

EXTENSIONS OF REMARKS

TRIBUTE TO THE LATE CONGRESS-
MAN, GARRY BROWN, 1923-1998

HON. FRED UPTON

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. UPTON. Mr. Speaker, many of you may not have heard of the passing a few weeks ago of our former colleague, Congressman Garry Brown, who represented southwest Michigan. Through more than a decade of service in the House of Representatives, Garry Brown will be remembered as an ambassador from a more genteel era of politics.

Brown served six terms in the U.S. House of Representatives, from 1966 to 1978, where he was known for his hard work and solid command of the issues. Brown's personal foundation was rooted in his high ethical standards. His belief that Members could remain close friends while disagreeing over the issues helped carry him through some of the most difficult times in our Nation's history.

His service to his Nation was not limited to the House. Preceding his congressional career, Brown was a brave member of our armed services during the Second World War in Japan. After the war, he worked for the FBI before he came home to Schoolcraft, MI, to enter State politics. A delegate to the Michigan Constitutional Convention, he played a major role in crafting the present State constitution.

Later in life, Garry Brown returned to his farm in Schoolcraft, MI, where he spoke of the pride and joy he gained in his role as an elder statesman. He will be remembered as the gentleman from Michigan in every sense of the word. He led his life with dignity, served his community with respect, and lived with a profound love for his country.

Mr. Speaker, please join me in sending my condolences to his daughter, Ms. Frances Brown, and to all of Gerry's family and friends. Congressman Garry Eldridge Brown will be sorely missed by us all.

ATTEMPTS TO BLACKLIST PEOPLE
BECAUSE OF DEMOCRATIC
PARTY AFFILIATION

HON. RON KLINK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. KLINK. Mr. Speaker, there was a time when people were blacklisted from jobs because of alleged affiliation with the Communist Party. Today, attempts are being made to blacklist people because of their affiliation with the Democratic Party.

How do they do that in our democratic system? Through direct threats to employers' pocketbooks. According to Roll Call, the Washington Post, and the New York Times, Speaker GINGRICH, Majority Leader RICHARD ARMEY, Majority Whip TOM DELAY and House

Republican Chairman JOHN BOEHNER either themselves called or instructed others to call member companies of the Electronics Alliance Industry (EIA) and demand that EIA break its contract with former Democratic Congressman Dave McCurdy and hire a Republican as its new president. In case that was not sufficient warning, the Republican leadership then removed legislation to implement the World Intellectual Property Organization Act from the floor schedule and told EIA it was to "send a message" that McCurdy and other Democrats were not welcome in Republican leadership offices. EIA stood up to the pressure, but some member companies now are talking about leaving the association to set up a more Republican-acceptable one.

This is not new. Since 1995, Representative DELAY has been threatening trade associations, law firms and lobbying groups to remove Democrats from top jobs and replace them with Republicans. To see him, Representative DELAY told one company, "you have to hire a Republican." As Representative BILL PAXON said, Democrats are "the enemy" and should not be supported. ["Speaker and His Directors Make the Cash Flow Right," Washington Post, Nov. 27, 1995.] Apparently, the Republican leadership no longer believe in a robust two-party system.

In many countries in the world, the actions of the Republican majority would be routine behavior. Persons affiliated with the ruling dictator or party and its henchmen get good private and public jobs for themselves and their families; special deals when public businesses are "privatized"; and many other luxuries. Several billionaires were made in Mexico over the past decade because of such affiliations with the ruling party—the PRI. Dissidents in the former Soviet Union and its satellite states were denied the right to work at their chosen professions because of their political views. In the Congo, the right to work at all under former dictator Mobutu often depended on political party affiliation. The right to work and speak in China today can depend upon a person's political views. Indonesia, Malaysia . . . I could go on and on.

From our vaunted and privileged perch in what is still the world's greatest democracy, we call these countries and their leaders "corrupt," "backward," and "undemocratic." We decry the "inefficiencies" that result from such interferences with individual and corporate freedoms. We spend millions of dollars every year to bring the message of our "democracy" to the benighted of the world. But unfortunately, in the Congress of the United States, the majority party too is now imposing the litmus test of party affiliation to reward or punish our citizens. The Republicans are using party affiliation to determine who has the right to petition the government. The sacred constitutional rights of free speech and association and the right to freely contract for goods and services no longer exist if you are registered as a Democrat. In fact, you may be summoned before a Congressional Committee to explain all of your business dealings. This new

1990's McCarthyism is a way of life for the Republican party. Light must be shed on it and it must be stopped.

Let me provide another example about how this Congress is punishing people for being Democrats or having the audacity to hire Democrats to work for them. Last week Chairman JOE BARTON of the Oversight and Investigations Subcommittee of the Commerce Committee, came to the floor to announce that he intended to refer to the Justice Department for further "investigation" his allegations that certain highly connected Democrats and Democratic supporters had lied under oath at subcommittee hearings, paid illegal contingency fees for government leases and conspired to commit all manner of mayhem in violation of the federal conspiracy statute.

Chairman BARTON also demanded that the General Services Administration "take immediate steps"—apparently without going through proper legal channels and by breaching a valid contract—to get back all the rent it has paid for the Portalls II building, the new headquarters into which the Federal Communications Commission will begin moving next week. Chairman BARTON also wants the GSA to recover all fees paid to Washington lawyers by one of the partners in that development. Exactly how this is to be done legally is quite unclear, particularly since on October 7, 1998, GSA issued a "lease status" letter indicating that the government was not aware of any "defense to its obligations under the Lease." The chairman did not further enlighten us.

The special order appeared to be a last-minute, cheap shot bid for press attention—and speech-and-debate protection—for old, unproven allegations and an investigation that has drilled a dry hole. There is no report nor is a referral letter yet written. One must question why a subcommittee chairman needs to go to the floor to give instructions to his staff.

More importantly, this referral is not based on credible evidence but is an attempt to punish private persons who happen to be Democrats by forcing them to go through months of additional investigations when the Subcommittee's own work failed to uncover any criminal wrongdoing. Attorneys' fees to defend against a continuing string of unsuccessful investigations can be used quite easily to cripple individuals with different political views. As much was threatened at the Subcommittee's October 6, 1998, hearing. In his opening statement, Committee Chairman BLILEY told the witnesses that he believed that their behavior was "wrong," and that "if they continue down the path of evasion and avoidance, they should know the consequences will be far greater." (emphasis added)

Chairman BLILEY stated that the witnesses' previous testimony, in which they denied any wrongdoing, raised "serious questions about whether these men intended to mislead the Committee." He claimed the Subcommittee had "other testimony and evidence" that should cast "significant doubt" on their explanations. But, as staff and members already knew, there was no new testimony or evidence to be presented at that hearing or the

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

following hearing on October 9. In fact, on October 9, witnesses from two government agencies denied that any misconduct had occurred, confirming statements that they had made to staff months before. Nonetheless, Chairman BLILEY complained again about what he viewed as "implausible stories and explanations."

As Rep. JOHN DINGELL, ranking member of the Commerce Committee, and others stated in the press last week, these statements are nothing more than the last gasp of a Subcommittee staff that has labored unsuccessfully for almost two years. In two investigations, this subcommittee has engaged in a futile effort to link Peter Knight, the well-paid lawyer/lobbyist who successfully managed the 1996 Clinton-Gore re-election campaign, and Vice President AL GORE to some type of illegal activity. This was done to the detriment of much more important investigations that could have been done on health care, securities, telecommunications, and other issues under the Commerce Committee's jurisdiction.

During most of those two years, there was little or no effort to conduct a fair investigation. During 1997, the majority worked mightily to show that Molten Metal Technology, a small Massachusetts company which hired Mr. Knight as its Washington representative, received special treatment from the Department of Energy and Vice President GORE in obtaining research and development contracts for a nuclear waste clean-up technology it was developing. The president of that company, a life-long Democrat, had contributed to both the Democratic and Republican national parties, but the allegation was that he has received special treatment only because of his Democratic contributions.

The political purpose of that investigation was revealed before even a single hearing was held. Two days before the first hearing, a Subcommittee staff memo was leaked to the press in which the staff stated that it had no evidence of wrong-doing and no evidence of any linkage to Vice President GORE. This was already clear to the minority staff which had reviewed all of the documents and participated in many interviews. But the majority staff recommended—and the chairman concurred—that hearings be held anyway to "highlight . . . the cozy relationship among the key players, and the substantial flow of campaign contributions to Democrats." One of the benefits, according to the Republican memo, would be "enormous press coverage" and forcing key players to "deny allegations of misconduct under oath." McCarthyism at its worst.

Strangely, after the "enormous press coverage" resulting from Mr. Knight's appearance, at which he denied "allegations of misconduct under oath," the majority had to be pressured by the minority to allow the executives from Molten Metal Technology to testify—even though these were the very same persons who had supposedly paid for influence at DOE, according to the majority's allegations. The minority's request to have Molten Metal's Republican Washington representative testify about his role for the company was turned down.

Not surprisingly, the Subcommittee's investigation turned up no evidence of wrongdoing, but there were very heavy and tangible penalties placed on the parties targeted. Molten Metal was driven into bankruptcy. Two hundred people, including the president of the

company, lost their jobs. Personal reputations were damaged. Private individuals amassed huge legal fees; and the taxpayer will probably never benefit from the \$33 million invested in the technology. No report was ever written: no apologies were ever made by the Republican accusers or those who leaked negative stories to the press.

The second investigation, which Rep. BARTON says he will refer to the Justice Department—to find the evidence that the Subcommittee could not—grew out of the first one. During the Molten Metal investigation, majority staff heard that Mr. Knight had been paid \$1 million by another client and decided that such a fee was too large. Molten Metal was soon forgotten, as the Subcommittee plunged forward into another year-long investigation of another of Mr. Knight's clients. This investigation involved the \$1 million payment by Franklin Faney, a Tennessee developer, to Mr. Knight for three years' work of various real estate projects, mostly in the Washington area. Mr. Haney also had the misfortune to be an active Democrat, a former Democratic candidate for governor of Tennessee and a big contributor to the Democratic Party. The project on which the Subcommittee focused was Mr. Haney's ultimately successful attempt to become a participant in the Portals II building.

The chairman alleged at various times that Mr. Haney had paid illegal contingency fees and improperly and politically influenced decisions by government officials on a supplemental lease agreement signed on January 3, 1996. All testimony and documents to the contrary were ignored, particularly the evidence that Mr. Haney was not a member of the Portals partnership at the time in question, Chairman BARTON stated at various times that he did not have evidence of improper contingency fees or other improprieties, but the investigation and the hearings continued—hours and hours of hearings. The final one consumed almost nine hours during which *eleven* government witnesses denied any improper behavior or influence by Mr. Haney or his representatives. A number of them denied even knowing Mr. Knight or Mr. Haney. Chairman BARTON said that he hoped to "gain a much clearer picture of the contracts and negotiations" at that session, but what he heard apparently did not meet his pre-conceived view of the facts. So he came to the floor of the House to try again to do what his subcommittee could not do—ruin Peter Knight's reputation. Why? Because Peter Knight happens to be a Democrat.

This investigation has also established a number of new, expansive roles for Congressional committees that make us vulnerable to charges of abuse and meddling in business that is entirely and properly private, not public. The first new role is a judicial one. We set a new standard for evidence that sworn testimony by individuals is evidence only if it is backed up by documents. Otherwise, it is just talk.

Second, we became the D.C. Bar's ethics guru because some law firms have billing and partnership practices that we don't like. This was brought to our attention by disgruntled former partners who one would assume can litigate their own differences and file bar complaints.

The third new role was that of making sure that private businesses—particularly those

with chief executives of Democratic leaning—who agree to do business with the government take no steps to understand the business or the risks involved before they invest their funds. "Due diligence" by Democratic business people—especially if it involves hundreds of millions of dollars—is forbidden. Phone calls, meetings with anyone who might know about the project—all are suspect. If carried out, such activities are put under a Republican microscope for months on end.

Even when no wrongdoing is found, Republicans continue to sully the reputations of those innocent people. Is there no decency left in the GOP?

The people did not pay us to come to Washington to punish those of different political views, to eliminate our two-party system and political debate or to look into people's private businesses because we think they are paid too much or don't like the way they comb their hair. Millions of dollars in public and private funds have been expended on these investigations already because certain business people were seen by the Republican majority as Democratic "enemies" of this Congress. Hopefully, the Justice Department can separate a political referral designed to save face from a legitimate investigation and end this charade.

TRIBUTE TO JOSEPH P. KENNEDY,
II, MEMBER OF CONGRESS

SPEECH OF

HON. JOHN LEWIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 12, 1998

Mr. LEWIS of Georgia. Mr. Speaker, I rise today to honor the good-hearted gentleman from Massachusetts. I have had the great privilege to serve in the United States Congress with JOE KENNEDY since we were both elected in 1986. Over the years, JOE KENNEDY has become more than just my colleague, he has become my friend and my brother. He will be missed in this great institution. He will also be remembered for his indefatigable capacity to help those and to stand up for those who have been left out and left behind.

It is no great secret that JOE KENNEDY is the oldest son of my friend and hero, Robert F. Kennedy. There goes a saying that the apple never falls very far from the tree. Since I first met JOE, I knew he possessed the same passion for justice and equality that characterized the extraordinary political career of his father. For some, to follow in the footsteps—let alone be the eldest son—of an American hero would be a curse. But for JOE, he honors his father and his mother, Ethel Kennedy, by being a passionate fighter for what is right. Our nation has been well served by his advocacy for better public and affordable housing for every American, by his tireless efforts for low income energy assistance, by his tenacious efforts to stop the practice of redlining by banks and other institutions and by his leading opposition to the School of the Americas, better known as the "school of assassins." I will miss JOE KENNEDY, but the poor, the elderly, the dispossessed and the lovers of democracy will miss him even more.

When you consider all the accomplishments of JOE KENNEDY, both as a private citizen and

as a member of the House, he has stood tall for the "dignity of mankind." He has never faltered in the long walk toward justice. He has never feared the good fight. He knows how to build a coalition and bring together disparate voices under one tent. We need more JOE KENNEDYS in the U.S. House of Representatives. We need men and women who are willing to stand up for the enduring principles of democracy. JOE KENNEDY is, above all else, an American patriot—he cares deeply for justice, equal opportunity and peace.

As we lose one of the finest members of this Congress, Massachusetts gains a concerned and tireless citizen. I know he will not give up in fighting for those who will need heated homes for the long New England winters. He will continue to speak up and speak out for what is right and for what is just and for what is fair.

It was JOE's father—Robert Kennedy—who used to say: "Some men see things as they are and say why, I dream of things that never were and say why not." JOE KENNEDY has lived up to his father's words. He has always said "why not?"

I am convinced that the spirit of history will continue to guide JOE KENNEDY. I pray that the spirit of history guides him to even greater challenges. Thank you, JOE, for your great service to our nation. You have made a profound difference in the lives of millions of Americans. I will miss you, your colleagues will miss you and the American people will miss you. Keep your eyes on the Prize!

RECEIPT OF THE ENVIRONMENTAL
EXCELLENCE AWARD BY COORS
BREWING COMPANY

HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. GOODLATTE. Mr. Speaker, I rise today to pay recognition to the outstanding work done by Coors Brewing Company in its Shenandoah facility in the area of protecting the environment. Under the leadership of plant manager, Bob Merchant, Coors was recently awarded the Environmental Excellence Award by the Virginia Water Environment Association (VWEA).

VWEA is one of 77 members of the Water Environment Federation. The Federation is dedicated to the preservation and enhancement of the global water environment and is committed to providing technical information to a worldwide audience, expanding quality services to members, and building alliances with other organizations.

VWEA selected Coors for its environmental commitment in the area of wastewater treatment for using the most advanced technology and for adhering to the highest of water quality standards—all in the effort to protect the South Fork of the Shenandoah River. The Association also recognized the company for developing and implementing specific actions for eliminating nonpoint source pollution, and educating the citizens of the Commonwealth about the protection, conservation and wise utilization of water.

This forward-thinking operation is a model for any company that seeks to go above and beyond simple compliance in its management of environmental issues.

After all, water is one of the most important ingredients in beer, and it is one with which consumers closely identify the company. Coors' commitment to water conservation and environmental control began when the brewery opened its doors 125 years ago, and their commitment clearly continues to this day.

The Coors Shenandoah facility at Elkton, Virginia, has been a great neighbor, a good employer, and a place we have over the years come to count on for true leadership on a range of important environmental issues. It is with pride and pleasure that I pay tribute to the outstanding performance of Coors Shenandoah.

HONORING THE LIFE OF MR. CLEO
WILLIAMS

HON. BOB ETHERIDGE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. ETHERIDGE. Mr. Speaker, I rise today to honor the life of an outstanding North Carolina educator, Mr. Lion Cleo Williams. Mr. Williams passed away on July 16, 1998 at the age of 81.

While pursuing his undergraduate teaching degree from North Carolina Appalachian State Teachers College, he interrupted his studies to serve in the United States Army during World War II. He later received his master's degree from the University of North Carolina at Chapel Hill. Cleo Williams began his 35-year career as an educator with the Lee County School System in 1947. He served 19 years as a teacher and athletics coach at Broadway School. He taught a variety of subjects, including social studies, physical education, book-keeping, and typing. He coached football, girls and boys basketball, baseball, girls softball, and volleyball. Mr. Williams was also the very first driver's education instructor in Lee County. In 1966, he became the principal of Broadway School and held that position until he retired in 1982.

Mr. Williams touched the lives of many people in the Broadway community throughout his career. He influenced numerous students and served as a mentor to other teachers and school administrators. He held other leadership positions in the community, including President of the Broadway Lions Club and a board member of the Broadway United Methodist Church.

I send my sincerest condolences to his family for the loss of such a great man and cornerstone of the Broadway community.

NATIONAL BREAST CANCER
AWARENESS MONTH

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, today I rise to recognize the efforts of community leaders, health care providers, non-profit organizations, contributors, and Congress in promoting breast cancer awareness and prevention. This month is National Breast Cancer Awareness Month, the perfect

time to begin life-saving practices such as mammograms and other methods of early prevention. It is also the perfect time to celebrate with breast cancer survivors, to stand with those who still fight, and to embrace those who have lost the women they love. These are the life-saving practices we should start now and never stop doing.

Mr. Speaker, the facts serve as a reminder that there is still so much to be done: One out of nine women in America will develop breast cancer in her lifetime; breast cancer takes the lives of more than 44,000 women a year; breast cancer is the second leading cause of cancer death for women and the first for women between the ages of 40 and 55 years of age; although mammograms are a proven method of early detection, a large proportion of women are not using mammography on an annual basis. A recent study reports that 56 percent of postmenopausal women did not have a mammogram the past year.

Let us despair, let us also remember great medical accomplishments and personal victories: more than 1.6 million women who have fought breast cancer are alive today; and early detection and prompt treatment are saving more lives each year. The 5-year survival rate after treatment is more than 90 percent!

This year I cosponsored House Resolution 565 which stresses the importance of mammograms and biopsies as methods of early cancer detection. This bill also recognizes efforts by community organizations, government agencies, and health care organizations in promoting breast cancer awareness and affordable access to cancer prevention care. I am proud to say this resolution passed unanimously on October 9 of this year.

Mr. Speaker, I would like to end on a personal note. A dear friend of mine and close advisor has spent much of this month in the hospital fighting breast cancer. I think of her every day. When I pray for her strength and healing, I also thank God for the place she has had in my life and my success in Congress.

I am humbled that while she is weak, she thinks of me and that I am in her prayers. She continues to lend me her wisdom, her humor, and her strength. While she struggles, I can offer her only my friendship and my prayers. It is God who watches over both of us who will bring her through.

HONORING HOWARD F. SOMMER
INSTITUTE FOR COMMUNITY
LIVING AWARDEE

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. TOWNS. Mr. Speaker, I rise today to honor Howard F. Sommer for service to the Brooklyn community, and congratulate him as a recipient of an Institute for Community Living award.

Since late 1995, Howard Sommer has managed the New York Community Investment Company L.L.C. (NYCIC) as its President and CEO. NYCIC, an equity investment and loan fund established by the ten member banks of the New York Clearinghouse Association, provides growth capital to small businesses throughout New York and offers similar risk

capital to not-for-profits who contribute to economic and community development. NYCIC currently has over \$25 million under management.

Formerly, Mr. Sommer was a principal in several privately owned corporations involved in related funding activities to the business community. For twenty years, he served as President of U.S. Capital Corporation and Fundex Capital Corporation—managing in excess of \$100 million in small business investments and loans.

Mr. Sommer was also active in the federally administered Small Business Investment Company (SBIC) program. After several years as a board and executive committee member, he served as Chairman of the National Association of SBIC in 1994. During that time, he worked closely with the Congress, the Small Business Administration and the Investment Advisory Council to improve the federal government's efforts to assist small business on a national level.

Earlier in his professional career, he held various management positions with IBM and XEROX corporations.

Mr. Sommer holds a Bachelor's degree in Electrical Engineering from the City College of New York and attended NYU's Graduate School of Business. He serves as a director of several public and private business corporations and, with his wife Arlene, have a long history of involvement in charitable causes. He looks forward to continuing his support of the Institute for Community Living and the valuable services it provides to the people of New York City.

Mr. Speaker, I would like you and my colleagues from both sides of the aisle to join me in honoring Mr. Howard F. Sommer for his invaluable service to the Institute for Community Living and the Brooklyn community.

HONORING THE MEMORY OF DR. KENNETH JERNIGAN, PRESIDENT EMERITUS OF THE NATIONAL FEDERATION OF THE BLIND

HON. ROBERT L. EHRLICH, JR.

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. EHRLICH. Mr. Speaker, I rise to pay my respects to Dr. Kenneth Jernigan, who passed away on Monday, October 12, 1998, after a courageous fight with cancer. I offer my warmest sympathies to his family, friends, and the National Federation of the Blind, the organization for which he served as one of its principal leaders for more than forty-five years.

I have greatly admired and respected Kenneth Jernigan and the National Federation of the blind since my days in the Maryland State Legislature as a state delegate. With chapters in every state and almost every community, the Federation is the nation's oldest and largest organization of blind persons. Its influence today serves as a reminder of the culmination of Kenneth Jernigan's lifetime work and commitment to improving the quality of life for the blind throughout this nation and the world.

Occasionally, an issue is brought to my attention where I can seek a meaningful legislative remedy for a substantial number of people. Four years ago, with the assistance of Dr. Jernigan and the Federation, I began to work

with my colleagues in the House to reestablish the Social Security earnings test link between senior citizens and the blind. Dr. Jernigan emphasized to me how the "de-linkage" of this historic tie would have a negative impact to the self esteem of blind workers, preventing them from pursuing better employment opportunities. In his memory, I pledge to continue pushing for bipartisan legislation to restore this important incentive.

Dr. Jernigan will be greatly missed. His selfless accomplishments on behalf of the blind and the sighted are immeasurable. Because of his example, many of us will do the right thing by furthering his good work. It has been a great honor to have worked with such an influential and highly respected leader.

In conclusion, I would respectfully enter into the RECORD one of Dr. Jernigan's favorite sonnets, "Remember" by Christiana Rossetti:

Remember me when I am gone away,
Gone far away into the silent land;
When you can no more hold me by the hand,
Nor I half turn to go yet turning stay.
Remember me when no more day by day,
You tell me of our future that you planned;
Only remember me; you understand,
It will be late to counsel then or pray.
Yet, if you should forget me for a while,
And afterwards remember, do not grieve;
For if the darkness and corruption leave
A vestige of the thoughts that once I had,
Better by far you should forget and smile,
Than that you should remember and be sad.

CARDINAL GEORGE DELIVERS
HOMILY AT RED MASS CELEBRATED AT ST. MATTHEW'S CATHEDRAL

HON. HENRY J. HYDE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. HYDE. Mr. Speaker, on October 4th of this year, the new Cardinal Archbishop of Chicago delivered the homily at the Red Mass held at St. Matthew's Cathedral here in Washington, DC.

The Red Mass is traditionally celebrated on the Sunday prior to the first Monday in October, which marks the beginning of the Supreme Court's new term.

Permit me to share Cardinal George's inspiring homily with my colleagues.

HOMILY: 1998 RED MASS

ST. MATTHEW'S CATHEDRAL; WASHINGTON, DC,
OCTOBER 4, 1998

Francis Cardinal George, OMI
Archbishop of Chicago

Your Eminence, Cardinal Hickey, Your Excellency, Archbishop Cacciavillan, Members of the judiciary and of the bar and of the government and Congress, Members of the John Carroll Society and friends.

The picture of Jesus given us by the evangelist Luke places him in the synagogue of Nazareth, his home town, ready to begin his public ministry under the inspiration of the Holy Spirit. This was to be his only, his last occasion to preach in Nazareth, for his mission took him elsewhere in Judea and Israel and, finally, to his death outside Jerusalem. In the mission and preaching of his disciples after Jesus' resurrection from the dead, Luke has Jesus taken farther: to Antioch and Corinth and Rome, to the ends of the earth.

In Luke's Gospel, Jesus does not preach until after listening and proclaiming the word of God. In the text within our Gospel text, the prophet Isaiah proclaims a time of Jubilee, of deliverance from captivity, a time of liberation; only then does Jesus speak and explain the prophet in such a way—"This day, these words are fulfilled in your hearing." That Jesus' friends and neighbors, far from being liberated by his words, took him to the edge of the hill on which their city was built and tried to kill him. Jesus listened, he spoke, he escaped to take up elsewhere the mission given him by his Father. That mission makes possible our coming together today at this end of the earth as we and the entire world, with renewed self-consciousness as a globe, look toward the celebration of a new millennium.

If we today believe that where there is Jesus there is Jubilee, how is it that we are still enslaved? Every five years, as you may know, each bishop of the Catholic Church goes to Rome to pray at the tombs of Peter and Paul; then he goes in to talk with Peter's successor. This year, the bishops of the United States are making their visits *ad limina apostolorum*, and the bishops of Illinois, Indiana and Wisconsin made theirs together last May. When I went in to talk with the Holy Father, he listened politely as I explained that the report he had received had been drawn up by my staff since I had only recently come to Chicago. He looked at it, put it aside and asked me a single question: "What are you doing to change the culture?" I was surprised, but shouldn't have been, for the Pope has spoken often of how culture liberates us, creates the world in which what is best in human experience can be passed on and celebrated and of how, conversely, culture can also blind us, enslave us and must sometimes be changed in the light of God's word.

Taken by surprise, I spontaneously began to speak to the Holy Father about the Church's relation to the legal profession in Chicago, of the many contacts and gatherings, of the several Chicago priests who are also civil lawyers, of the pro bono work for the poor, of the Catholic law schools and of many initiatives similar to what takes place here through the good offices of the members of the John Carroll society. Then I backed up and began to explain that, in the United States, the law is a primary carrier of culture. In a country continuously being knit together from so many diverse cultural, religious, and linguistic threads, legal language most often creates the terms of our public discourse as Americans. A vocation to make and to serve the law is a calling to shape our culture.

We live in worded worlds. If there is no common language, very likely there is no common vision and citizens find themselves trapped in separate worlds. Listening to God's liberating word, in this Mass and elsewhere, believers must wonder where the language of civil law and the language of faith might share a common vocabulary. The Catholic Church has tried for some generations to speak here a language of natural law, a language that presupposes God speaks in nature as well as in history, a language, therefore, able to speak of God's ways without explicitly confessional terminology. But our various attempts have not really provided a dictionary shared between American culture and Catholic faith. The National Conference of Catholic Bishops often tries to speak the language of policy, hoping that well argued policy statements will influence legal discussion; but the common understanding generated has clear limitations. There is the language of Holy Scripture itself, common to great extent to all Christians and Jews, but the Bible's phraseology

and stories are no longer common cultural parlance in our country.

Speaking, in order to be heard today, a language largely shorn of religious nuances, the believer can still ask two questions of the vision behind legal discourse:

First, can the vision of courts and legislatures expand to see at least dimly God's actions and purposes in history? Abraham Lincoln of Illinois used public language to speak of God's purpose at the end of a bloody American civil war: "With firmness in the right, as God gives us to see the right, let us strive to finish the work we are in." Lincoln, who wrestled like a biblical prophet with God's purposes in history and his judgment on this nation, grew, because of his public service, in his ability to bring together, always tentatively, the law he defended finally with his own and God's word which, like a two-edged sword, cuts through the rhetoric of public as well as personal deceit. Lincoln knew that God judges nations as well as persons, and he forged a language which, at the end, placed even the personal liberty to which this nation was dedicated second to the designs of God himself. Are we permitted to speak similarly today or must the language of law, rather than setting use free, blind us and leave us mute in any world not constructed by our private interests and intentions?

And a second question, put to use often these days by Pope John Paul II: does the vision of the human person found in public laws and decisions adequately express what it means to be human? Do our laws not only protect contracts but also tend to force all human relations into them? Is the language of contract becoming the only public language of America? Does the model of association which is accorded public rights tend more and more to constrain or even exclude the natural family, the life of faith, cultural and racial groupings, relations which cannot be unchosen without destroying the human persons shaped by them.

Christian faith gives us a vision of a person we call the Word of God, made flesh. Crucified and risen from the dead, Jesus sends us the Holy Spirit, who speaks every language and gives every good gift. This vision should set us free from any lesser picture of things; the language of faith should keep us from supposing that we adequately understand reality in its depths and heights. This is a vision that should humble and, in humbling us, open us to other worlds. Approaching a third Christian millennium (using what is now a common calendar), we gather to worship the God we believe to be the Father of Our Lord Jesus Christ and therefore, in Christ, our Father as well. It is good to do so, for if we do not worship God we will inevitably end up worshipping ourselves. Nations worshipping themselves have plagued this last century of the second millennium, and God's word prompts us now to examine a new ourselves and our history. Without warrant, we have associated ourselves with the biblical city on a hill, not Nazareth but Jerusalem itself. Without right, we too often judge other peoples and nations by our standards and interests, assuming that our interests must be universal. Without sense, we even seriously consider if this nation is the end of history, as if our present political and economic arrangements were surely the culmination of God's designs for the universe. Lincoln, who had the good grace to speak of us only as an "almost chosen people", would surely blush, and so should we.

Today, as yesterday and tomorrow, the Church speaks a language of respect for public office holders, whose vocation is shaped by the constraints of law; both the Church, today as yesterday and tomorrow, also speaks as best she can to judge the actions

and decision of public officials, and the culture shaped by them, when these are inadequate to the vision given us by the truths of faith. "Faith must become culture," Pope John Paul II says. "What are you doing to change the culture?" he asks. But how can we speak of change in America today when the law itself blinds us to basic truths? One egregious blind spot is our very sense of liberation construed as personal autonomy. An autonomous person has no need of jubilee, of freedom as gift; he has set himself free. The fault line that runs through our culture, and it is sometimes exacerbated rather than corrected by law, is the sacrificing of the full truth about the human person in the name of freedom construed as personal autonomy. It is a blind spot as deep as that in Marxism's sacrifice of personal freedom in the name of justice construed as absolute economic equality. Such a profound error makes our future uncertain. Will the United States be here when the human race celebrates the end of the third millennium? Not without a very changed, a very converted culture.

The Church, however, must also listen first to God's word before she speaks, before she translates God's word into the words of our culture or any other. Hence the Church can speak only with deep humility a language which purports to give definitive access to God's designs in history. Even prophetic judgment, while certain in its proclamation, is tentative in its final outcome. The Spirit is always free, but never self-contradictory.

Tentatively, then, let us try the language of prayer and ask that God's judgment fall lightly on us and our nation. Gratefully, I pray that God reward your dedication to public service and your desire to create a common language adequate to the experience of all our people and open to all others. Joyfully, let us hope that the Jubilee introducing the coming millennium may restore to the United States a sense of authentic freedom rooted in an ever-growing generosity of spirit. May God bless us all. Amen

HONORING MRS. ELIZABETH TERWILLIGER

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Ms. WOOLSEY. Mr. Speaker, I rise today to honor a truly outstanding and special woman in my Congressional District, Mrs. Elizabeth Terwilliger. Everyone knows her as "Mrs. T," and it's not an understatement when I say that almost everyone in Marin County, California, knows Mrs. T. Her devotion to people and the environment has made Mrs. T legendary, and has truly shown what a very special person she is.

As an internationally recognized environmentalist and naturalist, Mrs. T has molded generations of nature lovers who now care for our nature trails the way she does. For the last four decades, hundreds of families in Marin County have joined Mrs. T for her renowned nature walks. No one has cared for Marin County's pristine, natural surroundings the way she has, which is why the exceptional Elizabeth Terwilliger Nature Education Center was dedicated in her honor.

The Nature Center was founded to foster Mrs. T's unique multi-sensory teaching technique that advances the exploration of our environment. The Center allows children to discover nature through a variety of field trips

and educational resources, and arranges the famed nature walks for all ages. Last year alone, these wonderful programs involved 70,000 children from the Bay Area in the wonders of nature and the stewardship needed to preserve it.

Recently, the legions of Elizabeth Terwilliger's fans gathered in Olompali State Park in Novato, California to celebrate her 89th birthday. Fittingly, these events are as spontaneous and special as Mrs. T herself. Families brought picnics to the park to enjoy the company of each other and the wonderful woman who brought them all together. This year, a wonderful bronze statue of Elizabeth was unveiled as part of the celebration.

I would like to take this opportunity to salute Mrs. T and offer my sincere birthday wishes. She is what makes California's Sixth Congressional District so wonderful. Elizabeth Terwilliger's curiosity and passion for both nature and people has been infectious among Marin County residents, and that is her gift to us all. I am proud to honor this living legend, and I ask my colleagues to please join me in recognizing Mrs. Elizabeth Terwilliger.

TAXATION OF FOREIGN OPERATIONS OF U.S. ELECTRIC AND GAS UTILITIES

HON. JIM MCCRERY

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. MCCRERY. Mr. Speaker, today, I am introducing legislation to remedy a problem brought to my attention by the U.S. utility industry involving the taxation of foreign operations of U.S. electric and gas utilities. These firms were prohibited for many years from doing business abroad until the National Energy Policy Act (NEPA), enacted in 1992, removed that prohibition. With passage of NEPA, and as some foreign governments began privatizing their national utilities and increasing energy demands necessitated the construction of new facilities to fulfill the new capacity, U.S. utilities began to make foreign investments. Since 1992, U.S. utility companies have made significant investments in utility operations in the United Kingdom, Australia, Eastern Europe, and South America.

Foreign utilities are particularly attractive investments from a U.S. viewpoint. They are not "runaway plants", but rather stimulate job creation in the U.S. in design, architecture, engineering, construction and heavy equipment manufacturing. When the subsidiary of an U.S. utility builds generating plants, transmission lines, or distribution facilities to serve its foreign customers, these most often come from U.S. suppliers. Given that the U.S. energy market is mature, overseas investments are a good way for U.S. utilities to diversify and grow, to the benefit of their employees and their shareholders.

Unfortunately, the Internal Revenue Code penalizes these investments by subjecting them to double taxation. Under the foreign tax credit rules, the interest expense of a U.S. person is allocated in part to its foreign operations based on the theory of the "fungibility of money." The allocation formula in Internal Revenue Code section 864 requires U.S. domestic interest expense to be allocated based

on the value of the company's foreign and domestic assets. If a firm has mature (depreciated) U.S. assets and newly acquired overseas assets, like many U.S. utilities, a disproportionate amount of U.S. interest expense will be allocated abroad. The result is a very high effective tax rate on that foreign investment and a loss of U.S. foreign tax credits. Rather than face this double tax penalty, some U.S. utilities have actually chosen not to invest overseas and others have pulled back from their initial investments.

One solution to this problem is found in the legislation that I am introducing today. Our remedy is to exempt the debt associated with a regulated U.S. utility business (the furnishing and sale of electricity or natural gas) from the interest allocation rules of Internal Revenue Code section 864. The proposal would allocate and apportion interest expense attributable to qualified infrastructure solely to sources within the United States. "Qualified infrastructure indebtedness" would be defined as debt incurred in a corporation's trade or business of furnishing or selling electricity or natural gas in the United States. Further, the rates for such furnishing or sale of electrical energy must be regulated or set by the federal government, a State, the District of Columbia or a political subdivision thereof.

I am also aware that my colleagues on the Committee on Ways and Means, Congressmen HOUGHTON and LEVIN, together with Senators HATCH and BAUCUS, have been leading a multi-year effort to reform the international tax laws. I am a strong supporter of that effort, which is intended in part to rectify the disconnect between our nation's favorable trade laws and our tax laws, which too often penalize American firms wanting to expand into foreign markets. The problem of interest allocation has not yet been addressed in the Houghton-Levin legislation, but I strongly urge that this provision be included in any foreign tax reform bill introduced in the next Congress. Further, because the process of getting legislation enacted into law properly involves consultation with Treasury, the affected industry, and the bar, we encourage those with subject matter expertise in this area to review our bill. I believe my bill reflects the best thinking now available on how to address this serious problem, but we are certain that further reflection will yield an even better ??? for U.S. utilities attempting to invest overseas.

TRIBUTE TO TOM HART

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Ms. KAPTUR. Mr. Speaker, I rise today to pay tribute to a legendary leader of my community. Tom Hart of Toledo, Ohio, died on the morning of August 25, 1998 at the age of 62 after waging a battle of courage and grace against cancer.

A veteran, Tom was born and raised in Toledo, graduating from Central Catholic High School and the University of Toledo, and establishing a successful marketing and public relations firm in his hometown. As his business grew, he earned a solid reputation for his marketing expertise, his connection to the community, and his creativity. Tom Hart was,

in fact, the mastermind behind many of the Toledo area's successful political ad campaigns. From 1967 through 1987, his ads were part of eleven mayoral election victories. Long-time Toledo Mayor and elder statesman Harry Kessler noted, "He could put more in a 22 second commercial than any man I ever knew." His style in advertising became a fixture in our regional landscape, as Tom won many awards over the years for his creativity and achievement. His ads have become part of Northwest Ohio's political and financial history.

