

it is the way the money that is spent which is important. Contrary to the view of these well-meaning but misguided members, the amount of taxpayer dollars spent on Federal education programs do matter.

First of all, the Federal Government lacks constitutional authority to redistribute monies between States and taxpayers for the purpose of education, regardless of whether the monies are redistributed through Federal programs or through grants. There is no "block grant exception" to the principles of federalism embodied in the U.S. Constitution.

Furthermore, the Federal Government's power to treat State governments as their administrative subordinates stems from an abuse of Congress' taxing-and-spending power. Submitting to Federal control is the only way State and local officials can recapture any part of the monies of the Federal Government has illegitimately taken from a State's citizens. Of course, this is also the only way State officials can tax citizens of other States to support their education programs. It is the rare official who can afford not to bow to Federal dictates in exchange for Federal funding!

As long as the Federal Government controls education dollars, States and local schools will obey Federal mandates; the core problem is not that Federal monies are given with the inevitable strings attached, the real problem is the existence of Federal taxation and funding.

Since Federal spending is the root of Federal control, by increasing Federal spending this Congress is laying the groundwork for future Congresses to fasten more and more mandates on the States. Because State and even local officials, not Federal bureaucrats, will be carrying out these mandates, this system could complete the transformation of the State governments into mere agents of the Federal Government.

Congress has used block grants to avoid addressing philosophical and constitutional questions of the role of the Federal and State governments by means of adjustments in management in the name of devolution. Devolution is said to return to State's rights by decentralizing the management of Federal programs. This is a new 1990's definition of the original concept of federalism and is a poor substitute for the original, constitutional definition of federalism.

While it is true that lower levels of intervention are not as bad as micro-management at the Federal level, Congress' constitutional and moral responsibility is not to make the Federal education bureaucracy "less bad." Rather, we must act now to put parents back in charge of education and thus make American education once again the envy of the world.

Hopefully the next Congress will be more reverent toward their duty to the U.S. Constitution and America's children. The price of Congress' failure to return to the Constitution in the area of education will be paid by the next generation of American children. In short, we cannot afford to continue on the policy road we have been going down. The cost of inaction to our future generations is simply too great.

IN HONOR OF THE PIONEER TOTAL  
ABSTINENCE ASSOCIATION OF  
THE SACRED HEART OF JESUS

**HON. DENNIS J. KUCINICH**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Friday, October 16, 1998*

Mr. KUCINICH. Mr. Speaker, I rise today to celebrate the 100th anniversary of the Pioneer Abstinence Association of the Sacred Heart. Pioneers promote a pure and Christian way of life through temperance and virtue.

Founded in 1898 in Dublin, Ireland, the Pioneer Total Abstinence Association of the Sacred Heart was created to encourage a pristine lifestyle among its members, while striving to preserve tradition and uphold membership obligations. Each member of the PTAA belongs to one of the four membership categories, each with their own distinct emblem pin and membership certificate.

Much of the membership in the PTAA is centered around the youth of the world. Each phase of the youth membership, which is divided into three categories, is designed to teach young members how to live a pure and Christian life. The Juvenile Pioneer (age 9–12 years), Junior Pioneer (age 12–15 years) and the Young Pioneer (Age 15 and upwards) pledge never to abuse drugs and prepare themselves to become permanent Pioneers. Permanent Pioneers act as mentors to the youth, pledge to abstain from alcohol for life, and must complete one year of total abstinence. In addition to their membership obligations, permanent Pioneers dedicate themselves to enhancing and strengthening the youth of the world as well as supporting victims of drug and alcohol abuse.

Today, the PTAA has over 500,000 Pioneers in the United States and around the world. Structured on spirituality, leisure, education and training, youth, centenary and finance, the Pioneers have managed to maintain a strong tradition throughout history and they continue to spread their membership around the globe.

My fellow colleagues, join me in honoring the Pioneer Total Abstinence Association of the Sacred Heart of Jesus, an organization that has lifted spirits, restored faith and purified lives all over the world.

TRIBUTE TO ROGER HAGERTY

**HON. SCOTT McINNIS**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Friday, October 16, 1998*

Mr. McINNIS. Mr. Speaker, I rise today to recognize the achievements of a gentleman who embodies the virtue of service above self. He is a role model and example to his friends and peers throughout his community of Grand Junction, Colorado.

Roger Hagerty, a long-time resident of Grand Junction, received the Volunteer of the Year Award for 1997 by the Colorado Division of the American Cancer Society. This honor was given in recognition of his extraordinary efforts in the fight against cancer. He exemplifies the word volunteer. Roger Hagerty frequently visits with patients and inspires them with his own personal battle with cancer. He

labors as a Resource Information and Guidance Counselor at the local American Cancer Society office three afternoons per week. Mr. Hagerty also serves as Chairman of the Legacy and Planned Giving Program, conducting several seminars each year. Furthermore, he has been chosen to lead still other endeavors such as the jail and Bail program and the organization's annual Golf Tournament Fund Raiser in Grand Junction. Finally, Mr. Hagerty serves as an advocate and speaker on television and radio promoting the American Cancer Society's programs.

