burger, for whom again, I was privileged to clerk long before this opinion was written, very forcefully disagreed. And I know it's not polite to read from opinions whether you're arguing a case or especially subjecting you to an after-luncheon address, but these words are so powerful and simple and they are brief: "We recognize counsel's

duty of loyalty and the overarching duty to advocate the defendant's cause. But it is manifest that that duty is limited to legitimate, lawful conduct by the attorney compatible with the very nature of a trial as a search for the truth."

The chief justice continued, "The responsibility of an ethical lawyer as an officer of the court—what a ring to it, an officer of the court—"dedicated to a search for the truth is essentially the same whether the client intends to commit perjury or to bribe witnesses. A lawyer simply cannot allow the client to commit a fraud on the court."

His final words: "The suggestion sometimes made that a lawyer must, quote, 'believe his or her client and not judge him' in no sense means that a lawyer can honorably be a party to presenting known perjury."

Now to many of us—(inaudible)—the Whiteside seemed like an easy case, and the result there was, you'll be pleased to know, 9-0, against Mr. Whiteside. (Laughs.) Perhaps the more difficult question that lawyers face day in and day out is at what point does a lawyer's manipulation of the legal system become an obstruction of truth?

That issue raises tricky, difficult questions, and I think that the answers are found in the position recently advocated by a professor at the Yale Law School, Akhil Reed Amar. "Our adversary system," Professor Amar has very convincingly, to my mind, argued, "is not an end, but a means to an end. Pleadings, discovery, and the examination of witnesses are not the goals, they are only tools to be employed in a moral enterprise—the search for truth." Anthony Kronman, who is dean of the Yale Law School, has expanded on this idea in his very troubling book about our profession called, "The Lost Lawyer." As Dean Kronman observes, "The good lawyer is not only an advocate, but he or she is also a counselor. A good lawyer, acting as advocate in court, must use arguments to convince others—juries, judges—of the strength of the client's position. And that good lawyer, or other lawyers, acting as counselor, must urge the client against steps that are likely to impede the quest for truth, steps that, as most experienced lawyers and judges will say, will be recognized by juries for what they are."

This vision, by Dean Kronman of Yale, of the virtuous lawyer, rather than the "lost" lawyer, has particular resonance when we talk not about the lawyer for an individual or the lawyer for a private corporation, but when we're speaking about a lawyer for the government, a lawyer for the people, whether it's a prosecutor or some other government lawyer. That public servant lawyer owes a duty not to any individual, but to the people as a whole.

Surprisingly, the basic proposition, grounded in history, tradition and common morality, is the subject to controversy as we speak. But the principle has been resoundingly reaffirmed by two federal courts in the last year. The courts have considered whether the evidentiary privileges that are available to private lawyers are also available to government lawyers paid, as Bill was emphasizing, at taxpayer expense.

The 8th Circuit Court of Appeals in St. Louis, last year, flatly rejected the argument, and it did so in fairly emphatic language, which again I would like to share to you. It's very brief: "The strong public interest in honest government and in exposing wrongdoing by public officials would be ill served by recognition of a governmental attorney-client privilege applicable in criminal proceedings inquiring into the actions of public officials."

The court went on: "We also believe that to allow any part of the federal government to use its in-house attorneys as a shield

against the production of information relevant to a federal criminal investigation would represent a gross misuse of public assets." Strong words.

Just a few weeks ago, these principles were emphasized and reaffirmed by the distinguished chief judge for the United States District Court in Washington. She is Judge Norma Holloway Johnson. She wrote, "A private organization, such as a corporation, and a government institution differ significantly especially in the criminal context." And she emphasized, "Government attorneys are paid by U.S. taxpayers." And she quoted the 8th Circuit's very pointed observations about the duties of the public lawyer, the government lawyer.

These principles aren't new, nor should they be in the slightest bit controversial. They should admit of universal approbation. As District Judge Jack Weinstein (sp) stated some 30 years ago, "If there is wrongdoing—if—if there is wrongdoing in government, it must be exposed." The law officer has a special obligation. His or her duty is an obligation to the people and to the law, and his (own?) conscience requires disclosure; not hiding, disclosure. Then in fulfilling their duty to the people, government lawyers traditionally have urged upon courts not to create new testimonial privileges to keep evidence out, to keep evidence away, from fact-finders. And in the same vein, government lawyers have historically said: "Courts, don't expand the old and ancient privileges. Keep them, but don't expand them because they're obstacles to the search for truth."

Now litigants often try, as they're, entitled to do, to concoct new privileges by contending that their relationship is just as important as the attorney-client relationship, on the spousal relationship or the priest-penitent relationship. But the problem is, they're arguing in the wrong forum. This is, in very broad compass, a legislative task. Congress is the proper forum for new federal privileges to be recognized in federal grand jury proceedings. An example from another field makes the point—and you will be pleased to know I am drawing to the end. I saw that look: "Is he going to keep going? Are we now going to have a law"—no, we're nearly through.

For many years the accounting industry, our brothers and sisters in the CPA community, have urged and indeed have pleaded for the creation—and many of you are familiar with this—of an accountant-client privilege. The argument is that accountants deserve the same protection as attorneys, and some very interesting policy arguments have been advanced to further that argument. But this effort has been resoundingly rebuffed by the courts. I'm not saying attorneys aren't—that accountants aren't important and the like, but rather saying no, you can't have a privilege. And indeed, the effort was finally resoundingly defeated by a once again unanimous Supreme Court. No such privilege, the court said, is going to be created.

And accordingly, the accounting industry has quite appropriately and properly turned to the Congress of the United States. And indeed, as we speak, on Capitol Hill right now there's a pending bill which, if enacted, would give accountants a narrow privilege in certain civil proceedings.

The point is this: If you want to expand an existing privilege to apply it in a new or unusual area, the place to go is Congress, not federal courts. The courts should not and cannot be in the business of creating new legal privileges from whole cloth, and lawyers ought to tell their clients that.

The search for truth and the proper counseling of clients is equally appropriate outside litigation. I know that there are people

in this room who try to avoid courtrooms, so let me say just a brief word in that respect.

What third party will intelligently agree to a one-sided transaction? What court will allow a transaction then to stand if it's based on deception, the hiding of facts, or affirmative misleading and misstatements?

Perhaps Elihu Root, a former secretary of state, a United States senator, and a renowned lawyer in his own right earlier in this century, put it most succinctly: "About half the practice of a decent lawyer consists in telling would-be clients that they are damned fools and they should stop what they're doing." (Laughter.)

Lawyers have great influence in our society. (Chuckles.) I heard a hearty "amen" down there—we have an "amen" bench here. (Laughter.) And as Justice O'Connor has recognized—let me turn to her very modern voice—"Ethical"—what a wonderful word—"Ethical standards for lawyers are properly understood as a means of restraining lawyers in the exercise of the unique power that they inevitably wield in a system like ours."

Dean Kronman of Yale describes the lawyer of yesteryear, the great lawyer of the past, as a lawyer statesman; a person who not only uses the law to benefit society, but helps to develop and refine the law so that it can effectively serve our highest and noblest goals. To that end, Sol Linowitz, the distinguished lawyer, business person, ambassador, points out in his also troubling book, "The Betrayed Profession" that lawyers of the past played a pivotal role in developing and securing the liberties that Americans today take for granted. In fact, Ambassador Linowitz observes other countries have similar constitutions and similar Bills of Rights, but they don't enjoy our liberties, and largely because those countries, in his words, "Lack a bar, a legal community with sufficient courage and independence to establish those rights." According to Dean Kronman, the lawyer statesman has virtually disappeared from our lives. And the lawyer statesman in the last generation has turned instead into a lawyer technician—Dean Kronman's haunting description. And more broadly, that the legal profession itself has become a business.

But, you know, even if this rather gloomy diagnosis is accurate—and I like to resist it, I truly do—but it hardly excuses lawyers from doing their duties. As a distinguished professor at the Harvard Law School, Mary Ann Glendon very aptly states, "Any business, including law, thrives best on cooperation and honesty."

In short, even as technicians, if that is what we have become on a specialized world, lawyers have a duty not to use their skills to impede the search for truth. Imagine the disaster that would consume our profession and indeed our society if lawyers let down their moral guard and simply shrugged when clients declare explicitly or implicitly to commit perjury. No longer in such a world would decisions by our courts be based on a balanced assessment of truth, fairness and justice, and no longer would our society (face/faith?), as it continues to do, in our legal system.

This search for truth, closing on a more cheerful note, advances our profession. I believe that lawyers have a very well-deserved sense of professional pride and a belief that what they do day in and day out has a potential to be worthwhile, rewarding, socially constructive and personally fulfilling. Lawyers serve clients, but they also serve the broader interests of our legal system and society. And in that process, it is important for us as lawyers to maintain a certain degree of independence and detachment. Otherwise, we are in danger of becoming that which our ancestors vigorously resisted, the

concept of the indentured servant rather than professionals. As the educator and lawyers Robert Maynard Hutchins once put it very well, "There are some things that a professional will not do for money."

The result is this: We cannot, whether in public life or in private practice, look solely to our clients for leadership. Lawyers too have a right, but they also have a responsibility, to exercise independent judgment. And at times, that means saying no to the client. You can't do it. We can't argue it. It means sticking up for the right thing, as our (lights?) lead us to believe what is right.

And in that process, we are, when we are at our best, guided not simply by the client's interest, but by that other pillar, the search for the truth. And that, it seems to me, is the path away from the seedy underworld of Grisham's loser and a rediscovery of the inspiring path that Atticus Finch urged us and urges us today, to walk upon.

Thank you very much.

THOMAS JEFFERSON
ELEMENTARY SCHOOL

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 10, 1998

Ms. JACKSON-LEE. Mr. Speaker, I Congresswoman JACKSON-LEE, submit the following document concerning the Thomas Jefferson Elementary School.