Strongly committed to his community, Tom gave freely and often of his time and talents. He was frequently a gifted master of ceremonies for many community functions. One prominent businessman described, "The guy was into giving back to the community. That was his ethic. He wasn't afraid to put his time and effort into helping people."

Feted as both a business and community leader, nonetheless family was first and foremost to Tom Hart. To his wife, Kathleen, his children Sheila, Mary Lynn, Michael, and Timothy, and nine grandchildren, he leaves a legacy of love and commitment. May their memories of this strong, self-willed, self-made man, devoted husband, father, and grandfather, shine through to sustain them.

STATEMENT REGARDING THE CREATION OF A PUBLIC HEALTH PESTICIDE REGISTRATION PROGRAM

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. VISCLOSKY. Mr. Speaker, the committee report which accompanies the Labor, HHS, Education appropriations bill, as approved by the Appropriations Committee, encourages the National Institute for Environmental Health Science (NIEHS) to cooperate with the Environmental Protection Agency (EPA) to support provisions in the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended, relating to the registration and re-registration of public health pesticides.

In 1996, FIFRA was amended by a set of reforms which were enacted in the Food Quality Protection Act (P.L. 104-170). This legislation authorized \$12 million per year for the creation of a public health pesticide data collection program within the department of Health and Human Services (HHS). Many pesticides are specialized products with a low-volume sales markets. For many of these products, the cost of generating the data necessary to maintain registrations far exceeds return on sale. Consequently, many EPA registered pesticides are cancelled for economic reasons.

The EPA Administrator, in consultation with the Secretary of HHS should promote research on products used in combating and eradicating urban pests, including rats, mice, cockroaches, flies, mosquitoes, ticks, and fleas.

These pests pose a serious health risk to the general population in densely populated cities and suburbs. Vulnerable sub-populations such as children, the elderly, and individuals with compromised immune systems are par-

ticularly at risk. Pesticides registered for public health uses are utilized to prevent the spread of bacteria which are carried by pests, such as Salmonella, Legionnaire's Disease, E. Coli, Lyme Disease, Encephalitis.

IN RECOGNITION OF CARLTON A. FUNN, SR.

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. MORAN of Virginia. Mr. Speaker, I would like to take this opportunity to recognize Mr. Carlton A. Funn, Sr., a distinguished teacher and contributor to the preservation of Africa-American history in Virginia and throughout the nation.

Mr. Funn's life's work and passion began in 1947 as a seventh grade student at Lyles-Crouch School in Alexandria, Virginia. Reading his Virginia history textbook, he noted the absence of any reference to the contributions and achievements of African-Americans in Virginia history. Upon his return to Lyles-Crouch School ten years later as a seventh grade teacher, Mr. Funn was dismayed to find that the same textbook was still being used. Motivated by this discovery, Mr. Funn began to collect memorabilia and artifacts that reflected African-Americans' contributions to Virginia and the United States.

What started as a small collection has grown into a large exhibit highlighting the contributions to our national history of African-Americans, and other minority groups. Mr. Funn's exhibit has been shown in eleven different states on more than 380 occasions. This display is truly an inspiration to young people and adults alike.

Mr. Funn has served our region as an educator for more than 42 years, first as a teacher in the Alexandria School system, then in Fairfax County, and currently with the D.C. Public Schools. He was recently honored as the Mid-Atlantic Region recipient of the 1998 Excellence in Teaching Award presented by the National Council of Negro Women, Inc. This very competitive award honors teachers who instill a thirst for knowledge in African-American children.

Mr. Speaker, I am grateful for the contribution that Mr. Funn has made to the education of children in my district, and children throughout the nation. Thanks to the work of Mr. Funn, students in communities all over the nation have been able to appreciate the contributions that African-Americans and other minorities have made to American history.

OPERATION: EASTERN STAR

HON. SILVESTRE REYES

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. REYES. Mr. Speaker, as a former employee of the Immigration and Naturalization Service (INS), I am proud to rise today to honor the outstanding performance of the El Paso INS Investigations Team and their investigation, *Operation: Eastern Star*, which dismantled a global smuggling network. The El

Paso INS Investigations Team, headed up by Assistant District Director Roberto S. Saenz, is receiving the INS Commissioner's Meritorious Service Award on October 26, 1998 at the Commissioner's Conference in Denver, Colorado. I would also like to recognize the outstanding leadership of District Director Luis Garcia and the superb job he has done in El Paso.

In addition to Assistant District Director Saenz, the following members of the El Paso team deserve special recognition: Special Agent Jeffrey Roberts; Special Agent Hector Valencia; Supervisory Deportation Officer Qasem M. Al-Ali; Immigration Inspector Ahmed Adil Abdallat; and Supervisory Special Agent Clyde McKenzie. This team brought down a smuggling ring responsible for bringing hundreds of illegal aliens from nations that are state sponsors of international terrorism and each of these men should be applauded.

It is difficult to account for all of the accomplishments of *Operation: Eastern Star*. However, on every level it was a tremendous success. I believe the manner in which this operation was planned and executed speaks volumes about the professionalism and dedication of the agents involved. Primarily, as a result of this investigation, the El Paso District Office for Investigations focused attention not only on the existence and magnitude of Middle Eastern smuggling organizations, but also on their potential threat to the national security of our nation. In light of growing tensions and activities in the Middle East, *Operation: Eastern Star* brought attention to the INS's ability to participate in international operations aimed at protecting the United States from foreign threats.

As a result of this investigation, *Operation: Eastern Star* was able to establish excellent liaison on a District level with federal agencies focused on National Security issues. *Operation: Eastern Star* was called upon by several United States federal agencies, as well as the Royal Canadian Mounted Police, for its expertise and ability to communicate with the nationalities involved. El Paso District agents continue to be utilized by these agencies, as well as other INS Districts and Sectors, in an effort to further enhance cooperative law enforcement efforts worldwide. This effort was responsible in part for the identification of over fifteen major smugglers trafficking in Middle Eastern nationalists from their home countries through Asia, and Central and South America.

The ultimate goal of *Operation: Eastern Star*, however, was accomplished through its successful dismantling of a Global Alien Smuggling Organization, preventing its members from further activity. Perhaps the most fulfilling achievement was the successful apprehension and prosecution of renowned alien smuggler Geroge Tajirian, who has eluded United States authorities for over twenty years. He was sentenced to a mandatory thirteen years in federal prison, thus ending his estimated earnings of more than \$3 million each year. Compare this staggering amount to the less than \$95,000 cost to the U.S. taxpayers for this operation. The small team of highly trained El Paso INS Special Agents managed to arrest Tajirian in Panama with the invaluable assistance of the State Department and the Department of Justice Office of International Affairs. The team of agents used their investigative experience and fluency in multiple languages to infiltrate this highly sophisti-

cated network within one year. Tajirian's arrest led to other arrests to include three members of the Palestine Liberation Organization (PLO) and a citizen of Yemen who is wanted for genocide in his home country.

We all owe these agents a word of thanks and our deepest gratitude for a job well done. All too often, we only hear about the job of our law enforcement community when something goes terribly wrong. I am glad to stand here today and celebrate a job well done by the El Paso INS Investigations Team.

EXPRESSING CONCERN OVER INTERFERENCE WITH FREEDOM OF THE PRESS AND THE INDEPENDENCE OF JUDICIAL AND ELECTORAL INSTITUTIONS IN PERU

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. GILMAN. Mr. Speaker, I am introducing this resolution to express concern over interference with freedom of the press and the independence of judicial and electoral institutions in Peru.

I have been one of Peru's strongest supporters in Congress. There is no question that Peru has made it back from the brink of the abyss. No one should forget that not so many years ago, Peru was a terrorized nation.

Peru has also become a good partner in the war against drugs. Now that coca prices in Peru have dropped to historically low levels, there is a real chance to help farmers grow legitimate crops. I have been pleased to encourage our European allies to join us in seizing this opportunity to promote meaningful alternative development in Peru.

During my visit to Peru this past spring, I made it clear that President Alberto Fujimori deserves much credit for these accomplishments.

Nonetheless, I feel it is important for the Congress to speak up at this time. I am increasingly concerned by signs that the independence of Peru's legislative, judicial and electoral branches is being compromised.

Moreover, the continuing actions taken by the government of Peru against Baruch Ivcher, the Israeli-born owner of television station Channel 2, have become emblematic of government interference with freedom of expression in Peru. It is chilling that these acts of blatant intimidation were precipitated by Channel 2's exposes of abuses—including alleged torture and murder—by Peru's intelligence service.

This resolution resolves that the erosion of the independence of judicial and electoral branches of Peru's government and the blatant intimidation of journalists in Peru are matters for concern by the United States. It would be very unfortunate if these trends were to undermine Peru's hard won stability and progress.

This resolution also calls for an independent investigation and report on threats to press freedom and judicial independence in Peru by the Inter-American Commission on Human Rights of the Organization of American States. I believe that it is most appropriate for the Inter-American community to look into these matters.

I am pleased that the distinguished ranking Democratic member of our Committee, the gentleman from Indiana, Mr. HAMILTON, and the gentleman from California, Mr. LANTOS, also a member of our Committee, have joined me in co-sponsoring this resolution.

We must, of course, continue to fully engage Peru in our important bilateral relationship, particularly in our shared fight against drugs and terrorism. Peru's efforts in these areas deserve our recognition and strong support. However, despite these very positive aspects in our relationship, the United States should not be expected to turn a blind eye to interference with freedom of the press and the independence of judicial and electoral institutions in Peru.

I realize that this resolution is being introduced on the last day of this session. However, I believe it is important to bring this resolution to the attention of our colleagues and to the attention of Peru's authorities.

H. RES. 609

Whereas the independence of Peru's legislative and judicial branches have been brought into question by the May 29, 1997, dismissal of 3 Constitutional Tribunal magistrates;

Whereas actions related to efforts to authorize President Alberto Fujimori to seek a third term in office have raised questions about the independence of the National Council of Magistrates and the National Election Board in Peru;

Whereas the Department of State's Peru Country Report on Human Rights Practices for 1997, dated January 30, 1998, found that "[i]ncidents of harassment of media representatives increased to such an extent as to create the perception of an organized campaign of intimidation on the part of the Government, specifically, on the part of the armed forces and intelligence services";

Whereas the Department of State's Peru Country Report on Human Rights Practices for 1997 states that Channel 2 television station reporters in Peru "revealed torture by Army Intelligence Service officers; the systematic wiretapping of journalists, government officials, and opposition politicians; and the income tax return of Vladimiro Montesinos, President Fujimori's senior intelligence adviser";

Whereas on July 13, 1997, Peruvian immigration authorities revoked the Peruvian citizenship of the Israeli-born owner of the Channel 2 television station, Baruch Ivcher;

Whereas Baruch Ivcher subsequently lost control of Channel 2 under an interpretation of a law that provides that a foreigner may not own a media organization, leading the State Department's Report on Human Rights Practices to conclude that "the Government's action in this case was widely interpreted as an attempt to prevent the station from broadcasting any more negative stories about the regime";

Whereas the Peruvian Government empaneled a special court to prosecute Baruch Ivcher for alleged tax offenses employing judicial procedures described by Peruvian legal experts as completely irregular and as constituting political interference in the independence of the judiciary; and

Whereas the Peruvian Government has issued an INTERPOL warrant for Baruch Ivcher's arrest and has initiated investigations aimed at prosecuting members of Baruch Ivcher's immediate family: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that—

(1) the erosion of the independence of judicial and electoral branches of the Government of Peru and the blatant intimidation of

journalists in Peru are matters for concern by the United States; and

(2) the United States should seek an independent investigation and report on threats to press freedom and judicial independence in Peru by the Inter-American Commission on Human Rights of the Organization of American States.

DOMESTIC VIOLENCE VICTIM
NOTIFICATION SYSTEM ACT

HON. SCOTTY BAESLER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. BAESLER. Mr. Speaker, I am proud to introduce the Victims Notification or "VINE" Act to amend the Violence Against Women Act. This Act builds on the success of the Violence Against Women Act, the 1994 Crime bill and provisions I authored to prevent rural domestic violence, and the establishment of the first statewide VINE system in my home state of Kentucky.

Kentucky Governor Paul Patton's Office of Child Abuse and Domestic Violence Services launched the first statewide VINE system in the nation in 1997. Since its inception, the statewide victim notification system has registered almost 4,300 victims and others who wished to be registered, and has made over 1,000 notifications upon the release of an inmate. In January of 1998, the juvenile detention facilities were also brought on line with the VINE system.

Drawing on the proven success of the VINE system and the National Domestic Violence Hotline, the new National VINE system established by this legislation would constitute an integrated computer and phone system whereby victims of domestic and sexual crimes would receive notification of vital information concerning their assailants, such as release from prison, probation hearings, etc. Like the National Crime Information Center and the computer systems for child support enforcement and child care background checks, VINE would enlist state-of-the-art technology as a weapon in the war against domestic violence and sex crimes.

The legislation does this by establishing a private, non-profit entity to establish and run a VINE system with a Justice Department grant. The VINE system will provide information concerning domestic violence and sex crime convicts' correctional and legal status to sex crime and domestic abuse victims, as well as information concerning legal recourse and resources available to victims. Finally, the legislation outlines logistical requirements for the VINE system, including creation of a 24 hour toll free hotline and automated system that would proactively call to contact victims.

Mr. Speaker, the VINE system was originally created in Jefferson County, Kentucky, as a county-wide notification system for victims after the 1993 murder of Mary Byron. Ms. Byron was killed by her ex-boyfriend after he was released from the Jefferson County correctional system without her knowledge. She was shot seven times by Donovan Harris as she left work on that day, her 21st birthday. Mr. Harris had been incarcerated for the rape and kidnapping of Ms. Byron less than a month before. Congress should enact this legislation on behalf of all the victims of domestic

violence and sexual crimes—and to the memory of Mary Byron.

OPERATION PROVIDE COMFORT
OVER IRAQ

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. CONYERS. Mr. Speaker, I rise today to express my support for legislation in the 106th Congress to compensate the families of the Americans who were killed on April 14, 1994 while serving in Operation Provide Comfort over Iraq. This is an important issue and should be a priority in the next Congress.

On April 14, 1994, 15 Americans, 14 military personnel and 1 civilian, and 11 foreign nationals, were killed when their Army Black Hawk helicopters, were shot out of the sky by two Air Force F-15's. According to the General Accounting Office, this horrible tragedy resulted from over 130 separate mistakes by the Air Force and the Army. After this incident, the Department of Defense made \$100,000 payments to the families of the foreign nationals in addition to the other death benefits they received from their own countries. Unfortunately, the Pentagon was not willing to give the same treatment to the American families.

Mr. Speaker, the Pentagon was wrong not to give our own personnel the same treatment that they gave the survivors of the foreign nationals. The Immigration and Claims Subcommittee held a hearing on this issue on June 18, 1998 and heard from both Government witnesses and the families. At that hearing, the Pentagon was unable to provide a credible answer for why they did not give the Americans the same treatment as the foreign nationals. The Pentagon first could not answer whether they had the authority to make the payments to the Americans. Later, the Pentagon acknowledged that they had the authority to act but simply were unwilling to.

At that hearing, the Subcommittee members heard the stories of the American families and the pain they suffered. This hits particularly close to home for me because Anthony Bass, one of the personnel killed, was the son of my cousin and I know the great suffering his family has endured. The Bases and all of the families, put their sons and daughters, and husbands and wives, in the care of our armed forces, but they were let down when the foreign nationals were treated better than their loved ones.

Mr. Speaker, I would particularly like to commend the leadership of Mr. WATT, the Ranking Member and Mr. SMITH, the Chairman of the Immigration and Claims Subcommittee, who have worked in a bipartisan fashion to make the Pentagon do the right thing. There were a number of bills introduced during the 105th Congress, including Congressman WATT's bill, H.R. 3022, to correct this tragic inequity and fairly compensate the families. Unfortunately, the Subcommittee did not have time this year to consider this important issue because of the many other issues before the Committee.

I look forward to the 106th Congress when we will pass legislation if the Pentagon continues to refuse to correct this injustice. Let me say, though, I hope the Pentagon chooses to

act so Congress does not have to. Thus far, the Pentagon has sent a message to tell our military personnel and civilian employees that the lies of foreigners are worth more than theirs. That is wrong and must be corrected.

MISSILE THREAT

HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. MURTHA. Mr. Speaker, the following is an excellent analysis of the world's missile threat presented by Mr. Robert Walpole to the Carnegie Endowment for International Peace.

SPEECH AT THE CARNEGIE ENDOWMENT FOR
INTERNATIONAL PEACE

(By Robert D. Walpole, National Intelligence Officer for Strategic and Nuclear Programs)

Good morning. I welcome the opportunity to be here today to talk about the ballistic missile threat to the United States. Assessing and defining that threat to our homeland and interests worldwide is one of the most important intelligence missions in the post-Cold War world. And I must tell you that we consider foreign assistance to be fundamental to the threat, not merely an incidental aspect of the problem. Finally, the threat is real, serious, growing, and dynamic. For example, since our annual report six months ago, the Ghauri, Shahab 3, and Taepo Dong 1 missiles/launch vehicles have all been tested. For these reasons, we are mandated by Congress to report on our assessments of this threat annually.

At the outset, let me emphasize how appreciative we are of the Commission's work. I particularly like the fact that they received approval to publish a relatively detailed unclassified report on the threat. As you have undoubtedly heard, we gave the Commission access to all the available intelligence information, regardless of classification. The Commission made a number of excellent recommendations for how we can improve our collection and analysis on foreign missile developments. Indeed, their report reinforces the DCI's call for a stronger investment in analysis and more aggressive use of outside expertise. Incorporating the Commission's ideas will strengthen our own work in this area.

We and the Commission agree that the missile threat confronts the Community with an array of complicated problems that require innovative solutions. At the same time, the Commission challenges some of our conclusions and assumptions, particularly those in our 1995 National Intelligence Estimate—Emerging Missile Threats to North America During the Next 15 Years (NIE 95-19). Our March 1998 Annual Report to Congress on Foreign Missile Developments was prepared in response to a request by Congress for a yearly update of that assessment.

Under the DCI's direction, the 1998 report responded to legitimate criticisms levied at our earlier work. It also incorporated the recommendations of outside experts who reviewed the 1995 NIE. As a result, the 1998 report already addresses many of the Commission's concerns, especially those regarding how we discuss foreign assistance, alternatives to increasing a missile's range, and approaches to circumvent development. Work is already underway on the 1999 report, and we are looking differently at how we characterize uncertainties, alternative scenarios, and warnings as a result of our interaction with the Commission the past several

months and I expect successive reports to be better, addressing additional questions as they are asked.

This morning, I will outline our March 1998 report; discuss areas where the substantive conclusions of the Commission's report and our thinking agree and differ; and discuss what we are doing differently for our 1999 report.

OUR 1998 REPORT

Secretary Rumsfeld has expressed concern that people not judge the Commission's report before they read it. While I share that concern regarding our 1998 annual report—which gives a full appreciation for our views and concerns about this growing threat—it remains classified, and therefore cannot be released to the public. But, I can give you a feel for what the report says.

In our report, we underscore the significant role foreign assistance has played and continues to play—indeed throughout the report are several major discussions of technology transfer. For example, the report begins with several pages discussing the extent of foreign assistance from numerous suppliers to even more recipients. It also notes how foreign assistance has helped specific missile programs, such as assistance with Iran's Shahab 3 missile.

Our report also underlines the immediate threat posed by medium-range missiles, our continuing concern about existing and emerging ICBMs, and the increasing danger that comes from the proliferation activities of countries that possess or are developing such systems. We and the Commission have some different views on some of our timelines for ICBM development, using the available evidence, group debate, and outside expert review. Nevertheless, where evidence is limited and the stakes are high, we need to keep challenging our assumptions—a role we will perform on this issue at least annually.

Let me make three points on our methodology.

First, we do not expect countries to follow any specific pattern for missile development. In fact, the United States, the former Soviet Union, and China all took different approaches. We frequently caution ourselves against any mirror-imaging. Just because the United States, Russia, or China was able to accomplish certain feats certain ways in a specific period of time—short or long—does not mean another country will.

Second, we recognize that foreign countries can hide many activities from us. These countries are generally increasing their security measures and are learning from each other and from open reporting of our capabilities.

Third, our methodologies really are not that different. Given the fact that in many cases we have limited data, we are both forced somewhat to use both input and output methodologies to evaluate the threat. The biggest difference in methodology is that the Intelligence Community must attach likelihood judgments to our projections; the Commission did not. Thus, we project our most likely scenarios and then include other scenarios with likelihood judgments attached. The Commission illustrated several possible scenarios, which we agree are possible, but did not attach likelihood judgments. But let me repeat, we agree that their scenarios are possible, as are many other scenarios we have looked at, including outright sales.

Let me now summarize the body of our 1998 report, which focused on threat projections through 2010:

Theater-range missiles already in hostile hands pose an immediate threat to U.S. interests, military forces, and allies. The

threat is increasing. More countries are acquiring ballistic missiles with ranges up to 1,000 km, and more importantly, with ranges between 1,000 km and 3,000 km. As Iran's flight test of its Shahab 3 medium-range ballistic missile (MRBM) demonstrates, this is not a hypothetical threat. It is a reality that has to be dealt with now. With a range of about 1,300 km, the Shahab 3 significantly alters the military equation in the Middle East by giving Tehran the capability to strike targets in Israel, Saudi Arabia, and most of Turkey. The Pakistani Ghauri, also tested this year, allows targeting of Saudi Arabia, Kuwait, and the Gulf.

Foreign assistance is fundamental to the growing theater missile threat. As we describe in the 1998 report, for example, Iran received important foreign assistance in developing its Shahab 3 MRBM. Moreover, countries are seeking the capability to build these missiles independently of foreign suppliers. The growth in the sharing of technology among the aspiring missile powers is also of concern.

While we project that Russia's strategic forces will shrink, they continue to be modernized and will remain formidable. China has about 20 CSS-4 ICBMS, in addition to shorter-range missiles. Most of these are targeted against the United States, and modernization efforts will likely increase the number of Chinese warheads aimed at the United States.

Our report further noted that we judge that an unauthorized or accidental launch of a Russian or Chinese strategic missile is highly unlikely, as long as current security procedures and systems are in place. Russia employs an extensive array of technical and procedural safeguards and China keeps its missiles unfueled and without warheads mated.

Among those countries seeking longer-range missiles, we believe North Korea is the most advanced. Its Taepo Dong-2 (TD-2), which we judged will have a range between 4,000 and 6,000 km, could reach mainland Alaska and the Hawaiian Islands. Our report noted that North Korea could flight test the missile this year and that it could be deployed in a few years. Beyond the North Korean TD-2, we judge it unlikely, despite the extensive transfer of theater missile technology, that other countries (except Russia and China as just mentioned) will develop, produce, and deploy an ICBM capable of reaching any part of the United States over the next decade.

Of course, the key word here is develop. As the report noted, the purchase of a missile, either complete or as components of a kit, is a different matter. In fact, we identified several alternative scenarios for a country to acquire an ICBM capable of reaching the United States sooner than 2010. These include buying an ICBM or SLV to convert into an ICBM, or buying a complete production facility for either. We judge that the current policies of Russia and China make these scenarios unlikely, given potential political repercussions, the creation of a self-inflicted threat, and China's own military needs. Our report points out that we cannot be certain that this will remain true over the long term. Indeed, the further into the future we project the politico-economic environment, the less certain we would be that the 'value' of the sale would not outweigh these factors in foreign thinking. And, as North Korea develops its Taepo Dong missiles, their sales become an increasing concern.

A number of countries have the technological wherewithal to develop the capability to launch ballistic (or cruise) missiles from a forward-based platform, such as a surface ship. Forward-basing from dedicated vessels

or from freighters could pose a new threat to the United States in the near term—well before 2010.

Our 1998 report assesses that our abilities to warn about the above-mentioned threats and postulated concerns vary:

We could provide five years warning before deployment that a potentially hostile country was trying to develop and deploy an ICBM capable of hitting the United States, unless that country purchased an ICBM or space launch vehicle (SLV), including having another country develop the system for them; had an indigenous space launch vehicle (SLV); or purchased a turnkey production facility.

We could not count on providing much warning of either the sale of an ICBM or the sale and conversion of a SLV (conversion could occur in as little as two years). Nevertheless, if a hostile country acquired an SLV, we would warn that the country had an inherent ICBM capability. I note, however, that both the United States and the Soviet Union used systems we did not consider as ICBMs to place their first satellites into orbit. The satellite we orbited weighed only 14 kg.

These two warnings need to be understood in tandem. Unfortunately, the warning related to sales may dominate in the near term. As North Korea proceeds with its Taepo Dong developments, we need to assume that they will follow their current path and market them; at a minimum, aspiring recipients will try to buy them.

We probably would obtain indications of the construction of a turnkey facility before it was completed, providing several years' warning.

If a country had an SLV, it could probably convert it into an ICBM in a few years, significantly reducing warning time.

Adapting missiles for launch from a commercial ship could be accomplished covertly, and probably with little or no warning.

Finally, our report noted that nonmissile delivery of weapons of mass destruction—chemical, biological, nuclear and radiological weapons—pose a serious, immediate threat to US interests at home and abroad.

WHERE WE AGREE

Now I'll go over some of the points of agreement between our 1998 report and the Commission's work. We agree that:

The threat is real and growing. The medium-range ballistic missile threat to US interests in the world is already upon us. Missile forces of Russia and China pose a significant threat to the United States and this threat will continue to exist for the foreseeable future. Our reports also agree on North Korea's capabilities.

Foreign assistance and the proliferation of ballistic missile technology is the fundamental reason for the growing ballistic missile threat.

Foreign denial and deception efforts and resource constraints are making it more difficult for us to monitor foreign missile developments.

Finally, there are plausible scenarios that could result in an increased missile threat to the United States for which there would be little or no warning.

WHERE WE DISAGREE

I will now walk through some of the areas of disagreement between the Commission and our 1998 report. The Commission's report indicates that intelligence analysts are too dependent on evidence and seem unable to make judgments without it. In actuality, despite the lack of evidence in some areas, our analysts make judgments and projection. I highlight that to allay concerns that we would consider 'the absence of evidence' to be 'the evidence of absence.' Quite the contrary, our analysts routinely face gaps in

their evidence and must make analytical judgments to project plausible scenarios. We need to do better. Working with limited evidence and make judgments is central to our job, as long as we underscore where we have little or no evidence. They did so in the case of the critical threats some missiles pose. In fact, we note that successful missile tests would give countries an emergency, launch capability with any missiles in their inventory, even without evidence of deployment.

As I indicated earlier, we are in basic agreement with the Commission on North Korea. While they did not indicate so, I assume they do not disagree with our judgments that North Korea was capable of testing both the Taepo Dong 1 and 2 this year.

The Commission considers Iraq to be behind North Korea and Iran relative to ballistic missile technology. We view Iraq as further along in some ways. Iraq was ahead of Iran before the Gulf war. They have not lost the technological expertise and creativity. If sanctions were lifted and they tried to develop indigenously a 9,000 km range ICBM to be able to reach the United States, it would take them several years. If they purchased an ICBM from North Korea or elsewhere, it would be quicker, depending on the range and payload capability of the missile. If the missile already had the range capability, further development would be moot.

The Commission considers Iran to be as far along in its technological development efforts as North Korea. In our view, that is not the case. The recently tested Iranian Shahab 3 is based on the No Dong and followed North Korea's test, even with foreign assistance, by several years. Iran will likely continue to seek longer range missiles, and would need to develop a 10,000 km range ICBM to be able to reach the United States. If they follow a pattern similar to the Shahab 3 time frame, it would take them many years. On the other hand, if they purchased an ICBM from North Korea or elsewhere, it would be quicker, and depending on the range and payload capability of the missile, further development might be a moot point.

The Commission indicates that our ability to warn is eroding and that we may not be able to provide warning at all. I've covered our views on warning earlier, and I fear further detail would only help proliferators more. They're already learning how to hide some aspects of missile programs, I'd rather they not learn more. I will say this, however. We need to be much more explicit in our warnings about missile developments—not just indicating that a country has an ICBM program and that it could flight test an ICBM this year, both of which are important messages. We need to include clearer language and more details about how we might and might not be able to warn about specific milestones in an ICBM development effort, judgments that will likely vary by country.

1999 REPORT

We are already working on the 1999 annual report and are planning to include significant additional outside expertise and red teaming into next year's report:

Private-sector contractors will be asked to postulate missile threats that apply varying degrees of increased foreign assistance. These will be in addition to the Commission's postulations and some of our own.

We are also asking academia to postulate future politico-economic environments that foster missile sales and ever increasing foreign assistance.

In addition, the Intelligence Community recently published a classified paper that postulates ways a country could demonstrate an ICBM capability with an SLV, and examines various ways it could convert its SLVs into ICBMs. This work will also

feed into the 1999 report, as a generic look at some alternative approaches.

Finally, drafting is underway on a paper that examines how countries could push Scud technology beyond perceived limits. Scientists and non-scientists are involved. Sometimes, those already outside the box can think so more readily.

We also intend in the 1999 report—after discussing our projected timelines for likely missile developments and deployments, as well as our concerns for ICBM sales—to postulate and evaluate many alternative scenarios, including those developed during the Commission's efforts and those mentioned above. Finally, we will be much more explicit in our discussions about warning. All these evaluations will be made through the lens of potential denial and deception efforts, to ensure that as our task gets more difficult, we provide our policymakers with a clear representation of what we know, what we don't know, what we can't know, and finally what we judge based on evidence, the lack thereof, and expertise from inside and outside the government.

COMMUNITY ENHANCEMENT

In recent months we have undertaken numerous steps that will enhance the Community's abilities to tackle the increasingly difficult tasks we face, including addressing the emerging missile threat. For example, we have increased "red teaming" efforts to ensure that we question our assumptions and examine out-of-the-box possibilities. Furthermore, last year the DCI strengthened the Nonproliferation Center to ensure that we have an aggressive, well-coordinated effort to address the nonproliferation target. At DCI direction we are taking actions to ensure that we have the analysts and skills needed to cover those issues of greatest importance. These include: increasing the size of the analytic cadre; creation of the Community executive boards to leverage the best experts on critical issues to drive collection and analysis against the most significant intelligence needs and gaps; introducing new training methodologies, technologies and analytic tools, and improving the mix of skills to address our most pressing problems; creating mechanisms to increase cooperation and better integrate the efforts of all analytic production centers.

CONCLUSION

This is a serious and complex issue, one of many others that we're working. The Intelligence Community uses many vehicles, including estimates and annual reports, to convey our analyses to policy makers and Congress. We will continue to do so.

TAEPO DONG 1 LAUNCH

Before I close, let me make a few comments about the Taepo Dong 1 satellite launch attempt. While the system's third stage failed, the launch confirmed our concerns regarding North Korea's efforts to pursue an ICBM capability and demonstrated some unanticipated developments.

We have been following North Korea's ICBM progress since the early 1990s, most notably, their efforts to develop what we call the Taepo Dong 1 medium-range missile and the Taepo Dong 2 ICBM, which we assessed were two-stage missiles.

This recent launch used the Taepo Dong 1 and a third stage. They tested some important aspects of ICBM development and flight roughly on the timetable we expected. And, for example, they were successful at multiple stage separation.

As we have analyzed the information that has come in so far, we have been able to determine much of what happened.

Indeed, this is a work in progress, and as we continue to receive information, it will give us a more detailed picture.

Although the launch of the Taepo Dong 1 as a missile was expected for some time, its use as a space launch vehicle with a third stage was not.

The existence of the third stage concerns us; we had not anticipated it.

We need to conduct more analysis on it, trying to identify more about it, including its capabilities and why it failed.

The first and second stages performed to North Korean expectations, providing what could amount to a successful flight test of the two-stage Taepo Dong 1 medium-range missile.

However, we believe North Korea would need to resolve some important technical issues—including the problems with the third stage—prior to being able to use the three-stage configuration as a ballistic missile to deliver small payloads to ICBM ranges; that is, ranges in excess of 5,500 km.

The Intelligence Community is continuing to assess the North Korean capabilities demonstrated by this launch and the treat implications of the missile.

In particular, the Community is assessing how small a payload would have to be for this system to fly to something on the order of an ICBM range.

We need to look at the implications of lighter payloads and possibly a third stage for the Taepo Dong 2.

We also need to ensure that we continue aggressive collection and analysis efforts against proliferation and foreign transfers, and their effects on advancing missile programs.

And we need to be much more explicit in our warnings about missile developments—not just indicating that a country has an ICBM program and that it could flight test an ICBM in a given year, both of which are important messages. We need to include clearer language and more details about how we might and might not be able to warn about specific milestones in an ICBM development effort, judgments that will likely vary by country.

KIDSPEACE

HON. PAUL McHALE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. McHALE. Mr. Speaker, I insert into the CONGRESSIONAL RECORD the following poem written by the talented young actress, Kristin Dunst. Ms. Dunst recited this poem at a press conference in Washington sponsored by KidsPeace, the National Center for Kids Overcoming Crisis, on September 23. The event sought to highlight the results of a national survey by KidsPeace of early teens and to identify new ways to strengthen America's youth and families.

It is in the idleness of our dreams that we will find the city of angels lies deep within our minds.

There is no loneliness or fear but if you feel it, know they're near.

In this world of so much hate, there could be a twist of fate.

Just think about the angels, they will find your lost soul mate.

In this tranquil world behind my eyes, your dreams won't turn to wasted lies.

No judging face or different race in this tiny place behind my eyes.

You can always tell who has wings, because their soul and mind will sing,

And the ones who are opposed, you will know their wings are closed.

HONORING YWCA OF YONKERS
WEEK WITHOUT VIOLENCE**HON. ELIOT L. ENGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. ENGEL. Mr. Speaker, today I rise to pay tribute to a laudable program of the YWCA of Yonkers in which a week-long series of events will highlight the struggle against violence.

This is the fourth year in a row in which the 'Y' is sponsoring a "Week Without Violence" program to inspire people to consider alternatives to violence by demonstrating that people from all communities can live together without violence in their homes, schools and neighborhoods.

From October 18 through October 24 the 'Y' is sponsoring a series of programs and remembrances with the support of the Police Department, the Public Schools, the Martin Luther King, Jr., Commission for Nonviolence, My Sister's Place, and Cluster's Conflict Resolution Program.

The series includes a public education campaign to identify and activate practical alternatives to violence. It also includes a day of remembrance in memory of Yonkers residents who lost their lives to violence, most especially the Biller family and Frederick Pagliara.

The week includes programs which treat violence against women as well as violence against men and the scourge of race and hate crimes.

The 'Y' program, by spotlighting violence and the harm it does to all of us, and by offering alternatives, such as conflict resolution, gives positive recommendations to help the community. It is part of a nationwide 'Y' program we all should join to reduce the epidemic of violence in America and make our country secure for all.

DIVORCING THE MARRIAGE
PENALTY**HON. BOB SCHAFFER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, I rise today regarding the elimination of the marriage penalty. This reform is long-overdue, and I am pleased to hear the consistent, overwhelming support of many constituents in Colorado's Fourth Congressional District.

As every married couple knows all too well, the marriage penalty is the amount of combined tax a couple pays in excess of the amount they would have paid had they filed as "single." For instance, suppose a husband and wife each earned \$30,500, resulting in a combined income of \$61,000. They would pay \$8,563 in federal taxes. However, if they were to file as "single," each would owe \$3,592, for a combined total of \$7,184. By filing together, this couple is unfairly hit with a \$1,379 marriage penalty.

Government should encourage the strengthening of the American family, not undermine it with ill-conceived taxing schemes. According to the Congressional Budget Office (CBO), 42 percent of married couples—numbering 21

million couples—were subjected to the penalty in 1996. Per couple, they paid approximately \$1,400 more in taxes due solely to the fact they were married. This is clearly wrong.

I support a number of approaches to solve this problem. The first is the 1999 federal budget recently passed by the House. As an alternative to the \$128 billion in new taxes and spending in the President's proposed budget, House Republicans crafted a plan that will decrease government growth by 1 percent. The savings are set aside to eliminate the marriage penalty. I supported this reasonable approach, and voted for the measure when it passed the House by a vote of 216–204 on June 5, 1998.

Another approach is a bill I cosponsored, H.R. 3734, which will change the tax code to assure the rates of taxation for married and single people are equitable. I strongly support this excellent proposal and will actively work to see its passage in the next session of Congress.

Recently, Chairman BILL ARCHER (TX) introduced H.R. 4579, the Taxpayer Relief Act of 1998, which would reduce taxes by an estimated \$80 billion over 5 years. I strongly supported this bill and voted with the full House to approve it on September 26. Specifically, the proposal reduces the marriage tax penalty by expanding the standard deduction for a married couple to twice the amount a single taxpayer can deduct.

Unfortunately, President Clinton has shown little support for our efforts. Once again, Republicans must fight the liberal legacy of tax-and-spend, anti-family policies. Through many different schemes, Democrats have consistently demonstrated an aversion to the fundamental institutions of this great country: religion, morality, family and life.

Even though we were unable to include marriage penalty relief in the Omnibus Appropriations bill this week, eliminating the marriage penalty will continue to be a major priority for me, and I will continue to pursue every opportunity to repeal this unfair tax on the American family.

WORLD POPULATION AWARENESS
WEEK 1998**HON. HAROLD E. FORD, JR.**

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. FORD. Mr. Speaker, I rise today to call World Population Awareness Week 1998 to the attention of my colleagues. October 24–31 marks the 13th annual celebration of World Population Awareness Week. More than 300 family planning, environmental, educational, community and service organizations in 61 countries are co-sponsoring the week in an effort to raise awareness of the need for universal voluntary family planning.

I call Governor Don Sundquist's proclamation to the attention of my colleagues and ask that it be submitted for the RECORD.