Roger Hagerty is the embodiment of American patriotism. He is responsible for the local Veteran's Day parades and remarkably, Mr. Hagerty still fits into his 35 year-old military uniform. He is also politically active in and around the community. Besides serving as Treasurer for the local Sheriff's campaign, he also regularly participates in raising money for various local organizations. Friends and family claim that the Hagerty's home telephone never stops ringing as they work to help others.

In addition to his volunteer activities with the American Cancer Society and other organizations, Roger Hagerty assists his wife Eva, also a cancer survivor, who is the honored coordinator for the Reach To Recovery program. This effort specifically targets breast cancer patients by advocating for regular health checkups. Mrs. Hagerty also works tirelessly on behalf of others, and is often found actively participating in community health fairs and screenings.

I ask my colleagues today to join me in commending Roger Hagerty for his integrity and dedication in the service of others. His selfless acts have indeed made a difference to many, and serve as an excellent example of what is best in our society. His work has been invaluable to the Grand Junction community. I wish him and his family continued health and success in the future.

AMENDING OUTER CONTINENTAL  
SHELF LANDS ACT

SPEECH OF

**HON. MICHAEL N. CASTLE**

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 15, 1998*

Mr. CASTLE. Mr. Speaker, I rise today to express my strong support for H.R. 3972, a bill to amend the Outer Continental Shelf Lands Act to prohibit the Interior Secretary from charging state and local government agencies for certain uses of the sand, gravel, and shell resources of the outer continental shelf.

For too long, Congress has treated outer continental sand resources differently than other minerals under federal control. While land-based oil and gas royalties are shared with states and off-shore oil and gas royalties are shared with state critical habitat land acquisition programs, royalties from off-shore sand resources are not shared with the states. In fact, coastal states are taxed for using these resources, which adds to the already expensive task of beach restoration. This bill is a compromise. It does not ask the federal government to share royalties from the sale of sand and gravel. Instead, it treats state and local governments the same as the federal

government treats itself by exempting them from burden of the sand tax.

In addition to the fairness this restores to the coastal states dependent on sand resources to replenish their beaches, this bill enhances environmental protections in our coastal waters. Under the current system, states are not charged for sand mined within three miles of their shores. This creates an incentive to find sand resources within the three mile zone. However, years of industrialization has made some sand unfit for beach restoration use. Furthermore, fragile aquatic ecosystems can be disrupted if sand is removed from these critical areas. Although state environmental agencies are careful to study the environmental impact of their shore protection operations, financial interests and the need for environmental protection are sure to clash in the long run. This bill will give state environmental protection agencies a broader tax-free area to find suitable sand deposits for much needed shore protection projects, while maintaining the health of fragile ecosystems.

Last year, Virginia Beach had to pay over \$200,000 in taxes for 1.1 million cubic yards of sand from the outer continental shelf. In fact, because they could not afford the increased cost, they had to scale back the shore protection project. This project will now have a shorter useful life and will require the local government to replace the project earlier than planned at a much higher cost. In the past, before the sand tax was imposed in 1997, environmental officials in my state of Delaware authorized mining of sand beyond the three mile zone. It is only a matter of time before environmental concerns will force them back to the outer continental shelf. Without this bill, Rehoboth Beach, Dewey Beach, Bethany Beach, Lewes Beach, and Broadkill Beach shore protection projects will all have to be scaled back to accommodate the federal government's sand tax.

The federal government does not charge its own agencies for using outer continental sand and royalties for other mineral resources are shared with the states. At the very least, we should agree not to charge state and local governments a tax for using outer continental sand and gravel. Vote for this bill. It is a vote for fairness to the states and sound environmental policy.

#### OMNIBUS VETERANS BILL

### HON. LUIS V. GUTIERREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Friday, October 16, 1998*

Mr. GUTIERREZ. Mr. Speaker, I rise today in support of the Veterans Programs Enhancement Act of 1998. I commend Chairman STUMP and Ranking Member EVANS for their tireless effort in producing this important legislation.

I also compliment the staff of both the House and Senate Veterans' Affairs Committees. Their hard work and dedication to our veterans has made this legislation possible.

People outside of this building are often unaware of the vital role staff play in the legislative process. They should not be. Our veterans should know how hard the veterans committee staff works for them each day. I hold this bill up as testament to their efforts.

Mr. Speaker, for much of this year I was not sure what this Congress would be able to accomplish on behalf of our nation's veterans.