THOMAS JEFFERSON ELEMENTARY SCHOOL

Whereas, Thomas Jefferson Elementary School has been selected one of three national first place award winners in the 12th Annual "Set a Good Example Contest" sponsored by the Concerned Businessmen's Association of America;

Whereas, Thomas Jefferson Elementary School under the guidance of their teachers and parents has exhibited hard work, dedication and perseverance combating the war on drugs, violence, crime and delinquency;

Whereas, Thomas Jefferson Elementary School will continue to aid in the war on drugs, delinquency, crime and violence in our schools;

Whereas, the need for strong young men and women and community activism is becoming more necessary and vital for the future of our Country;

Now therefore, be it resolved that Thomas Jefferson Elementary School has demonstrated a collective promise to aid in the fight against drug abuse, delinquency, crime and violence invading our nations schools. From this joining of purpose, Thomas Jefferson Elementary School has found effective ways and means to combat these increasing problems and are spreading the message, through the use of the book, "The Way to Happiness, a Common Sense Moral Guide," written by noted author and humanitarian L. Ron Hubbard, to those who have ears to hear. I will never turn from the example set forth by the remarkable work done by Thomas Jefferson Elementary School.

MANOLO DEL CANAL, MIAMI
PROMOTER

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 10, 1998

Ms. ROS-LEHTINEN. Mr. Speaker, Mr. Manolo del Canal, an entertainment promoter

in my Congressional district, has had many successes in his field.

Mr. del Canal has had experience as a new director for the radio show "Cuba al Dia" which aired on WFAB in Miami. He was also a pioneer in establishing the idea of listeners calling directly to the shows they were hearing with their comments, otherwise known as radio call-in shows. He was one of the first to use this idea in his show called "Opinion Publica".

Another facet of Mr. del Canal's talents was his experience as a journalist, for he managed and operated a local newspaper called La Prensa. Mr. del Canal is currently in the business of promoting Latin American singers and actors. His goal is to make these Hispanic talents a household name in our great country.

Mr. Speaker, Mr. Manolo del Canal works hard on his craft every day.

TWO PHILANTHROPISTS TO EXPAND PRIVATE SCHOOL GRANTS IN CITIES

HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 10, 1998

Mr. GINGRICH. Mr. Speaker, the attached article from The Washington Post illustrates the frustration across the country over the performance of public schools. Theodore J. Forstmann and John Walton are two of the latest in a series of philanthropists to put up their own money in an effort to send low-income students to private schools. I submit the article to the CONGRESSIONAL RECORD.

[From the Washington Post]

TWO PHILANTHROPISTS TO EXPAND PRIVATE SCHOOL GRANTS TO CITIES

(By Linda Perlstein)

Two wealthy industrialists announced plans yesterday to give 50,000 needy children scholarships that would allow them to abandon public schools in favor of private ones. The \$200 million initiative, which would be the largest of its kind, is the latest in a series of efforts by private philanthropists frustrated with the performance of public education.

Wall Street financier Theodore J. Forstmann and Wal-Mart heir John Walton will put up \$100 million of the money and will raise the rest from other philanthropists and community groups around the country. The two men say they have lined up \$19.4 million in pledges in five cities, including Washington, and are seeking \$80 million more by summer's end.

Public schools are a monopoly, Forstmann said, "monopolies produce bad products at high prices. Eventually, if there's no competition, nothing works very well."

Attempts to use taxpayer dollars to send children to private schools have hit roadblocks both in Congress and in the courts. Last month, President Clinton, who opposes publicly funded vouchers, vetoed a bill that would have given District students \$7 million to attend private schools.

As a result, donors are moving forward with projects. Last year, philanthropist Virginia Gilder offered \$2,000 each for students at an Albany, N.Y., primary school to attend private school. In April, a group of San Antonio business leaders put up \$50 million to send 13,000 low-income students to private schools.

The plans announced yesterday by Forstmann and Walton would expand a scholarship initiative the two contributed to last year in Washington and New York. Already, 1,000 District students are offered scholarships through the program. The new initiative, called the Children's Scholarship Fund, will finance 400 more.

In Washington and other cities where the two hope to start the program, \$1,000 scholarships will be offered to elementary and high school students whose family income falls below a certain level—typically \$18,000. They estimate that the money will cover about half of the annual tuition costs in most cities, with the children's parents committing to make up the balance. Students will be selected by lotteries in 1999.

In addition to Washington, the fund has lined up partners in Los Angeles, New York, Chicago and Jersey City, where Mayor Bret Schundler has chipped in \$25,000 of his own money.

Forstmann's supporters include many who oppose publicly funded vouchers. A White House spokesman, Barry Toiv, said that President Clinton supports the effort but still firmly opposes using public money for school voucher programs.

"They are in a position to help kids, and the president thinks that's great," Toiv said. "But the question of how we invest our public resources is an entirely different one. The president thinks that money has to remain in public education."

Even the heads of the two largest teachers unions said they do not object to private citizens giving scholarships. "I have no problem with what is basically a private act of philanthropy," said Sandra Feldman, president of the American Federation of Teachers. But "if the idea is that public schools don't work and children must escape, I would oppose that," she said.

HONORING MAJOR GENERAL
JAMES C. PENNINGTON, JR., U.S.
ARMY (RET)

HON. RANDY "DUKE" CUNNINGHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 10, 1998

Mr. CUNNINGHAM. Mr. Speaker, it is with great admiration but a heavy heart that I rise to pay tribute to an outstanding American and patriot, retired Major General James C. Pennington who passed away on June 5, 1998. General Pennington was the long-time president of the National Association for Uniformed Services. He died while carrying on the crusade which he had devoted much of his life—the crusade to save military health care benefits that were promised and dutifully earned by this country's veterans and military retirees.

The military and veteran community has lost a great leader. His insightful, frank comments and tenacious determination to convince the country's leaders to honor the promises made to those who put their lives on the line were a rallying point and an inspiration to all.

I got to know General Pennington well during the years we fought together to restore the full Cost of Living Allowance (COLA) to our nation's military retirees. A tireless advocate, he traveled all across the country meeting with veterans and their families, senior government officials, the powerful and the disenfranchised in an unwavering effort to advance the cause. He paid particular attention to the "old warriors," the group of veterans who fought and

won World War II. He was one of them, having joined the Army on D-Day 1944 right out of high school. And while he fought for all veterans, his compassion for his WWII colleagues was legendary as he sought to take care of those most in need.

A man of boundless energy, Jim Pennington was always ready to lead the charge. He never failed to point out that a promise made should be a promise kept; that our Government made a covenant with its veterans for lifelong health care in return for career service in defense of our country. Regrettably, that covenant has been broken for those military retirees passed the age of 65 who are denied access to the military health system. Each month 36,000 WWII veterans die. Of this amount, approximately 10% are military retirees. Current legislative proposals to study or demonstrate greater health care coverage for many of these veterans are simply too little, too late.

General Pennington's valiant and unceasing efforts on behalf of all members of the military community set him apart. In a word, Jim Pennington was one of the few people in this world who made a difference. We owe an enormous debt of gratitude to the courageous men and women who have defended our nation. Jim Pennington never forgot that and he made sure that the people he met and spoke with never forgot it as well. There would be no better way to honor this great man than to make sure our military men and women receive the care they so rightfully have earned. Jim wouldn't want it any other way.

CONGRESSIONAL BRIEFING ON CALIFORNIA INDIAN GAMING

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 10, 1998

Mr. BROWN of California. Mr. Speaker, on Tuesday of this week Congressman FILNER of San Diego and I had the opportunity to meet with a very large delegation of Native Americans from California who had traveled to Washington to exercise their Constitutional right to petition their Government for a redress of grievances. In a carefully prepared presentation by numerous representatives of the various Tribes, plus local public officials and business leaders from surrounding communities, they detailed what the impact would be on forcing the tribal governments to sign the Pala Compact. Business and community leaders described the potentially negative effect on local commerce. In addition we must keep in mind the countless individuals, like Maria Figueroa, who have been given a second chance to support their families by being employed by the tribes and being able to leave the welfare rolls. I submit for the RECORD a Declaration of Principles presented by the California Tribal Governments.

A DECLARATION OF PRINCIPLES BY THE CALIFORNIA TRIBAL GOVERNMENTS

For over a century, non-tribal governments and big special interests have used their power to take away the land, resources and even the lives of California Indians. These assaults were called "legal" and the tribes' efforts to keep what they always had were deemed "illegal."

Now, history is repeating itself. We face a shutdown of our gaming operations, the loss of thousands of jobs for non-Indians, millions of dollars to local communities and state and local governments, and the renewed deprivation of our people. Yet for years we have asked the Governor of California to sit down with tribes and negotiate a good faith tribal-state gaming compact, one that would permit the tribes to continue to conduct legal, responsible and regulated gaming. The Governor consistently refused to do so—in our judgment, contrary to the express obligations under the Indian Gaming Regulatory Act (IGRA). Now California's gaming tribes face enforcement actions by the U.S. Government to shut us down because there is no compact! Yet the same U.S. Government, contrary to its historical, legal and moral obligation as the trustee of the Indian tribes, refuses to enforce the law and require the California Governor to negotiate in good faith with us.

Where is the fairness? Where is the justice?

Recently over one million Californian voters signed petitions—in a record-breaking four weeks time—to afford us an opportunity to have a model compact that provides for regulated and legal gaming to be approved by the people. It appears Las Vegas gaming have already invaded our state with tens of millions of dollars in an attempt to prevent Indian tribes from achieving economic self-reliance. We are determined they will not be successful.

We are no longer willing to be labeled illegal or un-American or be branded criminals for our struggle to support ourselves. We are the first people to know and call California our home and the first people to love this land we now share. Our fathers and mother, brothers and sisters, and sons and daughters fought in every American war to defend the principles upon which the country was founded—the right of self-government and self-determination and the freedom to establish a promising future that our children and our children's children can depend on.