THE STATE OF TENNESSEE PROCLAMATION

Whereas, more than half of the world's population will live in urban agglomerations by the turn of the century; and

Whereas, the growth of cities provides opportunities, but also portends risks that could intensify poverty, pollution, disease,

social disintegration, violence and human misery; and

Whereas, urban poverty is already as high as 60 percent in some metropolitan areas, more than one-third of the urban population has substandard housing, and 40 percent lack access to safe drinking water of adequate sanitation; and

Whereas, in all regions of the world—north and south, rich and poor—rabid urbanization has spawned a number of common problems including unemployment, a shortage of adequate housing, traffic congestion, declining infrastructure, and lack of funds to provide for basic services; and

Whereas, urban crises, stemming from high population density and activity is expected to be among the major challenges of the 21st century.

Now therefore, I Don Sundquist, Governor of the State of Tennessee, do hereby proclaim the week of October 24–31, 1998, as World Population Awareness Week in Tennessee and urge all citizens to join me in recognizing this worthy observance.

TRIBUTE TO ALBERTINA SISULU
OF SOUTH AFRICA**HON. DONALD M. PAYNE**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. PAYNE. Mr. Speaker, I rise to pay tribute to a great woman who has earned a place in history, Mrs. Albertina Sisulu of South Africa, who was elected as a member of Parliament in 1994.

Born in the Transkei, she lived in Johannesburg when the African National Congress Youth League became active in 1944. It was an eventful year for her. She joined the League, qualified as a nurse and midwife, and married Walter Sisulu, the political leader and friend of Nelson Mandela who shared his passion for freedom and justice.

Together, the Sisulus fought oppression and endured enormous anguish as Welter, who was then the general secretary of the ANC, was imprisoned eight times between 1953 and 1964. Mrs. Sisulu joined the ANC Women's League and became an executive member of the Federation of South African Women. She played an active role in the 1952 Defiance Campaign and in the protest against the Bantu Education Act. In 1956, she was prominent in the historic national demonstration in Pretoria when 20,000 women protested against the extension of passes to African women. In 1959, she was elected treasurer of the ANC Women's League.

Mrs. Sisulu showed tremendous courage in continuing her anti-apartheid activities after her husband was sent to Robben Island and she herself was placed under banning orders for nineteen years, ten of them under house arrest. In August of 1983, she was charged with furthering the aims of the ANC. Six months later she was found guilty and sentenced to four years' imprisonment, but her conviction was overturned. While she was in custody awaiting trial, she was elected as the Transvaal President of the newly-formed United Democratic Front. She also became National President of the South African Federation of Women. In 1988, she was again banned and her freedom to travel was restricted. Undaunted, she joined other prominent Soweto citizens who negotiated with the

then Soweto City Council on the question of rent boycotts. She was also nominated by a number of international figures for the post of rector of the University of Edinburgh. In 1989, she was part of a delegation which visited President Bush and Mrs. Thatcher to brief them on the situation in South Africa. In October, her husband and other leaders were released from jail.

Since the landmark year of 1990, she has continued to be in the forefront of South Africa's continued challenges, serving as Deputy President of the ANC Women's League and as a member of the National Executive of the ANC. In 1993, she served as President of the World Peace Council in Basie, Switzerland before becoming a member of Parliament. Mr. Speaker, I ask my colleagues here in the House of Representatives to join me in honoring Mrs. Sisulu, a valiant woman who has charged countless lives for the better, as she celebrates her 80th birthday this week.

BROAD-BASED SUPPORT FOR THE POLICE BADGE FRAUD PREVENTION ACT (H.R. 4282)

HON. STEPHEN HORN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. HORN. Mr. Speaker, I rise today to call the attention of the House to the Police Badge Fraud Prevention Act (H.R. 4282) and the broad-based support it is drawing from our nation's law enforcement community. This measure bans the interstate or foreign trafficking of counterfeit badges and genuine badges. When the measure is reintroduced in January, it will include exceptions for cases where the badge is used exclusively in a collection or exhibit; for decorative purposes; or for a dramatic presentation such as a theatrical, film, or television production.

A counterfeit badge or a fraudulently obtained real badge can allow a criminal to deceive someone into opening the door to their home or the window of their car. The use of badges in home-invasion robberies and other crimes has damaged the trust people have in men and women in uniform. Law enforcement organizations, both nationwide and in my home state of California, have recognized this and have endorsed this legislation. I submit their endorsement letters to be included in the RECORD. I encourage all Members to consider co-sponsoring this legislation when the 106th Congress reconvenes.

FRATERNAL ORDER OF POLICE, NATIONAL LEGISLATIVE PROGRAM,
Washington, DC, July 24, 1998.

Hon. STEPHEN HORN,
U.S. House of Representatives
Washington, DC.

DEAR CONGRESSMAN HORN, I am writing to advise you of the strong support of the more than 272,000 members of the Fraternal Order of Police for H.R. 4282, the "Police Badge Fraud Prevention Act."

Your bill complements existing State statutes against impersonating a law enforcement officer with respect to the possession or use of counterfeit badges or illegally obtained real badges. The American public knows and recognizes the brave men and women in our nation today by the badge they carry. They know they can count on them when they are in trouble or in need of

help. Your bill takes a necessary step to ensure that the public can continue to place their faith and trust in law enforcement officers and not be deceived by those with criminal intent.

On behalf of Grand Lodge, Fraternal Order of Police, I want to extend my thanks for your leadership on this issue. If there is anything I can do to assist you in the passage of this legislation, please do not hesitate to contact me or Executive Director Jim Pasco at my Washington office.

Sincerely,

GILBERT G. GALLEGOS,
National President.

INTERNATIONAL BROTHERHOOD OF
POLICE OFFICERS
Alexandria VA, May 15, 1998.

Hon. STEPHEN HORN,
U.S. Congress,
Washington, DC.

DEAR CONGRESSMAN HORN, The International Brotherhood of Police Officers (IBPO) is an affiliate of the Service Employees International Union, the third largest union in the AFL-CIO. The IBPO is the largest police union in the AFL-CIO.

On behalf of the entire membership of the IBPO I want to thank you for introducing a bill that would make it a crime to deal counterfeit badges of state and local law enforcement agencies.

The IBPO has heard numerous incidents where criminals obtain police badges which allows them to pursue illegal activities. Many of these badges can be purchased by Internet and mail-order sales. We appreciate your legislation will ban the interstate or foreign trafficking of counterfeit badges and genuine badges.

A police officer's badge means much more than another form of identification. To see it used for criminal intent is a slap in the face to every police officer in this country.

The IBPO endorses your bill and looks forward to working with you to see this bill become law. If you have any questions, please do not hesitate to contact me.

Sincerely,

KENNETH T. LYONS,
National President.

CALIFORNIA
PEACE OFFICERS' ASSOCIATION,
Sacramento, CA, October 7, 1998.

Hon. STEVE HORN,
U.S. House of Representatives,
Washington, DC.

DEAR CONGRESSMAN HORN: The California Peace Officers' Association strongly supports HR 4282, which would curb the sales of phony police badges in the United States. Law enforcement is faced with the possibility of a criminal using a phony badge to commit a crime. These impersonators have made women become fearful of stopping for legitimate police officers because of crimes impersonators have committed using phony police badges. Law enforcement officers have only one visual thing to prove who they are to the public, and that is the badge.

Mail order badge suppliers have cheated the public out of their confidence in the police by selling to anyone with the correct amount of money, the very symbols of trust and safety which identify the law enforcement officer. Police and sheriff badges should only be sold to authorized law enforcement personnel, and then only after the company ensures that the agency is a bona fide entity.

Please register our support of this very important legislation.

Sincerely,

JOHN LOVELL,
Government Relations Manager.

SAN BERNARDINO COUNTY
SHERIFF'S DEPARTMENT,

San Bernardino, CA, September 22, 1998.

Hon. STEVE HORN,
U.S. House of Representatives,
Washington, DC.

DEAR CONGRESSMAN HORN: The San Bernardino County Sheriff's Department strongly supports HR 4282 which would curb the sales of phony police badges in the United States. Every day law enforcement is faced with the possibility of an impersonator eroding the public's trust by using a phony badge to commit a crime. Women have become fearful of stopping for red lights on police vehicles because of crimes committed using red lights to stop their victims. Law enforcement has only one thing to prove, who they are visually to the public, and that is the badge.

Mail order badge suppliers cheat the public out of their confidence in the police by selling to anyone with the correct amount of money, the very symbols of trust and safety we are taught as children to look to for help. Police and sheriff badges should be sold only to authorized law enforcement personnel, and then only, after the company ensures that the agency is a bona fide entity.

Please register our support of this very important legislation.

Sincerely,

GARY S. PENROD,
Sheriff.

CITY OF SIGNAL HILL
POLICE DEPARTMENT,
Signal Hill, CA, August 6, 1998.

Congressman STEPHEN HORN,
c/o Connie Sziabl, District Director, 38th District
of California, Lakewood, CA.

DEAR CONGRESSMAN HORN: I would like to take this opportunity to thank you very much for introducing HR 4282—the Police Badge Fraud Prevention Act. I believe it will go a long way to stem this ever increasing problem and help protect the citizens within our community and throughout the United States.

I will be contacting police organizations in California for support of this bill and, hopefully, they will be sending you letters of support very soon.

I have enclosed a copy of the program from Fox Channel 11 News on counterfeit badges which aired on Monday, July 27, 1998, at 10:00 p.m. It provided some excellent publicity on this problem and on HR 4282.

Once again, I would like to thank you and your staff for your quick response to our concerns and your continued support of law enforcement.

Sincerely,

DAVID M. SINGER,
Chief of Police.

CALIFORNIA NARCOTIC
OFFICERS' ASSOCIATION,
Santa Clarita, CA, October 15, 1998.

Re: HR 4282—Letter of Support

Stephen Horn
U.S. Representative, 38th District
Washington DC.

DEAR MR. HORN: The California Narcotic Officers Association's (CNOA) 7,000 members, comprised of men and women, are California's first line of defense against the proliferation of illegal drugs. CNOA has historically provided opinion and expertise to the legislature based upon our experience and training as drug enforcement professionals.

CNOA supports House Resolution 4282 which you author. Mail order badge suppliers who sell to anyone for money facilities vicious crimes that occur in our society such as home invasion robberies. Badges should only be sold to bonafide entities.

Please accept this letter as our Association's support for this very important legislation. We thank you for taking the leadership on this issue.

Sincerely

ROBERT S. ELSBERG,
Legislative Chairman.

LEN SWINEHART'S BIRTHDAY

HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. GINGRICH. Mr. Speaker, it isn't often that someone can celebrate their 50th birthday and help pass a 4,000-page appropriations bill. Len Swinehart has been a hardworking, knowledgeable and effective member of the Speaker's staff. He has specialized in budget and appropriations issues and he has effectively represented the taxpayers of America. For the last two weeks Len has been immersed in monitoring the details of this massive \$500 billion budget. Tonight he will be able to celebrate his first half century and a job well done. Happy birthday Len and thank you.

PROTESTING SECTION 103 OF DIVISION A OF THE OMNIBUS APPROPRIATIONS BILL

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. FRELINGHUYSEN. Mr. Speaker, today I introduced a measure to correct H.R. 4328 by striking section 103 of division A. As passed now, section 103 of division A will cost American taxpayers \$1 billion because it permits the Tennessee Valley Authority to refinance some of its \$30 billion debt through the Federal Government.

I have thought for a long time that New Jersey taxpayers should not have to help pay to subsidize electricity for the Tennessee Valley which is one reason why I have fought to end the Federal Government's subsidies for TVA. But compared to TVA's refinancing deal, the non-power program subsidy was peanuts. Taxpayers will be footing the bill for this backroom deal and the cost is over \$1 billion.

Striking out this section would wipe out the hidden provision to allow TVA to refinance its billions of dollars of debt through the Federal Government at the cost of U.S. taxpayers.

Since the New Deal, TVA has asked for and received the Federal Government's help to control flood waters in the Tennessee Valley, but when it comes to the flood of Federal dollars for the TVA, they just say "let it flow." This refinancing scheme and extra funding is not fair to taxpayers in New Jersey and all around America and it is against the expressed will of Congress.

I led the efforts to zero out this annual Federal subsidy contained in the Energy and Water Appropriations bill. Both House and Senate Appropriators agreed with me, and this year we cut the \$70 million subsidy in the FY99 Energy and Water Appropriations bill already signed into law by the President.

But in a last-minute deal, two amendments slipped into the Omnibus bill which will cost

the taxpayers. One amendment would provide \$50 million for the TVA's non-power programs in 1999. But another provision would cost taxpayers much more than the \$50 million or even the original \$70 million for TVA's non-power programs. The second TVA provision also attached to the Omnibus bill would permit TVA to refinance some of its \$30 billion debt through the U.S. Treasury's Federal Financing Bank. If passed, TVA would be allowed to borrow \$3.2 billion from the Federal Government and taxpayers would be forced to pay for the \$1 billion cost of this refinancing.

Despite the vehement protests of appropriators and authorizers, the legislation allows this giant utility to refinance its debt without paying the contractually-required prepayment penalty.

TVA is already \$30 billion in debt, pays no taxes, enjoys access to low-cost capital, and avoids scores of Federal laws and State regulations. The taxpayers must not be burdened further by TVA.

COMMERCE COMMITTEE CONCURS WITH H.R. 3494

HON. TOM BLILEY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. BLILEY. Mr. Speaker, I rise in support of H.R. 3494, "the Protection of Children From Sexual Predators Act of 1998." Several days ago, the House concurred with amendments made to H.R. 3494 by the Senate. The legislation is now being prepared for the President's signature.

In general, H.R. 3494 amends current law to strengthen the provisions that protect children from sexual predators. The amendments are needed to ensure that our laws keep pace with technology and that we do all we can to maintain the innocence of our children. While the actions of sexual predators are inexcusable, subjecting our children to this sick and harmful behavior is morally unacceptable. These practices are degrading and undermine the fabric of our society. H.R. 3494 will help put an end to such practices.

The Commerce Committee has been integrally involved in a similar effort to protect children. The Commerce Committee has worked in the past with the Judiciary Committee to craft similar legislation. Thus, the Committee was pleased to see the development of H.R. 3494 as it proceeded through the legislative process and chose not to raise jurisdictional issues that may have prevented the legislation from moving forward. It is important, however, to highlight our jurisdictional interest in this important matter.

I note that at least two sections of H.R. 3494, sections 401 and 901 fall within the jurisdiction of the Commerce Committee. Section 401 imposes a new prohibition on the transfer of obscene material to minors (under the age of 16). The scope of this provision would cover all transfers of such material, including via mail or telecommunications networks. Congress has already addressed this matter when it enacted section 223(a) of the Communications Act of 1934, as added by title V of the Telecommunications Act of 1996 (also known as the Communications Decency Act), which was jointly written by Members of the Commerce and Judiciary Committees.

Section 223(a) provides that whoever makes any comment, request, suggestion, proposal, image or other communication which is obscene or indecent, knowing that the recipient of the communication is under 18 years of age, shall be subject to criminal fines and penalties. While certain parts of section 223 have been successfully challenged in the court system, the Supreme Court upheld the constitutionality of this provision relating to transmittal of obscene material. Thus, it seems that section 401 of H.R. 3494 would overlap with the provisions of section 223(a), providing an additional tool for prosecutors to use. In doing so, it should be clear that whether a prosecutor uses section 223(a) of the Communications Act or section 401 of H.R. 3494 to address the increasing problem of the availability of obscene material to minors available through a telecommunications device, the Commerce Committee retains oversight responsibility.

Section 901 provides for the Attorney General to contract with the National Academy of Sciences to conduct a study of computer-based technologies and other methods to address the problem of access to pornography by children. The provision requires the study address a number of issues, including the present-day computer-based technologies for controlling electronic transmission of pornographic images, research needed to develop effective computer-based technologies for such purposes, potential limitations of computer-based technologies for such purposes, and operational procedures necessary to ensure the computer-based technologies are effective.

Over the last few years, the Commerce Committee has addressed computer-based technologies, including software screening programs and computer-based age verification technologies. In fact, section 901 is similar to the provisions added to H.R. 3783, the Child Online Protection Act (COPA), which recently passed in the House, to limit access to pornographic material by children. Section 104 of H.R. 3783 establishes a Commission composed of government and industry experts, including representatives in the business of providing Internet filtering and blocking services and software, Internet access services and Internet labeling or ratings services.

The purpose of the Commission is to study methods to help reduce access by minors to material that is harmful to minors on the Internet. The Commission is tasked with submitting a report to Congress which will include: (1) a description of the technologies and methods identified by the study and the results of the analysis of each such technology and method; (2) the conclusions and recommendations of the Commission regarding each such technology or method; (3) recommendations for legislative or administrative actions to implement the conclusions of the Commission; and (4) a description of the technologies or methods identified by the study that may meet the requirements for use as affirmative defenses provided under other provisions of law.

I believe the Commerce Committee and the Judiciary Committee have arrived at complementary solutions. The study authorized by H.R. 3494 would fit well within the study authorized by H.R. 3783.

While I am hopeful that H.R. 3783 will become law this Congress, it should be recognized that the Commerce Committee intends

to fully exercise its jurisdiction over future consideration of such matters, including involvement with the National Academy of Sciences study authorized under H.R. 3494. The Committee intends to monitor the implementation of section 401 by the Attorney General particularly as it relates to section 223(a) of the Communications Act. Support for H.R. 3494 passage this Congress should not be read as a lack of interest in the relevant jurisdictional matters.

THANK YOU, MRS. ROBIN MOLL
MEAGHER

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. GORDON. Mr. Speaker, I want to give thanks to Robin Moll Meagher, my legislative director, who will be leaving Capitol Hill after six years of dedicated service.

Robin has become my right hand on telecommunications and healthcare policy.

This session, she helped me pioneer legislative action on telecommunications fraud called Cramming, by developing Congressional Hearings, drafting groundbreaking legislation, and working with industry leaders to resolve this problem.

Whether confronting complicated federal bureaucracies, or helping a constituent solve a difficult problem, Robin has never forgotten the peoples' priorities.

On a daily basis, I have been able to count on Robin to manage policy issues in my office, coordinate the legislative staff that help me do my job, and keep the overwhelming amount of information coming in organized and manageable.

I owe her a debt of gratitude, and I am not the only one.

Like the Oilers from her hometown of Houston, Robin came to serve the people of Tennessee after a long period of service with some of my former colleagues from Texas.

Working for Congressman Pete Geren and Jake Pickle, Robin's diverse skills helped her achieve important successes in trade policy, by amending NAFTA implementation language; transportation policy, by helping secure important aviation routes for her state, and by assisting her state in a number of other ways that benefited her bosses' constituents; and her alma mater, the University of Texas.

Like many bright young Americans, after Robin graduated college—from a school in Austin we in Tennessee call "the Other UT"—she came to Washington to serve her country, its elected representatives, and its people.

We are grateful for her help. As Robin opens a new chapter in her life, I would like to say good luck and thank you.

IN MEMORY OF THE POLKA KING

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. KUCINICH. Mr. Speaker, I rise today to remember Frank Yankovic, America's Polka King. The story of Yankovic's rise from a hard

scrabble youth on the streets of Cleveland, Ohio to the country's best selling Polka music artist deserves recognition.

In a recording career that spanned 60 years, two gold single records, thirty million records sold, and the first Grammy Award in the category of Polka music, Frank Yankovic's "Cleveland-Style Polka" has been widely credited with catapulting an Eastern European art form into a mainstay of American music culture. Tinkering with orchestrations and translating lyrics into English, Yankovic proved that Polka music could appeal to millions of Americans and become a vehicle for mass entertainment. His millions of record sales are a testament to this vision.

An inductee of Chicago's International Polka Association Hall of Fame and the "Cleveland-Style" Polka Hall of Fame, in addition to the Wisconsin and Michigan Polka Halls of Fame, Yankovic collaborated with an eclectic group of artists, ranging from Duke Ellington to Doris Day to Chet Atkins to Drew Carey. Yankovic was featured with his own float in the 1996 Presidential Inaugural Parade. The "Frank Yankovic Band" has performed to enthusiastic crowds across the country and around the world and made its Kennedy Center debut in 1998.

My fellow colleagues, Frank Yankovic was indeed an inspiration. He will be greatly missed, but his enormous contribution to American music culture will never be forgotten.

FINAL GOODBYE POLKA

(By William F. Miller)

They had come to mourn his death, but the Polka King's rollicking music worked its magic one more time.

As faint strains of Frankie Yankovic's "Blue Skirt Waltz" and "Just Because" drifted through St. Mary Church yesterday from accordionists warming up outside, people at the solemn funeral Mass looked up in recognition.

Then they began to smile.

A few minutes later, they stood outside and sang along.

"The music seemed like it was coming from heaven," remarked a woman wearing a babushka.

"It looked like rain, but did you notice the skies turned to blue when the accordionists played the 'Blue Skirt Waltz?'" said August Pust, special assistant for multicultural affairs to Gov. George V. Voinovich.

"I'm speechless and so happy for the music they are playing for my father," Yankovic's daughter, Andrea McKinnie, said through her tears. "That is exactly—yes, exactly—the way he would have wanted it, and thankfully they knew to do it. God bless them all."

An estimated 800 people attended the church service for Yankovic, a Cleveland native who won the first Grammy ever given for polka music and whose tireless touring brought Cleveland Slovenian-style polka to the top of the music charts. Yankovic, 83, died last Wednesday in New Port Richey, Fla.

Police officers blocked traffic along the route from St. Mary to Calvary Cemetery as the funeral cortege passed.

A delay in the hearse's departure from the church created the opportunity for a miniconcert outside. Eight of Yankovic's musician friends had brought their accordions, planning to play as Yankovic's casket was taken to the hearse.

They ended up repeatedly playing "Blue Skirt Waltz" and "Just Because,"

Yankovic's biggest hits from the 1940s, the only two polka songs ever to sell more than a million copies each.

Many of the mourners, especially older ones, began singing along when the impromptu band broke out some old-fashioned folk Slovenian songs. The musical scene was repeated at Calvary Cemetery, where an estimated 250 people bid their polka hero farewell.

During the funeral Mass, members of Yankovic's family went to the altar to express their love for him, calling him a loving and caring husband, father and grandfather. The Rev. John Kumse, pastor of St. Mary, said everyone benefited from and can be thankful for Yankovic's gifts as an entertainer.

Yankovic's loyal followers, many in their 70s and 80s, attended the service.

Emma Yudovich, 70, traveled from El Paso, Texas.

"He would tour in those early days and we would travel hours to see him to concert or at a dance, wherever he was, because we loved his polka music," she said. "We are sad, of course, but we cannot be too sad for him because he lived one of the fullest lives one could live."

Cleveland Councilman Michael D. Polensek, who grew up in Collinwood, Yankovic's old neighborhood, said the Polka King "was a hero in the neighborhood."

He said that as a councilman he was constantly asked to get a council resolution honoring Yankovic on his retirement. "I think I must have produced 10 of them over the years, and then Yankovic would change his mind and continue playing," Polensek said.

TRIBUTE TO HMONG AND LAO
VETERANS

HON. BRUCE F. VENTO

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. VENTO. Mr. Speaker, I rise today to pay tribute to Hmong and Lao Veterans and their supporters from St. Paul and across the United States. Working together as patriotic and civic-minded citizens, they have successfully pressed H.R. 371, the Hmong Veterans Naturalization Act, forward through the House Judiciary Committee with 77 bi-partisan co-sponsors. More importantly, they have helped to bring overdue national recognition to the Hmong and Lao people and the noble cause that they served during the Vietnam War.

I would like to salute and bring to the attention of my colleagues a number of those individuals who worked tirelessly during this 105th Congress, spearheading efforts to help educate the public and Members of Congress about the plight of the Hmong Veterans and promoting the importance of H.R. 371, a bill which I was again proud to introduce. I would like to thank the Lao Veterans of America, the nation's largest Hmong and Lao non-profit organization, for its leadership role on these crucial matters; Colonel Wangyee Vang, the National President; Chertzong Vang, Chairman of the Minnesota State Chapter; Philip Smith, who serves as the Washington, D.C. director; Angela McCaffrey, Attorney at law; and Chris Johnson, a Hamline University law school student. I would also like to thank the Lao Family Community in Minnesota, Inc., whose headquarters are in St. Paul, for their special efforts, specifically: Chong Bee Vang, President;

Ying Vang, Executive Director; Yao Lo, Special Projects Director; and Mr. Kue Xiong, Special Assistant.

Mr. Speaker, I am extremely proud that Hmong veterans and their families, under the leadership of these two St. Paul-based, non-profit community organizations, helped to organize national recognition ceremonies in recent years to honor the Hmong and Lao veterans at both the Vietnam War Memorial and Arlington National Cemetery. These events were the first of their kind and attracted international media coverage. They drew thousands of people from Minnesota and across the nation to Washington, D.C. I was deeply honored to provide remarks and participate in these historic events, including the dedication of the monument at Arlington National Cemetery, which prompted the following editorial in the Washington Post which I would like to include in the RECORD at this time.

Mr. Speaker, the people of the Southeast Asian community in St. Paul are playing an increasingly positive role as they pursue education, home ownership and fill key roles in our society. Although serious challenges persist, this generation will have a magnificent impact upon shaping tomorrow's Minnesota. It is important that Congress honor their history, culture and background today.

Once again, I would like to salute all those who supported and cosponsored H.R. 371 which I plan to reintroduce during the 106th Congress.

[From the Washington Post, May 20, 1998]

DEBTS TO THE HMONG

To anyone with a memory and a commitment to keeping one's word, it is bound to come as a shock that the United States is still not fulfilling its obligations to its Hmong and Lao allies in the Vietnam War. Eleven years ago, Congress authorized the Vietnam Veterans National Medal for the now-American survivors of the secret army that helped America fight its battles in Laos in 1961-73 and that paid dearly for it. Yet only the other day was the medal actually bestowed on the few thousand veterans of that army who had gathered in Washington. In a march meant to recall their earlier escape across the Mekong River to Thailand, the Hmong group crossed the Potomac to the grave of John F. Kennedy, the first American president their units had served.

The Hmong, or "Meo," and Lao recruits formed under CIA direction at a time when their very presence and role were officially denied. Diverting large numbers of North Vietnamese soldiers from their primary (American) targets, the secret army gathered intelligence, protected U.S. navigational sites and rescued hundreds of downed American pilots. In turn, the United States took on specific protective obligations and of course an overwhelming moral obligation. These debts were fulfilled only raggedly when Communist North Vietnam swept over Laos. Hmong and Lao soldiers and the families were alternately repressed by the victorious forces and forced into exile. Some 135,000 now live in the United States.

Their current complaints go well beyond the tardy receipt of medals for their valor. A concern for their kin has made them advocates of an American policy to press the Laotian government harder to ensure fair treatment for those left behind and to begin Hmong-language broadcasts on the now American-supported Radio Free Asia. They also protest the recent immigration-law changes that limit benefits to non-citizens, including elderly Hmong who have been un-

able to learn English for the citizenship exam.

In Arlington Cemetery, the Hmong unveiled a memorial to their combat veterans and American advisers. In the Lao and Hmong languages the writing on the monument states, "You will never be forgotten." They almost were.

OPERATION PROVIDE COMFORT IN IRAQ

HON. LAMAR S. SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. SMITH of Texas. Mr. Speaker, I rise today regarding a very important bipartisan issue that will need to be addressed in the 106th Congress, that is compensating the families of the Americans who were killed on April 14, 1994 while serving in Operation Provide Comfort over Iraq.

Mr. Speaker, I have been very disappointed by the Pentagon's handling of this issue and their refusal to treat fairly the families of the American service personnel who were killed on this incident. I have several constituents whose loved one was killed in this incident and I am disappointed that the Department of Defense has not treated them more fairly.

On April 14, 1994, 15 Americans, 14 military personnel and 1 civilian, and 11 foreign nationals, were killed when two Army Black Hawk helicopters, were shot down over the "No Fly zone" in Iraq by two Air Force F-15's. According to the General Accounting Office, this loss of life resulted from 130 separate mistakes by the Air Force and the Army. After this incident, the Department of Defense made \$100,000 ex gratia payments to the families of the foreign nationals in addition to the other death benefits they received from their own countries. While making these payments to the foreign families, the Administration was unwilling to give the same treatment to the next of kin of the Americans.

My subcommittee held a hearing on this issue on June 18, 1998 and heard from both the Pentagon and the families. Before the hearing, I requested the Pentagon be prepared to answer whether authority exists under current law to compensate the families at the same level as the foreign families. During their testimony, the Pentagon was unable to provide a credible answer for why they did not treat the Americans in the same matter as the foreign families. First, they could not answer whether they had the authority to make the payments to the Americans, then after the hearing, when the Department did provide the Subcommittee with a response they did not answer the direct question posed. Rather than providing a statutory bar to payment under Section 127 of Title 10, the Department's response discusses "limitations that have historically been applied" and "compelling reasons against making such payments".

It would appear that historical applications and compelling reasons were compromised when the Department chose to make ex gratia payments to the families of foreign nationals killed in the same incident with Americans. By doing so, the Department has placed the Government in the position of appearing to value foreign nationals lives more than American lives.

It is clear that some remedy must be affected to rectify the inequities created by the actions taken by the Department in this incident. Our service personnel deserve to be treated better. I have been working with Congressmen COLLINS, CONYERS, and WATT of North Carolina to fashion a bipartisan solution to this problem.

The Subcommittee did not have time to act this year, but we will revisit this issue next year. I hope that the Pentagon will correct this injustice and make the payments to the families without Congress having to take action. However, if the Administration is not willing to act, the Immigration and Claims Subcommittee will consider legislation in the 106th Congress to give the American families the same treatment as the foreign families received.

PERSONAL EXPLANATION

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. DAVIS of Illinois. Mr. Speaker, I was unavoidably detained in the district on October 13th and 14th. As a result, I missed rollcall votes 527-531. If I had been present, I would have voted "aye" on rollcall 527, "nay" on rollcall 528, "aye" on rollcall 529, "nay" on rollcall 530 and "aye" on rollcall 531.

THANK YOU MR. BRENT AYER

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. GORDON. Mr. Speaker, today I want to pay tribute to the career of Mr. Brent Ayer. Brent has served my office in the capacity of Chief of Staff for two years; however, he has served the United States House of Representatives loyally for twenty-one.

As Chief of Staff, Brent has performed his duties with meticulous skill and care. His ability to organize and prioritize keeps the office running like clockwork. Brent is a true asset to my staff, providing a level of leadership and wisdom that could only be gained through twenty-one years of service.

How best to describe twenty-one years on Capitol Hill other than stating the obvious point that Brent is the kind of employee rarely seen this day-and-age in the workforce. He is the consummate Capitol Hill staffer and a model for anyone wishing to answer the call of service to his country and Congress.

Brent's tenure in the House of Representatives began in the office of Rep. Goodloe Byron, where he was hired as a staff assistant in 1977. He stayed on with Rep. Beverly Byron after Goodloe's death and advanced to Chief of Staff.

Brent's career path moved from Rep. Byron's office to Rep. RON KLING in 1994 and, finally to work for me.

Brent has a well-earned reputation for untangling really tangled messes. No task is too large or too small for him to handle. Whether Brent is attending a White House signing ceremony for legislation he helped his boss push through or defending a two-year-old child with Leukemia against a large health insurance company, he handles his duties with ease.

Brent's ability to get into the trenches has been a true motivating factor toward emphasizing a team atmosphere in our office.

Speaking of team efforts, included in the long list of Brent's accomplishments one of his greatest assets is his running ability and knowledge of the sport, which has helped Team Gordon successfully win the Capital Challenge six consecutive years.

He has been a staffer's advocate, too, and the House is a better place to work because of his tenure.

Brent was instrumental in establishing a fitness program for staffers. He helped begin a program of assisting new offices in setting up—thereby easing the transition to Congressional life for new staff. Every staffer and former staffer who worked with or under him praised his leadership, his calmness, and his ability.

I have heard Brent explain his long tenure in this way, "I came in, I put my head down, I did my work; when I looked up twenty-one years had passed." With well earned accolades and a long list of good memories in hand Brent will end his era of congressional service on November 15, 1998.

On that day the House of Representatives will lose a strong and capable resource and veteran, his colleagues, both past and present, will lose a friend and mentor and I will lose a Chief of Staff, the likes of which come along once in a lifetime—if one is as lucky as I.

It is with sincere thanks and gratitude that I say good bye and good luck to Brent Ayer.

REPUBLICAN EDUCATION ACHIEVEMENTS

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, I rise today to clarify what has been done in the 105th Congress regarding the many education issues facing our schools today. Work on education reform has now been completed, and I want to update my colleagues on the accomplishments of the Republican Congress, and the challenges of the future.

During this Congress, we approved 22 major education initiatives, including: the Reading Excellence Act (H.R. 2614), the Individuals with Disabilities Education Act (P.L. 105-17), a school nutrition bill (H.R. 3874), A+ Education Savings Accounts (H.R. 2646), a quality Head Start bill (S. 2206), a charter schools bill (H.R. 2616), and the Dollars to the Classroom grants (H.R. 3248). In addition, we are sending \$1.1 billion to the States to fill teaching needs. These Republican initiatives will send more Dollars to the classroom, honor State and local authority, promote quality in our Nation's schools, and increase parental involvement and responsibility. These common-sense reforms will foster excellence in our Nation's schools while limiting Washington's control of the classroom.

Unfortunately, President Clinton, despite his rhetoric, has politicized and hampered our attempts to improve schools. The President has threatened to veto the Dollars to Classroom Act, which would send \$2.7 billion directly to public schools, prepaid college tuition plans,

and bilingual education reform. In addition, the President has already vetoed safe schools legislation, a teacher testing bill, and our A+ Education Savings Accounts proposal. These actions clearly demonstrate Clinton's desire to thwart real reform and local decision-making.

I will continue to fight the President and his administration in their plans to complicate and stifle our efforts to lead this country in a new direction for the 21st Century. Although much still remains to be done, I remain optimistic for the future. With persistence, focus, and input from the people of this great country, we will empower our Nation's children, parents, and teachers to achieve their greatest potential.

KAREN THORNDIKE—FIRST AMERICAN WOMAN TO SAIL SINGLE-HANDEDLY AROUND THE WORLD

HON. NORMAN D. DICKS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. DICKS. Mr. Speaker, yesterday when I was home in my congressional district, I had the great pleasure of meeting a Washington State native who recently became the first American woman to sail singlehandedly around the world. In a heroic voyage that took her just over 2 years, Karen Thorndike fought off serious illness and the relentless elements of nature in circumnavigating the globe unassisted on her 33,000-mile journey. She set a remarkable example of perseverance and determination as she piloted her 36-foot yacht "Amelia" around the five great capes of the world: Cape Horn, Cape of Good Hope, Cape Leeuwin, South East Cape of Tasmania, and South West Cape of New Zealand. I was proud to be in Port Angeles, WA, yesterday as the Mayor and City Council proclaimed October 19, 1998, as Karen Thorndike Day in honor of this courageous woman. It was a great day for Port Angeles, and I wanted to share with my colleagues in the House of Representatives the text of the proclamation that Mayor Gary Braun presented on behalf of the City Council, so that Karen Thorndike can serve as an example of courage, determination, and perseverance.

PROCLAMATION IN RECOGNITION OF KAREN THORNDIKE DAY

Whereas, Karen Thorndike, the first American woman to solo circumnavigate the world, is a native of Washington State; and

Whereas, This American pioneer in her 36-foot yacht "Amelia", survived winds and waves of terror south of the five Great Capes of the world: Cape Horn, Cape of Good Hope, Cape Leeuwin, South East Cape of Tasmania, and South West Cape of New Zealand; and

Whereas, Karen Thorndike is only the seventh woman in the world to sail alone in open ocean around the globe; and

Whereas, Karen Thorndike overcame serious illness off the Falkland Islands, and completed her historic journey of more than 33,000 nautical miles by returning to San Diego, California on August 18, 1998, two years and two weeks after departing San Diego; and

Whereas, Karen Thorndike became a role model for youth and adults all over the world by her inspirational example of perseverance against the relentless elements of nature.

NOW, THEREFORE, I, GARY BRAUN, Mayor, on behalf of the City Council of Port Angeles, do hereby proclaim October 19, 1998,

to be "Karen Thorndike Day" in Port Angeles in recognition of her extraordinary journey in which she became the first American woman to solo circumnavigate the globe.

GARY BRAUN,

October 19, 1998.

MINNESOTA'S FAIR FARM PRICES NOW PETITION

HON. DAVID MINGE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. MINGE. Mr. Speaker, I rise tonight to commend all the Minnesotans who have signed the "Fair Farm Prices Now" Petition. I have received petitions which were signed by thousands of farmers and citizens of rural Minnesota communities. These people have come to Congress with a simple request: that they be given a fair price for their hard work. They have asked that their elected representatives answer their petition by uncapping and raising the marketing loan rate, by extending the terms of the marketing loan, and by making crop insurance coverage more effective.

Unfortunately, this outpouring has not been adequately heard by Congress. Although the Omnibus Appropriations Conference Report, which will be voted on this evening, does provide a substantial agricultural disaster package, it does not make the changes which these farmers have requested. Uncapping the marketing loan rates would have given producers more flexibility in handling the fiscal roller-coaster that these families have faced and will continue to face in the coming years. Providing more effective crop insurance would give farmers another important tool in their tool box with which to combat the inherent and uncontrollable risk of their business. Regardless of the long-term benefits to farmers of these requests, the crop insurance program and the marketing loan program remain the same.

Again, I commend the citizens of rural Minnesota who have spoken out about their need to have fair prices for the commodities which they produce. I agree with their request and regret that our leaders in Congress have not heard their plea.

H.R. 4679: THE ANTIMICROBIAL REGULATION TECHNICAL CORRECTIONS ACT OF 1998

HON. TOM BLILEY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. BLILEY. Mr. Speaker, I would like to provide additional background information on Congress' intent and understanding regarding H.R. 4679, the "Antimicrobial Regulation Technical Corrections Act of 1998."

With the enactment of the Food Quality Protection Act (FQPA) of 1996, changes were made in the definition of "pesticide chemical" and "food additive" under the Federal Food, Drug, and Cosmetic Act (FFDCA). In addition, FQPA added a definition of "pesticide chemical residue." These new definitions had a significant and unintended impact on the regulatory responsibility for approving the use of

certain antimicrobial substances in food contact applications. Historically, such substances were regulated by the Food and Drug Administration (FDA) as food additives and were approved by that agency under Section 409 of the (FFDCA). With the FQPA definitional changes, such substances now fall within the term "pesticide chemical" and are subject to regulation by the Environmental Protection Agency (EPA) under Section 408 of the FFDCA.