I would venture to say that this Congress's record on veterans issues has been mediocre at best. Funding for veterans health care was cut again, medicare subvention was not achieved and veterans benefits were slashed to fund highway construction.

But in the end, with the passage of this legislation, we will be able to point to some notable achievements on veterans issues this year.

With this bill, we establish a precedent for the presumptive treatment and compensation of Persian Gulf War veterans.

I have long felt that we must give our Gulf War veterans the benefit of the doubt when it comes to health care and service connection. This bill helps us reach this goal that I have long called for.

In addition, this legislation helps prepare us to provide quality treatment for the veterans of future conflicts.

We were unprepared for the aftermath of the Gulf War.

However, by establishing a National Center for the Study of War-Related Illnesses, this bill helps prepare our veterans health system for the aftermath of future conflicts.

This bill also extends the VA's authority to treat the medical problems afflicting Gulf War veterans until 2001. We know we are not through dealing with the health problems confronting Gulf War veterans and I am pleased to see this fact recognized in this legislation.

The VA's sexual trauma treatment program, a program that I have advocated for throughout this session, is also reauthorized by this bill. During the past two years, the reality of sexual abuse and harassment of women in the military has come to light. It is only right that we maintain the VA's capacity to offer the victims of these crimes the treatment they need and deserve.

In addition, I am also pleased by this bill's provisions regarding educational opportunities, housing and medical construction at veterans hospitals. The reforms contained here are necessary and well-intentioned and should contribute to the welfare of veterans throughout America.

I am proud to support this bipartisan bill. And I urge my colleagues in the House to support this legislation as well.

#### A TRIBUTE TO MEARLE HEITZMAN

### HON. CALVIN M. DOOLEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, October 16, 1998*

Mr. DOOLEY of California. Mr. Speaker, I rise today to pay tribute to an entrepreneur who operates a successful restaurant in the Central Valley. Mearle Heitzman of Tulare County was recently recognized for his achievements by the Central Valley Chapter of the California Restaurant Association at its third annual Diamond Cuisine Awards Banquet.

Mearle Heitzman, originally from Utah, has managed several local restaurant establishments in the Central Valley since 1948. Mr. Heitzman has been honored by the California Restaurant Association as an inductee into its Hall of Fame.

Since 1960, Mr. Heitzman has owned and operate Mearle's College Drive-In Restaurant across from the College of The Sequoias in Visalia, California. With his relentless penchant for hard work, Mr. Heitzman has turned his restaurant into a highly successful and well-known fixture, in the Central Valley. President Richard Nixon is among the various celebrities to have visited Mearle's College Drive-In Restaurant.

Mr. Speaker, I would ask my colleagues to join me today in congratulating this businessman for his remarkable achievements and in recognition of his service to the community.

#### TRIBUTE TO GORDON W. "RED" LARSEN BY HIS WIFE

### HON. VAN HILLEARY

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Friday, October 16, 1998*

Mr. HILLEARY. Mr. Speaker, please enter into the RECORD today the enclosed material written by Mrs. Betty Larsen and sent to me by Mrs. June Griffin of Dayton, Tennessee.

Gordon W. "Red" Larsen was born in Charleston, South Carolina, on September 13, 1927 to George Oliver and Marguerite Hochslander Larsen. He spent part of his childhood in Somerville, South Carolina. His great-grandfather, whom he knew while a child, was a shipwright, which may have had some influence on his choice of the Navy for his military service.

His parents separated and his mother took Red and his two older brothers, Herman and George, to New York City. Red spent his teen years in what was known as "Hell's Kitchen" and became a big city street-wise. This area has since been torn down and replaced with what we know today as Lincoln Center for the Performing Arts.

Red enlisted in the Navy near the end of World War II. He worked in communications as a signalman, worked for some time as a submariner, and was trained in underwater demolition. He eventually gained the rank of CPO. He was in the Navy for 13 years, traveling to many different places throughout the world, and also saw service in the Korean War.

In the early 1970's, Red became concerned with the legitimacy of several aspects of our Government's actions, especially pertaining to the Federal income tax. He spent considerable time and effort studying, researching and talking with various sources. He also assisted several persons with tax difficulties. One of the results of his studies was an 83-page book, written in the late 1980's, Slavery, American Style. The book discusses in some detail the unconstitutional nature of our current income tax system.

Another interest was our individual rights and freedoms as American citizens, including property rights. Red also made a significant contribution to several communities in demonstrating the unconstitutionality of zoning laws.

In 1944, Red moved to Tennessee for its warmer weather and excellent State constitution. The first article in the Tennessee State Constitution is its Bill of Rights. He continued his studies and contacts with other patriots, and was starting to publish a series of newsletters entitled "Truth Bird Reports." Only one