As representatives of the tribal governments of California, we want America's elected leaders to understand the principles that define, inform and guide our actions:

1. The key to our future is the protection of our tribal sovereignty and our right to self-governance.

It is our inherent right and responsibility to protect our culture, our lands, our resources, and our children. It is a precious legacy from our ancestors and a responsibility to our children. The tribe's government-to-government relationship with the federal government, including its agencies, is not merely a philosophical statement. It is based upon federal law and recognized in President Bill Clinton's statement to the tribes in the historic White House meeting in 1994. President Clinton directed the heads of the federal agencies to work with tribes on a government-to-government basis. The U.S. Government must honor its historic, legal and moral obligation to serve as the trustee for the Indian people. Mere words are not enough. Action is required. Under the law set forth in the 1988 Indian Gaming Regulatory Act, the U.S. Government must serve as the tribes' trustees to enforce the State of California's obligation to negotiate tribal-state gaming compacts in good faith with tribal governments consistent with their rights as sovereign nations under federal law.

2. We stand for legal, regulated, and responsible gaming—with the objective of achieving economic self-reliance an improving the quality of life for tribal members and their children.

California tribes stand at the brink of cultural and economic extinction. Economic self-reliance has been, and will continue to

be, the true goal of tribal governments through the conduct of legal responsible and regulated gaming operations, particularly to provide the tribes the means to achieve other economic development and (consistent with California law and its state constitution) diversity for the tribes. The U.S. Government, as trustee of Indian tribes, has a responsibility to support these efforts to achieve economic self-reliance and diversity. Achieving such economic self-reliance for Indians is one of the key purposes expressed by the U.S. Congress when it passed the Indian Gaming Regulatory Act.

3. We believe in sharing. We are committed to the protection of continued economic benefits from tribal gaming for all Californians.

It is a tribal tradition to share. Sharing means sometimes ensuring that our neighbors do not go hungry or that an electric bill gets paid. This tradition did not start when we commenced gaming operations and were able to generate financial resources. When the Pilgrims faced their first winter with little food or shelter, it was the Indians who helped them by sharing their resources. Currently legal, regulated gaming operations provide thousands of jobs, an overwhelming majority of which are provided to non-Indian people; millions in retail sales and tax revenues; and substantial financial support for social programs and charitable organizations—thereby benefiting our neighbors and local communities surrounding the tribes and Californians state-wide. For example, in San Diego County, the Viejas, Barona, and Sycuan Bands of Kumeyaay—combining wages paid, tax revenues generated, and goods and services purchased—are estimated to contribute \$186 million to the state and local community economies. We are proud of our legacy of sharing and are committed to seeing our gaming continue as a resource for both gaming and non-gaming tribes, our neighboring communities, and all of California.

4. Consistent with tribal sovereignty and government-to-government relations, we believe in working with local governments, agencies and elected officials who fully recognize and respect tribal sovereignty.

Indian tribes are committed to working towards a process that ensures a partnership with local governments and elected officials. Such a partnership would be premised on mutual respect and assurances of no incursions on tribal sovereignty. Tribes also support strong and fair employment relations. Indian tribes continue to be committed and responsible employers, carrying out tribe-maintained fair employment policies. We want to preserve and encourage amicable relations with our non-Indian neighbors. We will continue to work cooperatively with governmental agencies that respect tribal sovereignty.

5. We support the Tribal Government Gaming and Economic Self-Sufficiency Act—a model compact that recognizes and honors Indian governmental sovereignty while preserving the emerging economic self-reliance provided by Indian gaming.

The California Governor has refused to negotiate with Indian tribes (in good faith)—as required under the Indian Gaming Regulatory Act. Therefore, the California Indians have been forced to place their own model gaming compact on the ballot. It is called the Tribal Government Gaming and Self-Sufficiency Act. We support this ballot measure that preserves the ability of tribes to create and sustain the emerging economic self-sufficiency provided by Indian Governmental gaming.

The model compact to be voted on by California voters provides for regulated and responsible gaming operations, licensing and regulatory standards. It also provides for the

sharing of resources with non-gaming tribes as well as community programs and charitable organizations.

We are confident the people of California will not permit outside, powerful money interests—mostly from Las Vegas—to alter their support for California tribes in their effort to finally achieve economic self-sufficiency through legal, regulated and responsible gaming operations.

Therefore, be it resolved: We, as tribal nations, stand together at a time when our opponents are determined to keep us powerless and in poverty. We will not allow it! Gaming and non-gaming tribes alike are affected by these struggles. We strongly support the continued operation of Indian gaming consistent with the aforementioned and mutually agreed-upon principles.

Signed this day, June 9, 1998 in Washington, D.C. the California Nations Indian Gaming Association/Assembly for Economic Justice.

DANIEL TUCKER,
Chairman, California
Nations Indian
Gaming Association.

HONORING THE MEADOWOOD RETIREMENT COMMUNITY

HON. JON D. FOX

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 10, 1998

Mr. FOX of Pennsylvania. Mr. Speaker, I rise today to pay tribute to the Meadowood Retirement Community which has become one of the finest retirement communities in the country because it has been developed by people who have had a willingness to work, a seriousness of purpose and a genuine interest in the well being of others.

The original root of what has become Meadowood was a response to a growing need in my district to enhance the lives of those men and women who were becoming older and were seeking ways to live where there was a glow in the quality of life.

As a newspaper editor and publisher from the 13th District, William E. Strasburg felt the need to provide retirement living where men and women could live and work together and have the benefit of health care and the totality of life care.

Sylvia Strasburg, his wife, had been working with senior citizen programs in Montgomery County and was fully aware of the need to provide a suitable retirement community.

Sylvia's parents, Blanche and Malcom Schweiker, had lived on the property that is now known as the Schweiker Guest House. It had been handed down through her mother's family, the Schultz family, and when her father died in 1982, Bill and Sylvia together went to several members of the Schwenkfelder Church and the local community to form a Board to sponsor such a retirement community which would be separate from the Church and yet an outreach of the mission of the Church.

Richard Schweiker lived with his parents in the Schweiker Guest House and began his political career there. He was Montgomery County's Congressman for four terms and then United States Senator for two terms when he became Secretary of Health and Human Services in President Reagan's cabinet.

To reflect the location, the meadows and the woods, the new community would take on the name of Meadowood. The independent living apartments would be named for the birds and the trees of the meadows and the woods.

Central to the development and the operation of Meadowood would be a mission statement which would reflect the common objective to create a caring environment where each person is respected and valued. This would be illustrated as a three legged stool where each of the equal legs would provide a solid support. The Schwenkfelder Church as well recognizes that growth toward spiritual maturity is a life-long process.

Additional land was acquired, permits were obtained, the sewer plant was acquired, upgraded and turned over to the Township and financing was completed . . . and then in March of 1986 ground was broken for Meadowood. The first residents moved into their new homes on a rainy day in May of 1988. The dedication took place around the fountain in June of 1989.

The Board has selected dedicated and caring professionals to manage Meadowood. Since 1989 Meadowood has been managed by American Retirement Corporation Management of Brentwood, Tennessee. This caring dedication is a strength that has been woven into the fabric of Meadowood's development and continues today.

God bless the Meadowood retirement community and all of its residents. The mission of creating a caring and respecting environment has truly enhanced Montgomery County.

IN HONOR OF MONSIGNOR LEO TYMKIW

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 10, 1998

Mr. KUCINICH. Mr. Speaker, I rise to honor Monsignor Leo Tymkiw, Pastor of St. Andrew's Ukrainian Catholic Church in Parma, Ohio, who is celebrating 50 years as a priest.

Monsignor Leo Tymkiw was born on April 21, 1914 in Boiany, Ukraine. He completed his elementary and secondary education in Stanyslaviv, Ukraine. In 1938, he graduated from Theological Academy in Lviv, Ukraine, with a degree in theology. Subsequently, he graduated from the School of Library Science where he studied church history for several years. On Easter Sunday, May 2, 1948, he was consecrated to the Holy Priesthood by Archbishop Ivan Buchko. His first assignment was as the Spiritual Director for Ukrainian students in Munich.

Monsignor Leo Tymkiw emigrated to America in 1950. In 1952, he organized the parish "Under the Protection of Blessed Virgin Mary" in Troy, New York, and he served as its pastor for three years. In 1955 he organized another new parish, also named "Under the Protection of Blessed Virgin Mary" in Bristol, Pennsylvania. Monsignor Leo Tymkiw served as their pastor for four years. He was pastor of a parish in Crisholm, Minnesota for several months in 1959. From 1960 to 1972 he served as pastor of St. John the Baptist Ukrainian Catholic Church in Lorain, Ohio. On August 1, 1972 Monsignor Leo Tymkiw was appointed the first pastor of St. Andrew's Ukrainian Catholic

Church in Parma, Ohio. He has served as their pastor for the past 26 years.

Mr. Speaker, let us recognize the achievements of Monsignor Leo Tymkiw, who will be honored at a dinner on June 14, 1998 for a lifetime of giving, service and achievement.

PERSONAL EXPLANATION

HON. CASS BALLENGER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 10, 1998

Mr. BALLENGER. Mr. Speaker, had I been present on June 9 for Rollcall vote 212, Rollcall vote 213, and Rollcall vote 214, I would have voted "yea". In addition, I would have cast an "aye" on Rollcall vote 215, had I voted.

A FOND FAREWELL TO FATHER ANTALL

HON. STEVEN C. LATOURETTE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 10, 1998

Mr. LATOURETTE. Mr. Speaker, I rise today to honor the Rev. Richard C. Antall, who this week will leave St. Mary's Catholic Church in Painesville, Ohio, to return to El Salvador to work as a missionary. He will leave a void that many suspect will never fully be filled.

For the residents of Painesville, Ohio, and indeed all of Lake County, Ohio, Father Antall was much more than simply a local priest. In the four years Antall spent as an associate pastor at St. Mary's, he immersed himself in virtually every aspect of the community, and was often considered the spiritual, legal, and political arm of the Hispanic community.

Not only did Father Antall lead a Spanish-speaking mass each Sunday at the church, but he became intertwined in the lives of the migrant workers who travel to Lake County each year from Mexico to work in the county's many nurseries and farms. For a great number of the workers, Father Antall was not just their spiritual mentor, but also served as their advocate whenever disputes arose over working or living conditions. He was a friend, mentor, translator and a wonderful listener.