Since the passage of the FQPA in August 1996, these shifts in regulatory jurisdiction have led to delays in the processing of petitions for clearance of certain antimicrobials under the FFDCA. In the interim, in addition to the losses to the companies with pending petitions, the American public is losing the economic and environmental advantages that these products may offer. An amendment similar to the proposed technical correction was considered in October 1997, late in the conference on the FDA Modernization Act (FDAMA) but was deferred for later consideration. In the FDAMA Conference Report, however, the conferees urged the interested parties to pursue a new vehicle to achieve resolution of this jurisdictional issue.

The technical correction made by H.R. 4679 does not remove any use of a substance from regulation as a pesticide under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA). Thus, any use of an antimicrobial in the manufacture of packaging for both food and non-food applications that is a pesticidal use under FIFRA would, in addition to FDA review as a food additive, continue to be subject to pesticide registration under FIFRA. Moreover, the proposed legislative language does not affect FDA's existing jurisdiction over antimicrobial substances (with the exception of ethylene oxide and propylene oxide) used in or on processed food, which are not "pesticide chemicals" under the FFDCA.

H.R. 4679 would achieve the following:

1. Consistent with its traditional broad regulatory authority over food products and processing, FDA would have authority under FFDCA Section 409 to regulate as food additives—

Those antimicrobial substances used in or on food, or water that comes into contact with food, if such substances are used where food is prepared, packed or held for commercial purposes.

Most antimicrobials used as food contact substances, such as those used in the manufacture of food contact packaging.

2. Consistent with EPA's traditional role in reviewing uses of antimicrobials in agricultural applications, EPA would retain authority under FFDCA Section 408 to regulate—

Antimicrobials used on raw agricultural commodities, or on water used on such commodities in the field; in a facility where raw agricultural commodities are the only food treated, and the treatment is in a manner that does not change the status of the food as a raw agricultural commodity (e.g., washing, waxing, fumigating, and packing such commodities in such a manner); or during transportation of raw agricultural commodities between the field and such a treatment facility.

Under this legislation, Congress intends that EPA will continue to regulate fumigants applied to stored raw agricultural commodities in the above locations.

3. EPA would have regulatory authority under FFDCA, over residues of the fumigants

ethylene oxide and propylene oxide on both raw agricultural commodities and processed food, including ground spices. Additionally, use of ethylene oxide and propylene oxide on foods, including processed foods, will be a pesticidal use under FIFRA.

4. EPA would have regulatory authority over residues of antimicrobials used on semi-permanent or permanent food contact surfaces other than food packaging. Similarly, EPA would have regulatory authority over antimicrobial substances impregnated in semi-permanent or permanent food contact surfaces other than food packaging if the substance is intended to serve the same purpose as application of an antimicrobial to the exterior of such surface.

5. A "grandfather/transitional" provision would ensure that any regulation authorizing the use of an antimicrobial substance that, under this legislation is not a pesticide chemical use and thus is subject to FDA's regulatory authority under section 409, would be considered a regulation issued under Section 409. Thus, after the passage of the amendment, all antimicrobial products under FDA's food additive authority would be regulated under the same statutory authority.

Except as noted for ethylene oxide and propylene oxide, this amendment would affect the regulation of antimicrobial pesticides only under the FFDCA. EPA would continue to regulate antimicrobial pesticides under FIFRA, and EPA's authorities under that statute would not be changed. Companies selling or distributing antimicrobial pesticides must apply to EPA for registration of their products. EPA will review the applications under FIFRA sec. 3, which requires among other things that the products not cause "unreasonable adverse effects on the environment." That term is defined in FIFRA sec. 2(bb) to mean: "(1) any unreasonable adverse effects on the environment taking into account the economic, social, and environmental costs and benefits of the use of any pesticide, and (2) a human dietary risk from residues that result from a use of a pesticide in or on any food inconsistent with the standard under section 408 of the Federal Food, Drug, and Cosmetic Act . . ."

Thus, it is Congress' intent that EPA, in deciding under FIFRA whether to grant, amend, or cancel a registration for an antimicrobial pesticide that poses a human dietary risk, shall take such action only if EPA determines that the risks from such residues are not inconsistent with the safety standard in FFDCA sec. 408. Additionally, Congress intends that in granting, modifying, or canceling a tolerance for a pesticide chemical residue under section 408, EPA consider exposures to substances regulated under section 409 where applicable.

Overall, the technical correction made by H.R. 4679 presents an opportunity to reverse a change that Congress did not intend to make and allow companies to bring these beneficial antimicrobial products to market without further unnecessary delay. Importantly, shifting regulatory jurisdiction over certain antimicrobial uses of FDA will continue to ensure public health protection provided by the FFDCA.

REGARDING LINDA BUSHELL

HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. ORTIZ. Mr. Speaker, I rise to speak about and to congratulate a great teacher in my Congressional District, Linda Bushell. Linda Bushell, now an assistant principal at Martin Middle School in Corpus Christi, Texas, is being recognized for her work with students when she taught history at Baker Middle School from 1990–May 1998. She is being named to the All-USA Teacher Team, a representative of all outstanding teachers who daily work to open kids' minds and advance their knowledge. Nineteen individuals and one team of four, were selected from 649 nominees.

These exceptional teachers are being honored for making a difference. They inspire us not only as working professionals but also as citizens. Their extraordinary talent to connect with students and their ability to make learning fun enables them to reach out to kids and help them expand their horizons with special programs. Linda Bushell is one of four teachers who began the Community Connection program in Corpus Christi, Texas, a program to give at risk students an up-close look at why academics are relevant to real-world success. In this program Baker Middle School students volunteer at museums, hospitals, or other community sites, and observe professionals as well as hear them speak about what they do on a daily basis. These volunteer opportunities help inspire kids to be more than they believe they can be or do. For example, one young woman after volunteering at an office in the Nueces County courthouse stated happily, "I can really be a lawyer. Women can be lawyers." The program gives students self-confidence and gives them a view of the real world outside of what they daily experience in school.

Once again, I congratulate Linda Bushell for the superb job she does in the education arena for students in South Texas. We are fortunate to have teachers like you teaching our children. You deserve this recognition for you have given your heart and much hard worked hours for our students. Keep up the work.

THE BEST OF STAFF

HON. THOMAS J. MANTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. MANTON. Mr. Speaker, I rise to pay tribute to my staff, both past and present, for their fine work, dedication, and loyalty.

Mr. Speaker, today, I likely cast my last vote as a Member of this august body. For fourteen years, I have served proudly my constituents of the 7th Congressional District of New York. I hope that I have served them well. I would be remiss, however, if I did not acknowledge and praise the hard-working men and woman who have served with me.

Congressional staff are all too often overlooked in their daily duties and under-appreciated for their efforts. But, as my colleagues well know, this great democratic institution

simply could not function without the good work and commitment of our staff.

Mr. Speaker, I have had the great good fortune to have what I consider to be one of the best offices in the Congress and I offer this statement as a small tribute to their good deeds. While individual staffers have come and gone over the years, the office has always functioned as a team, always striving to do their best for me and for the citizens of Queens and the Bronx. I thank them all from the bottom of my heart.

Mr. Speaker, I would like to take this opportunity to mention a few of my closest and longest served staffers; individuals who I have come to rely upon without hesitation and whom I consider to be friends.

Jim Mathews, my current Chief of Staff, has served with me for over ten years. First as my Legislative Assistant for Merchant Marine and Fisheries, later as my Legislative Director, and then as my Staff Director for the Subcommittee on Fisheries Management. After a two year stint as the Deputy Assistant Administrator for the Office of Solid Waste and Emergency Response at the U.S. Environmental Protection Agency, Jim was kind enough to return to work for me in his current position.

Steve Vest was with me from the start, first as my Legislative Director and then as my Chief of Staff for many years. He has gone on to a successful career as Vice President of Government Affairs with Rupert Murdoch's News Corporation. His advise and counsel always served me well.

David Springer served as my first Chief of Staff. Without David's excellent political insight and working knowledge of the Congress, I could not have been as successful as I was early on in my House service. He has since put his skills to work as a partner in the prestigious Washington Group.

John Olmsted, my Office Manager, has been with me since I took the oath of office in 1985. How a son of Minnesota made his way to the office of a Congressman from New York City I do not know, but I am glad he did. John has kept our computers running and my expense account straight. I will miss his advice on the market as I head towards retirement.

Brian Browne has served me well as my Queens District Office Manager. Balancing a new family with the long hours of a District staffer meeting with constituents at almost any hour of day or night, Brian has done a great job. I wish him well in his new career at my alma mater, St. Johns University.

Lizzy O'Hara has been my eyes and ears on issues relating to Ireland and Irish Americans. I take some small credit for helping move along the peace process in Northern Ireland, which culminated in the Good Friday Accord. My success in this regard owes much to the tenacity, gregariousness, and hard-work of Lizzy.

Elaine Simek, now a prominent securities lawyer in New York, previously served as my Legislative Director and my right-hand-woman on Irish issues. Her dedication over the years helped make the Congressional Ad-Hoc Caucus on Irish Affairs the successful organization it is today. And, like me, she was able to hold down a full-time job while getting her law degree at night school.

Bill Driscoll and Fran Kraft both served as my District Office Managers for many years. Their knowledge of the District and local politics kept me out of hot water more times than I care to remember.

My good friend and colleague, Walter McCaffrey, served me admirably as my very first District Chief of Staff. He later went on to win election to the New York City Council, where he still serves with distinction in the seat I once held.

The rest of my current staff have all played an important role in keeping me informed and knowledgeable of a multitude of issues and concerns. As I said before, they are the real backbone of a successful Congressional office.

Cinnamon Rogers, my Legislative Director, has done a yeoman's job for me on telecommunication and finance issues under the Commerce Committee. Matt Socknat, has helped me obtain crucial funding for cleaning-up a local water body and successfully fought to stop additional flights in and out of LaGuardia Airport. Maggie Berman has done a great job juggling my schedule while working on a number of tricky legislative issues. Adam Wolf has brought a unique sense of humor, dedication, and caring to his staff position. No one is better at obtaining White House tour tickets.

In my District Office, Angela Dekker has had the unenviable task of keeping my schedule straight, and has done so with alacrity. Irene Baker has done an outstanding job taking over the office's press duties and working with my constituents on a multitude of issues. Julia Jimenez has slogged through countless immigration cases without missing a beat. The two newest District staffers, Ivan Lavios and Tim Higgins, have brought a new zest and determination to working with my constituents. And, Fran Mahony Reilly, my Bronx District Office Manager, has successfully taken on the responsibilities of a several person office all by herself. Without her, I simply could not have adequately represented my Bronx constituency.

Mr. Speaker. Finally, I would like to mention a few other members of my staff, both past and present, who have made my offices very special over the years: John Feeney, Rodney Bedford, Sean McIntyre, Jorge Rodriguez, Tom Messina, Tara Thompson, John Smythe, Neal Fenton, and Peter Praeger. I am leaving many individuals out of this list, but I hope they understand that they all played a very important part in keeping the offices running and the constituents of the 7th Congressional District happy.

Mr. Speaker, again I congratulate and thank all of my staff for their many years of service. I will miss them, as I will miss my colleagues and this great institution.

HONORING LATVIAN INDEPENDENCE DAY

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. KUCINICH. Mr. Speaker, I rise today to recognize Cleveland's Latvian community in celebrating 80 years of independence. Latvian-Americans have become an important part of this area, enriching it with their native heritage and lively culture.

The Latvian Community in Cleveland traces back its origins to 1897, when 28 families formed the Emmanuel Lutheran Parish. At the

end of World War II, the evasion of communism caused a massive immigration of Latvians to the United States, during which more than 2,500 displaced Latvians chose the Cleveland area as their home.

This community of Latvian immigrants has grown throughout the years, entering America's economic and educational mainstream, but always maintaining their Latvian heritage by sharing native foods, folk songs and dancing with their neighboring communities. The Latvian organizations in Cleveland have promoted and preserved their native values and culture, as well as worked to expose the ravages of communism. They contributed to the dream and final reality of an independent Latvia, when the country regained its independence in 1991, after 50 years of Soviet domination.

My fellow colleagues, please join me in honoring Latvia's 80th Independence Day celebration in the Greater Cleveland area. This event commemorates the many accomplishments of this community, and it recognizes the struggle to gain the freedom they have enjoyed for the past eight decades. Latvian-Americans continue to hold on to their Latvian heritage, culture, traditions and maintain ties with family and friends who live in their native land.

TRIBUTE TO FRANCES LOUISE JACKSON BALTIMORE

HON. CORRINE BROWN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Ms. BROWN of Florida. Mr. Speaker, I rise today to pay tribute to a remarkable woman who has recently departed this life. Frances Louise Jackson Baltimore (1918-1998) was a wonderful mother, wife, and friend to many. She was born to the late Cornelius Jackson and Fannie Burrells Jackson on June 18, 1918 in Linden, Virginia. She married at an early age to Bishop Eugene E. Baltimore, and gave birth to six children—Anna, Florence, Barbara Jean, Eugene, Wilbert, and Darlene. She was preceded in death by Barbara Jean, Eugene, and Darlene.

Frances attended the Cherry Hill Elementary School in Linden, Virginia. She married Bishop Eugene Baltimore in Front Royal, Virginia, and they relocated to Johnstown, Jefferson County, West Virginia. She and Eugene raised five children, and ran a clean, tidy household of modest means. She had numerous skills, many of which she passed on to her children, including sewing, cooking, canning and preserving, and decorating. She worked very hard to raise a proper family during the depression era.

After her children were grown, Frances moved to New York City where she received her GED and earned a Certificate of Completion in Geriatric Nursing. She lived and worked in New York for more than 20 years and was active in the lives of friends and family there. She later took up residence in Annapolis, Maryland, in 1982, and became a member of her son Wilbert's church, the Holy Temple Cathedral Church of God.

Frances was the matriarch of a very talented family. Her offspring have gone on to become successful professionals, many of whom earned advanced degrees and served

honorably in the military. On October 11, 1998, Frances succumbed to Alzheimer's Disease. She will be remembered as a stylish, dedicated woman, who always knew how to make a little go a long, long way.

QUALITY DAY CARE PROTECTION
ACT OF 1998

SPEECH OF

HON. RICK LAZIO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 15, 1998

Mr. LAZIO of New York. Mr. Speaker, I rise today because an increasing number of moms and dads are placing their loved ones in day care. The time is right for me to introduce a new bill, The Quality Day Care Protection Act. This bill has two parts: (1) A misdemeanor for a person who misrepresents intentionally the credentials of the day care provider or the conditions of the care provided and (2) A felony for a person who causes serious physical injury to a child under his care. This bill gives parents the peace of mind knowing that their children are safe and secure while being cared for by responsible, reliable, licensed professional day care professionals.

Last July in Albany, New York, a couple left their three-month old daughter, Julia, in the care of a licensed, in-home day care provider. The provider lied about the number of children for whom she cared on a daily basis. The provider left Julia alone. The baby had been placed in a swing and left unattended. Julia was not supervised for twenty minutes. During that time, Julia threw up her food and choked on her own vomit. She was rushed to a local hospital, placed on life support, and tragically she was diagnosed as brain dead.

The critical fact in this horrible story is that the day care provider lied. She told Julia's parents that she was caring for four children. An official investigation discovered that eight children were receiving care.

I must tell you another tragic story. Last January, three month old Jeremy Fiedelholz was being cared for by a licensed, in-home day care operator. The parents left Jeremy with the professional for two hours. It was a trial run; the parents were deciding if this day care professional was one they could trust. When the Fiedelholz' returned they found Jeremy face down in a crib, in a pool of his own vomit, dead. The state of Florida had licensed this facility to care for six children, but this woman had taken in thirteen children that day. On the day that Jeremy died, while the owner ran errands, all 13 children were left at the mercy of a poorly trained staff person who was not CPR certified. The provider lied to Jeremy's parents.

The circumstances surrounding the deaths of these two infants are frighteningly similar. In both cases, the day care provider misrepresented to parents about how many children would be accepted daily, who would be responsible for caring for the child, and the qualifications of the person who would care for the child. Two children died after the day care professional misrepresentations. In both cases, the only recourse for the parents was in civil court. No federal or state criminal law applied. Under my bill, a crime will be committed if a day care provider intentionally mis-

represents the credentials or the conditions of the day care provider: (1) Credentials licenses or permits that the provider or the staff possesses; (2) Number of children for whom they care; (3) Quality of the day care facilities.

Most states do not have adequate criminal laws in this arena. Critical gaps that would safeguard the basic health and safety standards for child care exist. In many states, there are standards but they are not consistently enforced. For example, many states do not require small, in-home day care providers to apply for a license. Those providers are not inspected. Even when states require in-home providers to be licensed, most of the time there are no inspections.

Today, millions of parents have no choice. They must make ends meet to pay the bills. So, they are forced to place their loved ones in child care while they work. Currently, 77 percent of all women with children under 17 hold a job. Each day, about 13 million children under the age of six spend part of their day in day care. There are six million infants and toddlers who are being cared for by people that parents are hoping they can trust.

Every parent wants to feel secure in knowing their loved ones are receiving quality day care. Quality care means providing a safe and healthy environment where care gives safeguard infants and nurture their development. Quality care means having a minimum number of children for each care giver. The best of all worlds means every child in day care receives as much one-on-one attention as possible. This bill gives moms and dads what they deserve—the peace of mind that goes with knowing their children are safe and secure when in the arms of a day care professional.

The Quality Day Care Protection Act is a fair bill. Prosecutors will be allowed to pursue day care providers that deliberately break the law. Parents will see justice done when their child is seriously injured or dies. I urge my colleagues to support this legislation.

H.R. 4838, THE HOUSING PRESER-
VATION MATCHING GRANT OF
1998

HON. BRUCE F. VENTO

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. VENTO. Mr. Speaker, on October 14, 1998, I introduced, H.R. 4838, the Housing Preservation Matching Grant of 1998, which would authorize the Secretary of HUD to make grants to States to supplement State assistance for the preservation of affordable housing for low income families.

I consider this bill advance notice for the agenda of the 106th Congress which should begin in allocating resources to match the efforts of some States in preserving affordable housing units across this nation. During the consideration of the FY 1999 VA, HUD and Independent Agencies Appropriations bill, I attempted to offer an amendment that would expand the notification a tenant receives from 60 days to 12 months that a building's mortgage will be prepaid, ending its lower income affordability. In the end, we succeeded in achieving a five-month notification requirement. A greater victory, however, would be to achieve the long-term preservation of those housing units as affordable housing.

We are facing a dire situation with regard to affordable housing needs in this country. Low- to moderate-income residents receiving housing assistance are on the cusp of a crisis and Congress *must act* to attempt to avert the breakdown and loss of the national public and assisted housing stock. Without preservation, the best of the worst case scenarios is a "vouchering out" of what little affordable housing remains.

Some states are allocating resources to save federally subsidized housing for the future. In my home state of Minnesota, where 10% of the roughly 50,000 units of assisted housing are at risk, \$10 million was appropriated in 1999 for an Affordable Rental Investment Fund to finance the acquisition, rehabilitation and debt restructuring of federally assisted rental property and for making equity take-out loans. This laudable effort, however, is only one state and even there, the resources allocated cannot match the great need for affordable housing, especially for seniors and those with special needs, other states and local governments must step forward with funding to help, Federal housing policy should encourage and facilitate such action.

H.R. 4838 recognizes these kinds of commitments and matches them with two federal dollars for every State dollar. If there is not funding for the federal Low Income Housing Preservation and Resident Homeownership Act (LIHPRHA) perhaps this new Housing Preservation Matching Grant can encourage a forestallment of prepayment, which places low-income families at risk of losing their homes. With action and enactment of this bill in the next Congress we could provide a benchmark for states and local communities to work from and with as they produce their own initiatives to avert this pending national crisis in affordable housing.

A section-by-section of H.R. 4838 follows:

Section 1. Short title

The short title of the Act is the "Housing Preservation Matching Grant Act of 1998".

Section 2. Findings and purpose

(a) *Findings.*—The Congress finds that—

(1) more than 55,300 affordable housing dwelling units in the United States have been lost through termination of low income affordability requirements, which usually involves the prepayment of the outstanding principal balance under the mortgage on the project in which such units are located;

(2) more than 265,000 affordable housing dwelling units in the United States are currently at risk of prepayment;

(3) the loss of the privately owned, federally assisted affordable housing, which is occurring during a period when rents for unassisted housing are increasing and few units of additional affordable housing are being developed, will cause unacceptable harm on current tenants of affordable housing and will precipitate a national crisis in the supply of housing for low-income households;

(4) the demand for affordable housing far exceeds the supply of such housing, as evidenced by studies in 1998 that found that (A) 5,300,000 households (one-seventh of all renters in the Nation) have worst-case housing needs; and (B) the number of families with at least one full-time worker and having worst-case housing needs from 1991 to 1995 by 265,000 (24 percent) to almost 1,400,000;

(5) the shortage of affordable housing in the United States reached a record high in 1995, when the number of low-income households exceeded the number of low-cost rental dwelling units by 4,400,000;

(6) between 1990 and 1995, the shortage of affordable housing in the United States increased by 1,000,000 dwelling units, as the supply of low-cost units decreased by 100,000 and the number of low-income renter households increased by 900,000;

(7) there are nearly 2 low-income renters in the United States for every low-cost rental dwelling unit;

(8) 2 of every 3 low-income renters receive no housing assistance and about 2,000,000 low-income households remain on waiting lists for affordable housing;

(9) the shortage of affordable housing dwelling units results in low-income households that are not able to acquire low-cost rental units paying large proportions of their incomes for rent; and

(10) in 1995, 82 percent of low-income renter households were paying more than 30 percent of their incomes for rent and utilities.

(b) *Purpose.*—It is the purpose of this Act—

(1) to promote the preservation of affordable housing units by providing matching grants to States that have developed and funded programs for the preservation of privately owned housing that is affordable to low-income families and persons and was produced for such purpose with Federal assistance;

(2) to minimize the involuntary displacement of tenants who are currently residing in such housing, many of whom are elderly or disabled persons; and

(3) to continue the partnerships among the Federal Government, State and local governments, and the private sector in operating and assisting housing that is affordable to low-income Americans.

Section 3. Authority

Provides the Secretary of HUD with the authority to make grants to the States for low-income housing preservation.

Section 4. Use of Grants

(a) *In general.*—Grants can only be used for assistance for acquisition, preservation incentives, operating cost, and capital expenditures for the housing projects that meet the requirements in (b), (c) or (d) below.

(b) *Projects with HUD-insured mortgages.*—

(1) The project is financed by a loan or mortgage that is—(A) insured or held by the Secretary under 221(d)(3) of the National Housing Act and receiving loan management assistance under Section 8 of the U.S. Housing Act of 1937 due to a conversions for section 101 of the Housing and Urban Development Act of 1965; (B) insured or held by the Secretary and bears interest at a rate determined under 221(d)(5) of the National Housing Act; (c) insured, assisted, or held by the Secretary or a State or State Agency under Section 236 of the National Housing Act; or (D) held by the Secretary and formerly insured under a program referred to in (A), (B) or (C);

(2) the project is subject to an unconditional waiver of, with respect to the mortgage referred to in paragraph (1)—

(A) all rights to any prepayment of the mortgage; and (B) all rights to any voluntary termination of the mortgage insurance contract for the mortgage; and

(3) the owner of the project has entered into binding commitments (applicable to any subsequent owner) to extend all low-income affordability restrictions imposed because of any contract for project-based assistance for the project.

(c) *Projects with section 8 project-based assistance.*—A project meets the requirements under this subsection only if—

(1) the project is subject to a contract for project-based assistance; and (2) the owner has entered into binding commitments (applicable to any subsequent owner) to extend such assistance for a maximum period under

law and to extend any low-income affordability restrictions applicable to the project.

(d) *Projects purchased by residents.*—A project meets the requirements under this subsection only if the project—

(1) is or was eligible housing under LIHPRHA of 1990; and (2) has been purchased by a resident council for the housing or is approved by HUD for such purchase, for conversion to homeownership housing as under LIHPRHA of 1990.

(e) *Combination of assistance.*—Notwithstanding subsection (a), any project that is otherwise eligible for assistance with grant amounts under (b) or (c) and also meets the requirements of the (1) in either of the other subsections—that is, it is a 221(d)(3), 221(d)(5), or a 236 building, or, is subject to a contract for project-based assistance—will be eligible for such assistance only if it complies with all the requirements under the other subsection.

Section 5. Grant amount limitation

The Secretary can limit grants to States based upon the proportion of such State's need compared to the aggregate need among all States approved for such assistance for such a fiscal year.

Section 6. Matching requirement

(a) *In general.*—The Secretary of HUD cannot make a grant that exceeds twice the amount the State certifies that the State will contribute for a fiscal year, or has contributed since January 1, 1998, from non-Federal sources for preservation of affordable housing as described in Section 4(a).

(b) *Treatment of previous contributions.*—Any portion of amounts contributed after 1.1.98, that are counted for a fiscal year, may not be counted for any subsequent fiscal year.

(c) *Treatment of tax credits.*—Low Income Housing Tax Credits (LIHTC) and proceeds from the sale of tax-exempt bonds shall not be considered non-federal sources for purposes of this section.

Section 7. Treatment of subsidy layering requirements

Neither section 6 or any other provision of this Act should prevent using the Low Income Housing Tax Credit in connection with housing assisted under this Act, subject to following Section 102(d) of the HUD Reform of 1989 and section 911 of the Housing and Community Development Act of 1992.

Section 8. Applications

The Secretary shall provide for States to submit applications for grants under this Act with such information and certifications that are necessary.

Section 9. Definitions

For this Act, the following definitions apply:

(1) *Low-income affordability restrictions.*—With respect to a housing project, any limitations imposed by regulation or agreement on rents for tenants of the project, rent contributions for tenants of the project, or income-eligibility for occupancy in the project.

(2) *Project-based assistance.*—Is as defined in section 16(c) of the U.S. Housing Act in 1937, except that such term includes assistance under any successor programs to the programs referred to in that section.

(3) *Secretary.*—Means the Secretary of the Department of Housing and Urban Development.

(4) *State.*—Means the States of the U.S., DC, Puerto Rico, the Northern Mariana Islands, Guam, the Virgin Islands, American Samoa, and any other territory or possession of the U.S.

Section 10. Gives the Secretary authority to issue any necessary regulations.

Section 11. Authorizes \$500,000,000 from 1999 through 2003 for grants under this Act.

TRIBUTE TO REVEREND AL SHARPTON

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. SERRANO. Mr. Speaker, I rise today to pay tribute to a great civil rights leader and political figure, an outstanding individual who has devoted his life to his family and to serving the community, the Reverend Al Sharpton. Still in his early 40's, Sharpton for the past two decades has played a major role in virtually every significant movement for civil rights, empowerment, and social and economic justice.

Born October 3, 1954, to Alfred Sr. and Ada in Brooklyn, New York, Reverend Sharpton grew up in Brooklyn and Queens in a Black middle-class family. After his parents separated, Sharpton's mother became a domestic worker and raised him and his sister in the ghettos of Brooklyn. He attended public schools, graduating from Tilden High School in 1972. While at Tilden, young Sharpton distinguished himself. He served as vice-president of the Student Government Association, President of the Afro-American Club and Co-Editor of the school's newspaper, The Gadfly. He was also a member of the debating team, the Forum Club, and the Panel of Americans. Sharpton went on to Brooklyn College, majoring in contemporary politics, leaving after his sophomore year.

Sharpton began his ministry at the age of four. At that tender age, he preached his first sermon, "Let Not Your Heart Be Troubled," to hundreds at Washington Temple Church in Brooklyn. The legendary Bishop F.D. Washington was his mentor throughout his adolescent years. By age 9, Sharpton was licensed and ordained by Bishop Washington and appointed Junior Pastor of the 5,000 member Washington Temple congregation. The young minister also began preaching throughout the United States, Canada, and the Caribbean, as the "Wonder Boy Preacher." He made one tour with gospel great Mahalia Jackson.

Mr. Speaker, at age 12, Reverend Sharpton became interested in politics. He was mesmerized by Harlem Congressman Adam Clayton Powell, Jr. (D-NY). During Rev. Powell's New York trips, Sharpton would join his entourage, and in 1967 he formed the Youth Committee for Powell, to protest the Congressman's expulsion from the House of Representatives. At age 14, Sharpton became involved in the Greater New York chapter of the Southern Christian Leadership Conference (SCLC), founded by Rev. Dr. Martin Luther King, Jr. Sharpton was appointed Youth Director of the SCLC by Rev. Jesse L. Jackson and Dr. William A. Jones, Jr. His tasks were to organize youth to picket and demonstrate against discriminatory practices.

In November of 1993, Reverend Sharpton was appointed the National Director of the National Rainbow Coalition's Minister Division by Rev. Jesse L. Jackson, its President and Founder and Rev. Dr. Wyatt Tee Walker, Chairman of the Ministers Division. Sharpton serves in this position as he continues as president of National Action Network.

Reverend Sharpton's political career has challenged the New York political establishment.

In 1992, running for the U.S. Senate in the Democratic primary against three formidable

and well-financed candidates, Sharpton won 15% of the total statewide vote, 21% of the New York City vote and 70% of the statewide Black vote. In 1994, Sharpton astounded pundits by running against U.S. Senator DANIEL PATRICK MOYNIHAN, then Chair of the Senate Finance Committee. Though outspent over 10 to 1, Sharpton received 26% of the statewide vote, 33% of the New York City votes, and over 80% of the statewide black vote. In September 1997, Sharpton achieved his greatest political feat. Though outspent 20 to 1, Sharpton came within a fraction of 1% of forcing the first Democratic primary runoff for Mayor of New York City.

Reverend Sharpton is married to noted songstress Kathy Jordan and they have two daughters, Dominique, age 11 and Ashley, age 10.

Mr. Speaker, I ask my colleagues to join me in paying tribute to a great civil rights leader and political figure, the Reverend Al Sharpton.

KHALISTANI LEADER REC-
COMMENDED FOR NOBEL PEACE
PRIZE

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. BURTON of Indiana. Mr. Speaker, a resolution was passed at last week's annual convention of the Council of Khalistan that recommends Dr. Gurmit Singh Aulakh for the Nobel Peace Prize. As you know, Dr. Aulakh has served as the Council's President for the past eleven years.

Dr. Aulakh has worked for the freedom of Punjab, Khalistan ever since it declared its independence in 1987 from India. The Council of Khalistan has repeatedly stated its commitment to peaceful, democratic, nonviolent means to achieve this goal. They have consistently and strongly rejected militancy.

For his tireless work to liberate the Sikh homeland—Punjab, Khalistan—and for his persistence in exposing Indian repression of the people of South Asia, I believe Dr. Aulakh would be an excellent candidate for the Nobel Peace Prize. I congratulate the delegates for recommending him, and I proudly add my voice to those suggesting that he receives this distinguished award.

Mr. Speaker, I would like to place the resolution recommending Dr. Aulakh for the Nobel Peace Prize into the CONGRESSIONAL RECORD.

DR. WILLIAM R. HARVEY, PRESIDENT, HAMPTON UNIVERSITY—
IN COMMEMORATION OF THE
20TH ANNIVERSARY OF HIS
PRESIDENCY

HON. ROBERT C. SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. SCOTT. Mr. Speaker, I rise to call attention to the record of excellence and outstanding contributions amassed over the past 20 years by Dr. William R. Harvey as the 12th President of Hampton University.

Dr. Harvey came to Hampton in 1978 following a record of achievement in the adminis-

trations of Tuskegee University, Fisk University and Harvard University. Under his leadership, Hampton University has grown in prominence as well as in physical stature. The student population has more than doubled, increasing from 2,700 to 6,000, and the average student SAT score has increased by 300 points. Forty-five academic programs have been added, including graduate degree programs in Business Administration, Museum Studies, Applied Mathematics and Chemistry, with PhD programs in Physics, Pharmacy, Physical Therapy and Nursing. Eleven buildings have been erected, including the William R. and Norma B. Harvey Library, the L. Douglas Wilder Dormitory, a Convocation Center and a Science and Technology building, and some \$35,000,000, has been spent on the renovation of existing buildings. During the same period, Hampton's endowment has grown from \$29 million to over \$130 million.

Dr. Harvey's visionary zeal has not been limited to the campus of Hampton University. He brought about the development of the Hampton Harbor Project, a residential and commercial development which includes 246 apartments and 60,000 square feet of business space for lease. This project contributes funds for student scholarships, provides jobs for area workers and tax revenues to the City of Hampton. His contributions to the broader Hampton Roads community have been significant, as well. He was Chairman of a record-setting \$6.6 million Virginia Peninsula United Way Campaign. To expand opportunities for at-risk youth on the Peninsula, he established the Job Education Training (JET) corps to provide academic improvement and job skills training to selected at-risk youth, and Project H.O.P.E. (Hampton Opportunity Program for Enhancement), a special admission, scholarship and support program for students who demonstrate the academic ability, but do not have the full credentials, for admission to Hampton.

The business acumen that Dr. Harvey exhibited in his leadership at Hampton was also manifested in the greater business community. He is the owner of the highly successful Pepsi-Cola Bottling Company in Houghton, Michigan, and he serves on the Boards of Directors of First Union National Bank, Newport News Shipbuilding, Inc., and Trigon Blue Cross/Blue Shield of Virginia. He has generously contributed his business skills to the public, serving on national advisory boards under four U.S. Presidents, and currently serves as a member of the Board of the Virginia Museum of Fine Arts.

Dr. Harvey was born in Brewton, Alabama. He is a graduate of Talledega College and earned a doctorate in College Administration from Harvard University. He is married to the former Norma Baker of Martinsville, Virginia; they have three children.

Mr. Speaker, I commend to you the achievements of Hampton University President William R. Harvey and ask that they be made a part of the permanent record of this body.

INTERNATIONAL ANTI-BRIBERY ACT OF 1998

SPEECH OF

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 1998

Mr. MARKEY. Mr. Speaker, S. 2375, the "International Antibribery and Fair Competition Act of 1998" is important legislation for this Congress to approve and for the President to sign. I am an original cosponsor of the House companion to this measure and fully support the bill we are approving today.

International bribery and corruption continue to be problems worldwide and the Administration has done excellent work in gaining consensus among a large number of nations to crack down on these corrupt practices. The Commerce Department has stated that it has learned of significant allegations of bribery by foreign firms since 1994 totalling over \$100 billion. Taking action today to update the Foreign Corrupt Practices Act (FCPA) in concert with action to be taken by our major trading partners, is designed to achieve an international marketplace of greater integrity and fairness.

Most of the provisions of this bill are identical to the provisions which passed the House a few weeks ago. Much time has been spent over the last few days to nail down provisions that are integral to any legislation hoping to pass muster as a comprehensive antibribery and fair competition measure. The legislation we are sending back over to the Senate takes modest steps toward a more equitable marketplace environment for international satellite telecommunications. The simple fact is that INTELSAT and Inmarsat are intergovernmental organizations that compete in the marketplace against private U.S. companies. This is unfair. Everyone recognizes that this must change. Even the U.S. signatory to these organizations—COMSAT—realizes that this situation has to change. No entity in the global marketplace ought to enjoy special privileges when competing against private American companies. American jobs and innovation are at stake.

It is not surprising that intergovernmental organizations will do everything they can to perpetuate their current existence. It is also not surprising that monopolies and dominant providers will do everything they can to squash the competition. That is why it is often incumbent upon policymakers to act to curtail anti-competitive activity.

In the international arena, American companies are trying to gain market access and win markets while intergovernmental organizations are trying everything in their power to slow down American competitors, using intergovernmental privileges and hiding anticompetitive action against American companies behind the cloak of special immunity granted ages ago. This has to end. What this legislation provides is a modest step to level the proverbial playing field. No marketplace participant ought to be immune from the legal parameters of the marketplace, no intergovernmental organization ought to compete against the private sector in delivering service to consumers.

The bill before us contains provisions to address the special advantages of the intergovernmental satellite organizations and to ensure

that they do not improperly escape coverage by the FCPA. Thus the legislation is designed to make clear that bribery of intergovernmental organizations does not escape the coverage of the FCPA.

It also contains provisions to remove the special advantages of such organizations. The legislation stipulates that international organizations providing commercial communications services shall not be accorded immunity from suit or legal process in connection with their role as a provider, directly or indirectly, of commercial telecommunications services to, from, or within the U.S. I believe this is an important step forward and one which recognizes that American companies should not suffer competitive disadvantages due to privileges and immunities enjoyed by intergovernmental organizations competing with the private sector but having failed to fully privatize in a pro-competitive manner. In addition, the bill directs the President to secure the elimination, or substantial reduction, of all privileges and immunities that are accorded Intelsat and Inmarsat.

Given that this will be the first time in a great number of years that the Congress has spoken on international satellite communications I believe it underscores the strong bipartisan desire of the Congress to move expeditiously toward a pro-competitive privatization of the intergovernmental organizations. Taken in the context of the overwhelming vote this year for H.R. 1872 in the House, the direction of policy desired by Members of Congress is clearly toward putting all companies on even footing and letting the marketplace decide winners and losers. Our overarching goal is a freely open competitive marketplace bringing to an end the era of government sanctioned communications cartels in satellite communications.

I want to commend the leadership and tenacity of Chairman BLILEY in ensuring that these important satellite provisions are in this comprehensive bill. I want to also commend the work of Chairman MIKE OXLEY, Mr. DINGELL, as well as our Senate counterparts. In addition, I want to also salute the work of our Commerce Secretary Bill Daley, for spearheading this effort from the Administration and for the excellent result we have achieved due to his effort.

TRIBUTE TO MS. GLORIA E.
HOLLIDAY

HON. DIANA DeGETTE

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Ms. DeGETTE. Mr. Speaker, I rise today to recognize Gloria E. Holliday, a member of the board of directors for the Regional Transportation District (RTD), the E-470 Authority, and the Keep Denver Beautiful Board in Denver, Colorado. Ms. Holliday was recently honored by the Colorado Black Women for Political Action (CBWPA) as the 1998 recipient of the Politics Award.

Ms. Holliday came to Denver after receiving her Bachelor of Arts degree from Jackson State College. Born and raised in Jackson, Mississippi, Ms. Holliday began her lengthy

career in various political activities at the age of 4, when she was forced to ride in the back of the bus. Since that time, she has been privileged to work with several local and nationally renowned and distinguished civil rights leaders including Clarence Mitchell Sr., Earl V. Dickerson of Chicago, Roy Wilkins Jr., and late Irving Andrews, Medgar Evers, Walter White, A.J. Noel Sr., and Mrs. Gladys Noel Bates.

She has worked and participated in economic boycotts, the historical desegregation struggles of hotels in Atlanta, Georgia, voter registration drives, and helped to change the hiring practices toward achieving a more integrated work force at major retailers in Denver, including the old Denver Dry, King Soopers, Safeway, and several movie theaters. She actively fought for funding for the businesses affected by the Light Rail construction in the historic Five Points area and continues to oversee the efforts of the RTD Board to increase financial support for these businesses.

Ms. Holliday is currently a member of the NAACP, the Urban League of Metropolitan Denver, and the East Montclair Association. A member of Macedonia Baptist Church, she sings with the Martin Ensemble and Mass Choir. She is also a vocalist with the Denver Jazz Orchestra (DJO) and a member of the Delta Sigma Theta sorority.

I am honored to join together with CBWPA and the Denver metropolitan community in recognizing Ms. Holliday, who continues to serve both her professional and personal affiliations with strength, purpose, and integrity.

TRIBUTE TO JAMES D. BECK

HON. CORRINE BROWN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Ms. BROWN of Florida. Mr. Speaker, I rise today to pay tribute to Dr. James D. Beck, a friend and former college professor of mine. He was a brilliant and outstanding educator who devoted his extraordinary career to creating new frontiers in counselor education as a psychologist while serving his community and being dedicated to his wife and family. Dr. Beck was a giant in his field and one of the most distinguished professors in the history of Florida A&M University.

Dr. Beck was born in McCarley, Mississippi on May 25, 1925. He departed this life August 13, 1998, at the age of 73, leaving behind a legacy of precedents to be remembered. Dr. Beck began his educational experiences in the Carroll County public schools of Mississippi and completed high school in Grenada, Mississippi. He then attended Jackson State University in Jackson, Mississippi, but received his Bachelor of Arts Degree in Philosophy and Religion from Fisk University, Nashville, Tennessee in 1950. In 1951, he received his Master's Degree in Guidance and in 1959 a Doctorate in Education from Indiana University. During the time between his master's and doctorate degrees, he served our country in the Korean War as a soldier in the Army Signal Corps, receiving an Honorable Discharge in 1954. After fulfilling his duty to his country, he returned to the field of education as the Dean

of Men at Jackson State University. Following a short period at Jackson State University, he moved on and propelled his career becoming Professor of Counselor Education and Chairman of the Department of Educational Leadership and Human Services at Florida A&M University. From 1966 to 1968, he served as the Director of the Desegregation Center and Professor of Counselor Education at the Western Kentucky University. After his service to Western Kentucky, he returned to Florida A&M University in 1968 to serve as professor of Counselor Education and once again became Chair of the department. Until his health required him to withdraw from administrative duties, Dr. Beck chaired his department for 30 years. He served as Professor of Counselor education until his death.

He will be remembered by thousands of students who recall his traveling throughout the state teaching extension courses long before the interstates and turnpikes were a part of our lives. He traveled roads up and down the state spreading goodwill for Florida A&M University, emphasizing "Excellence With Caring" for our present and new educators. Moreover, The Heart Transplant Support Group, his favorite among many affiliations, will remember his diligent support to them after he became a heart transplant recipient in 1988. His family will recall the moments they spent together growing flowers and vegetables, feeding ducks, and attending football games near and far. Dr. Beck will also be remembered for being considerate and compassionate, and for always having a positive word about others. He leaves to us his wife Jacqueline Bolden Beck, who shared 41 years of marriage, his daughter Juanda Beck-Jones, and granddaughter Elizabeth Anne Jones who I am sure are very proud of him and his accomplishments as a family man and professional.

As a former student of his, I am proud to pay tribute to the life and legacy of this great man.

TRIBUTE TO HELEN WALTON

HON. ASA HUTCHINSON

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. HUTCHINSON. Mr. Speaker, I rise today to pay tribute to a true philanthropist. Helen Walton recently made the largest single gift to an American business school in United States history: \$50 million to the College of Business Administration at the University of Arkansas.

This gift will enable the University of Arkansas to provide the highest level of business and management education to Arkansans, improve campus facilities and conduct important research.

In making this contribution, Mrs. Walton said, "This gift is about improving the lives of people through education, and we hope it will improve the lives of thousands of students in the state of Arkansas."

Mr. Speaker, this country is great because of the generosity of Americans such as Helen Walton. I commend her for her gift.

COMMENDATION OF BLUE CROSS AND BLUE SHIELD OF NORTH CAROLINA

HON. DAVID E. PRICE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. PRICE of North Carolina. Mr. Speaker, I rise today to commend Blue Cross and Blue Shield of North Carolina for becoming the first company in the state, and one of the first in the nation, to pledge its voluntary compliance with the Consumer Bill of Rights and Responsibilities developed by the President's Advisory Commission on Consumer Protection and Quality in the Health Care Industry.

The Consumer Bill of Rights sets forth eight recommendations to promote quality and protect consumers in the health care system. The recommendations call for health plans to guarantee consumers' access to clear information about their health plan, allow sufficient choice of physicians and hospitals, provide access to emergency services and to grievance and appeals processes, ensure confidentiality of health information, and encourage participation by the consumer in treatment decisions. The Consumer Bill of Rights also calls for an environment of mutual respect between consumers and the health care industry and recognizes that consumers should take reasonable responsibility for their health care.

Congress tried to pass legislation this year which contained many of these same patient protections. Our citizens deserve these assurances in the changing health care marketplace, and I was disappointed that we could not resolve our differences on this issue. However, it is very heartening to see that Blue Cross and Blue Shield of North Carolina is taking the initiative to adopt fundamental rights and guarantees for its health care consumers. Blue Cross and Blue Shield of North Carolina is the largest health insurer in the state, with 1.6 million members, and the company's decision to provide these basic patient protections to its members follows its long-standing commitment to quality care. I hope other health plans in North Carolina and across the country will follow Blue Cross and Blue Shield's notable example and endorse the Consumer Bill of Rights.

During the 105th Congress, much has been said about changes that are occurring in health care and about how patients and the doctor-patient relationship can be protected in this sometimes unsettling environment. Government has an important role in this, I believe, but it is even more important for insurers themselves to assume responsibility for the quality of their product and for the access of their customers to the quality care they need. That is what Blue Cross and Blue Shield of North Carolina has done in endorsing the Consumer Bill of Rights. We should recognize and honor this kind of corporate responsibility when we witness it, and I am pleased to do so today.

NOMINATING DANTE B. FASCELL FOR THE PRESIDENTIAL MEDAL OF FREEDOM

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. HAMILTON. Mr. Speaker, last week more than 100 Members of Congress signed their names to a letter nominating Hon. Dante B. Fascell for the Presidential Medal of Freedom. It is a measure of respect for Dante that those names include prominent Republicans as well as Democrats, and Members who know him only by reputation as well as many close friends.

I submit the text of the letter and the accompanying signatures to be printed in the CONGRESSIONAL RECORD.

CONGRESS OF THE UNITED STATES,
Washington, DC, October 14, 1998.

Mr. PHILLIP M. CAPLAN,
*Assistant to the President and Staff Secretary,
The White House Washington, DC.*

DEAR MR. CAPLAN: We write to nominate Dante B. Fascell to receive the Presidential Medal of Freedom. As Chairman of the Committee on Foreign Affairs, Dante B. Fascell exercised strong, principled leadership for our country during the final chapter of the Cold War. He has the respect of Democrats and Republicans and should be properly honored for his service to America. We believe that the Presidential Medal of Freedom would be the most appropriate honor.

Dante B. Fascell, born in Bridgehampton, New York, March 9, 1917, moved to Florida in 1925 where he completed his education and was admitted to the bar in 1938. Dante Fascell entered the Florida National Guard on January 6, 1941. Commissioned a Second Lieutenant May 23, 1942, he served in the African, Sicilian, and Italian campaigns of World War II. Dante Fascell served as a member of the Florida state house of representatives from 1950-1954. Subsequently, he served in the House of Representatives from January 3, 1955 to January 3, 1989. Congressman Fascell served as Chairman of the Committee on Foreign Affairs from the Nineteenth through the One Hundredth Congresses.

During his tenure on the Committee on Foreign Affairs, Dante Fascell was instrumental in enacting an astonishing array of bills that significantly advanced America's interest abroad. These included the creation of the National Endowment for Democracy, Radio Marti, the Inter-American Foundation, and the North-South Center. Congressman Fascell also authored and advanced numerous bills to improve international narcotics control and aviation safety, as well securing passage of the Freedom Support and SEED Acts, the Fascell Fellowships, and biennial State Department Authorization bills. Dante Fascell was also a driving force behind establishing the Commission on Security and Cooperation in Europe.

We respectfully request you submit this nomination to the President to award Dante B. Fascell the Presidential Medal of Freedom, pursuant to Executive Order 11085, in recognition of Chairman Fascell's exceptionally meritorious contributions to the na-

tional security interests of the United States.

Sincerely,

BENJAMIN A. GILMAN,
Chairman,

Committee on International Relations.

JESSE HELMS,

Chairman,

Committee on Foreign Relations.

RICHARD G. LUGAR,

United States Senator.

CHRISTOPHER J. DODD,

United States Senator.

LEE H. HAMILTON,

Ranking Democratic Member.

Committee on International Relations.

CONNIE MACK,

United States Senator.

BOB GRAHAM,

United States Senator.

- | | |
|----------------------------|----------------------------|
| Sam Gejdenson (D-CT) | Jo Ann Emerson (R-MO) |
| David Bonior (D-MI) | John Conyers (D-MI) |
| Steny Hoyer (D-MD) | Elliot Engel (D-NY) |
| Jim Oberstar (D-MN) | Peter King (R-NY) |
| Dick Gephardt (D-MO) | Howard Berman (D-CA) |
| Gene Taylor (D-MS) | Barney Frank (D-MA) |
| Dan Miller (R-FL) | Carolyn McCarthy (D-NY) |
| Hal Rogers (R-KY) | Nita Lowey (D-NY) |
| Martin Sabo (D-MN) | Denis Kucinich (D-OH) |
| Donald Payne (D-NJ) | Billy Tauzin (R-LA) |
| Tome Lantos (D-CA) | Don Young (R-AL) |
| Robert Mendendez (D-NJ) | Bob Livingston (R-LA) |
| John Olver (D-MA) | Rick White (R-WA) |
| Tom Barrett (D-WI) | Alcee Hastings (D-FL) |
| Henry Hyde (R-IL) | John Dingell (D-MI) |
| David Dreir (R-CA) | Louise Slaughter (D-NY) |
| Owen Pickett (D-VA) | Sherrod Brown (D-OH) |
| Dave Obey (D-WI) | Carrie Meek (D-FL) |
| Porter Goss (R-FL) | Martin Frost (D-TX) |
| John Mica (R-FL) | Charlie Rangel (D-NY) |
| Lincoln Diaz-Balart (R-FL) | Frank Mascara (D-PA) |
| Ileana Ros-Lehtinen (R-FL) | Jim Moran (D-VA) |
| Robert Wexler (R-FL) | Jack Murtha (D-PA) |
| Jim Davis (D-FL) | Bob Weygand (D-RI) |
| Jim Leach (R-IA) | Anna Eshoo (D-CA) |
| Gerry Solomon (R-NY) | Tom DeLay (R-TX) |
| Clay Shaw (R-FL) | Marcy Kaptur (D-OH) |
| John Fox (R-PA) | Joe Moakley (D-MA) |
| Chris Smith (R-NJ) | Nick Rahall (D-WV) |
| Dan Burton (R-IN) | Nancy Pelosi (D-CA) |
| Matthew Martinez (D-CA) | Patrick J. Kennedy (D-RI) |
| Doug Bereuter (R-NE) | Tom Allen (D-ME) |
| Ben Cardin (D-MD) | Adam Smith (D-WA) |
| Jim Barcia (D-MI) | Henry Waxman (D-CA) |
| Bob Clement (D-TN) | Bob Borski (D-PA) |
| Solomon Ortiz (D-TX) | Robert Matsui (D-CA) |
| T.J. Manton (D-NY) | Gary Condit (D-CA) |
| Ellen Tauscher (D-CA) | Norm Sisisky (D-VA) |
| Gene Green (D-TX) | Sanford Bishop, Jr. (D-GA) |
| Neil Abercrombie (D-HI) | Corrine Brown (D-FL) |
| Peter DeFazio (D-OR) | Eva Clayton (D-NC) |
| Elizabeth Furse (D-OR) | Lois Capps (D-CA) |
| Jose Serrano (D-NY) | Norm Dicks (D-WA) |
| Mike McNulty (D-NY) | Ed Markey (D-MA) |
| Karen McCarthy (D-MO) | Allen Boyd (D-FL) |
| Lynn Rivers (D-MI) | Collin Peterson (D-MN) |
| Bill Luther (D-MN) | Martin Meehan (D-MA) |
| Jack Quinn (R-NY) | |
| Zoe Lofgren (D-CA) | |
| Frank Pallone, Jr. (D-NJ) | |

NIH OFFICE OF AUTOIMMUNE
DISEASES ACT OF 1998

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. WAXMAN. Mr. Speaker, I am pleased to introduce the NIH Office of Autoimmune Diseases Act of 1998. This bill is intended to promote discussion of how we can enhance the Federal government's response to the severe impact of autoimmune diseases and disorders on our country. Most importantly, it is intended to highlight the urgency of treating autoimmune diseases as a priority women's health issue.

Today, there are at least eighty recognized autoimmune diseases, ranging from multiple sclerosis, rheumatoid arthritis and lupus to juvenile-onset diabetes, scleroderma, Graves's disease and thyroiditis. All of these diseases and disorders are characterized by autoimmunity, the terrible case of the body's immune system rebelling against itself. Frequently inherited, these diseases and disorders lead to death or severe disability, cause a painful loss in patients' quality of life, and inflict a tremendous toll on their families and communities. Collectively, autoimmune diseases cause untold mortality and morbidity in this country, as well as billions in health care expenditures and lost productivity every year.

Yet last December, Acting Deputy Assistant Secretary for Women's Health Susan Wood observed that, "Despite their devastating human and economic toll, autoimmune diseases are among the least investigated, most difficult to diagnose, and physically and emotionally painful diseases that face Americans today."

This is a terrible and unnecessary situation. Even worse is that the disproportionate impact of these diseases on women is even less well recognized. Few people in our country know that seventy-five percent of those afflicted with an autoimmune disease are women. I doubt many of my colleagues are aware that multiple sclerosis is twice as common in women compared to men.

These statistics do not adequately reflect how important autoimmune diseases are to women. The best available research suggests that autoimmunity may be the cause of 50 to 60 percent of unexplained cases of infertility and is also a major cause of miscarriages. But these numbers only hint at the pain and doubt experienced by women and their families as a result of autoimmune diseases.

The suffering of patients from the clinical manifestations of these diseases and disorders can be exacerbated by a lack of information and understanding. A recent study by the American Autoimmune Related Diseases Association found that two-thirds of all women suffering from autoimmune diseases has been labeled "chronic complainers" before being correctly diagnosed. No woman should have to experience such insensitivity and lack of awareness when seeking care for serious diseases.

The Federal government is pursuing an agenda of research and education on autoimmune diseases. For several years, the National Institutes of Health (NIH) has supported a multi-institute research program on the

mechanisms of immunotherapy for autoimmune disease. There is an NIH research program for autoimmunity centers of excellence. And last September, several NIH institutes and the Office of Women's Health Research initiated a research program focusing on genetic susceptibility to autoimmune diseases.

But it is clear that more can be done. The NIH recently established an autoimmune diseases coordinating committee, to help facilitate the innovative research being conducted on autoimmune diseases. My colleague, Congresswoman MORELLA, has played a leadership role in this regard. The Congress has also dramatically increased NIH funding over the past few years, with the expectation that autoimmune disease research would benefit from this trend.

This bill would take these promising developments a step farther. Progress on finding cures and treatments for autoimmune diseases would surely be expedited by a permanent office at the NIH dedicated to developing a consensus research agenda, as well as promoting cooperation and coordination of ongoing research. Such an office could serve as an advisor to the Director of NIH and the Secretary of Health and Human Services, and act as a high-level liaison to the many important autoimmune disease patient groups, such as the National Multiple Sclerosis Society, American Autoimmune Related Diseases Association, the Arthritis Foundation, Juvenile Diabetes Foundation and the National Organizations for Rare Disorders.

I am introducing this legislation with the intention of fostering discussion. I look forward to working with the NIH, the Administration and patient groups on it. Upon its introduction in the next Congress, I urge my colleagues to support it as a step forward in the search for cures for autoimmune diseases.

RHODE ISLANDERS HELPING THE
DOMINICAN REPUBLIC

HON. ROBERT A. WEYGAND

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. WEYGAND. Mr. Speaker, I rise today to thank the many people and organizations throughout the great state of Rhode Island who united to collect much needed supplies for the humanitarian relief efforts for the victims of Hurricane Georges in the Dominican Republic. As you know, during the week of September 15, 1998, Hurricane Georges tore through the Caribbean.

From a root of tragedy has grown a stem of unity, especially among the Hispanic community. The relief supplies collected in Rhode Island by local Hispanic churches and other relief groups will go directly to the Dominican Republic—one of the islands hardest hit by Hurricane Georges. The residents of this island have suffered tremendous losses in both possessions and lives. The generosity of Rhode Islanders will help get these residents back on their feet to begin rebuilding their lives.

As the donated supplies grew in size, I was pleased to work closely with the Providence and Worcester Railroad and Sammy Sosa and the Sammy Sosa Foundation to secure trans-

portation for these much needed supplies. Both the P&W Railroad and the Sammy Sosa Foundation agreed to cover the associated costs of transporting the goods to the Dominican Republic. P&W donated the cost of the rail transportation between Rhode Island and Miami. In Miami, the Sammy Sosa Foundation will transfer the goods to a cargo ship headed to the Dominican Republic. The Sammy Sosa Foundation and the Providence and Worcester Railroad have made it possible for the residents of the Dominican Republic to receive canned food, bottled water, blankets, batteries, clothing, powdered milk, medical supplies, and other goods.

This past Sunday, a sunny, beautiful New England fall day, these groups and their volunteers joined together once again at the Pine Street Railyard in Pawtucket, Rhode Island. Everyone gathered to load the supplies that had been collected since the Hurricane first struck the island onto the huge P&W boxcar. Forming a human chain, the volunteers unloaded cars, trucks, vans, and pickups onto the car. With the help of all assembled, the long line of cars were soon emptied and the boxcar was loaded to the brim. The energy and enthusiasm of the crowd of workers was truly amazing, Mr. Speaker. I was most moved, however, to see Rhode Islanders from different walks of life—people who might not otherwise spend the day together—joining together to help those who can not help themselves.

The following organizations collected goods, donations and delivered the supplies to the departure sight in Pawtucket: WPMZ Poder 1110; Gtech Corporation; Quisqueya in Action; Rhode Island Committee for Puerto Rican Statehood; Hurricane George Relief Fund; Centro Las America, Worcester, Massachusetts; Teamsters Local 251, Providence; Teamsters Local 170, Worcester.

While many organizations offered their services, it was individuals who collected and boxed the relief supplies and then loaded them into the boxcar. While hundreds were involved at some point, a select few deserve special recognition for their efforts. I am sure I can speak for the residents of the Dominican Republic in thanking the following for their tireless efforts.

Senator Jack Reed, Jennie Rosario and Jose Mendez with the Rhode Island Committee for Puerto Rican Statehood, and Tony Mendez with WPMZ Poder 1110.

From the Providence and Worcester Railroad: Mrs. Heidi Eddins; Katherine Eddins; Scott Eddins; Brett Eddins; Mr. Norbert Cabral, Sr.; Mr. Paul Arrighi; Mr. John Corrigan; Mr. Jerald DeMello; Mrs. Diane DeMello; Mr. Robert Kraemer; Mrs. Patricia Kraemer; Mr. Larry Berg.

In addition, Mr. Art Sandoval from the Sammy Sosa Foundation deserves a great deal of thanks.

And last, but certainly not least, Mr. Sammy Sosa. When we mention the name Sammy Sosa we immediately think of the Chicago Cubs player who hit a record breaking sixty-six (66) homeruns. Sammy Sosa and his foundation have hit yet another home run, possibly the most memorable one of all, especially in the eyes of the Hispanic community in Rhode Island.

Sammy Sosa is not only a true sports hero but a true humanitarian. Sammy has repeatedly shown that he has not forgotten his country of origin, and I am sure his country will never forget him.

CLINTON ADMINISTRATION'S DOUBLE STANDARD OF FOREIGN POLICY

HON. MICHAEL PAPPAS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. PAPPAS. Mr. Speaker, I rise today to voice my concern on the Clinton Administration's double standard of foreign policy application toward Turkey. I fail to understand why the same policy that is now being implemented against the Bosnian Serbs, who are denying basic human rights and imposing death sentences upon hundreds of ethnic Albanian women and children in Kosova, is not being implemented upon Turkey.

For 14 years, the Turkish military has been conducting an inhumane campaign of ethnic cleansing and oppression on its own Kurdish people in no different a way than the Serbs are. The Turks' war of horror against the Kurds has killed over 30,000 Kurds and has left over two million refugees without homes and lives.

The situations in Kosova and against the Turkish Kurds are unacceptable and must be dealt with swiftly, so that more innocent people will not die. If the United States military is ready to intervene in Kosova, then someone could ask are we ready to do the same against Turkey? A double standard foreign policy is not good policy, especially when innocent lives are at stake. I ask that the Administration end this doublespeak, and act now in Turkey.

Mr. Speaker, I also ask that the following letter from the A.H.I. be inserted in the RECORD following my statement.

AMERICAN HELLENIC INSTITUTE, INC.,
October 15, 1998.

HON. WILLIAM J. CLINTON,
President of the United States, Washington, DC.

RE: DOUBLE STANDARD ON THE APPLICATION
OF THE RULE OF LAW TO TURKEY

DEAR MR. PRESIDENT. The present crisis in Kosovo impels me to write to you once again on the double standard that underlies the Administration's foreign policy approach to Turkey. At a time when our nation has invoked the threat of military intervention over the application of UN Security Council Resolution 1199 on Serbia, we utterly fail to apply the same standard of the rule of law to Turkey.

The American Hellenic Institute is appalled by and wholly condemns the violence in Kosovo. We welcome the Administration's efforts to address the Kosovo crisis as being in the best traditions of our nation's moral and humanitarian values. These values, however, as also under attack in Turkey where the Turkish military is conducting a ruthless campaign of ethnic cleansing and repression against its own Kurdish citizens. Just as we acted in Kosovo, so our country needs to undertake similar efforts in Turkey in defense of U.S. interest and values.

Turkey's fourteen year war of terror against its 20% Kurdish minority in Turkish Kurdistan is no secret. The Turkish armed forces have killed over 30,000 Kurds and de-

stroyed 3,000 villages resulting in over two million refugees. Ethnic cleansing has taken place on a vastly wider scale than in Kosovo. And yet our government does nothing.

On Bosnia and Kosovo, high officials of our government have repeatedly spoken out in protest. We have mobilized our armed forces. Over Turkey the same officials are conspicuously silent.

If, as demonstrated over the past weeks, we are ready to intervene militarily on behalf of the Kosovo Albanians, we should be ready to apply the same principles on behalf of the Kurds in Turkey. If we do not and instead continue U.S. support for Turkey, then we are turning ourselves into an accessory to Turkey's massive human rights violations in Turkey. This is a stain on U.S. honor.

Mr. President, our country cannot live by double standards. In 1991 the U.S. went to war with Iraq to eject it from Kuwait. What is the difference in principle between the Iraqi invasion and occupation of Kuwait in 1990 and Turkey's invasion and occupation of 37.3% of Cyprus in 1974? There is none. Indeed, the military controlled government of Turkey is in violation of more laws than Saddam Hussein in his invasion of Kuwait.

The Administration's vigorous actions and resolve in Kosovo stand in harsh contrast to its willingness to support Turkey's repression (some would say genocide) against its own Kurdish citizens and to its unwillingness to enforce a series of UN Security Council and General Assembly resolutions condemning Turkey's illegal invasion and occupation of Cyprus dating back to 1974. Why is our country so selective in enforcing certain resolutions and disregarding others?

The answer, I regretfully have to conclude, is that the Administration is mesmerized by Turkey. Consider the following recent examples:

When in October 1998 Turkey threatened military action against Syria and mobilized its armed forces on the Syrian border, the Administration did not condemn Turkey's action as a violation of the UN Charter article 2 (4) and a threat to regional stability. Instead it referred once again to the PKK as a "terrorist" organization and called upon Syria to "cease its support of the PKK." In effect, this denies the Kurds the right to autonomy which we are championing for the Kosovo Albanians.

When in August 1998, President Demirel issued a statement claiming unspecified Greek sovereign territories in the Aegean, the Administration made no statement condemning this irresponsible irredentism of Turkey against an American NATO ally.

When in December 1997 the European Union unanimously found itself unable to accept Turkey's application for membership on the deeply seated grounds of Turkey's fundamental lack of normal democratic governance and adverse human rights record, the Administration took Turkey's side.

When in early 1997 the Republic of Cyprus announced its intention to acquire a modest increase in its self-defense capability, the Administration created the S-300 controversy by taking the lead in criticizing Cyprus. It subsequently allowed to go uncontested Turkey's absurd interpretation that this challenged the balance of power in the Eastern Mediterranean.

The sad fact is that the Administration has thrown its lot in with the Turkish military controlled government. We supply them with the arms needed to oppress their own citizens, we take their side against the European Union; we fail to condemn their repeated challenges to international law in the Aegean and over Cyprus; we stand by when Turkey time and time again demonstrates it is the primary source of regional instability.

The explanation AHI is regularly offered for this bizarre policy that so obviously con-

tradicts both American interests and values is that Turkey is a secular Islamic state and that any alternative U.S. approach might risk delivering Turkey into the hands of Islamic fundamentalists.

Mr. President, this analysis is fundamentally erroneous. The true fault line in Turkey is not between secularism and fundamentalism but between military rule and democracy. The Administration's current policy supports the military and ignores democracy. In Iran we found at great cost that this approach did not work. We should not make the same mistake in Turkey.

The Turkish constitution affords the military political powers far exceeding anything that would be acceptable in the U.S. or other normal democracies. Instead of siding with the military and its political and diplomatic puppets, the Administration should support, as does AHI, the brave Turkish citizens within Turkey struggling for human rights and the rule of law.

A guiding principle in foreign affairs for the U.S. should be the words of President Dwight D. Eisenhower in the 1956 Middle East crisis, when he condemned and reversed the invasion of Egypt by Britain, France, and Israel. In a memorable address to the nation on October 31, 1956 Eisenhower said:

"There can be no peace without law. And there can be no law if we invoke one code of international conduct for those who oppose us and another for our friends."

The need for a change in our policy toward Turkey is critical in the interests of the U.S.

Respectfully,

EUGENE T. ROSSIDES.

SENIORS' VIEWS OF SOCIAL SECURITY

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, I rise today to speak about issues affecting senior citizens in my district. Recently, I was contacted by several seniors' groups. Tired of broken promises from liberals in Congress and the administration, they have appealed to the rest of us to save Social Security and provide much-needed tax relief.

In a survey taken by the United Seniors Association, respondents expressed grave misgivings about the future of social security. The results of the survey are as follows:

Only 11 percent of respondents believe their Social Security benefits will be safe and available for the rest of their lives.

Sixty-six percent of respondents believe that last year's budget agreement will not actually balance the budget over the next 5 years.

Seventy-two percent know that the Government is spending surplus Social Security funds on other Government programs.

Eighty-four percent do not think that Congress will repay the money owed to the Social Security Trust Fund without legislation requiring them to do so.

Mr. Speaker, these seniors have every reason to doubt the long-term solvency of the Trust Fund. Their benefits and their children and grandchildren's benefits have been imperiled by uncontrolled spending. The national debt currently stands at \$5.4 trillion. Each year deficits continue because there is no Balanced Budget Amendment to ensure responsible policy. As a cosponsor and avid supporter of a

Balanced Budget Amendment, I was deeply disappointed when the President and his Congress allies blocked such an essential reform.

Robert Myers, former Chief Actuary and Deputy Commissioner for the Social Security Administration has stated that, "Regaining control of our fiscal affairs is the most important step we can take to protect the soundness of the Social Security trust funds. I urge the Congress to make that goal a reality."

Mr. Speaker, we can make a balanced budget a reality. We can save Social Security. I pledge today that I will introduce a Balanced Budget Amendment next Congress and will do all I can to see that it passes. For our seniors, ourselves, and our children, it is imperative that we gain control of our budget and ensure the safety and solvency of the Social Security program.

Moreover, with fiscal responsibility, I believe we can provide another much-needed service to our seniors—tax relief. The Senior Coalition has developed a straightforward six-point tax relief plan. It is as follows:

Repeal the earnings limit on Social Security; repeal the 1993 tax increase on Social Security benefits; reduce capital gains tax from 20% to 15%; eliminate the Federal inheritance tax, or "death tax," and make health insurance 100% deductible for small business.

Much of this common-sense plan was incorporated in the tax relief bill which passed in the House of Representatives on September 26 this year. Known as the Taxpayer Relief Act, the Republican tax cut plan will return to Americans 10 percent of the surplus in the form of tax cuts, while reserving the remaining 90 percent of the surplus to save Social Security. As a cosponsor of legislation to reduce taxes on Social Security, capital gains, marriage, and inheritance, I was pleased to support this proposal. Given the importance of this bill to seniors, I was surprised and saddened by the President's veto threat.

Mr. Speaker, isn't it time Congress listen to America's seniors? The groups I heard from this week have some great ideas. While Republicans have made strides toward tax relief and fiscal responsibility, I know we can do more. We must. Next year, I plan to use these ideas and introduce a Balanced Budget Act and a taxpayer relief bill. I urge my colleagues to listen to their elders and join me in this pursuit.

DESIGNATION OF THE NORTH/
SOUTH CENTER IN HONOR OF
DANTE B. FASCELL

HON. NORMAN D. DICKS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. DICKS. Mr. Speaker, it is a great honor for me to support the passage of H.R. 4757 in the House of Representatives, which recognizes the many contributions made by our former colleague, Dante B. Fascell.

This legislation names the University of Miami's North-South Center after Chairman Fascell, and I believe it is a tribute that is well-deserved and long overdue. Having served with Dante for 16 years, I know that Chairman Fascell was the driving force behind the creation of the North-South Center, which has been working for more than fourteen years to im-

prove relations between the United States, Latin America, and the Caribbean. I think it only proper that the building he helped to erect at his alma mater, the University of Miami, should bear his name.

Few members who have served during my tenure in the House have possessed the understanding and appreciation for the nuances of foreign policy as Dante Fascell did. His memorable leadership of the Foreign Affairs Committee here in Congress is his legacy, particularly his strong views on U.S. policy toward Latin America and his deep concern for international human rights. And thus it is fitting that the North/South Center will carry his name into the future, permanently recognizing the many contributions he has made.

When he retired in 1992, Florida lost one of its finest Representatives, and the House lost one of its greatest statesmen. I wanted to take this opportunity today, now that the House has acted on the bill H.R. 4757, to express my appreciation to all of my colleagues who joined this effort.

HONORING MONSIGNOR JEROME
BOXLEITNER

HON. BRUCE F. VENTO

OF MINNEAPOLIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. VENTO. Mr. Speaker, I rise today to honor and commend the work of an inspirational leader from my district, Msgr. Jerome Boxleitner. Msgr. Boxleitner, the executive director of Catholic Charities of the Archdiocese of Saint Paul and Minneapolis, has recently announce his plans to retire after 35 years of social work and 21 years as the Catholic Charities founding leader.

I've been pleased to work with Msgr. Boxleitner on key issues such as homeless shelters, hunger, and the social services which are so essential in meeting the needs of the vulnerable in our community. His professionalism and personal effort has made a wonderful and enormous difference.

Msgr. Boxleitner worked tirelessly to build Catholic Charities, an institution which aids a variety of disadvantaged people, from the homeless to troubled children. It is now the largest private provider of human services in the Twin Cities, with 75 programs in 30 locations which are staffed by 600 employees and 12,000 volunteers.

Msgr. Boxleitner rightly emphasizes the importance of taking the time to recognize each person served by Catholic Charities as an individual, rather than categorizing them as just one of many in need of help. Literally thousands of people have benefited from Msgr. Boxleitner compassion, selfless service and leadership.

I have included, for my colleague's review, article which appeared in *The Catholic Spirit*, the weekly newsletter of the Archdiocese of Saint Paul and Minneapolis. This article outlines Msgr. Boxleitner's achievements and contributions to our community.

Msgr. Boxleitner is a truly great example of those who make the Twin Cities a wonderful place to live. We are all richer for his friendship, example, and service that he has so generously given to our community. It is with heartfelt thanks and gratitude that I wish him

the best of health and a well deserved retirement.

[From the *Catholic Spirit*, Oct. 16, 1998]

THE GOSPEL, ACCORDING TO MSGR.
BOXLEITNER, IS WITH POOR

Msgr. J. Jerome Boxleitner said that working with the needy was where he found satisfaction both as an occupation and in his priesthood.

"It was fulfilling for me—I think that's where the Gospel is, working with the poor," said Msgr. Boxleitner, who is stepping down as executive director of Catholic Charities of the Archdiocese of St. Paul and Minneapolis after 35 years of social work and 21 years as Catholic Charities' founding leader.

On Oct. 13, Archbishop Harry J. Flynn announced Msgr. Boxleitner's retirement, effective Dec. 31.

Father Larry Snyder, Catholic Charities associate director, will succeed him on Jan. 1, 1999.

A priest of the archdiocese for 42 years, Msgr. Boxleitner was a parish priest for five years before pursuing graduate studies in social work at Catholic University of America in Washington.

He earned a master's degree in 1963 and became director of Catholic Welfare Services of Minneapolis. He led the consolidation of four Catholic social service agencies, creating Catholic Charities in 1977.

Under his leadership Catholic Charities grew to an organization of more than 600 employees and more than 12,000 volunteers.

Today, Catholic Charities serves men, women and children in the 12 counties of the archdiocese through more than 75 programs in 33 locations. During the past year, Catholic Charities provided emergency services to 91,175 persons and provided social services to 70,761 persons.

"It's a good agency, and it's got a good reputation." Msgr. Boxleitner said when asked what he takes the greatest pride in from his years with Catholic Charities.

"What I like most is that the staff, the board and the volunteers see the poor as peers not as objects of pity.

"Sure, there is some of the thought that there but for the grace of God go I, but the people of Catholic Charities have great respect for the people that we serve," he said.

In announcing that Msgr. Boxleitner would become director emeritus of Catholic Charities, Archbishop Flynn said the 67-year-old priest would continue to be an advocate in the community for several issues that he has championed throughout his career.

"Msgr. Boxleitner opens our eyes and our hearts to the poor," the archbishop said. "He knows the importance of helping people to self-sufficiency while never minimizing their immediate needs."

In March, Gov. Arne Carlson presented Msgr. Boxleitner with a certificate of commendation from the State of Minnesota for outstanding service.

"Msgr. Boxleitner truly epitomizes all that is good in life," Gov. Carlson said.

"He is the embodiment of what religion is: love, compassion and selfless service to mankind. And he tops it all off with a delightful sense of humor."

Earlier in his career Msgr. Boxleitner was Minnesota Corrections Person of the Year as chaplain at the state prison in Lino Lakes, a ministry he still continues.

From 1983-85 he chaired the national Catholic Charities USA. That group's current president, Jesuit Father Fred Kammer, pointed to him as a national leader concerned with the common good.

"Msgr. Boxleitner's prophetic voice calling us to implement the social dimension of the Gospel has won the respect of his peers," Father Kammer said. "He built a strong local

agency. He also made great contributions on the national level."

The priest, who will continue to lie where he has for years at Catholic Charities' St. Joseph's Home for Children in south Minneapolis, most recently has been instrumental in developing a plan for residential academies to serve at-risk youth.

Archdiocesan Catholic Charities board chair Karen Rauenhorst said, "Msgr. Boxleitner has not only served the poor of our community but has touched the lives of so many. I have been deeply impacted by his commitment to living as Christ did in service to the widows and orphans in our midst."

ENERGY CONSERVATION REAUTHORIZATION ACT OF 1998

SPEECH OF

HON. TOM BLILEY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 15, 1998

Mr. BLILEY. Mr. Speaker, the House now considers S. 417, a bill to extend certain conservation and export promotion programs authorized under the Energy Policy and Conservation Act, the Energy Conservation and Production Act, and the National Energy Conservation Policy Act.

I want to begin by observing this legislation enjoys broad support. The gentleman from Colorado, Mr. SCHAEFER, the Chairman of the Subcommittee on Energy and Power of the Committee on Commerce, crafted this legislation closely with the minority, and the bill is co-sponsored by Mr. HALL, the Subcommittee Ranking Member. The bill was approved by the Committee on Commerce by voice vote and passed the House under suspension on September 28. Not one Member spoke against the bill when it was considered by the House. I understand the Department of Energy supports the legislation, as do many energy efficiency organizations. I commend Mr. SCHAEFER for working so closely with the minority and the Department of Energy on this legislation.