Father Antall was tireless in defending the workers, and was of great assistance to me personally when I was new to the Congress, particularly when we began addressing immigration legislation and its effect on seasonal workers. His input was invaluable to me, and I witnessed firsthand the kindness that drew so many to him. Father Antall has a wonderful quality of placing those around him at ease—be they his parishioners, children, educators, lawyers or lawmakers.

So many lives in the Painesville area have been touched by this selfless man, and while many wish he did not have to leave, those who know him certainly understand his need to pursue his lifelong dream of being a missionary in El Salvador. This will mark a homecoming to the remote Central American country where Father Antall spent seven years working with the Cleveland Diocese mission before coming to St. Mary's.

It is my full expectation that Father Antall will provide a voice, a heart and a helping

hand to the neglected, the downtrodden, the silenced, and the dreamers in El Salvador, just as he has in Painesville. He will offer an uplifting message centered on the love of God, and the need to be kind to one's fellow man. On behalf of the 19th Congressional District, I thank Father Antall for his many acts of kindness and for the indelible mark he left on his community and his congregation. I wish him well in his new life, and hope that he will always save a space in his heart for Lake County.

RICHARD MELLON SCAIFE FUNDS
CLINTON CRITIC LARRY
KLAYMAN'S JUDICIAL WATCH
ORGANIZATION

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 10, 1998

Mr. CONYERS. Mr. Speaker, I ask unanimous consent to enter into the RECORD the following new story from The Washington Post.

[From the Washington Post, June 10, 1998]

SCAIFE FOUNDATION GAVE \$550,000 TO ANTI-CLINTON LEGAL GROUP
(By David Segal)

Richard Mellon Scaife, the Pittsburgh billionaire whose foundations have bankrolled an array of anti-Clinton activities, gave one of his largest grants last year to Judicial Watch, the conservative group suing the Clinton administration in 18 separate matters, newly released records show.

Scaife gave Judicial Watch \$550,000, according to documents disclosed by the Carthage Foundation, one of four philanthropies underwritten by Scaife. That sum is nearly nine times as large as the \$60,000 in outside contributions Judicial Watch said it received in 1996.

"It's a minority of our support and we're very proud to receive it," Judicial Watch founder and president Larry Klayman said yesterday before refusing further comment. In a recent interview, Klayman would not confirm the Scaife grant and deflected financing questions by saying, "Basta! . . . that means 'stop it' in Italian."

Scaife's foundations last year gave away a total of \$25 million to conservative groups as well as academic institutions such as Boston University and Carnegie Mellon University. The scion of the Mellon banking family, Scaife has become a major financial resource for those eager to probe Clinton administration controversies, from the Monica S. Lewinsky case to the death of White House deputy counsel Vincent W. Foster.

Independent counsel Kenneth W. Starr had once planned to accept a Scaife foundation-financed deanship at Pepperdine University, leading Clinton allies to criticize the prosecutor's conservative movement ties.

The recipient of the largest single Scaife grant last year—for \$1.5 million—was the Free Congress Research and Education Foundation Inc., a think tank run by conservative activist Paul Weyrich. Free Congress is part owner of America's Voice, a TV network formerly known as national Empowerment Television.

The American Spectator magazine took in nearly \$1 million last year from two Scaife foundations—Carthage and the Sarah Scaife Foundation. Part of that money paid for the so-called "Arkansas Project," an investigation of alleged Clinton skulduggery in his

home state. The project was criticized by several Spectator staffers and has given rise to an investigation into whether some Scaife money improperly went to pay a key Starr witness.

But the financial relationship between the magazine and Scaife's foundations is over. "Let's just say that the Spectator had Scaife foundation money in the past [but] they decided to quit contributing this year," said publisher Terry Eastland.

The Landmark Legal Foundation, a Herndon group that has pounded Pentagon officials for allegedly leaking data from Linda R. Tripp's personnel file, took in \$525,000 from Scaife. "We have a hard and fast rule here," said Landmark president Mark Levin. "We don't accept money laundered through Indian tribes or Buddhist nuns."

The award to Judicial Watch is in some ways the most notable of the Scaife grants, representing a huge financial boon for a group that barely registered on Washington's radar screen until recently. In 1996, the group's largest benefactor was Klayman himself, a formerly obscure international trade attorney; he kicked in about \$110,000 of his own money and took in just \$60,000 in outside contributions.

Scaife foundation officials did not return calls about why they decided to start giving to Judicial Watch.

Klayman first gained notice when he took a deposition from Democratic fund-raiser John Huang in 1996, just as the controversy about Democratic campaign financing was breaking. By last year, Klayman was becoming a regular on TV chat shows such as "Rivera Live" as he subpoenaed a parade of Clinton allies for depositions in various lawsuits. Klayman has turned up such disclosures as a Pentagon official's admission that he authorized the Tripp information leak. But Judicial Watch's advertising also has featured far-fetched theories, including that the late Commerce Secretary Ron Brown might have been shot in the head by top White House officials.

Klayman is deposing witnesses for three lawsuits against the Commerce Department and one against the Justice Department, among others, and he represents Republicans whose FBI files were obtained by White House officials.

THE MEDICARE HOME HEALTH EQUITY ACT OF 1998

HON. MICHAEL PAPPAS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 10, 1998

Mr. PAPPAS. Mr. Speaker, I come here today to speak about a bill I have introduced to restore equity to the home health care industry. Congressmen Coyne, Saxton, Smith of New Jersey and I have introduced H.R. 3567, "The Medicare Home Health Equity Act of 1998" to address what we feel are major problems with the implementation of HCFA of the Balanced Budget Act of 1997.

Last year's Balanced Budget Agreement brought much needed common sense to government spending. As part of the Balanced Budget, changes were made to make payment for home health care more efficient. A Prospective Payment Schedule for home health services was created but is not ready yet. HCFA has created the IPS as a transitional approach. However, the IPS is a "one size fits all" plan that continues the practice of rewarding inefficient home health services and pun-

ishing efficiency. Agencies which had already implemented efficiency measures to save Medicare money have been penalized for this thrift, while those that have not are rewarded. I do not believe this was the intent of Congress.

H.R. 3567 will level the playing field by basing the per patient cost limit of the IPS on a blend of national and regional data rather than on individual agency data. It already has 69 bi-partisan co-sponsors and has the support of numerous home health care organizations. Congress must act now to avoid further pain to the home health care communities. Moreover, according to Price Warehouse, H.R. 3567 is budget neutral and I hope the CBO will finish a scoring of this bill shortly.

I hope my colleagues will seriously consider this bill and join me in the effort to restore equity to home health care agencies.

HONORING SOL AND JUNE ZIM

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 10, 1998

Mr. ACKERMAN. Mr. Speaker, I rise today to join with my constituents and members of the Hollis Hills Jewish Center as they celebrate the 50th anniversary of this great house of worship, and honor their most distinguished and world-renowned Cantor, Sol Zim and his wife June, for 35 years of distinguished service to the synagogue.

In 1964, Sol and June Zim began a relationship with the Hollis Hills Jewish Center that would not only enhance the spiritual and secular lives of the synagogue's members, but would allow Cantor Zim to perform around the world to share the joy and fulfillment that epitomize his music. As the sixth generation of a family of exceptionally talented cantors, Sol Zim has studied with such outstanding cantorial instructors as Joshua Weisser, Moshe Koussevitzky, Sholom Secunda and Oscar Julius. He has received degrees from the Jewish Theological Seminary of America, Brooklyn College and New York University. His extraordinary voice brought him offers for positions in such distinguished opera companies as the Vienna State Opera Theater and the Israeli National Opera. Yet it was to our great benefit that Sol Zim chose to pursue his musical career as a cantor.

Mr. Speaker, in addition to his unforgettable voice, Sol Zim is a most prolific writer of Jewish popular songs and prayer melodies that are sung in congregations throughout the world. He has composed more than 20 cassettes and tapes of music dedicated to Yiddish, Hebrew, Chassidic and Cantorial themes. A hallmark of his desire for all people to love music is the creation of a children's choir in those cities in which he has appeared. In the 1970's and 80's, he founded "The Brothers Zim" which quickly became America's foremost Jewish singing group.

Both he and his wife June take their role as community leaders most seriously. Through their efforts, they have brought direction and compassion to many viable undertakings. June has served as the synagogues' Vice-President of Sisterhood, Vice-President of Jewish Family Living for the Queens Region of National Women's League, and Co-Chair of

many of the Hollis Hills Jewish Center's annual conferences.

Sol serves the National Chairman of the Jewish War Heroes Fund, and has been honored as Man of the Year and received humanitarian awards by such diverse organizations as the United Jewish Appeal, Israel Bonds, Hadassah Bnai Brith, Amit Women and Shaare Zedek Hospital.

Mr. Speaker, in honor of all their great achievements, I ask all my colleagues in the House of Representatives to join with me and rise to express their appreciation for the Zims.

A TRIBUTE TO WILLIAM AVERY

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 10, 1998

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise to honor a great Philadelphian, William Avery. Bill Avery began his career as a management trainee with Crown Cork and Seal's Chicago plant in 1959, while he completed his studies at the University of Chicago. His career at Crown advanced steadily through the last four decades, as he rose from the position of Plant Manager, to Area Manufacturing Manager, Vice President of Sales for the Mid-Western Division, and Corporate Vice President. After only four years, Bill was promoted from the Vice Presidency to President and Chief Operating Officer of Crown.

Mr. Speaker, because of Bill's leadership as President, and today, as Chairman and CEO, Crown has grown exponentially. It is a global leader in the packaging industry and a wonderful corporate citizen in my home town of Philadelphia.

Bill Avery is personally active in educational and charitable organizations in the Philadelphia region. His board memberships include the YMCA, Fox Chase Cancer Center, Opportunities Industrialization Center, University of Chicago Graduate School of Business, Gwynedd Mercy College, the Connelly Foundation, PhAME, PAL, Avenue of the Arts, Inc., the Franklin Institute and the Regional Performing Arts Center. Mr. Speaker, Bill has also been honored by His Holiness Pope John Paul II with a knighthood in the Order of St. Gregory.