I support the bill. In particular, I support language crafted by the gentlemen from Colorado that expands the use of energy savings performance contracts, permitting Federal judicial and legislative agencies—in addition to executive branch agencies—to enter into these contracts. That will cut the energy bill of the Federal government and save taxpayers money. The Government Printing Office alone estimates that use of energy savings performance contracts will cut their energy costs by \$500,000 per year.

I want to commend the Department for its aggressive support for energy savings performance contracts. Recently, the Department announced it had awarded contracts to seven energy savings companies to begin capital improvements at Federal buildings in 20 States. The energy savings performance contracts entered into by DOE to date have the potential of cutting the energy bill of the Federal government—and saving taxpayers—\$3 billion.

I urge support for S. 417.

SENSE OF THE HOUSE REGARDING MURDER OF MATTHEW SHEPARD

SPEECH OF

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 15, 1998

Mr. KUCINICH. Mr. Speaker, I rise today in support of this resolution. It is appropriate that the House should honor Matthew Shepard in his death, and condemn the heinous crime which took his life.

But I also rise to say that this resolution is not enough. The event that has brought us together in mourning was not only a murder. It was certainly not only a robbery. It was an attempt by two people to send a message to an entire community.

The alleged perpetrators of this crime made no efforts to hide their actions. Mr. Shepard's dying body was not buried in a ditch. He was not hidden. He was not disguised. He was left to die, hung on a fence in an ostentatious bid for discovery. The message Mr. Shepard's attackers intended to send is clear. Their message was that lesbian and gay people should not feel welcome anywhere, a message that lesbian and gay Americans everywhere should fear for their safety. This message is the wrong message in a democratic society.

As Americans we have a moral responsibility to send our own message back. A message that despite our divisions, we all hold inalienable rights to life, liberty, and the pursuit of happiness. A message that we, as a country and as a community, condemn not only this murder, but all crimes perpetrated against our fellow Americans for their race, religion, gender, disability or sexual orientation.

We have an opportunity to send this message by passing the Hate Crimes Prevention Act before we adjourn the 105th Congress. We must not drag our feet any longer. I urge my colleagues to pass the resolution condemning Matthew Shepard's murder, and I also urge them to pass the Hate Crimes Prevention Act now. Let's send the clearest possible message that American values are the values of tolerance, non-violence, and equality.

SPEAKER'S RALLY FOR THE 105TH CONGRESS

HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 1998

Mr. GINGRICH. Mr. Speaker, the 105th Congress has achieved numerous victories for the American people. Among many other things, we have balanced the budget for the first time in decades, kept funding in the control of local officials for their schools, passed strong anti-drug legislation, increased funding for the military, and passed tax cuts so American families can keep their hard-earned money. I submit the following speech for further consideration of the accomplishments of the 105th Congress.

RALLY FOR THE 105TH CONGRESS, OCTOBER 20,
1998

(By Hon. Newt Gingrich)

Mr. GINGRICH. It's truly disorienting and I commend the other speakers. They got up

here and looked out over a sea of eager young faces and to see Bill Young and Bill Thomas in the middle of them is one of the more disorienting moments of this entire Congress. (Laughter.)

The thought of the two of you as interns is almost beyond comprehension. And we can't get them up here. They both deserve a lot of credit. Bill Young worked very hard on the defense effort that we put in this year. And Bill Thomas, an achillean effort working with Mike Bilirakis and Bill Archer and with Tom Bliley managed to get home health care included at the very last minute.

And a very important home health care (off-mike). I'm delighted both of you are back here. (Applause.)

I want to drive home three messages and then illustrate them for a minute because I think it's important that we recognize that politics at its best is an educational experience. Despite the 30 second commercials and the some times mindless talk shows, the fact is that the way a country grows over time is by engaging in the political process.

And there are three lessons at the end of this year I think. The first is that this is an American victory. And I kept getting phone calls from reporters and the president who was in the Rose Garden claiming credit for the budget, and I wanted to set up a fight. I wanted to say well, don't you want to claim credit? And I said, you know, Republicans in the Congress deserve five percent of the credit for balancing the budget. The president under our Constitution had to sign the agreement and he deserves five percent of the credit. And 90 percent of the credit for balancing the budget belongs to working, tax paying Americans who sent the money to Washington. And that's what ought to be. (Applause.)

Well if you think about it, the things we've tried to do for the last few years are the overwhelming sentiment of the overwhelming majority of Americans. Welfare reform according to "The New York Times" the week before it was finally signed into law after two vetoes, 92 percent of the American people supported it. Virtually every Democrat, virtually every Republican, virtually every Independent. It was an American victory that we were simply the vehicle of the American people in getting their will through to a Washington, DC that didn't want to believe in the people.

The question of balancing the budget, every poll for 30 years has shown that whether you're a Democrat, a Republican or an Independent, you thought balancing the budget mattered. The Republican party through the Contract with America became the vehicle for the American people's will and we moved from a three trillion, one hundred billion dollar projected deficit over 11 years when we were sworn in as a majority in January of 1995 to a one trillion, 650 billion dollar surplus over the same period now that we've had three-and-a-half years to get a job done. (Applause.)

But those lower interest rates that Heather described are a victory for every young American who's going to college. The lower interest rates that Vito Fossella described earlier are a victory for every small business, every family farm, every person who buys a home. All Americans are better off. When you balance the budget, lower interest rates and have lower taxes because you don't have to tax this entire generation to pay the interest on three trillion dollars in debt. So that's an American victory.

Strengthening our defenses for the first time since 1985 is an American victory because every American should care about the young men and women who have the courage and the patriotism to put on our uniform and we did the right thing in the vote we're

going to have tonight in rebuilding our defenses, and as Tom DeLay pointed out, in establishing a national missile defense. Because if we can save one American city from a North Korean, Iranian, Iraqi or other missile, one city, that will be a victory for every American and the lives that we'll (ph) lead (ph) there because we had the foresight to invest in the right kind of defenses. And that's an American victory. (Applause.)

As Heather pointed out, we took the president's proposal. Look this negotiation took nine days.

We could have done it the three if we just caved. We took the president's proposal for a Washington-based, Washington-controlled, Washington-regulated, narrowly-designed teacher plan. We broadened it out to include every grade. We brought it out to include special education and special needs teachers. We brought Chairman Bill Goodling, who is an expert on the topic, into the room.

And we returned power back exactly as Heather Wilson said, to the local school board. We didn't say the Republican school board. We didn't say the Democratic school board. We said the local school board because we believe it is American to have local people working with local teachers to have local children get an education under local control. And that's a big difference in the two philosophies. (Applause.)

The second point I'd make is that you get major achievements by sheer persistence. We ran on a Contract with America. We didn't get it all. We learned that the Senate's not always easy and the White House is far harder. We learned the hard way in the fall of 1995 that the president, no matter how weak he is in the polls, nonetheless has a veto pen. And a clever president can use it well.

And we got back up and we kept moving. Three months after that, we cut \$100 billion out of domestic discretionary spending. We passed the Freedom to Farm bill liberating midwestern farmers. We passed the Telecommunications Reform Act. And five months after that, we passed the welfare reform bill, and then we had the election of 1996 and we campaigned on getting the job done, completing the contract, and in the summer of 1997 we passed a bill to save Medicare exactly as we had promised, without raising taxes. We passed a tax cut, as Tom pointed out, the first in 16 years, including \$500 tax credit per child because we believe parents are better than bureaucrats and the center of raising children. (Applause.)

We reduced the capital gains tax substantially, and I would suggest to you as you look at market turmoil around the world this year, it's a pretty good thing the Republican Congress insisted on lowering the tax on investment at a time when we need to make sure that the investment community doesn't have the kind of problems it could have if we had liberal Democrats raising taxes and imposing regulations.

And finally, we got to a balanced budget. September 30th, we ended the 1998 fiscal year, and they will report in the next few days somewhere a \$71-75 billion surplus last year, that will go to paying down the national debt and setting the stage for us to save Social Security. (Applause.)

The bill we will pass tonight still provides for over \$60 billion in surplus, and if the economy grows, I suspect we'll be above \$80 billion next year and I might point out, in January when the Congressional Budget Office was talking about an \$8 billion surplus, I was saying they were way off and way too small. And all year they played catch up before they got the \$70 billion. And I noticed by the way that the architect of the historic balanced budget act I think just walked in the room back there. Direct from Iowa I believe, John Kasich come up here and join us John. (Applause.)

If you weren't . . . I just read that you were in Iowa. You were on a hiad (ph). Well thanks for (off-mike). I just want to say, when I talk about persistence, no one can tell the story better than Kasich who started as a back-bencher offering his own budget when all of us thought he was nuts and I include myself in that group. We all opposed him. Came back as the ranking member when we were the minority. Came back as our budget committee chairman fought his way through. And without John Kasich's courage and charisma and effort, we would not have a balanced budget today. (Applause.)

Mr. KASICH. Now let me just say one thing. If you think that Newt and I early on fought for a balanced budget, because it wouldn't be done without Newt's help, we are going to have a huge, giant tax cut next year. And we are going to fight for it every single day until we get it done. (Applause.)

Mr. GINGRICH. So if my (off-mike) was that this is an American victory, and my second point is it takes persistence, remember I said we had the contract. It took us through the summer of last year and January, I began talking about four goals per generation. They were very direct. Win the war on drugs and violent crime, give us a world class system of education and learning, use the surplus to save Social Security and modernize government to reduce its cost so we can ultimately lower taxes so that no American paid more than 25 percent of their income in total taxation state, federal and local combined.

Let's look at this year. We will pass tonight the strongest anti-drug measure in the history of the Congress. We will pass a substantial increase in interdiction money and we will ban the federal government, block the federal government from distributing free needles to drug addicts because it is exactly the wrong signal. You cannot have healthy drug addicts. The message we should send to drug addicts is, we want to reach out a helping hand for you to be rehabilitated and get on drugs. Not we want to help you stay on drugs. But at least your government will give you clean needles. I think this is a major victory in the right direction. (Applause.)

Second, we began to insist on point after point on the basic concept of dollars for the classroom of returning power back to local control and allowing the local community to really take a grip on their local education system. And we're going to continue in that direction. And again this evening, we'll be voting on an important step forward for our second goal.

Our third goal frankly got postponed for a year. I'm sorry it did. I began talking with the president and working with the president in October of last year on saving Social Security. John Kasich and Bill Archer whom I saw a minute ago, both worked very hard. We've been working with President Bush and President Reagan's economists. We think it's possible to develop a program to use the surplus to save Social Security by creating personal savings accounts for every person that pays the FICA tax so they can have a savings accounts they control that has a tax free build up of interest of dividends with no Washington politician taking the money away from them. But frankly, in this kind of an election year, with all of the other problems that began in January, it was not possible to move that dialogue as far as we would have liked.

I also repeat what John just said, because I agree with him entirely. We fought for a tax cut this year. I am proud of the House because we passed an \$80 billion tax cut this year. That was the right thing to do. I am very disappointed that the Democrats in the Senate and the president blocked us passing a tax cut.

But I want them to know that very early next year, with Chairman Archer's leadership, we're going to bypassing a bill that both saves Social Security and takes any extra surplus and turns it into a tax cut on a very simple premise. The number one difference between liberals and conservatives in American today is that we believe the surpluses belongs to the American people who pay the taxes. They believe the surplus belongs to the Washington bureaucrats and who ought to be allowed to spend it. And everybody knows if you leave a trillion dollars sitting around here near Al Gore and Teddy Kennedy, they will find a way to spend it.

So we're going to get it back home first to save Social Security, and second as a very large tax cut early next year. (Applause.)

Our fourth goal to modernize government in order to be able to reduce taxes and I mean modernize at all levels—state, federal and local to reduce all taxes combined to 25 percent on the moral premise that in a free society in peace time, no one should have to work longer than Monday and half of Tuesday to pay their taxes. That the rest of their week in peace time ought to belong to themselves, their family, their community, their favorite charity, their church or synagogue or mosque, their own retirement. That's going to be a big complicated job and it's one that we're going to be enlisting every Republican committee chairman to work on. We're going to try enlist every committee to begin next year working with the budget committee on this.

And I've already been talking with governors, mayors, county commissioners, school boards, because it has to be done at every level including tracking the state legislators. And we'll be having a conference in December of state legislative leaders around the country to talk about how we can work together to reduce the cost of government at all levels so we can have a one-third cut in taxes over the next 10 to 15 years so the American people can be working for their room families more of the time and for government bureaucracy less of the time.

Let me say finally, in addition to this being an American history, in addition to persistence paying off, elections matter. There is a very big difference in where the two parties will take America. I sometimes get distressed by our friends in the media because they try to reduce everything to gossip, scandal mongering and cynicism that I think is profoundly false for this country's future.

There is an enormous difference in the two parties. We would go two very different places. The Democrats legitimately stand for a big government, big bureaucracy, high tax vision of the future. There's nothing dishonorable about it. Charlie Rangel can defend it eloquently. It is his vision of how America works. More bureaucrats with more paperwork based on more taxes from working Americans. They have a model of big unions and big trial lawyers gradually wiping out small businesses and medical doctors. But it's a rational model. And we need to honor it by having honest debate and talking about how really different the two parties are.

We favor a smaller central government, lower taxes, more free enterprise, more job creation, more volunteerism. We favor money being in the family rather in Washington. And there are places we do think government has a powerful legitimate role. For example, we want to census strong enough that it's accurate. That's not a weak government.

We truly are prepared to work with the Black and Hispanic caucuses to design a census that will reach out to every minority neighborhood that will count every American because we believe we have a constitutional duty to have a government effective

enough and modern enough to count every American in an actual enumeration as required by the Constitution.

Similarly, we're very proud that we've began strengthening defense because we think it's important that this country lead the world. I'm frankly proud that the president is working today trying to bring peace to the Middle East. I am proud that this president reached out in Northern Ireland. And I can tell you from my own visits there, and my conversations there that without his leadership and Senator Mitchell's leadership, we would not have made progress. We can work together as Americans even when we disagree about basic philosophy or even when we have other problems we have to work on.

And so we believe that just as the 1994 election changed the direction of America, and no serious person believes that the Democrats would have balanced the budget, cut taxes and reformed welfare if they had remained in charge. Jim Traficant, a Democrat has said flatly, he tried every year with his own leadership to bring up the IRS reform bill. And they would never bring it up. It took a Republican Congress, it took Rob Portman as chairman of the IRS commission, it took Bill Archer as chairman of the Ways and Means Committee to pass IRS reform. So elections do matter.

And two weeks from today, this country can vote for higher taxes by voting Democrat or it can vote for lower taxes by voting Republican. It can vote for more power and bureaucracy in Washington by voting Democrat. It can vote for more power back home by voting Republican.

It can vote for a weaker defense by voting Democrat or it can vote for a stronger defense by voting Republican. It can vote for less effort on the drug war by voting Democrat. It can vote for a much stronger effort on the drug war by voting Republican. These are basic legitimate philosophical differences. And I think we've proven over the last four years, it makes a big difference whether or not you're elected to try to move in one direction or another.

We're think we're getting our message to the American people. And if we come back and we're a majority for the third time, which would be the first time since the 1920's in 70 years. We will have our marching orders from the American people to get some more American victories starting with saving Social Security and cutting taxes. Thank you very much. (Applause.)

MEDICARE HOME HEALTH BENEFIT PAYMENT SYSTEM

HON. J.C. WATTS, JR.

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 1998

Mr. WATTS of Oklahoma. Mr. Speaker, I wish to commend the staff members and administrators who provide home health care services in my home state of Oklahoma and across the country. During the past year I have had the opportunity to work with hundreds of dedicated home health care providers, and they should all be very proud of and we should all be very thankful for their outstanding service to the nation's elderly and disabled.

I have been working with these constituents to make reforms in the Interim Payment System (IPS) that was part of the Balanced Budget Act. An unintended consequence of that Act

has been an unfair payment system that has caused a 15 percent drop in Medicare certified home care agencies in Oklahoma. Regrettably, the complexities of the IPS have resulted in misunderstandings in Congress as we search for a solution.

This week I received a letter from former Senator Frank Moss who sponsored the original Medicare home care benefit. His perspective on and explanation of this benefit is enlightening, and I would like to submit his letter for the RECORD. As we continue to work on this issue in the next Congress, Senator Moss's letter will help us move forward in finding a solution.

SALT LAKE CITY, UT,
September 30, 1998.

Hon. JULIUS CAESAR WATTS,
U.S. House of Representatives, Washington, DC.

DEAR CONGRESSMAN WATTS: Your assistance, in a matter of great importance to the nation's disabled and older Americans, would be very much appreciated. I am appealing to you to help save the Medicare home care benefit, which is in grave jeopardy at the very time when we need it the most.

You may remember that I was the sponsor of the Medicare home care benefit. This came in 1965 after I had spent several years investigating nursing home abuses. We were looking for the best way to care for the growing numbers of disabled seniors. Home care keeps families together; it keeps seniors independent in their own homes where they want to be; and home care is cost-effective in comparison to institutional care. I still believe in home care so much that I volunteer my time to serve on the Board of the local Visiting Nurses here in Salt Lake City, as well as on the Board of our national organization.

You may remember that I devoted a substantial part of my career to policing Medicare and Medicaid programs. I am sending you a few clippings that capture this history. I conducted more hearings and investigations and authored more investigative reports on the subject of fraud and abuse than anyone. Among the legislation that I authored were provisions that: (1) made Medicare and Medicaid fraud a felony, (2) created the Office of the Inspector General and the Department of Health and Human Services, and (3) created State Medicare Fraud Units. Our committee put every part of Medicare and Medicaid under the magnifying glass. Home health care was unique. It was one part of the many programs that had the least amount of fraud and abuse. One reason for this is that the reimbursement formula that I wrote into the Medicare home health law is a veritable fiscal straight jacket. My most recent review of Medicare and Medicaid convictions indicate that while there have been a few highly publicized cases, the relative incidence of fraud in home health is miniscule when compared with the record of the doctors, nursing homes, hospitals and other providers. I still insist, however, that we continue with our policy of zero tolerance for fraud. I commend all Members of Congress who have continued the oversight work that was so important to me.

There is no doubt that we are on the verge of a national crisis with respect to home health care. To assist you in understanding what is happening, I include herewith, a list of questions & answers, which I have described as myths and realities. There is no way to get around the fact that 1200 home health agencies (1/8 of the total) have either dropped out of Medicare or closed their doors over the past ten months. The home health problem has many parts. The root, however, is an element within the interim payment system (IPS) called the aggregate per bene-

ficiary limit (ABL). Agencies already had their per visit costs limited. However, this new limit also spells out how much home health agencies can spend per patient based on their historical reimbursement numbers. Agencies that have been cost-efficient in the past are now being penalized. They may now have a per beneficiary limit of \$2,000 or less. Other agencies who have been less careful with Medicare monies may have \$15,000 or more to spend per patient for patients with identical needs, in the same locality. It is easy to see why the aggregate per beneficiary limits are fundamentally flawed and unfair.

If our intention was to reduce the incidence of fraud and abuse, this new aggregate per beneficiary limit does exactly the opposite. We are losing many of our best home health agencies because they are at a competitive disadvantage. To make matters worse, home health agencies were asked to comply without knowing, with certainty, what these limits will be. Nearly a full year into the program, many agencies still do not know the exact dollar amount of their limits. Moreover, when agencies do know their ABL, as computed by the intermediary insurance companies who administer Medicare for the government, they find that the per beneficiary limit works at cross-purposes with the existing agency per visit limitation. Making matters even worse, HCFA has said that they cannot comply with the October 1, 1999, deadline for putting in place a prospective payment system (PPS) for home health care under Medicare. This means the IPS, with its lethal and unfair per beneficiary limits, will be in place indefinitely. If all this is not bad enough, another 15 percent across the board cut in the Medicare home health benefit is scheduled to take effect on October 1, 1999.

There are only three ways to fix the problem with the aggregate per beneficiary limit. Option one is to abandon the idea of using agency specific costs as the basis for it and use instead a blend of national and regional costs. The second option is to delete the per beneficiary limit. Option three is to replace the per beneficiary limit with another cost control limit. Following are comments on each.

A. Develop a blended rate. The idea is to set a limit based not on a home care agency's historical costs, but upon some formula of national and regional averages. My analysis is that this simply will not work. No matter what percentages are used, some people will be helped and others will be hurt. You simply create different winners and losers. The idea, by definition, is divisive. It divides not only providers and patients, but also members of Congress, the latter who can be expected to endorse a blend that most helps their part of the country. Under this approach there can be no national consensus—to help New England is to hurt the Southeast, or vice-versa. Medicare is a Federal program that should offer patients and provides alike a level playing field.

B. Repeal the per beneficiary limit. This is probably the best option overall. There is no parallel limit in Medicare for hospitals, nursing homes or physician services. In my view, we should recognize the fact that we have cut the home care benefit by twice what Congress has intended, projected by HCFA at \$37 billion instead of \$16.2 billion from FY 98-02. Total spending for home health in FY 98-02 is down from \$127 billion to \$89 billion. I do not know how we can be thinking of tax cuts when the burden of this gift will be on the backs of the sickest of the sick—patients who need home care. I would argue that we should restore some of the cuts in home care by canceling the per beneficiary limit, since the Medicare home care

benefit, to date—according to CBO (January 1998) estimates—has already been cut by \$9.9 billion more than the Congress intended when the Congress passed the Balanced Budget Act. It seems only fair to give some of this money back by repealing the per beneficiary limit. It is this limit which works against patients who do not understand why there is a limit in the first place and why it could possibly be in hugely differing amounts depending on the agency that they visit. Undoubtedly, the behavior the patients will exhibit is to try to shop for the home care agency that has the highest per beneficiary limit. This, in turn, will have an effect of raising overall costs to the Medicare program.

C. Replace it with another limit. A final option, which has great merit, is to replace the aggregate per beneficiary limit with another limit. One example might be a global budget for Medicare home care expenditures, which sets ceilings for spending each year that cannot be exceeded under any circumstances. This concept could be coupled with a Gramm-Rudman-Hollings-like trigger, which could be applied prospectively. This mechanism would automatically initiate cuts if the Secretary of Health and Human Services finds that there is any danger that the fiscal ceiling could potentially be breached in any year. The advantage of this approval is obvious. By substituting one financial limit for another, the proposal should be budget-neutral. One suggestion that has been made is to incorporate the CBO 98 baseline as the ceiling. The essence of this proposal is included in H.R. 4404, the Homebound Elderly Relief Opportunity Act of 1998 (HERO), sponsored by Congressman Van Hilleary (TN). Senator Thad Cochran (MS) has introduced a companion bill in the Senate, S. 2508.

As I noted above, the repeal of the aggregate per beneficiary limit is probably the best way to go. This is a world apart from a moratorium, or total repeal of all home health provisions in the Balanced Budget Act, or even a repeal of the entire IPS. It is a more limited and rifle specific application. I believe Congress should be content to save \$16.2 billion from the Medicare home health benefit, as planned, when the Balanced Budget Act was passed. We should return the rest to the home health patients, the sickest of the sick, who need it. This approach would also allow Congress to cancel the forthcoming October 1, 1999, additional 15 percent cut.

For those who insist on the strict definition of budget neutrality (and that home health should be cut by more than \$16.2 billion), the notion of replacing the per beneficiary limit with another financial ceiling makes great sense. Because it incorporates and makes an absolute ceiling of the Medicare FY 98-02 CBO baseline, the HERO proposal should be budget neutral. HERO will also blunt the effect of the pending 15 percent cut. To be more precise, it makes the 15 percent cut contingent. Any portion of it that is needed will be employed to make sure that the Medicare home care benefit does not exceed the ceiling established in the 1998 CBO baseline. I helped create the Senate Budget Committee, and was one of its charter members. I hope CBO will agree with my judgments.

The HERO legislation gives providers the breathing room they need until Prospective Payment is ready. Because it sets overall spending limits and includes a Gramm-Rudman-Hollings-like trigger, it is clear to providers that this is not a signal to return to business as usual. To do so means a swift crackdown from HCFA. Because payments to home health are capped, there is no way that expenditures can exceed budget limits and therefore, no way that home health spending

can trigger increased out-of-pocket costs, such as increases in the Part B premium. Finally, HCFA should be able to administer this legislation easily. It will require little or nothing in terms of computer capacity. This will free up resources to help solve their Y2K problem and point them in the direction of developing a PPS plan for home health care. What is best of all—this proposal does not involve new spending. I urge you to consider the HERO approach.

With best wishes,

Sincerely,

Senator FRANK E. MOSS (ret.).

THE AMERICAN COMMITMENT TO HUMAN RIGHTS ON CYPRUS

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 1998

Mr. GILMAN. Mr. Speaker, I would like to share with my colleagues the following remarks by George Paraskevaides, a renowned Cypriot businessman, concerning the situation on Cyprus. Mr. Paraskevaides, a very good friend of the United States, as a citizen of Cyprus, has some excellent insights to offer with regard to why the American people need to be concerned about achieving a peaceful and just solution to the Cyprus problem.

Mr. Speaker I submit the full text of Mr. Paraskevaides address to the 50th Annual Dinner Dance of the American-Hellenic chamber of Commerce to be inserted at this point in the RECORD.

ADDRESS BY MR. GEORGE PARASKEVAIDES

Your decision to honour me with the 'Man of the Year' award, on this your 50th Anniversary Dinner Dance, has deeply touched me, and I thank you from the bottom of my heart. Please allow me, to consider this honour as extending to all Cypriots, both in and out of Cyprus, who are struggling for the liberation of our country.

Although not a resident of this great country, I am well aware of the success of your business activities, which, in many cases, are not limited to the boundaries of the United States.

I am sure that all of you, Americans, Greek-Americans and Cypriot-Americans, are very concerned with the problems of Hellenism. Among these, the Cyprus problem is very high on the list of priorities, and I beg your permission to elaborate on this.

I am of the opinion, that we all agree, that the Second World War was a disaster for mankind, with millions of victims. We also believed that such sacrifice would have resulted in universal freedom, democracy, the Rule of Law, and respect for Human Rights. Principles that should apply to every corner of the world.

Regrettably, since the tragic events of 1974, when Turkey invaded Cyprus, these principles, which form the corner stone of the Constitution of the United States, and of the Free World, have not been implemented in my country. The Turkish occupation, with all its evils, still continues.

You are citizens of the United States of America; but you are also descendants of ancient Greeks, and you carry with you the ideals of Democracy. You are more sensitive to its principles, because democracy grew out of the bones of your ancestors.

The ancient Greeks, did not keep democracy and civilization to themselves; they spread them, and taught them to the world, through Alexander the Great.

Nobody can deny the great and important role that the Greeks contributed to today's civilization. The world, no doubt, is grateful to Greece.

It is my humble request, that you sustain and even increase, if possible, the efforts of the world Hellenism to help Cyprus resolve its tragic situation, and reach a fair solution of its national problem, for all its people, whether Greek, or Turkish, or other ethnic minorities. I have no doubt that the misery and suffering brought about by the Turkish occupation, have increased the desire of all Cypriots to live together against as friends, in a united and peaceful country without armies.

Dear friends, the island of Cyprus, in the center of the Eastern Mediterranean, can be made into a shining star, which can help to change the whole of the Mediterranean, so that the people of the area can live in brotherly peace, for the glory of peace in the whole world.

Thank you once again for honouring me tonight, and on behalf of my wife and family, and my fellow Cypriots, I wish you health, happiness and continuous progress with God's blessings.

God bless America and Cyprus.

A DEDICATED PUBLIC SERVANT

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 1998

Mr. CRANE. Mr. Speaker, I wanted to take this opportunity before we adjourn to recognize the longest serving member of my staff, Thelma Hummel, for all the excellent work she has done over the years on behalf of thousands of Illinois citizens residing in Chicago's Northwest suburbs. Thelma has been a case worker with my office since 1988, and never will you find a more dedicated hardworking public servant. She has had to contend with the often frustrating task of trying to help constituents work with the many various agencies and departments which comprise our all too massive federal bureaucracy.

While Members of Congress often receive credit for the good deeds our offices may accomplish in helping individual constituents, it is our staffs which deserve much of the recognition. My reputation, with respect to my constituents, has benefited greatly from all the excellent work Thelma has done for my office.

Indeed, just the other day I received a letter from a constituent and veteran, Walter McCostlin, which served as another reminder of how much good Thelma has done over the years. Walter wrote that "We are only as good as those with whom we associate and/or surround ourselves." Walter went on to say that "Mrs. Hummel's dedication to seek truth and justice, devotion to uphold traits expected of government officials, and perseverance to safeguard [our] rights . . . cannot be surpassed. Her attention to duty and perseverance while supporting and assisting constituents . . . characterizes her as an example to be followed by all legislative employees." I could not have said it better, Mr. McCostlin.

Mr. Speaker, the constituents of the 8th Congressional District of Illinois should be grateful and proud to have Thelma Hummel working for them.

TRIBUTE TO JOHN MORRISON

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 1998

Ms. KAPTUR. Mr. Speaker, over Labor Day weekend, John Morrison died suddenly of an apparent heart attack at his home in Dubberly, Louisiana. Across the country, his family, friends, and colleagues were shocked by the news. His leadership and vision for all farmers will be greatly missed. For the past six years, John had been the Executive Director of the National Country Poultry Growers. He had founded the organization due to his own experiences as a contract grower facing the unfairness of his contract and the control exerted by the large poultry companies.

It was the commitment and leadership that John and other family farm organizations had that prompted me to sponsor H.R. 2738—The Family Farmer Cooperative Marketing Amendments Act. Other colleagues have joined me as co-sponsors. On one of the last days of the session nearly a year ago, I met with representatives of the NCPGA and national allies that are working together to increase support for this legislation in the countryside. That meeting was two days after the momentous defeat of fast-track legislation.

I remain committed to working for passage of this legislation in the next Congress. It is an important step towards restoring social and economic justice to an entire group of farm families; those who are growing and marketing their commodities; whether poultry, grain, hogs, or livestock under the excessive control of major corporations. This legislation will enable farmers in their cooperative associations to negotiate for a fair contract.

H.R. 3150, THE BANKRUPTCY
REFORM ACT OF 1998

HON. GEORGE W. GEKAS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 1998

Mr. GEKAS. Mr. Speaker, I rise today to express my disappointment that the President refused to endorse bankruptcy reform legislation which passed overwhelmingly with bipartisan support in both the House and the Senate. The conference report to H.R. 3150, the Bankruptcy Reform Act of 1998, would have restored personal responsibility to our bankruptcy laws, protecting women and children, small businesses, consumers, the financial markets, state and local governments and all taxpayers who pay a \$400-a-year bankruptcy tax on goods and services. Now that the groundwork for bankruptcy reform has been laid, I plan to reintroduce bankruptcy reform legislation next year.

Despite economic growth, low unemployment and rising disposable personal income, personal bankruptcies are soaring, reaching a record 1.42 million and costing consumers more than \$40 billion in the past year. This problem continues to worsen. In fact, the Administrative Office of the U.S. courts recently reported the highest number of consumer bankruptcy filings ever in the last quarter. Over the past decade the number of personal bankruptcy filings has doubled.

I am deeply concerned about the fact that we have had such a tremendous increase in bankruptcy filings during a time of economic prosperity. When the economy begins to turn, absent reform, we will have many, many more bankruptcy filings. The White House could have played a part in preventing that—along with encouraging basic personal responsibility—but they chose not to work with us. Instead of taking the high road of reform, they chose to take the low road of political spin and emotionally heavy, but factually light, rhetoric based on untruths about the bill. One can only presume that the White House is so political that they reject any Congressional, i.e. Republican, idea out of hand, even if that idea is firmly bipartisan, i.e. Republican and Democrat. This political fact, obvious to all, is sadly noted. But, with the also obvious fact of increasing bankruptcies, I urge the White House to work with us next year to stem this tide before it becomes uncontrollable.

There are a host of societal reasons causing more Americans to file bankruptcy including, divorce, gambling, credit practices, student loans, health care expenses, and aggressive attorney practices. Congress should address each of these causes of bankruptcy as they merit individual attention. After the National Bankruptcy Review Commission issued its report last October, the Judiciary Subcommittee on Commercial and Administrative Law—the subcommittee I chair which has primary jurisdiction over bankruptcy legislation—was tasked to use the Commission Report as a starting point to formulate fair and effective bankruptcy reforms. The Bankruptcy Reform Act of 1998 was intended to help people get the relief they need—no more, no less—once they have filed for bankruptcy.

This legislation contains provisions endorsed by the National Association of Attorneys General and child support agencies throughout the country that close the “loopholes” which exist in bankruptcy making it nearly impossible for ex-spouses to collect child support and alimony payments. Current bankruptcy law protects debtors and in some instances places ex-spouses in competition with other creditors, including the big banks and credit card companies. H.R. 3150 states unequivocally that alimony payments and child support would receive the number-one priority in determining which debts are repaid. Without this legislation, child support and alimony payments will continue to rank seventh on the list of priority payments in a bankruptcy proceeding, while payments to bankruptcy attorneys continue to receive the number-one priority. This legislation would have given added protection to families dependent on this income. I am disheartened and saddened by the fact that the White House would use political scare tactics and demagoguery at the expense of women and children on this issue. America's women and children deserve better.

Moreover, H.R. 3150 incorporates provisions from H.R. 4393, the Financial Contract Netting Improvement Act to control systemic risk in the financial markets. The current bankruptcy code does not cover many new financial instruments such as asset backed securities which play a major role in the modern financial world. These provisions define these new financial instruments, promoting liquidity and legal certainty, two important components of risk management. With the current instability of the global market, these provisions are

necessary to provide market participants with certainty that their contractual arrangements will be honored, and to minimize the risk that the bankruptcy of one party to a transaction will cause negative ripple effects in the financial system.

The legislation also includes provisions that help state and local government save tax dollars by closing the loopholes that limit the government's ability to collect taxes when someone files bankruptcy. To the extent that debtors in bankruptcy are freed from paying their tax liabilities, the burden of making up the revenues lost must be shifted to other taxpayers. H.R. 3150 includes language that ensures that local school districts, police and fire departments, and a wide variety of community services are given priority in bankruptcy proceedings to recover back property taxes. School districts around the country are losing money because they tend to be last in line to collect back taxes owed by property owners who have filed for bankruptcy. It is unfortunate that we were unable to enact bankruptcy legislation which ensures that more money is put back into our schools.

Under our current bankruptcy laws, women and children, small businesses, school districts, and consumers are the losers when an individual or business decides to file bankruptcy. The conference report to H.R. 3150 contains provisions that ensure that women and children receive alimony and child support payments; protect small businesses by simplifying the process by which they collect payments from debtors; protect consumers filing for bankruptcy from aggressive attorneys; and ensure that state and local government do not lose tax revenues because of loopholes that allow debtors to avoid paying taxes. I am hopeful that we will be successful in enacting these important reforms next year.

Nonetheless, I am pleased that Chapter 12—a part of the Bankruptcy Code tailored to the special financial circumstances of farmers—has been extended for six months under an agreement reached in the Omnibus Appropriations Act. This extension is a positive sign that bankruptcy reform will be addressed again in the Spring.

As Chairman of the Judiciary Subcommittee on Commercial and Administrative Law, I am committed to making bankruptcy reform a top priority for the subcommittee during the 106th Congress. Over the recess, my subcommittee will begin the process of redrafting bankruptcy legislation and organizing hearings. The legislation will revisit many of the issues we focused on in this Congress as well as other issues that have been brought to my attention throughout the process. With signs of an economic downturn, which will increase the number of consumer and business bankruptcy filings, we will hold a series of hearings on a variety of bankruptcy issues, focusing not only on consumer bankruptcies, but the impact of bankruptcies on business, such as the telecommunications and health care industry.

Mr. Speaker, let me take this opportunity to thank all of the Members, their staffs and the outside groups who spent countless hours working on this much-needed legislation. The strong bipartisan support that we received on this legislation is a reassurance that we will enact fair and meaningful bankruptcy reforms next year.

REGARDING CORRECTION OF MATERIAL AFTER MANAGERS' STATEMENT ON S. 1260

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 1998

Ms. ESHOO. Mr. Speaker, last week on Tuesday, October 13, 1998, the House of Representatives passed the Conference Report of S. 1260, the Securities Litigation Uniform Standards Act. This legislation, previously passed by the other body, is expected to be signed by the President and closes a loophole in securities litigation by assuring that lawsuits involving nationally traded securities remain in federal courts where they have traditionally been heard. I'm proud to have been the lead Democratic co-sponsor of this legislation.

During remarks by my colleagues on the floor regarding S. 1260 there was confusion as to what was included in the joint Managers' Statement signed by the Conferees. The confusion was caused by the fact that in the House version of the Conference Report (published by the House Commerce Committee in the CONGRESSIONAL RECORD) the final page of the Managers' Statement was omitted. This error ultimately led to a statement made by Commerce Committee Chairman BLILEY during floor debate on the final passage of this legislation. He clarified that omission of this very important page was a clerical mistake.

Another mistake was made in the printing of the October 13, 1998, CONGRESSIONAL RECORD of the final passage of the legislation. The extraneous remarks submitted by Chairman BLILEY were erroneously placed directly following the Managers' Statement. These remarks were then printed in the same typeface as the conference report, giving the impression that the extraneous remarks were agreed to by the conferees who signed the final conference report.

Mr. Speaker, let me state for the record, nothing could be further from the truth. This extraneous material, which should have been placed after the remarks of the distinguished Chairman, does not represent my view pertaining to whether recklessness satisfied the scienter requirement nor should it be regarded as the view of the Conferees. This was a contentious issue during the conference and during discussion of the bill on the floor. Every work of the Managers' Statement on this issue was negotiated. The reason for this is the Managers' Statement is the most authoritative statement related to the legislation. My colleague, Mr. COX, an opponent of the language in the Managers' Statement conceded this point when in his colloquy with Chairman BLILEY he referred to the earlier Managers' Statement in the 1995 Securities Litigation Reform Act "as the most authoritative construction of the 1995 Act."

Mr. Speaker, I highlighted this error because as courts and lawyers research the legislative intent of this Act and review our actions as recorded in the CONGRESSIONAL RECORD, I urge them to thoroughly read each reference to this legislation. It is essential that a bright line be drawn between what is included in the conference report, and those views which were specifically rejected by the Conferees of S. 1260.