Mr. Speaker, I am sure that my colleagues join me in honoring a great Philadelphian and a great American, Bill Avery.

COMMENDING MONSIGNOR JOSEPH F. SEMANCIK

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 10, 1998

Mr. VISCLOSKY. Mr. Speaker, it is my sincerest pleasure to commend an outstanding leader of Indiana's First Congressional District, Monsignor Joseph F. Semancik. On Sunday, June 28, 1998, Monsignor Semancik will be honored by the Midwest Slovak Cultural Society during their annual Slovak Day Celebration. In honor of Monsignor Semancik's announced retirement, Sunday, June 28, 1998 has been designated as "Monsignor Semancik

Day." This highly anticipated event, in its twenty-fifth year, is a cultural celebration combining the best of religious, civic, and ethnic entertainment. Awarding this high honor to Monsignor Semancik clearly shows how valuable and indispensable he has been for the residents of Northwest Indiana, the Catholic Charities of the Gary Diocese, and all the people he has touched through the service of God.

On Thursday, October 1, 1998, Monsignor Semancik will officially retire as the Director of Catholic Charities. Since he finished his master's degree in social work from Loyola University, Monsignor Semancik has spent the last thirty-eight years serving the Northwest Indiana Catholic community as one of the region's most accessible, compassionate, and dedicated spiritual leaders and social advocates. In 1958, Monsignor Semancik was directed by Bishop Andrew G. Grutka to study social work. Though spending most of his time helping others, Monsignor Semancik advanced his own learning by earning a master's degree from Loyola University in 1960 and a doctorate from the University of Chicago in 1977. Driven by his compassion, desire to help people, and education, he spearheaded the efforts that led Catholic Charities to become the great helping organization that it is today. During his long tenure as Director of Catholic Charities, his service on the Lake County Economic Opportunity Council, and the Lake County Community Development Committee, as well as his successful efforts in establishing the Indiana Catholic Conference, Monsignor Semancik has truly earned the love, respect, and admiration of everyone in Indiana's First Congressional District.

Though Monsignor Semancik, at sixty-nine years of age, will soon retire from his position with Catholic Charities, he will maintain his position as Pastor of Sacred Heart Church in East Chicago, Indiana. As well, he will continue one of his lifelong passions: writing. Currently, Monsignor Semancik is planning to write a history of the Catholic Charities in the Diocese of Gary. He also plans to continue his long-standing tradition of researching and writing about Catholic Charities directors. These works, when completed, will go along with the work that he completed on the history of Slovaks in Indiana.

Mr. Speaker, America is made a better place because of the tireless and unselfish service of her citizens. Monsignor Joseph Semancik is a man who has dedicated his entire life to helping those around him, resolutely working to aid the unfortunate and needy, and serving as an upright pillar of morality and conscience. In so doing, he has strengthened his community, Northwest Indiana, and whole of our country and society. I ask you, and my other distinguished colleagues, to join me in commending Monsignor Semancik for his lifetime of remarkable accomplishments, enduring service, and the unforgettable effect he has had on the people of his community.

PHILIPPINES CENTENNIAL CELEBRATION

HON. CHARLES F. BASS

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 10, 1998

Mr. BASS. Mr. Speaker, I rise to pay tribute to the Philippines Centennial Celebration. On

June 12, 1998, the Philippines will celebrate the 100th Anniversary of their independence from Spanish rule.

Nearly a century ago, a revolution in the Philippines ended more than 300 years of Spanish domination in the area and established the first democratic republic in Asia. The makings of the revolution began in the late nineteenth century with the children of the elite business class. They had been educated in Europe and exposed to ideas of independence and revolution. Among these nationalists was Jose Rizal, whose novel *Noli Me Tangere* sparked the revolt against Spain. Followers of Jose Rizal formed a secret group of reformists and radicals called the Katipunan. Eventually, in August of 1896, tensions in the Philippines had raged to the point that the Katipunan's leader, Andres Bonifacio, declared complete severance from the colonial government and the revolution began.

The Philippine-Spanish Revolution began at the same time that the Spanish-American War was being fought halfway around the world. The Americans came to the aid of the Philippines, and on June 12, 1898, Emilio Aguinaldo, a leader of the Katipunans, declared victory over the Spanish colonial government and established the Philippine Republic.

The survival of the Philippine Republic over the last 100 years has not been without difficulty. The Philippines has survived American colonialism, a four year occupation by Japan during World War II, the complete wartime destruction of Manila, Ferdinand Marcos's martial law regime, and a devastating volcano called Pinatubo.

However, even with all of these struggles the Philippines is on the road to prosperity. It has been over a decade since the People's Revolution ousted the Marcos regime and instituted the democracy that now exists. The Philippine economy has been rejuvenated and stands poised to join in the globalization of the East-West world market.

It is fitting that in the year of their centennial, the dictators are gone, the volcanoes are quiet, and the Philippines appear to have reached what Emilio Aguinaldo proclaimed nearly 100 years ago: that an independent Philippines, "today begins to have a life of its own."

WELCOMING SOUTH KOREAN PRESIDENT KIM DAE JUNG

HON. SAM GEJDENSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 10, 1998

Mr. GEJDENSON. Mr. Speaker, it is a pleasure to welcome South Korean President Kim Dae Jung to our country, on his first state visit. I join my colleagues in wishing President Kim the best as he assumes the duties and responsibilities of his new office. Mr. Kim's victory last fall was a triumph for democracy and reform—and above all, for the people of South Korea. Since assuming office, President Kim has been trying to fulfill his campaign promises, to bring a new era to South Korea, one recognizing democracy and human rights, one that is free of corruption and embraces economic reform and the rule of law.

This is a time of great promise for South Korea. The steps the government has taken

are certainly in the right direction, but the path to true reform is long indeed. In particular, the IMF reform package accompanied by the specific reform measures has enjoyed some success. However, much more needs to be done: Justice must be served to those directly wronged by the old regimes, and some punishment should be meted out on the wrongdoers. Old, long held, practices associated with crony capitalism need to be abandoned.

Specifically, one series of crimes allegedly perpetrated by the old regimes that must be investigated involves several companies that were subject to the "rationalization" policy of the mid-80s. The companies included Kuk Je, Jung Woo, Jung A, Nam Kang, and Samho were forced to transfer all of their assets to allies of the Chun government. Samho, formerly one of Korea's largest construction companies, helped to build much of Korea's infrastructure, including the subway, water filtration system, first skyscraper and much of the country's affordable, middle income housing. However, because the owner, Mr. B.K. Cho did not participate in the widespread corruption associated with the government of President Chun, his company and his family's personal possessions were taken by the government.

Samho was one of Korea's largest construction companies valued at over \$750 million at the time of this illegal transfer. The company had projects throughout Korea, the Indochina Peninsula, Saudi Arabia, and Kuwait. Subsidiary companies included a textile plant, a chemical company, and one of the Korea's largest chains of stores. Now, Samho is a wholly owned subsidiary of Daelim Construction Company, operating under the same name. Daelim's director in the 1980s was a friend of the Chun family. Daelim is now the third largest construction company in Korea and one of the largest conglomerates with over 11,000 employees and annual revenues in excess of \$5 billion. However, it was a relatively minor construction firm prior to the illegal acquisition of the Cho assets.

Many of the individuals in the Chun and Roh governments who were responsible for these illegal activities remain in powerful positions in the country. Kim Mahn Je was Chun's Minister of Finance, and is now the chairman of the Pohang Iron and Steel Company. He serves in his current position at the discretion of the Kim government. Kim threatened the director of Samho with physical force if he did not sign over the company, saying his orders came from "the Blue House," or from President Chun himself.

Lim Chang Yuel, who worked with the Minister of Finance Kim Mahn Jae under Chun, recently guided Korea through its IMF negotiations, and is currently running for governor of the Seoul province for President Kim's party. Lim was in charge of "forced liquidations" of corporations for President Chun.

Only one meager effort has been made to right the wrongs of the past for these companies. In July 1993, the Constitutional Court of the Republic of Korea held that the liquidation of Kuk Je was invalid, and awarded modest, although not fair, compensation to its former owners. I strongly believe that an investigation of these crimes would engender even greater confidence in the government of President Kim and his plan of implementation of the necessary reforms. By demonstrating that the era of corruption and crony capitalism is in the

past, the Korean Government can foster greater economic growth and demonstrate that Korean corporations and government alike abide by the rule of law.

TRIBUTE TO SAMUEL L. GINN

HON. BOB RILEY

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 10, 1998

Mr. RILEY. Mr. Speaker, I rise today in recognition of Samuel L. Ginn of Hillsborough, California. A graduate of Auburn University, located in Auburn, Alabama, Sam is being presented an honorary Doctor of Science Degree from his alma mater, Auburn. In addition, he is the Commencement Speaker at this year's ceremonies.

Mr. Ginn's contributions in the field of telecommunications is uncontested. A pioneer in wireless communications, Sam Ginn has been innovative in creating one of the largest, international communications companies in the world. AirTouch serves over 20 million individuals, fully 10 percent of the market.

In addition to being an exemplary businessman, Sam Ginn is an active member of his community, including both civic and professional organizations. He is a member of: The Business Council, Industry Policy Advisory Committee on JOBS, California Business Roundtable, and The Institute for International Studies at Stanford University. In addition he retains corporate board memberships with Chevron Corporation, Hewlett-Packard Company, Safeway Inc., and Transamerica Corporation.

Finally, Sam lives with his wife, Ann, in the San Francisco Bay Area. They have two sons and a daughter.

Mr. Speaker, Sam Ginn returns to Auburn University to not only receive an honorary degree, but to share with graduating students some of the wisdom and experience that he has gained over the last thirty years. Mr. Speaker, I would ask that my colleagues join me in congratulating Sam on his degree, and I would also ask my colleagues to join me in congratulating and wishing the best of luck to all of the students of Auburn University's Class of 1998.