I'm pleased to report that the Government Printing Office has reprinted the October 13, 1998 CONGRESSIONAL RECORD and issued a corrected version. The Parliamentarian has corrected the Permanent Record of the House to reflect the true content of the Managers' Statement.

HONORING STATE SENATOR
CHARLES D. COOK

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 1998

Mr. GILMAN. Mr. Speaker, I wish to call to the attention of our colleagues a truly remarkable gentleman whose sterling career in public service is unfortunately about to end.

Charles D. Cook was originally elected to the New York State Senate in 1978, having previously served three terms in the Assembly. In his capacity as a State Senator, he became one of the most respected public servants in our state, and by the time he announced his retirement earlier this year, he was truly revered by his constituents and colleagues alike.

Charlie is a native of Deposit, New York, in the beautiful upper Delaware River valley. Educated in local schools, Charlie graduated from Hartwick College. Soon after leaving college, Charlie became the editor of a local newspaper, having adopted journalism as a way of serving his neighbors. Except for a distinguished stint in the U.S. Army, he continued his journalistic career until 1965, when he was elected by his neighbors to the position of Treasurer of Delaware County, NY. In 1971, he was appointed commissioner of Social Services in that County, and was elected to the State Assembly in 1972.

Charlie most especially made his mark in the State Senate as Chairman of the Committee on Education. In that position, he made clear his commitment to the young people, on which our future rests. Recognizing the need to remain competitive on the ever-shrinking world marketplace, Charlie always adhered to the belief that education is the most valuable investment we make as a people.

Charlie also served on the Committees on Agriculture, Children & Families, Crime Victims, Crime and Corrections; Health; Housing and Community Development; Local Government; and Tourism, Recreation and Sports Development. Charlie has long been active with the National Conference of State Legislatures, and served as Chairman of the Legislative Commission on Rural Resources. He is a former member of the National Advisory Committee on Rural Health.

Charlie and his lovely wife, the former Dorothy Behrens, live in Delhi, NY, not far from his birthplace. They are members of the United Ministry of Delhi, and are the proud parents of a daughter, Linda, and two sons, John and Jeffrey.

Earlier this year, the political establishment of our region was thunderstruck by the announcement that Senator Charles D. Cook would not be seeking re-election in 1998, choosing instead to spend more time with his family. While we are losing an outstanding legislator, leader and community servant, we recognize that few persons have done more to earn retirement than has Charlie Cook.

Mr. Speaker, I urge our colleagues to join with me in saluting a true, dedicated official, and extend to Charlie and Dorothy our best wishes for a long, happy, healthy and productive retirement.

SAVING THE CONSERVATION
TRUST FUND OF PUERTO RICO

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 1998

Mr. CRANE. Mr. Speaker, before we adjourn I would like to address an issue that I regret we have been unable to resolve in this Congress. I am speaking about the plight of the Conservation Trust Fund of Puerto Rico.

The Conservation Trust was created in 1968 through a memorandum of understanding between the Department of the Interior and the Government of Puerto Rico. The people of Puerto Rico are the sole beneficiary of the Trust which was created to carry out a conservation plan for the protection and enhancement of the natural resources and beauties of Puerto Rico. In this area the Trust has been highly successful, blending both environmental and historical sites in a manner that preserves them for generations to come.

The Trust Fund has accomplished this at a time when the natural resources of Puerto Rico are shrinking rapidly under pressure from urban development and population growth. Even mountains, once inaccessible, are now impacted by new construction.

A survey of the Island reveals dramatic contrasts in both its landscape and wildlife. Formed by volcanic eruptions more than 120 million years ago, Puerto Rico is small in land area—3,500 square miles. Yet it supports diverse biological communities including more than 3,000 plant species, 232 species of birds and numerous reptiles and amphibians. Many of these plants and animals are unique to the Island. A large percentage are included on the endangered species list, among them the Puerto Rican Parrot, one of the most endangered birds in the world.

Puerto Rico's small land surface currently sustains 3.7 million inhabitants, a population density of 1,000 per square mile, the second largest in the hemisphere. This is translated into approximately one million dwellings. There are 1.8 million automobiles and four times more roads per square mile than on the United States mainland. It has been said that you can fit the entire population of Puerto Rico in the front seat of the cars on the Island. Moreover, in the metro area of San Juan, the constructed acreage has increased from 10,000 acres in 1950 to more than 60,000 acres by 1994.

In Puerto Rico, the history of land conservation in the last century is scant. All major land reserves, such as the United States Forest Service Caribbean National Forest and other forests under government jurisdiction originate from Spanish colonial times. During the past 25 years the only significant efforts to preserve critical land resources has been conducted by the Conservation Trust. Even with this active role, only 5% of the Island of Puerto Rico is under some protection by either federal or local conservation agencies or by the Trust. This number is half the percentage of

the United States and less than 25% that of Costa Rica. The Trust is the only real entity involved in land acquisition projects for conservation in Puerto Rico.

In the original plan, the Trust was funded by a fee imposed by the Secretary of the Interior on the petroleum industry operating on the Island. This financial arrangement existed for approximately 10 years but, as the industry left the Island, a new source of funding became necessary. In the mid-1980s to mid-1990s that source became Section 936 of the Internal Revenue Code and the so-called QPSII (Qualified Possession Source Investment Income) provision of that law. This allowed the Trust to ultimately generate an income that reached a peak of \$10 million annually. In 1993, the Trust realized that Section 936 might have a finite life span and halted all major property acquisitions and capital improvements. The Trust started saving money to build an endowment to fund the Trust in future years. It was estimated that approximately \$80 million would need to be accumulated to achieve this goal. To this day roughly \$30 million has been saved.

Unfortunately, Section 936, which did much to raise the standard of living in Puerto Rico and expand employment opportunities throughout the Island, was phased out, over my objections, by Congress in 1996. With the elimination of Section 936, the Trust was left without a source of income to continue the savings program. Several alternatives were explored and, after a great deal of consideration, a consensus developed among the Trust supporters here in Congress. A legislative proposal was developed, in conjunction with the Governor of Puerto Rico, the Secretary of the Interior and my office to accomplish this task with the proposal's funding mechanism being tied to the rum tax that is collected on rum tax entering the U.S. from the Virgin Islands and Puerto Rico. A portion of this rum is returned (covered over) to Puerto Rico and the Virgin Islands and it was with a portion of this covered over amount that the Trust would receive funding for a five year period. It was the hope of me and many of my colleagues to implement a solution in this year's tax bill. Unfortunately, this did not happen.

Under the excellent leadership of its Executive Director, Javier Blanco and its Deputy Executive Director, Jose Barreto, the Trust has done a superb job with limited resources in fulfilling its mission. With this statement, I want to assure my colleagues that, should I be re-elected, I plan to continue to find an equitable solution to the plight faced by the Trust so that Javier and Jose can continue to do their good work.

TRIBUTE TO GEN. WALTER A.
CHURCHILL

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 1998

Ms. KAPTUR. Mr. Speaker, I rise today to honor a true patriot and outstanding American, Gen. Walter A. Churchill. On September 21, 1998, Gen. Churchill lost his battle to a series of debilitating strokes and passed away at the age of 94. He was a friend to us all. Yes, he

was a demanding General but even more he was a compassionate human being.

Enlisting in the Marine Corps at the young age of nineteen, Gen. Churchill remains one of only a few to rise to the rank of Marine Corps General. He retired on December 1, 1963, following 41 years and eight days of service to our country. In addition to his active membership in the Marine Corps League, Gen. Churchill established himself as a local political leader and a successful businessman in our district.

Gen. Churchill knew how to build community and a better future. He followed in the footsteps of his father and uncle in 1917, and managed a successful grocery business in northwest Ohio. He became the national leader in one stop shopping in 1971, when he opened the Monroe Street store. Always an innovator in the business world, Mr. Churchill has provided countless numbers of young people with the opportunity to earn money while attending college, and many retirees have found employment in his stores to supplement their retirement income. He was always helping others.

Mr. Churchill served as a loyal member of the Toledo Rotary Club where he maintained 37 years of perfect attendance. He served on the Board of Directors of the Toledo Better Business Bureau, the Toledo Small Business Association, and he served as president of the National Association of Retail Grocers. He was not just a member of these organizations but he was an activist. On many occasions, he traveled to Washington, DC to bring his views on national issues to those serving in elected life. He always came with a twinkle in his eye and a remarkable zest for life.

Gen. Churchill's commitment to his employees and our community, and his love for our country will be missed by all who had the pleasure to know him. A mighty oak fell when he passed from this life.

On behalf of our entire community, we extend deepest sympathy to the family and friends of Gen. Walter A. Churchill. He was "always faithful."

PENNSYLVANIA SENIORS NEED
MORE RELIEF WHEN IT COMES
TO HOME HEALTH CARE

HON. GEORGE W. GEKAS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 1998

Mr. GEKAS. Mr. Speaker, while today I generally support home health care measures added to H.R. 4238, the Omnibus Appropriations Conference Report, this solution actually does little to relieve the enormous cost being borne by Pennsylvania's senior citizens and the home health agencies that serve them. Pennsylvania is particularly affected due to the fact that it has one of the largest elderly populations in the country. According to home health agencies in my district, the interim payment system will eliminate approximately 294,500 visits to home bound senior citizens in Pennsylvania, a federal savings of \$486 million at the expense of Pennsylvania's elderly during the first year of the interim payment system. The current proposed interim payment system will restore only about 15 percent of the dollars taken from Pennsylvania beginning

in FY 2000. The new agreement is reported to cost \$1.65 billion with \$900 million to come from home health providers themselves by reducing future inflation factors. Thus, only \$750 million is new home health funding. Ironically, the contributions of Pennsylvania seniors (85 percent of \$486 million) is \$413 million more than half of the additional funding provided nationwide beginning in the second year of the interim payment system. This is a total injustice to the people of Pennsylvania. This issue must be re-addressed next year to help eliminate the enormous burden placed on Pennsylvania's seniors and home health agencies.

IN HONOR OF LAURIE FLAHERTY

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 1998

Ms. ESHOO. Mr. Speaker, I rise today to honor Laurie Flaherty, a distinguished emergency nurse, who has resided and practiced her profession in my congressional district and who has been recognized by her peers with an extraordinary Award.

Laurie Flaherty was awarded the Lifetime Achievement Award from the Emergency Nurses Association and inducted into its Nursing Hall of Fame last month at its annual convention in Denver, Colorado. This is an honor that has been bestowed on only twelve other nurses in the history of the organization. This great honor is a fitting recognition of the contributions Laurie Flaherty has made to the profession of nursing and to the health and welfare of our nation's citizens.

The Emergency Nurses Association drew special attention to Laurie Flaherty's roles as a teacher and author in pediatric emergency care. Association members extolled her work at the Department of Transportation where she designed and implemented a national strategy for safety programs. And finally, the Association chose Laurie Flaherty to receive these honors because she has never stopped being an emergency staff nurse. Whether in a helicopter in Wisconsin, in an ambulance in Santa Clara County, California, or now working at Suburban Hospital in Maryland, Laurie Flaherty has never forgotten that an emergency nurse must ultimately take care of those in need, one patient at a time.

Mr. Speaker, when the ENA honored Laurie Flaherty it was most fitting that they underscored her care and compassion for children. In addition to her expertise and experience in pediatric care, Laurie Flaherty's love and dedication to her daughter, Megan Flaherty, is a testament to what she considers one of her greatest lifetime achievements.

Mr. Speaker, Laurie Flaherty represents the best of a group of professionals that give their all to us every day in the emergency departments and trauma centers across our nation. We are exceedingly grateful to them, and today I'm especially proud to have you and our colleagues in the House of Representatives Join me in congratulating Laurie Flaherty, R.N., M.S., and C.E.N. on receiving this prestigious recognition from her peers.

HONORING BELLAIRE HIGH
SCHOOL'S MERIT SCHOLAR
SEMIFINALISTS

HON. KEN BENTSEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 1998

Mr. BENTSEN. Mr. Speaker, I rise to honor the 45 National Merit Scholarship Semifinalists at Bellaire High School in Bellaire, Texas. This is the most of any school in Texas and more than all but seven in the Nation.

Every year, the National Merit Scholarship Corporation awards approximately 7,000 scholarships worth \$28 million for undergraduate study. Becoming a National Merit Semifinalist is an extraordinary accomplishment. Some 1.2 million high school juniors enter the competition by taking the Preliminary Scholastic Aptitude (PSAT)/National Merit Scholarship Qualifying Test. To become a semifinalist, a student must score high enough on the PSAT to be in the top one percent of all scores in Texas.

Next, the students will compete to become National Merit Finalists. If selected after a rigorous application process, these students will be eligible for one of 2,400 National Merit Scholarships, worth \$2,000. The Merit Scholar winners will be announced next spring.

Having more National Merit Scholar semifinalists than every public and private school in Texas underscores that Bellaire High School is a premiere institution of learning, where students work hard and take pride in their accomplishments. The teachers, school administration, parents, and community are doing an extraordinary job preparing these young men and women to take their place in the world. This is what is possible when teachers demand excellence and parents and students place a high value on academic excellence. Bellaire High reflects a level of academic success that is becoming Houston Independent School District's trademark.

Mr. Speaker, I congratulate the National Merit Scholar semifinalists at Bellaire High School: Ramsey Ashour, Averille Asprec, Jason Barnard, Adam Block, Patrick Bloom, Andrew Cheung, Jonathan Chung, Lindsay Derman, Kevin Elias, Dan Feng, Brian Foo, Christina Fu, Emily Gray, Michael Hollington, Jane Hu, Ana Islam, Risha Israni, Irwin Law, Dennis Lee, Amy Len, Nicholas Lindsay, Michael Lipnick, Simon Lu, Amir Marouni, Maria McKeenan, Uzochukwu Odili, Jeremy Rahe, Suzanne Sacher, Brett Solomon, Gregory Stoll, Angel Sun, Harriet Sun, Karla Sussman, Andrew Swaffar, Erin Tavagac, Margie Teng, Millie Thomas, David Tsai, Stanley Tsao, Irene Tung, Craig Wellington, Beverly Wind, Diana Yang, Ethan Yeh, and Chendi Zhang.

Additionally, I would like to congratulate another National Merit Scholar semifinalist, Jennifer Guest of Westbury High School, which is also in the 25th Congressional District.

TRIBUTE TO REVEREND RUBEN
DARIO COLÓN

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 1998

Mr. SERRANO. Mr. Speaker, I rise today to pay tribute to Rev. Ruben Dario Colón, one of

the longest serving members of Community Board #4 in the Bronx, who will be retiring from the Board this month after years of service.

Born in Puerto Rico, Rev. Colón attended the University of Puerto Rico and the Theological Seminary of Puerto Rico and, in 1947 he married Ms. Ramonita Orabona, with whom he had a son and a daughter.

In the United States, he obtained a bachelor's degree from Adelphi University. He also holds a Master of Divinity from the Lutheran Theological Seminary and a Master of Social Work from Fordham University.

Rev. Colón was ordained in 1950. He has served at Evangelical Lutheran Church of the Resurrection since 1959 and became its Pastor in 1968. His ministry is faithfully committed to bringing spiritual enlightenment to the community. In addition, he serves as the highest ranking Hispanic Chaplain of the New York City Police Department and also serves as Chaplain at the Bronx Veterans Administration Hospital.

As a psychiatric social worker, Rev. Colón has provided psychiatric therapy for adults and families at many institutions, including Covenant House and the Bronx Psychiatric Center. He was organizer and President of the New York City Puerto Rican Community Children's Hospital. He is a member of the Board of the Morrisania Diagnostic and Treatment Center of the New York City Health and Hospitals Corporation.

The professional, religious and civic organizations to which Rev. Colón belongs, like the honors and awards he has been given are almost beyond counting. Among the many honors bestowed upon him, Rev. Colón is the first Puerto Rican to receive the Silver Medal of the Academic Society of Arts, Science and Literature of France.

Reverend Colón has lived to help those who have needed him. His long and fruitful career as a pastor, counselor, chaplain and community activist has touched thousands of individuals in our community. Reverend Colón has been an outstanding leader and a great role model, not only to the organizations he has served so well but also to the Hispanic community and other religious organizations.

As it is written in Hebrews 6:10 "for God is not unjust; he will not forget your work and the love you have shown him as you have helped his people and continue to help them." The community, too, recognizes him and is honoring him.

Mr. Speaker, I ask my colleagues to join me in recognizing Rev. Ruben Dario Colón for his remarkable career serving the community and bringing hope to the many individuals he has touched. While he is leaving Community Board #4, I am confident that Reverend Colón, a wise and talented leader will, continue serving our community.

TRIBUTE TO STANLEY G. TATE—
MAKING HIGHER EDUCATION
POSSIBLE FOR HUNDREDS OF
THOUSANDS OF FLORIDA'S CHILDREN

HON. CARRIE P. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 1998

Mrs. MEEK of Florida. Mr. Speaker, in 1987, with my strong support, the Florida Legislature

created the Florida Prepaid Postsecondary Education Expense Program to allow families to prepay college tuition and housing expenses for their children at a lower rate than the projected costs at the time of enrollment.

Florida was only the second state to try such an innovative program. Today it is a runaway success, thanks largely to the Chairman of the Board of the Florida Prepaid Postsecondary Education Expense Program, Stanley G. Tate, whose brilliant leadership and personal commitment have made Florida's prepaid college tuition program the most successful in the nation.

Stanley Tate deserves the congratulations and thanks of every Floridian, and I join with our community in saluting him. The Miami Herald recently profiled Mr. Tate in a page-one article, which I would like to share with my colleagues.

[From the Miami Herald, Oct. 18, 1998]

COLLEGE CRUSADER—DEVELOPER PAVES ROAD
TO EDUCATION

(By Jack Wheat)

Florida's prepaid college tuition program kicks off its second decade on Monday as the most successful plan of its kind in America, allowing Floridians to pay for a child's future college tuition at today's cheaper rates.

The Florida Prepaid College Program is considered such a good deal that more than 375,000 children, from birth to high school age, were signed up in the first 10 years.

In hindsight, that kind of popularity seems a foregone conclusion. After all, it's possible to buy a contract that will allow a fourth-grader to attend a state university in 2007 for slightly less than what this year's undergraduates pay.

But the program's success is a civic Cinderella story, in which a real-life godfather came in the rescue:

Meet Stanley G. Tate, a millionaire Miami developer whose iron will and deep pockets made a winner out of a little-known program that looked like it was going nowhere when contracts first went on sale in 1988.

"There were a lot of people who were saying it would never fly," said Tallahassee lawyer Philip Blank, general counsel for the program. "But when Stanley was appointed to the board, he took it to mean he needed to do what he would do with his own private business."

Florida was the second state to try a prepaid tuition program. The first, Michigan, was struggling through a troubled start-up. Although the Florida legislature approved the program over-whelmingly in 1987, its staff was instructed to watch its progress closely for signs of trouble.

Tate knew it was sound because he helped design the plan from ground up.

In 1986, Gov. Bob Graham asked him to work with the legislative staff to develop a program like one just started in Michigan. Tate and the staff learned from Michigan's glitches and put together a program of guaranteed prepayment of future university and community college tuition.

The next year, Gov. Bob Martinez appointed Tate to the prepaid college plan board, and he became its first—and so far, only—chairman.

STATEWIDE CAMPAIGN

In 1988, with initial sales significantly lower than he had predicted, Tate feared that the program would die the unceremonious death of new products that are labeled duds.

So he put his business and personal life on hold and started barnstorming. "I went all over the state, from Pensacola on down," Tate said.

During a three-month crusade, he visited local school boards and state education officials, promising he would get program pamphlets to every school that would distribute them to kids to take home to their parents.

"I printed up two million pamphlets," he said.

The fledgling program paid for as many as it could. The plan, starting up with \$600,000 borrowed from a state insurance fund, couldn't pay for them all.

Barnett Bank donated ad agency services, and Tate wrote checks to TV and radio stations around the state to broadcast spots. He paid all his travel costs, too.

He estimates his campaign cost him \$200,000 out of pocket. At first, he called it a loan, but he never sought repayment.

"I can't get him to take state reimbursement to save my life," Blank said.

THOUSANDS SIGN UP

When the first enrollment period ended in January 1989, the Florida Prepaid College Program had sold 58,651 contracts—below Tate's initial expectation of 100,000 but far more than skeptics ever imagined.

Tate, 70, said he had highly personal reasons for his crusade as well as general principle.

Attending the University of Florida in the 1940s was one of the toughest ordeals of his life, he said in an interview last week.

The son of a tung-oil dealer from Miami Beach, he was the first in his family to go to college. He worked at Gainesville's Primrose Inn restaurant for tips and meals. For two years, he couldn't go home for Christmas break; otherwise he would have lost his job.

That experience illustrated how deeply he values a college education.

"I have always said that if this state is going to prosper, we've got to have more of our young people going to college and staying in Florida," Tate said.

As a developer who built a real-estate empire in Florida and South Carolina, he knows that a large pool of highly educated workers is a magnet for industries and corporate operations. They buy prime property and construct upscale facilities and pay well. Their employees buy nice houses, cars and boats, and they get involved in civic and cultural life, making communities stronger, he said.

A POLITICAL FIGURE

He was a case in point. He graduated from UF, came back to Dade, built a home in Bay Harbor Islands, served 20 years in Bay Harbor Islands government as a councilman, vice mayor and mayor. He also became a fixture in Republican politics, but worked comfortably with Democrats, too.

In 1993, President Clinton nominated Tate as chief executive officer of the Resolution Trust Corp., which was charged with cleaning up the national savings-and-loan mess. He spent five months in Washington preparing to move into the job, but returned to Miami when the Senate would not set confirmation hearings.

Tate's critics accused him of trying to get involved in details of agency decision-making on behalf of friends and politicians. Tate, however, believes he was a victim of sniping from insiders who objected to the strong hands-on management methods he believed were necessary to identify and correct problems in the troubled regulatory agency.

In any event, in Tate's mind, all of his other civic achievements pale in significance to the prepaid program.

"When you think of all the many thousands of college educations we've helped make possible, that's a real legacy," he said.

The program succeeds because it lets families work together to the benefit of everybody's children, said Tate, who has enrolled all of his Florida grandchildren.

A MATTER OF MATH

He knew the plan could work after he saw two sets of figures, he said:

From 1967 to 1987, state university tuition rose an average of 7 percent a year. During the same period, stocks and bonds earned an average of 7.5 percent a year. The statistics showed that if parents, grandparents and other benefactors paid into the plan at current tuition rates, a well-run investment would make their money grow enough to cover future tuition increases.

Tate predicts the recent erratic stock and bond markets will stimulate a surge of interest in prepaid tuition this year.

In the past, experts like Mike Powers, whose book *Investing for Your Child's College Education* has just appeared, have recommended prepaid plans for poor money managers. But Powers wrote, "When examined from a purely economic perspective, they're a lousy investment."

But Powers wrote his book during a five-year market boom. By the time it hit bookstores, markets were plunging.

When investors get stockbrokers' reports "and see their value has gone down 15 or 20 percent," Tate said, they'll see new merit in the idea of paying this year's tuition rates to cover college costs that will be incurred up to 22 years from now—when this fall's newborns are college seniors.

But he worries that a souring economy could lead prepaid tuition contract-holders who need the program most to drop out. If recession hits, he fears, thousands of cash-strapped Florida families who are prepaying tuition in monthly installments will let the contracts lapse.

Contract-holders who let their payments lapse get a refund of what they paid in, with no interest. But the contracts cannot be reinstated.

"It's probably the second-most important debt payment you can make, right behind your mortgage payment," Tate said.

NATIONAL INSTITUTES OF HEALTH FUNDING JUSTIFICATION

HON. GEORGE W. GEKAS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 1998

Mr. GEKAS. Mr. Speaker, in the midst of political controversy, I rise to thank my colleagues, Chairman JOHN PORTER of the Labor, Health and Human Services, and Education Subcommittee, the entire Appropriations Committee, and the Speaker for their leadership on the House Labor HHS Appropriations bill, thus disproving the disturbing mischaracterization of this Congressional session, what some have called a "do nothing" Congress. Instead, I am proud to be here today to talk about the historical achievement that has taken place, the fruit of many years of work.

I'd like to thank my colleagues for making medical research funding a priority this year by providing a 15% (\$2 billion) increase for the National Institutes of Health. Over the years, the Labor HHS Appropriations bill has allocated money wisely and responsibly, this legislation is known as a fiscally conservative bill. The few allocations that are made, such as NIH funding, are carefully considered.

It is essential to point out that money invested in basic research cannot be expected to achieve a specific outcome. Instead, we can expect to use such funds to accelerate the pursuit of knowledge. As the new millen-

nium approaches, we are on the cusp of a "golden age" of medical and health discoveries. Additional money will help increase the likelihood that such discoveries will take place. The outcomes will contribute to reducing suffering and improving the quality of life for future generations of Americans and all human beings.

I thank my colleagues for their work and for having the chance to discuss this achievement with you today. I encourage my colleagues to read the detailed justification for an increase in NIH funding which I am submitting for the record.

NATIONAL INSTITUTES OF HEALTH FUNDING

The National Institutes of Health has been operating for many years at funding levels far below its capacity. Many new and exciting research ideas that hold tremendous promise for the prevention and treatment of disease have gone unfunded because of limited dollars, not due to lack of scientific merit. These trends, coupled with the wealth of emerging scientific opportunity, underscore the need to enhance our national investment in the health sciences.

An increase of 23% over FY98 in NIH funding would be required to address scientific opportunity in all of the Institutes under a scenario where budget dollars were unrestrained. The "Omnibus Appropriations" measure provides an historic 15% increase for the NIH. NIH has developed specific action plans for each of its Institutes to guide a significant resource expansion. Although it is impossible to identify which of the lines of scientific investigation will lead to a new treatment or cure, there is no shortage of emerging scientific opportunity which should, as judged by past example, produce positive results to improve the quality of life in this Nation.

For example, in the National Cancer Institute alone, professionals have called for a \$3.19 billion budget in FY99. The House Appropriations proposal of a 9% increase would provide approximately \$2.78 billion for NCI. Richard Klausner, NCI Director, said the difference would mean that, under the full increase, one-third of the agencies' grants would be funded rather than 28% being funded under the latter scenario. Secondly, NCI is considering a major expansion and redesign of its clinical trial system. Funding will affect the speed with which NCI can expand this system so that the trials are faster and more trials can be done. Additional funds would also help bring the clinical trials system up-to-date with technology. Instead of the pencil and paper system in place for over 40 years, the additional increase could help pay for a new information-based electronics system to accommodate the more complex clinical trials associated with biological markers.

The funding increases provided for the NIH in this bill will accelerate research across the board, but particularly in six key areas of emphasis: disorders of the nervous system, genetic medicine, pathogenesis, computers and instrumentation, new approaches to disease prevention, and new avenues to therapeutics.

In FY99, NIH plans to increase the number of grants substantially to an all-time record of just over 30,000 awards. Nearly 8,300 new and competing awards will be made, achieving a success rate very close to 1 of every 3 grants being funded. In addition, the size of the average new and competing award will increase by about ten percent, permitting Institutes to fund a greater number of grants at the levels recommended by review groups and to better support more expensive forms of research such as patient-oriented research

or research that requires vertebrate animals to provide models of human disease.

Funds will be used to develop new and more powerful instruments; to attract trainees and scientists in other fields to the problems posed by biology and medicine; to allow more groups of investigators to purchase shared instruments; and to expand the use of computers for analysis, exchange, and storage of data.

With increased resources, NIH will be able to enhance their efforts to recruit and train the most talented individuals for careers in biomedical research. The agency will fund innovative research training programs that emphasize trans-disciplinary work, will increase by 25% the stipends that are currently provided to graduate students and post-doctoral fellows and a research environment will be created that offers improved stability and increased likelihood of research funding than was true in early years of this decade.

The promises of biomedical research to better human health can only be achieved if we strengthen the nation's capacity to perform clinical research, especially the research carried out through direct interactions with patient populations. With new funds in FY99, NIH will initiate several new categories of awards to enhance training and support of clinical investigators; a program that will finance a supervised five year apprenticeship for over 400 young investigators; a program that will provide salary support for the clinical research activities of 250 to 400 mid-career scientists who can serve as mentors; and a training program that will bring organized didactic programs in clinical research to over twenty institutions.

NIH will significantly increase support for the national outstanding centers for clinical research, including the General Clinical Research Centers; will expand their new program on the NIH campus that introduces medical and dental students to clinical research; continue loan repayment programs to clinical trainees from disadvantaged backgrounds in the intramural program and support the continued construction of the Mark O. Hatfield Clinical Research Center of the NIH campus.

As with all federal agencies, NIH is committed to frequent review and close oversight of its scientific and administrative practices. Despite a traditionally strong reputation for expert review of grant applications, the Center for Scientific Review is currently reexamining and restructuring NIH's peer review panels. Last year, the agency commissioned a large-scale review of administration at NIH, conducted by Arthur Andersen. While the review was generally complimentary of NIH's practices, the agency is currently in the process of implementing recommendations for improvement.

This year, the Institute of Medicine conducted a study of the process by which NIH identifies priorities for research funding. NIH is moving expeditiously to implement the IOM findings by building new avenues for public input.

MONEY LAUNDERING AND FINANCIAL CRIMES STRATEGY ACT OF 1998

SPEECH OF

HON. NYDIA M. VELAZQUEZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 16, 1998

Ms. VELÁZQUEZ. Mr. Speaker, to many, money laundering may seem like the stuff of spy novels. But, to my constituents, money

laundering by drug cartels is a plague on the community. The fact of the matter is that money laundering has become big business, which is why it is drawn to financial centers like New York City. But in doing so, it has settled in areas like Jackson Heights, Queens in my district. The unfortunate reality is that these criminals do not bring investment dollars and a better way of life for my constituents—they bring guns, fear and death.

To date, Congress has done little as a partner in this war. The time was long overdue for Washington to reach out even more and form partnerships with those on the front lines.

Finally this year, the Banking Committee held a hearing to highlight the work of the El Dorado Task Force in New York City. El Dorado is a network of federal, state and local law enforcement officers and prosecutors who focus on fighting money laundering in Jackson Heights, Queens and Washington Heights, Harlem.

El Dorado has targeted money remitter services that are used more and more frequently by drug cartels to launder money abroad. In fact, the task force identified 12 large scale businesses in the New York Metropolitan area that were used to wire hundreds of millions of dollars in illegal drug proceeds overseas. These companies are affiliated with hundreds of smaller businesses ranging from travel agencies to beeper and cellular telephone outlets, which are found in predominantly poor immigrant neighborhoods throughout the city.

The result was that communities like Jackson Heights were becoming magnets for drug cartels to funnel their illicit proceeds from drug sales to drug source countries. That is how I became involved almost four years ago.

Hoping to reclaim their neighborhoods, I was approached by several constituents during a community meeting in Jackson Heights. They told me that Roosevelt Avenue was becoming overrun by envios, or money wire services, that drug dealers were using to launder money to Medellin and Cali. They wanted my help, because they saw their neighborhoods being overrun by drugs, violence and more crime.

Joining forces with District Attorney, Richard Brown, I formed a working group to put an end to this type of crime. First of all, everyone agreed that the best way to attack the drug cartels was to get them where it would hurt them the most—their profits. In order for cartels to reap profits, proceeds must be laundered. That is how the Money Laundering and Financial Crimes Strategy Act was conceived.

The idea was to bring together every person and entity involved in the war on drugs from state and local police and prosecutors to federal agencies. In order to better coordinate these efforts to fight money laundering, the Department of Treasury was made the lead agency, in conjunction with the Department of Justice.

The two agencies were charged with developing a national strategy that would coordinate efforts between all federal, state and local financial institutions, law enforcement, and prosecutors. Since cartels change their mode of laundering illegal proceeds as quickly as law enforcement officials catch up with them, the definition for money laundering was key. The original definition of money laundering included many predicate offenses, that might

cause confusion when developing the national strategy. For that reason, the Administration requested and the Senate agreed to change the definition of money laundering. As it is now defined in H.R. 1756, money laundering is more narrow, while giving the Secretary of the Treasury the ability to keep up with the different ways that money can be moved in, out and through any financial institution in the United States. However, the definition of money laundering in this legislation has always included related state and local statutes, and it still does.

The goal of the strategy is to coordinate a response to money laundering between federal, state and local law enforcement and prosecutors. The intention was never to give the Secretary of Treasury new powers over other agencies or for the Department of Treasury to usurp the authority of other agencies involved in our war on drugs. However, some concerns were raised by the Chairman of the Commerce Committee with respect to the Securities and Exchange Commission. As author of this bill, I will state clearly and unequivocally for the record that it is not the intention of this legislation to give the Secretary of the Treasury any new or additional powers over the SEC. It is purely our intention that all agencies involved work together and coordinate a federal response against money laundering. Since agencies like the SEC, although not political in nature, regulate entities that are subject to a lot of money laundering, the SEC needs to participate in developing the strategy and combating these crimes.

Additionally, state and local law enforcement voiced their concern about not having enough resources to fight huge crime syndicates. They made it clear that they wanted to be at the table in order to include their experience. For that reason, the definition of money laundering stipulates that state and local statutes on money laundering are to be considered when developing the national strategy. Also, the theme throughout the legislation is a coordinated response with localities, to help them deal with the problem of money laundering.

In fact, the designation of high risk money laundering areas is meant to highlight that certain communities experience more severe problems with money laundering and need more help. The grant section of the legislation is specifically meant to provide additional money to local law enforcement officials and prosecutors—especially those with a proven track record of joining forces with other localities—to help them combat money laundering. These localities should be the recipients of the grant money—not federal or state officials.

The goal of H.R. 1756, the Money Laundering and Financial Crimes Strategy Act of 1998, is the formation of better partnerships and more equitable distribution of resources in our war on drugs. Greater attention can now be given to fostering participation by smaller local law enforcement agencies, by making additional resources available and giving them a greater ability to share information with each other and the federal government. Together, we will be able to hit drug cartels where they feel it the most. Together, we will win this war on drugs.

CONFERENCE REPORT ON H.R. 4328,
DEPARTMENT OF TRANSPORTATION
AND RELATED AGENCIES APPROPRIATIONS ACT, 1999

SPEECH OF

HON. MARSHALL "MARK" SANFORD

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. SANFORD. Mr. Speaker, I rise in opposition to this bill for a number of different reasons. Fundamentally, I rise because this Omnibus Bill validates the idea that we are running surpluses in Washington, when in fact, by any normal accounting standards, we are not. This year we will borrow \$100 billion from the Social Security Trust Fund that will, in turn, yield what Washington calls a surplus. This bill will take \$20 billion, one-third of that "protected surplus" and spend it, and yet doing so would break the President's commitment to saving every dime of the surplus for Social Security. If Congress is unwilling to pass the tax cut, and I took the President at his word because we want to save this so-called surplus for Social Security, how can we possibly take that money and spend it? I do not think we can and that is fundamentally why we should vote against this bill.

It, as well, establishes a horrible precedence of going over budget. When people back home write an overdraft on their checking account, they have to pay the finance costs. They are normal repercussions for families or businesses when they exceed a budget, and yet Congress just creates a new category called Emergency Spending and says, "Oops," and moves on. \$20 billion is hardly an "oops" by the definition passed to me from people along the coast of South Carolina. Even what has been thrown into this emergency category is a stretch by any imagination. The Inman Report, in 1985, listed 126 embassy facilities that should be improved to thwart attack. Forty buildings were improved upon, the rest were left as they are. While the attacks this year in Africa were tragic, they were hardly an emergency in that the possibility has been talked about for over 13 years. Similarly, the Y2K problem, of which billions are in this bill, is certainly a great problem, but not an emergency. CONNIE MORELLA and STEPHEN HORN have held numerous hearings on the Y2K problem facing this Nation. There are other examples like that, and in fact, within the embassy section \$100 million is there for a Capitol Hill Visitor Center. The Capitol Hill Visitors Center has been the subject of much debate over the last 2 years. How a topic of conversation for 10 years becomes an emergency, I do not quite understand.

Finally, this bill offers sham offsets and sham reforms that I do not think pass the litmus test of common sense. The offsets are peculiar. For instance, in this bill, the Federal Government takes over the pension fund liabilities of the District of Columbia. The District of Columbia now invests in conventional investments like stock and bonds, and will take those assets, sell them in the marketplace and use that money to pay for current spending and call that an offset. Meanwhile, we ignore the fact that the pension one day will have to be paid as people retire. That is not really an offset, that is picking up a liability and yet we call it "offset" in this bill.

Similarly with the IMF, while it has a real expenditure of \$18 billion, which I think is basically disguised foreign aid, its reforms are no more than fig leaves in substance. We had a very small amendment that would simply list IMF expenditure like every other expenditure in the Federal Government. My own leadership, for some odd reason, yielded to the views of the Executive Branch and prevented this reform. I think it makes sense because right now if the Federal Government buys 100 thousand acres of land in Wyoming or buys a new Federal building, it is viewed as an expense. However, if we invest \$18 billion in the IMF, it is viewed as picking up an asset as we pick up the drawing rights. Most people I know would much rather have as collateral 100 thousand acres in Wyoming or the Federal building in Georgia than drawing rights for a loan made to the Soviet Union. In fact, the last \$4 billion the IMF sent to the Soviet Union, by all accounts, has been squandered. There are other reasons this bill does not make a lot of sense. Particularly, the fact that we are not seeing what we are voting on. The idea of voting for something you can't see is, I think, a particular disservice to your constituents that you represent in Washington and I think it is a gross act of mismanagement to fund a third of all government spending in a process that is jammed into a 2 or 3 week time frame. I don't know of any businesses that could survive if they operated in this fashion.

For these reasons, it's validating a surplus when we do not have one, setting a precedent of going over budget, incorrectly defining non-emergency spending as emergency, and its sham offsets say to me that a "no" vote is a vote that makes common sense. It is also one that does not rob from the Social Security Trust Fund, which I thought was something that the Democrats and the President were serious about.