THE LINK BETWEEN ANIMAL VIOLENCE AND VIOLENCE AGAINST INDIVIDUALS

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 10, 1998

Mr. LANTOS. Mr. Speaker, I rise today to call the attention of my colleagues to the important connection between violence against animals and violence against humans. Recently, we held an important Congressional briefing to explore the link between animal abuse and domestic violence. This briefing was jointly cosponsored by the Congressional Friends of Animals, which our colleague, Christopher Shays of Connecticut, and I chair; the Congressional Caucus on Women's Issues, chaired by Congresswomen Eleanor Holmes Norton and Nancy Johnson; and the

Congressional Children's Caucus chaired by Congresswomen Sheila Jackson-Lee and Ileana Ros-Lehtinen, and with the support of Congresswoman Elizabeth Furse, Congressman Jon Fox, and Senator Robert Torricelli.

Mr. Speaker, it is no surprise that individuals who brutalize animals are very often guilty of committing similar crimes against people. Not all of us are aware of the well defined link between cruelty to animals and both domestic violence and violent crimes like murder, assault and serial crimes.

Violence towards animals precedes and co-exists with domestic violence including: spouse abuse, child abuse, elder abuse, as well as murder and assault. Unfortunately, pets often serve as surrogate targets of a troubled offender's wrath. A 1997 survey found that 85.4 percent of women in shelters talked about violence towards pets as part of the cruelty at home. Mr. Speaker, Animal Abuse is recognized as a symptom of mental disorder by the American Psychiatric Association, which considers animal abuse one of the diagnostic criteria of a conduct disorder.

Animal abuse can also be an important indicator of future violent behavior. When a child is caught hurting an animal, this problem should be addressed immediately because this problem is not self-correcting. Abusing animals is often a precursor to more violent offenses, and a child that is abusing animals must be taught the value of all life. The FBI has used this connection between animal abuse and violent behavior for two decades in profiling serial killers and violent criminals.

Mr. Speaker, we must focus attention on this important connection. If we can help increase reverence for the life of animals, we will foster a greater respect for human life. Strengthening laws against animal abuse and publicizing this issue will serve to protect humans in the long run. Animal abuse is a warning sign, and we must learn to look for it and recognize it.

This past week, Mr. Speaker, I introduced H. Con. Res. 286 which expresses the view that the link between violence against animals and violence against humans should be given greater emphasis and that it should be used to identify and treat individuals who are guilty of violence against animals. This resolution notes that animal abuse is a crime in its own right in all 50 states, but such abuse should also be identified and treated because of the link with violence against humans. The resolution also urges research to increase understanding of the connection between cruelty to animals and violence against humans.

Mr. Speaker, I would like to call the attention of my colleagues to statements that were given at the recent briefing on this issue. I want to mention the remarks of Barbara Sweeney, a social worker from Alexandria, Virginia. She testified that individuals who batter often abuse animals to threaten, control, and intimidate their partner. Ms. Sweeney also discussed how the Alexandria Domestic Violence program addresses the link of violence through such programs as counseling and humane education for children who witness this form of abuse and are deeply affected. The Alexandria Domestic Violence Program has taken this link seriously and should be considered a model program.

A number of distinguished and well-informed experts provided outstanding testimony at this important briefing. They were Kim Roberts,

M.S.W., First Strike Campaign Manager for the Humane Society of the United States; Special Agent Alan C. Brantley of the Federal Bureau of Investigation; Julie Bank of the ASPCA (the American Society for Prevention of Cruelty to Animals) and founder of the ASPCA's Family VISION (Violence Information Sharing, Intervention, and Observation Network); and Suzanne Barnard, M.S., Assistant Director of the Children's Division of the American Humane Association.

Mr. Speaker, I ask that their statements be placed in the RECORD, and I ask that my colleagues give careful and thoughtful attention to their remarks.

CONGRESSIONAL INFORMATIONAL BRIEFING—
ANIMAL ABUSE AND DOMESTIC VIOLENCE
(By Kim Roberts)

The HSUS' campaign about the connection between animal cruelty and human violence is called "First Strike" because the first strike is often against the family pet. The family pet may be the most vulnerable victim in a violent household. Violence against a family pet is often used to control, manipulate or terrorize family members. Animal abuse can also be a warning sign that the violence is escalating. Taking animal cruelty seriously offers an opportunity to intervene in violent households and with violent individuals, and strong anti-cruelty laws can provide the means. Through enforcement of laws and intervention with perpetrators we may prevent future violence against animals and people. In a violent household, all family members are victims. Enforcement of strong anti-cruelty laws can also provide an opportunity to provide assistance to other victims in the family.

Strong state anti-cruelty laws are a major focus of The HSUS. Some of the key components of a strong anti-cruelty law include a wide range of options such as felony provisions, psychological evaluation and counseling, a wide range of available fines and prison sentences, restitution, reimbursement of costs, seizure of animals and community service. Cross-reporting and cross-training of humane investigators and those charged with investigating child abuse and domestic violence are also valuable tools in the identification of current and possible future victims of violence, both human and animal.

In addition to supporting strong anti-cruelty laws elected officials and other leaders can also help address this issue by encouraging data collection and research at the local, state and federal level; support emergency housing programs for pets of individuals seeking to leave a violent situation and the development of community coalitions; stronger penalties for perpetrators who abuse animals in front of a child; and mandatory reporting of animal cruelty.

The next steps to prevent violence include formal recognition by the federal government of the connection between animal cruelty and various forms of human violence; assistance in making others aware of the connection through inclusion of this connection in discussions of violence-related issues; cooperation between various government agencies and organizations interested in anti-violence efforts; inclusion of animal cruelty in state and federal level crime data collection; and the incorporation of animal abuse into the Justice Department's comprehensive plans for research and program development in violence-related areas such as domestic violence, child abuse, youth violence, etc.

The main message I would like to leave you with is that strong anti-cruelty laws don't just protect animals, they protect people too.

CONGRESSIONAL BRIEFING

(Remarks of Alan C. Brantley)

I come to you today from your National Center for the Analysis of Violent Crime, which is part of the FBI's Critical Incident Response Group located at Quantico, Virginia. The National Center for the Analysis of Violent Crime or NCAVC, was formed in the mid-1980's as the direct result of the then burgeoning phenomena of stranger-to-stranger homicides or so called murders with no apparent motive. At that time, we in the NCAVC were tasked with the identification and tracking of serial killers and other violent offenders who committed unusual or particularly vicious offenses.

It is our belief that since all crimes are committed by human beings then at some stage along the crime commission continuum there will be the display of behavior that lends itself to analysis and interpretation. From this interpretation, information of lead value can be gleaned from the results and provided to investigators, prosecutors, judges, and juries who may not encounter these types of behaviors in their professional or personal life experiences.

Since the mid-1980's to the present, the NCAVC has expanded its examination of criminals and offenses to include not just the serial offenders but all types of violent crime. One of the services provided by the NCAVC is in the area of threat analysis and the assessment of dangerousness. To aid in the prediction of dangerousness in law enforcement settings, we have developed a checklist or guide which enumerates sixteen categories. These categories and the elements within each, serve as risk indicators or warning signs that when critically reviewed and recognized can assist during assessments of subjects suspected or known to be dangerous.

Provided to you today is a copy of the checklist which is entitled the "Traits and Characteristics of Violent Offenders." You will note categories number twelve and sixteen which are two of the most important warning signs. Both of these categories concern an individual's history of actual violence to include violence against people and animals. It has long been accepted among professionals who must assess dangerous populations that the best predictor of future behavior is past behavior and a past history of violence is the single most important predictor of future violence.

Some in our society make too much out of qualitatively distinguishing between violence against humans and violence against animals. Ladies and gentlemen, violence against animals is violence and when it is present, it is considered by the people I work with to be synonymous with a history of violence. In many cases reviewed at the NCAVC we have seen examples whereby violence against animals is a prelude to violence against humans. We in the NCAVC find ourselves in the unenviable position of literally seeing the absolute worst that human beings can do to other human beings and animals. Some offenders kill animals as a rehearsal for targeting human victims and may kill or torture animals because to them, the animals symbolically represent people.

In many cases, depending on the context and quality of the behavior, animal violence does not occur in a vacuum and co-exists with other major adjustment problems. It is not only highly predictive in identifying children at risk for committing future acts of violence but also in identifying children being abused and cases of spousal abuse. The most profound predictor of future violence against humans, in my opinion, is when the animal abuser kills the animal in a very public way and flaunts the act in order to seek

attention and gain a perverted sense of status. They begin to identify with the role of becoming a violent criminal and in many cases achieve their goal.

To close I will leave you with some insight into how convoluted the thinking of such individuals can become. For them what is good is bad, what is bad is good, and what is cruel, violent and inhumane is even better.

TRAITS AND CHARACTERISTICS OF VIOLENT
OFFENDERS

The prediction of dangerousness in law enforcement settings has long been a topic of interest, especially for those who must make arrests, conduct threat assessments, are hostage negotiators, and who preside over parole decisions. A number of factors have been identified by researchers as risk indicators for future violence to include past violence, substance abuse, mental disorders, brain damage, and a history of witnessing violence in the home. While the above risk indicators are well known to many, there has been no systematic method of combining all that is known about risk indicators into an off-the-shelf, user friendly model that can be applied to individual cases.

The following checklist was developed by Supervisory Special Agent (SSA) Alan C. Brantley of the Critical Incident Response Group's National Center for the Analysis of Violent Crime. It is intended to serve as a guide when conducting assessments of subjects suspected or known to be dangerous. The items included on the checklist were selected primarily on the basis of both law enforcement and mental health experience with violent offenders. Questions about this checklist may be directed to SSA Brantley at (540) 720-4902.

1. ANGER/LOW FRUSTRATION TOLERANCE—Reacts to stress in self-defeating ways, unable to effectively cope with anxiety, acts out when frustrated. Frustration leads to aggression.

2. IMPULSIVE—Is quick to act, wants immediate gratification, has little or no consideration for the consequences, lacks insight, has poor judgment, has limited or impaired cognitive filtering (A-C vs. A-B-C).