IN MEMORY OF EBEN TISDALE

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 1998

Ms. ESHOO. Mr. Speaker, I rise today before the House to celebrate the life of a most distinguished citizen and incomparable professional, Eben Tisdale, who passed away on October 18, 1998.

Eben Tisdale was the dean of high technology advocates in Washington, D.C. He served as Hewlett Packard Company's Government Relations Director in Washington, D.C. since 1984, and is credited with giving the industry a needed daily presence on Capitol Hill. Tisdale joined Hewlett Packard following five years as Vice President of the Scientific Apparatus Makers Association in Washington, D.C.

In the 1970's, Eben helped create the Semiconductor Industry Association and the Electronics Association of California. He is also credited with convincing the high technology industry that it needed to establish a strong presence in Washington, D.C.

Eben Tisdale was a mentor for countless individuals associated with high technology issues in Washington, D.C. today. Eben was in a class by himself—a top professional, an excellent strategist, a loyal friend and a first-

rate human being. He is survived by his wife Ann, a son Anthony and a daughter Jessica.

Mr. Speaker, I ask all my colleagues in the House of Representatives to join me in expressing condolences to Eben Tisdale's family, and to commemorate his extraordinary service and contributions to the well being of our nation.

GEORGE SOROS DISCUSSES THE INTERNATIONAL FINANCIAL SYSTEM AT BANKING COMMITTEE HEARING—U.S. ACTION AND ASSISTANCE IS ESSENTIAL

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 1998

Mr. LANTOS. Mr. Speaker, last night this House approved the Omnibus Appropriations Act which included funding for the International Monetary Fund (IMF). Earlier this month, the IMF and the World Bank held their annual meetings here in Washington, D.C., against a backdrop of international financial turmoil and serious concern about the economies of a number of key countries in the world and about the ability of the international financial system to deal with the crisis. The IMF has not been successful in resolving the economic problems in East Asia and in Russia thus far.

Just a few weeks ago, Mr. Speaker, George Soros, the international financial genius, appeared before the House Banking Committee to issue a somber warning to the Congress of the United States—Unless Congress is willing to support the IMF and take supportive action in dealing with the faltering international financial system, the disintegration of the global capitalist system will have dire consequences for the United States economy because we are at the center of that system. We cannot by and do nothing while other countries face economic crisis.

The instability and enormous losses that have been suffered on Wall Street in the past few weeks are just the latest indications of the scope and gravity of this crisis. While this initial impact upon our own country has been limited so far to our financial markets, the consequences of further deterioration would be felt throughout our economy with consequences that would be felt by all Americans.

Mr. Speaker, George Soros told the Banking Committee that the Congress has an extraordinary responsibility and obligation to assure the success and the continued viability of the IMF and the international financial system. Mr. Soros also told the Committee that "I am convinced that the attitude of the Congress was already an important element in the failure to deal with Russia" with all of the serious consequences that could bring.

Mr. Speaker, I regret that there was destructive dithering and dallying on the part of the leadership of the Congress earlier this year, but I welcome the fact that the essential funding for the IMF was included in the Omnibus Appropriations legislation that we adopted last night. This important reversal in policy is in no small part due to the thoughtful and weighty arguments that George Soros advanced in testimony he presented at the Banking Committee hearing a few weeks ago.

I ask, Mr. Speaker, that Mr. Soros testimony before the House Banking Committee be placed in the RECORD, and I urge my colleagues in the House to give it the thoughtful consideration that it clearly deserves. The matters that he discussed, which are of great significance for all of us in this body, have not been resolved. Further important decisions await the Congress, and George Soros' thoughts are important for all of us as we consider our nation's economic future.

TESTIMONY OF GEORGE SOROS—COMMITTEE ON BANKING AND FINANCIAL SERVICES, SEPTEMBER 15, 1998

This hearing is very timely because the global capitalist system which has been responsible for the remarkable prosperity of this country in the last decade is coming apart at the seams. The current decline in the US stock market is only a symptom, and a belated symptom at that, of the more profound problems that are afflicting the world economy. Some Asian stock markets have suffered worse declines than the Wall Street crash of 1929 and in addition their currencies have also fallen to a fraction of what their value was when they were tied to the US dollar. The financial collapse in Asia was followed by an economic collapse. In Indonesia, for instance, most of the gains in living standards that accumulated during 30 years of Suharto's regime have disappeared. Modern buildings, factories and infrastructure remain, but so does a population that has been uprooted from its rural origins. The Japanese banking system is in deep trouble. The world's second largest economy just reported an annualized 3.3% decline in economic activity for the second quarter. Currently Russia has undergone a total financial meltdown. It is a scary spectacle and it will have incalculable human and political consequences. The contagion has now also spread to Latin America.

It would be regrettable if we remained complacent just because most of the trouble is occurring beyond our borders. We are all part of the global capitalist system which is characterized not only by free trade but more specifically by the free movement of capital. The system is very favorable to financial capital which is free to pick and choose where to go and it has led to the rapid growth of global financial markets. It can be envisaged as a gigantic circulatory system, sucking up capital into the financial markets and institutions at the center and then pumping it out to the periphery either directly in the form of credits and portfolio investments, or indirectly through multinational corporations.

Until the Thai crisis in July 1997 the center was both sucking in and pumping out money vigorously, financial markets were growing in size and importance and countries at the periphery could obtain an ample supply of capital from the center by opening up their capital markets. There was a global boom in which the emerging markets fared especially well. At one point in 1994 more than half the total inflow into US mutual funds went into emerging market funds.

The Asian crisis reversed the direction of the flow. Capital started fleeing the periphery. At first, the reversal benefitted the financial markets at the center. The U.S. economy was just on the verge of overheating and the Federal Reserve was contemplating raising the discount rate. The Asian crisis rendered such a move inadvisable and the stock market took heart. The economy enjoyed the best of all possible worlds with cheap imports keeping domestic inflationary pressures in check and the stock market made new highs. The buoyancy at the center raised hopes that the periphery may also re-

cover and between February and April of this year most Asian markets recovered roughly half their previous losses measured in local currencies. That was a classic bear market rally.

There comes a point when distress at the periphery cannot be good for the center. I believe that we have reached that point with the meltdown in Russia. I am not making any predictions about the stock market, but I am ready to assert that we have reached that point. I have three main reasons for saying so.

One is that the Russian meltdown has revealed certain flaws in the international banking system which had been previously disregarded. In addition to their exposure on their own balance sheets, banks engage in swaps, forward transactions and derivative trades among each other and with their clients. These transactions do not show up in the balance sheets of the banks. They are constantly marked to market, that is to say, they are constantly revalued and any difference between cost and market made up by cash transfers. This is supposed to eliminate the risk of any default. Swap, forward and derivative markets are very large and the margins razor thin; that is to say, the value of the underlying amounts is a manifold multiple of the capital employed in the business. The transactions form a daisy chain with many intermediaries and each intermediary has an obligation to his counterparties without knowing who else is involved. The exposure to individual counterparties is limited by setting credit lines.

The sophisticated system received a bad jolt when the Russian banking system collapsed. Russian banks defaulted on their obligations, but the Western banks remained on the hook to their own clients. No way was found to offset the obligations of one bank against those of another. Many hedge funds and other speculative accounts sustained large enough losses that they had to be liquidated. Normal spreads were disrupted and professionals who arbitrage between various derivatives, i.e.: trade one derivative against another, also sustained large losses. A similar situation arose shortly thereafter when Malaysia deliberately shut down its financial markets to foreigners but the Singapore Monetary Authority in cooperation with other central banks took prompt action. Outstanding contracts were netted out and the losses were shared. A potential systematic failure was avoided.

These events led most market participants to reduce their exposure all round. Banks are frantically trying to limit their exposure, deleverage, and reduce risk. Bank stocks have plummeted. A global credit crunch is in the making. It is already restricting the flow of funds to the periphery, but it has also begun to affect the availability of credit in the domestic economy. The junk bond market, for instance has already shut down.

This brings me to my second point. The pain at the periphery has become so intense that individual countries have begun to opt out of the global capitalist system, or simply fall by the wayside. First Indonesia, then Russia have suffered a pretty complete breakdown but what has happened in Malaysia and to a lesser extent in Hong Kong is in some ways even more ominous. The collapse in Indonesia and Russia was unintended, but Malaysia opted out deliberately. It managed to inflict considerable damage on foreign investors and speculators and it managed to obtain some temporary relief, if not for the economy, then at least for the rulers of the country. The relief comes from being able to lower interest rates and to pump up the stock market by isolating the country from the outside world and squeezing short sell-

ers. The relief is bound to be temporary because the borders are porous and money will leave the country illegally; the effect on the economy will be disastrous but the local capitalists who are associated with the regime will be able to salvage their businesses unless the regime itself is toppled. The measures taken by Malaysia will hurt the other countries which are trying to keep their financial markets open because it will encourage the flight of capital. In this respect Malaysia has embarked on a beggar-thy-neighbor policy. If this makes Malaysia look good in comparison with its neighbors, the policy may easily find imitators, making it harder for others to keep their markets open.

The third major factor working for the disintegration of the global capitalist system is the evident inability of the international monetary authorities to hold it together. IMF programs do not seem to be working; in addition, the IMF has run out of money. The response of the G7 governments to the Russia crisis was woefully inadequate, and the loss of control was quite scary. Financial markets are rather peculiar in this respect: they resent any kind of government interference but they hold a belief deep down that if conditions get really rough the authorities will step in. This belief has now been shaken.

These three factors are working together to reinforce the reverse flow of capital from the periphery to the center. The initial shock caused by the meltdown in Russia is liable to wear off, but the strain on the periphery is liable to continue. The flight of capital has now spread to Brazil and if Brazil goes, Argentina will be endangered. There is general panic in Latin America. Forecasts for global economic growth are being steadily scaled down and I expect they will end up in negative territory. If and when the decline spreads to our economy, we may become much less willing to accept the imports which are necessary to feed the reverse flow of capital and the breakdown in the global financial system may be accompanied by a breakdown in international free trade.

This course of events can be prevented only by the intervention of the international financial authorities. The prospects are dim, because the G7 governments have just failed to intervene in Russia, but the consequences of that failure may serve as a wake-up call. There is an urgent need to rethink and reform the global capitalist system. As the Russian example has shown, the problems will become progressively more intractable the longer they are allowed to fester.

The rethinking must start with the recognition that financial markets are inherently unstable. The global capitalist system is based on the belief that financial markets, left to their own devices, tend towards equilibrium. They are supposed to move like a pendulum: they may be dislocated by external forces, so-called exogenous shocks, but they will seek to return to the equilibrium position. This belief is false. Financial markets are given to excesses and if a boom/bust sequence progresses beyond a certain point it will never revert to where it came from. Instead of acting like a pendulum financial markets have recently acted more like a wrecking ball, knocking over one economy after another.

There is much talk about imposing market discipline but, imposing market discipline means imposing instability, and how much instability can society take? Market discipline needs to be supplemented by another discipline: maintaining stability in financial markets ought to be the objective of public policy. This is the general principle that I should like to propose.

Despite the prevailing belief in free markets this principle has already been accepted and implemented on a national scale. We

have the Federal Reserve and other financial authorities whose mandate is to prevent a breakdown in our domestic financial markets and if necessary act as lenders of last resort. I am confident that they are capable of carrying out their mandate. But we are sadly lacking in the appropriate financial authorities in the international arena. We have the Bretton Woods institutions—the IMF and the World Bank—which have tried valiantly to adapt themselves to rapidly changing circumstances. Admittedly the IMF programs have not been successful in the current global financial crisis; its mission and its methods of operation need to be reconsidered. I believe additional institutions may be necessary. At the beginning of this year I proposed establishing an International Credit Insurance Corporation, but at that time it was not yet clear that the reverse flow of capital would become such a serious problem and my proposal fell flat. I believe its time has now come. We shall have to establish some kind of international supervision over the national supervisory authorities. We shall also have to reconsider the workings of the international banking system and the functioning of the swap and derivative markets.

These issues are beyond the competence of Congress. There is, however, one issue which is very much within its purview. That is the request to authorize an increase in the capital of the IMF. I am aware that Congress was greatly influenced by the testimony given by George Schultz opposing such an increase. I hope my remarks will serve to contradict that testimony.

George Schultz argued that it is better if markets are allowed to look after themselves than if they are looked after by regulators. There is an element of truth in his argument: regulators do make mistakes. The IMF approach clearly did not work, otherwise we would not find ourselves in the current situation. But that does not mean that financial markets can look after themselves. Everybody looking out for his or her self-interest does not lead to equilibrium but to what Alan Greenspan called irrational exuberance and afterwards panic.

George Schultz inveighed against the moral hazard of bailing out irresponsible investors and speculators. Here he has a valid point. Bailouts did encourage irresponsible behavior not so much by speculators—because we know that we have to take our lumps when markets decline—but by banks and other lenders who could count on the IMF coming in when a country got into difficulties. The IMF imposed tough conditions on the country concerned but it did not impose any penalties on the lenders. This asymmetry in the treatment of lenders and borrowers is a major source of instability in the global capitalist system and it needs to be corrected. It has to be a focal point in the soul searching that the IMF must undergo, but I am glad to say that the IMF is learning fast. In its \$2.2 billion program in Ukraine, it is imposing a new condition: 80% of Ukraine's treasury bills have to be "voluntarily" rescheduled into longer-term, lower yielding instruments before the program can go forward. This is a long way from the Mexican bailout of 1995 where the holders of Mexican treasury bills came out whole.

The moral hazard now operates in the opposite direction; in not enabling the IMF to do its work when it is most needed. Congress bears an awesome responsibility for keeping the IMF alive. I am convinced that the attitude of the Congress was already an important element in the failure to deal with Russia. As you probably know I have foundations in many of the formerly communist countries. Some of these countries are badly hit by the fallout from the Russian collapse.

Countries like Moldova and Romania have no one else to turn to but the IMF. The IMF is perfectly capable of assisting them. It would be tragic if it ran out of resources.

Replenishing the capital of the IMF will not be sufficient to resolve the global financial crisis. A way has to be found to provide liquidity not only at the center but also at the periphery. I believe there is an urgent need for the creation of Special Drawing Rights which can be used to guarantee the rollover of the already existing debt of countries which receive the IMF's seal of approval. If there is no reward for good behavior, meltdowns and defections will multiply. But such radical ideas cannot even be considered until Congress changes its attitude towards international institutions and the IMF in particular.

So far our stock market has escaped relatively unscathed and our economy has actually benefited from the global crisis but make no mistake: unless Congress is willing to support the IMF, the disintegration of the global capitalist system will hurt our financial markets and our economy as well because we are at the center of that system.

A SPECIAL TRIBUTE TO THE PUTNAM COUNTY VIDETTE ON THE OCCASION OF ITS 125TH ANNIVERSARY

HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 1998

Mr. GILLMOR. Mr. Speaker, it is my pleasure to rise today to pay special tribute to a truly outstanding organization from Ohio's Fifth Congressional District. Today, Wednesday, October 21, 1998, the Putnam County Vidette will be celebrating the joyous occasion of its 125th Anniversary.

Mr. Speaker, the Putnam County Vidette, a widely-circulated weekly newspaper in Columbus Grove, Ohio, is the source of a great deal of information for its readers in and around the Putnam County area. The Putnam County Vidette has been sending the community updated news coverage and insight on county, State, national, and international events for the last 125 years.

During that lengthy period, the readers have come to know that the Putnam County Vidette is a true icon in the reporting field, offering high-quality and accurate reporting on myriad stories, profiles, and news-making events. In a time when the media is under a constant microscope, the Vidette is a true asset to the community in which it circulates.

Mr. Speaker, Ohio's Fifth Congressional District is by far one of the largest districts in the State stretching more than 150 miles across northwest Ohio. My district is scattered with dozens of daily and weekly news publications. In my years of service, I have found the Putnam County Vidette to be of the finest quality and of the highest reporting standards. The dedication and attention to detail from the staff of the Vidette have certainly elevated the Vidette to a plateau of excellence.

Mr. Speaker, public officials have the good fortune to work with news organizations on a daily basis. As we work to improve the quality of life for the constituents we are elected to represent, the media is charged with the responsibility of covering our message and accurately reporting that information to the read-

ers and listeners. The Putnam County Vidette, for 125 years, has done a marvelous job covering events affecting the Putnam County area. It is my pleasure to stand before the House to offer my thanks and congratulations for those fine efforts.

Mr. Speaker, I would urge my colleagues to stand and join me in paying special tribute to the Putnam County Vidette, for 125 years of reporting excellence, and in wishing the Vidette continued success in the future.

OSHA REFORM IN THE 105TH CONGRESS

HON. CASS BALLENGER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 1998

Mr. BALLENGER. Mr. Speaker, over the past three years, Republicans in Congress have worked to reform the Occupational Safety and Health Administration (OSHA). For too long OSHA has been marked by burdensome and over-reaching regulations and unfair enforcement. It has employers as foes rather than as partners in improving worker safety and health. Not only has OSHA's approach made it one of the most disliked agencies in the whole federal government, but also study after study has shown that OSHA's approach has been generally ineffective in improving safety and health in the workplace.

I am pleased to report that we have been able to make some progress in reforming OSHA, though much more needs to be done. Three bills amending the Occupational Safety and Health Act were signed into law during the 105th Congress. What makes this more remarkable is that in the 28 years since OSHA came into existence, there has been only one other change made to the law, and that was the penalty increase enacted as part of a tax and revenue increase bill by the Democrat Congress in 1990.

The first change we made requires OSHA to provide consultative services to small businesses. A small business that requests a consultation and then corrects the violations would not receive any citations or fines, and would not be inspected for at least one year, unless there was a serious accident or a complaint was made to OSHA. These consultations would be provided through state agencies, not by OSHA directly. My own company has participated in the consultation program run by North Carolina OSHA, and I am pleased that we were able to authorize consultation services as the first "program" amendment to OSHA. With increased funding and availability, this consultation program—in which the government works with employers and their employees to improve safety and health in the workplace—can be an excellent model for further changes in OSHA.

The second change we enacted this year addresses a fundamental problem with OSHA enforcement. During most of the years of OSHA, under Democrat Congresses, OSHA was measured in terms of enforcement: how many citations were issued? How many and how large were the penalties against employers? Individual inspectors and their supervisors were evaluated by the same criteria; raises and promotions were based on how many citations and penalties they issued. So

it is no surprise that inspectors focused more on finding nitpicky and paperwork violations to cite than the overall safety and health conditions of the workplace. The change enacted into law this year prohibits that practice. OSHA may not use enforcement measures, such as penalties and citations, to evaluate the performance of their compliance officers or their supervisors. The goal of OSHA should be safe and healthy jobs, not achieving a certain level of citations and fines.

The third change enacted this year was a bill sponsored by Senator Enzi to apply to OSH Act, including enforcement and penalties, to the U.S. Postal Service. The Postal Service has, in terms of the OSH Act, been considered a federal agency, even though it is now largely independent and directly competes with private companies. Furthermore, worker health and safety has been a continuing concern at the Postal Service. Putting the Postal Service under OSHA enforcement helps to "level the playing field" as it competes with private companies.

In addition to these three amendments to the OSH Act, I am pleased that the omnibus appropriations bill authorizes and funds a comprehensive and independent study of ergonomics, to be conducted by the National Academy of Sciences (NAS). In past years, Congress has explicitly prohibited OSHA from promulgating an ergonomics standard. This year's appropriation bill does not include such a prohibition. However, OSHA is required by its statute to base an ergonomics standard on "the best available evidence," and the purpose of the NAS study is to assess and report on what the best evidence is with regard to the nature, causes, and prevention of so-called ergonomics injuries. It would therefore, in my view, be inconsistent with the statute for OSHA to promulgate an ergonomics standard before the NAS study is completed.

We also made progress on several other items, but we were unable to enact those changes into law this year. I am disappointed that we were unable to enact legislation to help small businesses handle the paperwork burden imposed by OSHA's Hazard Communication Standard. This was bipartisan legislation in both the House and the Senate. It simply made clear that employers could comply with the OSHA Hazard Communication Standard's requirement for Material Safety Data Sheets on hazardous substances through the use of electronic means, rather than paper copies. It also provided that certain basic information on the substance be attached and written in terms understandable to non-chemistry majors. The bill passed the House on voice vote, but opposition to the bill from the Department of Labor prevented this bill from being considered in the Senate in the final days of the session. This is most unfortunate, as it would have benefited both small business and workers.

I am also disappointed that we were unable to make more progress in reforming OSHA's standards-setting process. Charles Jeffress, the current Assistant Secretary for OSHA, has complained that OSHA's standards-setting process is broken and needs to be fixed. He is not the first Assistant Secretary to acknowledge that, and I agree that there are serious problems with the current standards-setting process. The Committee on Education and the Workforce attempted to address that problem this year with two bills that would have re-

quired OSHA to use outside, independent experts to "peer review" the technical scientific and economic data used as the basis for standards, and to write standards that are specific to identified industries and operations. Together these reforms would make OSHA's standards more credible and more efficient in protecting health and safety without imposing undue costs. Ironically, Mr. Jeffress' own Department of Labor opposed both of these common sense reforms. Rep. Wicker also worked very hard to include a provision in the appropriations bill, similar to the bill that passed our Committee, that would have required OSHA to conduct peer review of the technical scientific and economic data and assumptions used as the basis for standards. As my colleagues know, credible scientific enterprise includes peer review. Study after study and report after report—all have urged federal agencies, including OSHA, to use peer review. The blame for the state of OSHA's standards-setting process falls squarely on the Department of Labor, which has consistently opposed even the mildest and most common sense reforms in that process.

There are other issues that still need to be addressed as well. OSHA does little to encourage voluntary workplace efforts by employers and employees to improve safety and health, and some of OSHA's policies actually discourage those efforts. During this Congress, I proposed changes that would have limited OSHA's access of an employer's own safety and health audits and assessments. OSHA's use of those for enforcement discourages companies' voluntary, thorough, and honest evaluations. I also proposed that we improve the legal protections for employees who raise health and safety concerns, to ensure that they have a fair and adequate means of redress if they are discriminated against for raising these concerns. Unfortunately the Clinton Administration was unwilling to go along with these changes to improve the legal protections for employers and employees who make efforts to improve safety and health in the workplace. Opposition from the Clinton Administration also continues to stymie efforts to allow greater employer-employee cooperation on safety and health and other issues in their workplaces. My colleague, and Chairman of the Small Business Committee, Representative JIM TALENT, together with Senator MIKE ENZI, have proposed a forward-looking plan to allow companies to self-certify OSHA compliance, encouraging the pro-active use of private experts instead of waiting for a relatively rare OSHA inspection. All of these are issues and proposals which we should continue to work on next Congress.

In response to our efforts, OSHA has also made administrative changes which have helped to focus more of its resources on serious health and safety concerns. I applaud those changes. Other changes, however, such as the misnamed "cooperative compliance program," have shown how difficult it is to change OSHA's traditional "command and control" approach. The slow pace and inconsistent direction of OSHA's own "reinvention" changes points to the needs for continued legislative reform as well as continued oversight to ensure that OSHA effectively promotes the goal of safe and healthful jobs for our nation's workers.

NANCY BOONE FANNING RETIRES
FROM INSULAR AFFAIRS

HON. ROBERT A. UNDERWOOD

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 1998

Mr. UNDERWOOD. Mr. Speaker, I rise to announce that a long-time friend of Guam and a dedicated public servant has retired. Mrs. Nancy Bonne Fanning, who has worked at the Department of the Interior, mainly on island issues retired at the end of September, after 27 years of dedicated service to this Nation.

It is no exaggeration to say that this wonderful lady will be missed by her colleagues at the Office of Insular Affairs (OIA), where she has been the Chief of Territorial Liaison and Director of Policy and her many friends in America's offshore areas. All of us have come to know and respect Nancy as a first-rate civil servant who put the interests of her staff and her job before those of her own. Over the years, she has encouraged the talents and careers of countless subordinates and been a strong advocate within the bureaucracy on their behalf.

She will also be missed by the leaders of America's offshore islands, who have come to know and rely on her professionalism, intense knowledge of island affairs, and devotion to duty that has always been a hallmark of Mrs. Fanning's career. In the process, she has won the trust and friendship of numerous island presidents, governors, legislators and other leaders.

In a letter recently sent to Interior Secretary Bruce Babbitt, the Honorable Carl T.C. Gutierrez, Governor of Guam, talked about one area in which he believed that Mrs. Fanning has made a valuable contribution. The Governor wrote: "If there is any success in the U.S. Coral Reef Initiative, or any of the local initiatives which followed, Mrs. Fanning is directly responsible. She worked tirelessly to make the Initiative a living document with real and measurable goals and direction. Without her support, the damage done to Guam's reefs from Typhoon Paka would have been much greater. Nancy worked quickly to identify clean-up funds and transfer them to Guam in the most expedition manner possible. One of her legacies will be that reefs surrounding the U.S. insular areas are healthier and better managed because Nancy was there to help."

During her years at what is now called the Office of Insular Affairs, Nancy has worked on virtually every significant insular issue the Federal Government since the 1970's. Included in the long list of major issues in which she has participated, are the creation of an elected governor for American Samoa, the phase-out of Interior-run administration of the former Trust Territory and the introduction of local self-government in these Pacific Islands, the Reagan-Bush negotiations on Guam Commonwealth, discussions over Guam excess federal lands and the introduction of the Asian Development Bank into the Federated States of Micronesia and the Marshall Islands.

As Director of Policy, Nancy used her vast experience with the islands and their unique relationship with the Federal Government to ensure that the Department of the Interior was able to meet its moral and legal obligations to the residents of America's territories and possession. In the process, several generations of

island leaders and a host of Washington officials, including many on Capitol Hill, found that Mrs. Fanning was a Federal employee who could be depended on time after time to get the job done. It was never a surprise to anyone who knew Nancy to find her in her office late at night or on weekends, working hard, and never complaining. Those who wonder whether Federal workers earn their pay have obviously never met Nancy Boone Fanning.

Nancy Boone arrived at Interior just a few days short of her eighteenth birthday from her home in West Virginia in September, 1971. She was educated in a one-room school house during her elementary school years, and made the decision to seek work in Washington after graduation from high school. Nancy's first job at Interior was as a secretary with the pay level of GS-3. Twenty-seven years later, she was at the top of the Federal pay schedule, a reflection of just how valuable she has been to the Department of the Interior.

With 27 years of long hours and endless commute behind her, Nancy has decided to change her life's priorities and devote time to her husband Mike Fanning and their young son, Michael. All of us wish her and her family the best of success in the future.

I extend to Nancy my best wishes in retirement and thank her, on behalf of my constituents, for the outstanding work she has done on our behalf over the years.

CONFUSING BANKRUPTCY PROVISION

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 1998

Mr. CONYERS. Mr. Speaker, as ranking member of the Judiciary Committee, I want to elucidate on the meaning of an isolated and confusing bankruptcy provision which unfortunately appeared in the omnibus appropriations bill approved by the House yesterday. Section 603 of Division I of the bill, entitled Chemical Weapons Convention should have originally been referred to the Judiciary Committee for action and study. As the Speaker is aware, bankruptcy legislation is quite complex and requires scrutiny of Members who are familiar with the impact of proposed amendments.

Most importantly, this legislation should not be read to expand the exceptions to the automatic stay to cases where governmental units are merely seeking to exercise control of a debtor's property to satisfy debt. I believe that the provisions should be read to restrict the exception to the automatic stay to circumstances where a governmental unit is enforcing its police or regulatory power, but not acting to collect a debt or other financial obligations. This interpretation is consistent with Chairman HYDE's reading of the language, which is reflected in a statement inserted in the CONGRESSIONAL RECORD on his behalf by International Relations Committee Chairman GILMAN subsequent to previous Congressional consideration of this legislation. See 143 Cong. Rec. H 10951 (Nov. 13, 1997).

I am also concerned that by repealing § 362(b)(4) and § 362(b)(5) of the automatic stay, some may assert that governmental units may now be required to seek relief from stay

in order to enforce their pales for regulatory powers in all cases, except in the instance when the governmental units' activities involves action under the Convention in connection with chemical weapons. I do not believe that this new requirement was intended, nor would it be desirable.

ON IMPEACHMENT INQUIRY RESOLUTIONS

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 1998

Ms. ESHOO. Mr. Speaker, on October 8, 1998, I cast what I believe was the most significant vote of my entire six-year service in the House of Representatives. The issue of impeachment is as weighty as the Constitution itself—it is a matter that has been debated only three times in the history of our nation.

The House of Representatives received two proposals. Both proposals directed the House to proceed with an inquiry for impeachment. Where the proposals differed was in scope and duration. I voted for the proposal that instructed the House Judiciary Committee to conclude its work by the end of the year, and to examine and make determinations on the Starr Report and the Starr Report only.

Mr. Speaker, this was not a vote for or against the President. It was, in fact, a vote about fairness to the American people and what is in our national interest. The President must be held accountable by our constitutional process, but the American people should not be punished by how Congress applies that process.

TRIBUTE TO THE SOCIAL SECURITY ADMINISTRATION CHICAGO EAST FIELD OFFICE

HON. BOBBY L. RUSH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 1998

Mr. RUSH. Mr. Speaker, I rise today to pay tribute to and recognize the Chicago East Field Office of the Social Security Administration as they celebrate the grand opening of their new office on Thursday, October 22, 1998.

Since 1939, the Chicago East Field Office has provided outstanding service to the people of the city of Chicago and indeed, the entire state of Illinois. They have been instrumental in rebuilding public confidence in the long term solvency of the Social Security Trust funds, Retirement and Survivors Insurance, Disability Insurance and Supplemental Security Income Programs.

The Chicago East Field Office is an exemplary community-based, public service institution that has been cited on numerous occasions by the Social Security Administration for successfully processing critical workload assignments that have led to improved service delivery for the agency and cost-effective savings to this nation's taxpayers. This office has worked tirelessly and cooperatively with my district office to ensure that the residents of the First Congressional District receive quality,

timely and courteous assistance from their Federal government.

The employees of the Chicago East Field Office are intimately involved in civic endeavors, contributing thousands of dollars annually to the financially less fortunate, through the Combined Federal Campaign and other local, charitable, gift giving initiatives.

Mr. Speaker, I am honored to recognize the Chicago East Field Office of the Social Security Administration and Clara J. Bowers, District Manager; Renette Coachman, Assistant District Manager and Doris Murray, District Operations Officer for their unwavering service and commitment to our community. I am proud to join the celebration of the grand opening of their new service facility and I am privileged to enter these words in the CONGRESSIONAL RECORD of the United States House of Representatives.

MAKING FURTHER CONTINUING APPROPRIATIONS FOR FISCAL YEAR 1999

HON. JIM SAXTON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 1998

Mr. SAXTON. Mr. Speaker, as Chairman of the Congressional Task Force on Terrorism and Unconventional Warfare, I strongly support Section 117 of the Treasury Appropriations Conference Report now part of the FY 1999 Omnibus Appropriations Bill, which was passed by the House of Representatives on October 20, 1998. This Section arose out of a need to assist American victims of terrorism or extrajudicial killing in recovering assets of states that sponsor terrorism in order to help satisfy civil judgments against such state-sponsors.

I would like to comment briefly on the operation of Section 117. Subsection (f)(1)(A) clarifies existing law to allow the post-judgment seizure of blocked foreign assets of terrorist states to help satisfy judgment resulting from actions brought against them under section 28 USC 1605(a)(7), the Foreign Sovereign Immunities Act's exception to immunity for acts of state sponsored terrorism involving the death or personal injury of a United States national.

Subsection (f)(2)(A) establishes requirements upon the Secretary of Treasury and Secretary of State to assist in the location of the blocked assets of terrorist states in order to facilitate attachment and execution. Section (d) allows the President to waive the requirements of Subsection (f)(2)(A). Section (d) however does not allow the waiver of subsection (f)(1)(A), as that subsection modifies existing law, but imposes no "requirement."

The Clinton Administration understands the operation of Section (d)'s waiver and has strongly opposed it. During the negotiations over the Omnibus Appropriations Bill, the Administration vigorously sought to expand the scope of the waiver to include Subsection (f)(1)(A). Various proposals to expand the waiver to include Subsection (f)(1)(A) were received from Under Secretary of State Eizenstat, the National Security Counsel Staff and the Department of State's Office of the Legal Advisor. Each of these many proposals were rejected by Congress.

The intent of Congress is clear. We will not tolerate the murder of our children in acts of

state sponsored terrorism. When a Court of competent jurisdiction has determined that a terrorist state has sponsored acts of terrorism resulting in the death or personal injury of a United States national, any and all of their assets in this country may be attached and executed to satisfy the judgment. The significant financial loss to terrorist states will be a critical deterrent to further acts of terrorism targeted at the citizens of this country. I applaud all those members who helped make section 117 a reality.

THE BIGGEST FAILURE OF THE
105TH CONGRESS—NO HATE
CRIMES LEGISLATION

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 1998

Mr. TOWNS. Mr. Speaker, on this our last day of the 105th Congress, I must voice my deep regret that we refused to take any action on a Federal "hate crimes" bill. Many of my colleagues argued that the assault and homicide statutes in the individual states were sufficient to address any abuses perpetrated against our citizens because of race, religion, ethnicity or sexual preference. Others argued that many states already had hate crimes laws on the books and therefore a Federal statute was simply an unnecessary duplication.

Unfortunately, our failure to act signals much more than a concern about duplication of laws or an honest debate about the sufficiency of state laws to protect innocent citizens against crimes which occur simply because the victims are in some way "different" from their attackers. These physical attacks have increased with alarming frequency; they have been both racially motivated and homophobic. During the 105th Congress, we saw violent racial attacks on Black men and children which resulted in severe injuries in two cases and death in another. The recent death of Wyoming student, Matthew Shepard, was due solely to the fact that he was gay and his attackers hated gays. Bias and prejudice are not figments of a liberal imagination; they are very real acts especially when they result in death or injury.

Unless we make a clear public policy statement opposing these acts, we give the attackers the impression that their abhorrent behavior is acceptable. That is why I have sponsored amendments to The Civil Rights Act, H.R. 365, which would give Federal civil rights protection against discrimination on the basis of sexual preference. But we must go beyond anti-discrimination laws; we must ensure that there is a Federal statute to punish the perpetrators of bias-based attacks.

It is my fervent hope that the biggest failure of the 105th Congress will not be repeated in the 106th Congress. Let us pass a Federal hate crimes bill as our first order of business in January.

STATEMENT BY CONGRESSWOMAN
CONNIE MORELLA, CHAIRWOMAN
SUBCOMMITTEE ON TECH-
NOLOGY, COMMITTEE ON
SCIENCE

HON. CONSTANCE A. MORELLA

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 1998

Mrs. MORELLA. Mr. Speaker, I rise today to address the House on an issue of importance to our Nation's ability to compete in the 21st Century's high-tech economy. Although the issue involves arcane subjects such as international standards, chip rates and band width, it has the potential to impact every American consumer who owns a cell phone and every U.S. manufacturer and service provider whose products enable our citizens to communicate on-the-go.

The International Telecommunications Union (ITU) is currently in the process of deciding on a third generation wireless communications standards, better known as 3G. 3G is intended to provide cell phone customers with seamless global roaming capacity. In theory, wireless communication devices will be able to work not only in every State in the Union, but in virtually every country.

Such a universal standard, or series of standards, clearly has the potential to greatly benefit U.S. consumers, cell phone manufacturers, and wireless telecommunications providers. It also has the potential to harm all three.

That is why I, along with Technology Subcommittee Ranking Member JAMES BARCIA (D-MI) and Congresswoman ELLEN TAUSCHER (D-CA), wrote to the administration outlining our findings from a hearing entitled "International Standards Part II: The Impact of Standards on the Digital Economy." The hearing was held by the Subcommittee on Technology on June 4, 1998, in advance of the U.S. submission to the ITU of proposed standards for 3G. As the letter stated:

While the witnesses at the hearing had divergent views on a number of substantive issues, one issue which seemed to generate a significant degree of consensus was the need to ensure that any future global standard not strand technologies which are currently in use. While some members of the panel made the point that this is only one of several important issues that must be addressed

in 3G, they all agreed that avoiding stranding systems was an important goal for any global standard.

One method to ensure technologies are not stranded is to require backwards compatibility. With the significant investment made in the U.S. by developers, manufacturers and service providers of wireless telecommunications technologies, [it is imperative that the U.S. Government] should work diligently to ensure that these investments are not rendered worthless through the international standard setting process.

To further emphasize this point, I entered into a colloquy with Commerce, Justice, State Appropriations Subcommittee Chairman HAROLD ROGERS (R-KY) on August 3, 1998 indicating that the Department of Commerce, the Federal Communications Commission, and the Department of State need to work diligently to ensure that the large U.S. investments in built networks are not rendered useless through the international standard setting process.

That danger persists today. The European Union (EU) is currently considering adoption of a single technical standard known by the acronym W-CDMA. W-CDMA is not compatible with existing CDMA technologies. Because of previously approved EU-wide technological standards, CDMA is not being used in the EU. CDMA, however, is one of the leading technologies used in the United States. While U.S. consumers, manufacturers, and service providers use a variety of technologies, many are heavily vested in CDMA technology.

I have long been a proponent of allowing the marketplace to determine which technologies survive. In the case of wireless standards, however, we currently face a government mandated technological monopoly in Europe and a free and open technology marketplace in America.

Clearly, the current system is unfair and greatly disadvantages a number of U.S. companies. It is my goal to ensure that the 3G process does not perpetuate this unfair technical barrier to trade, and unnecessarily waste billions of dollars in U.S. investments.

Though often overlooked, international standards, including 3G, are an extremely important component of international trade. We must, however, be ever vigilant to ensure that these standards are not used to bar U.S. businesses from competing abroad.

Mr. Speaker, as the 105th Congress draws to a close, I want to assure my colleagues that, if my constituents give me the honor of representing them in the 106th Congress, I will continue to vigorously pursue, through hearings and if necessary legislation, the arcane but vital issue of preserving U.S. competitiveness in the international standard setting arena.