3. EMOTIONAL LABILITY/DEPRESSION—Quick-tempered, short-fused, hot-headed, "flick," rapid mood swings, moody, sullen, irritable, humorless.

4. CHILDHOOD ABUSE—Sexual and physical abuse, maternal or paternal deprivation, rejection, abandonment, exposure to violent role models in the home.

5. LONER—Is isolated and withdrawn, has poor interpersonal relations, has no empathy for others, lacks feelings of guilt and remorse.

6. OVERLY SENSITIVE—Hypersensitive to criticism and real or perceived slights, suspicious, fearful, distrustful, paranoid.

7. ALTERED CONSCIOUSNESS—Sees red, "blinking," "blackouts, derealization/depersonalization ("it's like I wasn't there; it was me but not me"), impaired reality testing, hallucinations.

8. THREATS OF VIOLENCE—Towards self and/or others, direct, veiled, implied, conditional.

9. BLAMES OTHERS—Projects blame onto others, fatalistic, external locus of control, avoids personal responsibility for behavior, views self as "victim" vs. "victimizer," self-centered, sense of entitlement.

10. CHEMICAL ABUSE—Especially alcohol, opiates, amphetamines, crack, and hallucinogenics (PCP, LSD), an angry drunk, dramatic personality/mood changes when under the influence.

11. MENTAL HEALTH PROBLEMS REQUIRING IN-PATIENT HOSPITALIZATION—Especially with arrest history for any offenses prior to hospitalization.

12. ****HISTORY OF VIOLENCE****—Towards self and others, actual physical force used to injure, harm, or damage. ****This category is the most significant in assessing individuals for future dangerousness.****

13. **ODD/BIZARRE BELIEFS**—Superstitious, magical thinking, religiosity, sexuality, violent fantasies (especially when violence is eroticized), political, social, delusions.

14. **PHYSICAL PROBLEMS**—Congenital defects, severe acne, scars, stuttering, any of which may contribute to poor self-image, lack of self-esteem, and isolation. History of head trauma, brain damage/neurological problems.

15. **PREOCCUPATION WITH VIOLENT THEMES**—Movies, books, TV, newspaper articles, magazines (detective), music, weapons collections, guns, knives, implements of torture, S&M, Nazi paraphernalia.

16. **PATHOLOGICAL TRIAD/SCHOOL PROBLEMS**—Firesetting, enuresis, cruelty to animals, fighting, truancy, temper tantrums, inability to get along with others, rejection of authority.

CRUELTY TO ANIMALS THROUGH MY EYES

(By Julie Bank)

Thank you for the opportunity to speak with you today. I'm honored to be here but I'm saddened by the need to describe the world of animal cruelty to you. You see, I have been crusading against cruelty for over a decade and although I have seen positive results of mine and other advocates' efforts, there still seems to be much to do. Working at the ASPCA has given me a first hand look into the eyes of the victims of abuse and not only the four legged victims. I remember working as an adoption counselor, eager and energetic to find animals a home. One afternoon, a man walked in, he was a tall man, he was dragging a dog that was so thin I could almost count his ribs. The dog had almost no hair and was bleeding from the ears. It had looked like the ears had been chopped off with scissors. You could see the terror and the panic in the dog's eyes as he tried to pull away from the man. Trailing behind the man was a young boy, about eight, carrying a box. The box was filled with puppies. Two of them were already dead. I could swear the boy had the same look in his eyes as the dog. He too was thin, pale, and dirty. The man dumped the dog on the counter, turned to the boy and said, "I am going to teach that bitch a lesson once and for all." When the boy bent down to say goodbye to his once beloved friend, the father smacked the boy in the face, grabbed him by the arm and said, "Just you wait till we get home." The man and the boy left and the dog was humanely euthanized by ASPCA technicians. One of the puppies survived, and is now living in a happy home.

I think it was that day that I began to recognize the cycle of violence. I couldn't help but wonder what other abuse was occurring in this home since the man was willing to show us a brutal display in the shelter. Was there anything I could do as an individual or as an animal worker to stop the abuse from happening again?

Eight years later, and a lot of hard work, we have begun to make headway. I am proud to say that the ASPCA is part of a network in NYC which is recognizing that animal abuse is an important piece of the abuse puzzle. The network consists of a whole range of city social service and protection agencies including:

The NYPD, Administration for Children's Services, Department of the Aging, Human Resource Agency, Mental health, education, animal welfare, and other public and private agencies.

NYC Family VISION, as it's called looks at violence as a societal issue and is working on programs to address it. All members of Family VISION bring to the table different perspectives and experiences. Many of us define abuse differently but, no matter what our background is or who the population is we are serving, whether adult, child, or animal, abuse is abuse and must be stopped.

NYC Family VISION has five goals: Cross training animal, law enforcement, and social service workers to recognize animal and human abuse. For example, In January of this year, ASPCA staff trained 800 Domestic Violence police officers on animal abuse.

Cross reporting so that we can gather statistics and make sure that the proper agency is informed when an abuse case occurs. Recently, ASPCA humane law enforcement officers went into a home to investigate an animal abuse complaint and found three children under five home alone. They immediately called the Family VISION NYPD and ACS representative and the mother who was found in the local bar was brought up on child abuse charges.

Intervention which is a new program where adjudicated offenders of animal abuse are sent to the ASPCA by the courts for a twelve-week psychoeducational program.

Education. As an educator, I recognize the importance of establishing school and family programs that will continue to foster the human animal bond that exists in millions of households. NYC Family VISION is helping educators support their students, and to continue to promote programs that stimulate responsible, empathetic behaviors toward all life.

Foster care. Helping victims of domestic violence by temporarily placing their animal so they can leave an abusive situation quickly.

Programs like Family VISION are not limited to NYC. Humane Organizations around the country already understand the impact violence has on humans and animals.

In Colorado Springs, the DIVERT program receives federal funding to collaboratively review Domestic Violence cases.

The Toledo Humane Society has developed a comprehensive training program for law enforcement personnel to recognize all forms of abuse.

At Purdue University, an animal foster care program was developed to address the needs of human victims of domestic violence.

The Quad Alliance Against Abuse in Alabama run by the Civitan Club, has a logo that reads, "There's No Excuse for Abuse, Child, Elderly, Spousal, and Animal."

And, in Oregon, the Domestic Violence Assistance program's motto reads, "Protecting Women Children and their Pets."

The emergence of programs like the ones mentioned above show a clear recognition by all individuals working on preventing abuse, that abuse does not stand in isolation. Working together to understand family dynamics, the role of each individual (and animal) in the household, and to develop programs to address the needs of the family, can only help to put an end to the awful violence that exists today. As part of the legislative process you have the opportunity to support programs like NYC Family VISION in your community.

In the past, child abuse used to be considered a family affair where people shouldn't meddle. Today we are all concerned with child abuse. We are becoming more sophisticated to seeing the connection among all abuses.

It is no longer acceptable to look the other way when someone is hitting an animal on the street.

It is no longer acceptable to say "Boys will be boys" when there is a news report about

a peer group setting fire to a cat singeing its whiskers off.

It's no longer acceptable for the court to let someone off with a slap on the wrist for tying up an animal to a car and dragging it throughout the streets for the whole neighborhood to see.

Its time that we take animal abuse seriously, look at it for inherent wrongs, and look at it as an indicator of other problems in society. As leaders, you have a responsibility to stand up for all your constituents and their families. If any of you currently have or had a pet in the past, you can remember how important an animal is in the entire picture of a family. I applaud your efforts in the past on behalf of animals, and plead with you to continue to support stronger laws, and programs that can help to solve Americas abuse problem.

Thank you for this opportunity to speak with you today.

AMERICAN HUMANE ASSOCIATION

(Presented By Suzanne Barnard)

As the jury deliberated the death penalty for convicted pedophile and child murderer Jesse K. Timmendequas, whose crimes were the incentive for Megan's Law, lawyers argued that Timmendequas allegedly endured years of childhood physical and sexual abuse during which family pets were tortured in front of him to ensure his silence. In Janesville, Wisconsin, police arrested a man after finding numerous cats and dogs, in his home, that had been beaten to death. In his statements to police, the man indicated that he had been beaten as a child and killing the animals helped to release his anger. And finally, a teenager accused of murdering his mother and two classmates in Pearl, Mississippi wrote of his torturing and killing of the family pet. He described how he and an accomplice beat his dog, then set it on fire and threw it in a pond . . . "it was true beauty", he wrote.

Good morning, my name is Suzanne Barnard and I am with the Children's Division of the American Humane Association. I am a social worker with over 20 years of experience in the field of child protection.

My organization has a long history of concern for and involvement in the protection of both children and animals. In 1877 The American Humane Association was founded by those concerned with both animal and child abuse. Using rudimentary animal protection laws to remove an abused child from horrifying conditions, a church worker and an attorney made history with one of the first recorded cases of legal child protection in this country. Today, the fate of children and animals is more linked than ever, and both child welfare organizations and animal protection groups are beginning to refocus their attention on recognizing and responding jointly to abuse, neglect, and cruelty toward both children and animals.

This refocused attention brings forward several issues for consideration. First, and at the heart of any discussion concerning the links between human and animal abuse must be the understanding that we are not talking about child welfare vs. animal welfare, but rather about creating a more comprehensive response to both children and animals. Second, we must focus attention on teaching children compassion toward animals as a regular part of any school curriculum. Although the issue of the relationship between childhood cruelty to animals and later violence to adults is far from settled, enough information currently exists that illustrates the association between repetitive acts of severe cruelty in childhood and severe antisocial behavior in adulthood. Groundbreaking studies by Alan Felthous,

Stephen R. Kellert, Fernando Tapia, Frank Ascione and others indicate that those who have been cruel toward people share a common dual history of cruelty to animals. There is also a need to research and develop treatment techniques for those children who do show early antisocial behavior toward animals. Third, we must ensure that training for different professions such as social work, psychology, law, law enforcement, veterinary medicine, medicine, animal control and others includes information about the research linking different forms of violence and abuse including child abuse, animal abuse, and domestic violence. Lastly, the significance of these links must be fully explained and understood across professions and specific programmatic linkages and treatment protocols must be created that in practice produce a linked response.

Those of us who work in child protection know that animal abuse, by a parent or a child is one indicator that abuse may be occurring in the family. Animals, especially pets, get caught in the family "cycle of violence." The sexual abuse of children has also been associated with cruelty to animals. Sometimes, adult perpetrators of abuse will threaten to harm or destroy the family pet if the child victim tells of the abuse.

Other times, animal abuse may indicate that a child is deeply disturbed as is indicated in the fourth edition of the Diagnostic and Statistical Manual of Mental Disorders which includes cruelty to animals as a behavioral characteristic of the diagnosis of conduct disorder.

My colleague, Dr. Frank Ascione, a Developmental Psychologist at Utah State University, indicated in a chapter we co-wrote that in some cases animal maltreatment may come from the natural curiosity and ex-

ploration common in very young children. In those cases, parents or guardians may use existing education programs to help instill values concerning the humane treatment of animals in the children. Peer pressure in the form of group initiation or proof of loyalty or to shock adults may also account for some cases of cruelty to animals where the child, if alone would not have harmed an animal. Children may also mistreat animals if that is what they have learned as a model for animal treatment within the family. If the family practice is the beat or torture animals to discipline them, the child may assume that this is part of regular animal care.

AHA's campaign against violence toward children and animals has taken us to many states where we have organized collaborative programs in communities, at the grass roots level, and trained both animal control officers and social workers about how to recognize and report abuse. We have also designed a curriculum on recognizing and reporting child abuse and neglect for animal control officers nationally and for third year veterinary medical students in Colorado, where veterinarians are now mandated to report suspected child abuse. We provided support for the passage of legislation, in San Diego, California, that modified an existing municipal code which required animal control officers to report suspected child abuse to additionally require child protection social workers to report abuse of animals.

On June 4, 1997 Colorado Governor Roy Romer signed HB 1181 into law. This historic piece of legislation has both severe financial penalties for animal cruelty and a mandatory requirement for mental health treatment/anger management as part of the penalty phase for convicted adult and juvenile perpetrators of animal cruelty.

AHA is also working jointly with Dr. Ascione to develop a book titled *Children and Animals, Kindness and Cruelty* which would be directed at a lay audience, especially parents, counselors, teachers, clergy, children care and other child serving professionals and which will explore the relational issues between cruelty to animals and child development—particularly as they pertain to the development of childhood interpersonal skills such as compassion, empathy, and nonviolent problem solving. This is a topic on which very little has been researched or written.

We urge you to join in our efforts to awaken and inform the public about the need to take both animal abuse and child abuse seriously. By keeping issues like animal cruelty and human violence separate in nature, in implication, and in remedy, we risk taking a dramatic step backward in our efforts to protect both children and animals.

Some excerpts taken from *Protecting Children*, a publication of the American Humane Association.

PERSONAL EXPLANATION

HON. ROBERT WEXLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 10, 1998

Mr. WEXLER. Mr. Speaker, yesterday, on roll call votes number 211, 212, 213, 214, 215, I was detained due to personal matters. Had I been present, I would have voted "yea" on all five of these roll call votes.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, June 11, 1998, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JUNE 12

9:30 a.m.

Special on SPECIAL COMMITTEE ON THE YEAR 2000 TECHNOLOGY PROBLEM

To hold hearings to examine how the Year 2000 computer conversion will affect utilities and the national power grid.

SD-192

JUNE 15

2:00 p.m.

Judiciary

Administrative Oversight and the Courts Subcommittee

To hold hearings on S. 1166, to prevent Federal agencies from pursuing policies of unjustifiable nonacquiescence in, and relitigation of, precedents established in the Federal judicial circuits, and to review the judgeship needs of the 10th Circuit.

SD-226

JUNE 16

10:00 a.m.

Armed Services

To hold hearings on the nominations of Louis Caldera, of California, to be Secretary of the Army, and Daryl L. Jones, of Florida, to be Secretary of the Air Force, both of the Department of Defense.

SR-222

Judiciary

To hold hearings to examine mergers and corporate consolidation.

SD-226

10:30 a.m.

Appropriations

Foreign Operations Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1999 for the Department of State.

SD-192

2:30 p.m.

Energy and Natural Resources

Water and Power Subcommittee

To hold hearings on S. 1398, S. 2041, S. 2087, S. 2140, S. 2142, H.R. 2165, H.R. 2217, and H.R. 2841, bills relating to water and power construction projects.

SD-366

Foreign Relations

To hold hearings on the nominations of Shirley Elizabeth Barnes, of New York, to be Ambassador to the Republic of Madagascar, William Davis Clarke, of Maryland, to be Ambassador to the State of Eritrea, Vivian Lowery Derryck, of Ohio, to be Assistant Administrator for Africa, Agency for International Development, George Williford Boyce Haley, of Maryland, to be Ambassador to the Republic of the Gambia, Katherine Hubay Peterson, of California, to be Ambassador to the Kingdom of Lesotho, Charles Richard Stith, of Massachusetts, to be Ambassador to the United Republic of Tanzania, and William Lacy Swing, of North Carolina, to be Ambassador to the Democratic Republic of the Congo.

SD-419

4:00 p.m.

Foreign Relations

To hold hearings on the nominations of Paul L. Cejas, of Florida, to be Ambassador to Belgium, Eric S. Edelman, of Virginia, to be Ambassador to the Republic of Finland, Nancy Halliday Ely Raphael, of the District of Columbia, to be Ambassador to the Republic of Slovenia, Michael Craig Lemmon, of Florida, to be Ambassador to the Republic of Armenia, Rudolf Vilem Perina, of California, to be Ambassador to the Republic of Moldova, Edward L. Romero, of New Mexico, to be Ambassador to Spain and to serve concurrently and without additional compensation as Ambassador to Andorra, and Cynthia Perrin Schneider, of Maryland, to be Ambassador to the Kingdom of the Netherlands.

SD-419

JUNE 17

10:00 a.m.

Finance

To hold hearings on S. 1432, to authorize a new trade and investment policy for sub-Saharan Africa.

SD-215

Judiciary

To hold hearings to examine the extent of drug abuse among children.

SD-226

10:30 a.m.

Foreign Relations

To resume hearings on S. 1868, to express United States foreign policy with respect to, and to strengthen United States advocacy on behalf of, individuals persecuted for their faith worldwide; and to establish an Ambassador at Large on International Religious Freedom within the Department of State, a Commission on International Religious Persecution, and a Special Adviser on International Religious Freedom within the National Security Council, focusing on views from the religious community.

SD-419

2:00 p.m.

Energy and Natural Resources

Forests and Public Land Management Subcommittee

To resume hearings on S. 1253, to provide to the Federal land management agencies the authority and capability to manage effectively the federal lands in accordance with the principles of multiple use and sustained yield.

SD-366

2:30 p.m.

Select on Intelligence

To hold closed hearings on intelligence matters.

SH-219

JUNE 18

10:00 a.m.

Finance

To hold hearings to examine new directions in retirement income policy, focusing on social security, pensions, and personal savings.

SD-215

Foreign Relations

East Asian and Pacific Affairs Subcommittee

To hold hearings to examine congressional views of the U.S.-China relationship.

SD-419

Judiciary

Business meeting, to consider pending calendar business.

SD-226

Labor and Human Resources

To hold joint hearings with the House Commerce Committee to examine organ donation allocation.

2123 Rayburn Building

2:00 p.m.

Energy and Natural Resources

National Parks, Historic Preservation, and Recreation Subcommittee

To hold hearings on S. 469, to designate a portion of the Sudbury, Assabet, and Concord Rivers as a component of the National Wild and Scenic Rivers System, S. 1016, to authorize appropriations for the Coastal Heritage Trail Route in New Jersey, S. 1665, to reauthorize the Delaware and Lehigh Navigation Canal National Heritage Corridor Act, S. 2039, to designate El Camino Real de Tierra Adentro as a National Historic Trail, and H.R. 2186, to authorize the Secretary of the Interior to provide assistance to the National Historic Trails Interpretive Center in Casper, Wyoming.

SD-366

United States Senate Caucus on International Narcotics Control

To hold hearings to examine United States efforts to combat drugs, focusing on international demand reduction programs.

SD-628

JUNE 24

9:30 a.m.

Indian Affairs

To hold hearings on S. 1771, to amend the Colorado Ute Indian Water Rights Settlement Act to provide for a final settlement of the claims of the Colorado Ute Indian Tribes, and S. 1899, "Chippewa Cree Tribe of the Rocky boy's Reservation Indian Reserved Water Rights Settlement Act of 1998".

SR-485

10:00 a.m.

Governmental Affairs

To resume hearings to examine the state of computer security within Federal, State and local agencies.

SD-342

JUNE 25

9:30 a.m.

Governmental Affairs

Permanent Subcommittee on Investigations

To resume hearings to examine the adequacy of procedures and systems used by the Department of Agriculture Food Safety and Inspection Service and the Department of Health and Human Services Food and Drug Administration to oversee the safety of food imported into the United States.

SD-342

Labor and Human Resources

To hold hearings to examine health insurance coverage for older workers.

SD-430

JULY 21

10:00 a.m.

Judiciary

To hold oversight hearings to examine the Department of Justice's implementation of the Violence Against Women Act.

SD-226

OCTOBER 6

9:30 a.m.

Veterans' Affairs

To hold joint hearings with the House Committee on Veterans Affairs on the legislative recommendations of the American Legion.

345 Cannon Building

CANCELLATIONS

JUNE 11

2:00 p.m.

Energy and Natural Resources
Forests and Public Land Management Subcommittee

To resume hearings on S. 1253, to provide to the Federal land management agen-

cies the authority and capability to manage effectively the federal lands in accordance with the principles of multiple use and sustained yield.

SD-366

POSTPONEMENTS

JUNE 11

10:00 a.m.

Judiciary

Business meeting, to consider pending calendar business.

SD-22