

## EXTENSIONS OF REMARKS

PROPOSED AMERICAN BAR  
ASSOCIATION RESOLUTION

## HON. BOB CLEMENT

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1989

Mr. CLEMENT. Mr. Speaker, the American Bar Association will meet in August in annual convention to consider many issues and resolutions. One of those resolutions will be offered by Owen Meredith Smaw, a resident of the Fifth Congressional District of Tennessee.

Dr. Smaw has asked me to share his proposed resolution and some additional background information with members of the legal community at large. While I do not endorse Dr. Smaw's resolution, I believe that discourse and debate of all views is essential to making an informed choice. Consequently, I am pleased to share the text of Dr. Smaw's resolution with those interested in the debate on the death penalty:

EXECUTIONS IN THE UNITED STATES ARE  
GENOCIDE IN AMERICA

(Resolution submitted by Owen Meredith Smaw of Nashville, TN)

Whereas the Convention on the Prevention and Punishment of the Crime of Genocide is an international treaty which defines genocide as "acts committed with intent to destroy, in whole or in part, a national . . . group as such"; and

Whereas genocide, *n.*, is "the deliberate and systematic extermination of a national or racial group", according to the Random House Dictionary of the English Language, the Unabridged Edition, Copyright 1967, 1966 by Random House, Inc.; and

Whereas condemned prisoners in the United States of America are "a national group as such"; and

Whereas "this ultimate form of state-sponsored tyranny", as Professor Elie Wiesel describes genocide, has been routinely systematically and deliberately committed by our government as it has taken rather than protected the lives of our citizens on death row in America since July 4, 1976; and

Whereas genocide is a crime under international law; Now, therefore, be it

*Resolved*, That the American Bar Association recognizes that the United States of America is guilty of:

1. Genocide,
2. Conspiracy to commit genocide, and
3. Complicity in genocide;

and calls upon the United States Government to cease these wrongdoings by discontinuing the practice of capital punishment.

AMENDMENT TO ORIGINAL PETITION TO THE  
INTERNATIONAL COURT OF JUSTICE

(Note of counsel: The following argument has been pending, administratively, at the Hague, since February 1986.)

The death penalty in the United States of America is genocide against a specific cognizable class.

The people who populate the various death rows are all tied together in many ways, due to similar areas of deprivation. They are all the product of lives of deprivation in one or more of the following areas: They are either socially, economically, politically, emotionally, mentally or racially deprived.

These deprivations dramatically increase their probability of being ensnared in the criminal justice system of this country. They are all socioeconomically deprived, and as a result, had little chance of avoiding what ever sentence the State wished to mete out to them. The rich and powerful commit the same crimes, but do not populate death row.

Money or political influence buys justice in the United States of America, or at the very least, is a powerful mitigating factor that contributes to a more humane sentence.

Because the people on death row are from these lower socioeconomic strata, the judges that they come before cannot envision them as potential peers. Because of this inability to identify, a harsher sentence is meted out than if a former colleague of the judge or prosecutor were there for a similar charge. There is a definite division of classes of the "have's and have not's" and justice is meted out accordingly.

The individuals of this lower socioeconomic class usually keep a constant strain on the various social services in their communities and a result of this is a local and national intolerance for them.

When a pauper or near pauper is brought before a state court, charged with a serious crime, he or she must appeal to the court for state funds to defend themselves against the state.

Historically, our state judicial systems have had to be forced by the federal courts to provide defendants of pauper status with funds to present a defense. As a consequence, the states provide the barest minimum amount possible to the defendant. The result is a shamefully puny defense against the awesome power and funds available to the state prosecutors.

This constitutes a gross flagrant national and state level of discrimination against a judicially helpless individual from this specific lower socioeconomic class.

There are approximately 1,600 death row inmates in the United States. This sentence is not given to just those who commit rare, revolting, mind-shocking crimes, brutal and gruesome to the extreme. Even they should not be killed.

The systemic state execution of 1,600 human beings can only be classified as genocide.

Only in about five percent of the cases in which a prosecutor can seek the death sentence does the state actually seek it. The reasons are many and some are shocking to the conscience.

Often a defendant is retarded to a certain degree, some more severely than others. The retarded defendant may have merely been at the scene of the crime or participated in a minimal way. Usually, the retarded defendant was led into crime by a codefendant who had a whole mind. However, the retarded defendant is given the death sentence, also.

At times a defendant may be totally insane and had been insane before, during and after the crime. Both, the defense and the state prosecutor's psychiatrists, have, in certain cases, testified to the defendant's insanity prior to, during and after the crime.

Yet, the prosecutor still sought the death sentence and caused a retarded person and/or a totally insane person to come to death row with a death sentence.

There are many reasons for this. No one is more defenseless and easily convicted than a retarded person or a totally insane person. How much can they contribute to their own actual defense?

The prosecutor increases his conviction rate and reaps massive media exposure from any trial where a death penalty is sought. Actually getting a death sentence put on a defendant gives the prosecutor enormous local community approval and support.

Even if a defendant is mentally healthy, he or she is at the mercy of the whim of the prosecutor.

If the evidence is clear and the mood of the local community is such that success is likely, the prosecutor may ask for a death sentence in a case much less severe than others where he has allowed a defendant to plead to a lesser crime or plead guilty for a life sentence. This depends upon the social power or lack of it and the poverty of the defendant and the prosecutor's lust for massive media exposure.

Often, in spite of the merits of a specific case, a prosecutor will seek a death sentence simply because it's an election year and the massive media exposure that accompanies a death sentence trial, enhances his chances of re-election. So, there are some people on death row waiting to die, simply because a prosecutor felt it would help in his or her re-election.

There are some inexcusable, thin, whimsical reasons as to why some people were given a death sentence.

When a deprived person of this lower socioeconomic class has to defend him- or herself against the state's imposition of the death sentence as a pauper or near pauper, this person is stripped of the socially recognized necessities when in conflict with the awesome overwhelming power of the state judiciary. This defendant has neither powerful relatives nor political influence to any degree, nor the money necessary to pay for a defense strong enough to avoid the death sentence.

He or she is naked, devoid of the armour of social and financial power and position necessary to survive an encounter with the inexorable machinery of the state. The state's power is most awesomely displayed when wielded against a social pauper who stands alone in this conflict, who must pitifully appeal to the state, the very ones trying to kill him or her, for the paltry funds the state reluctantly gives in amounts so picayune as to permit only an inadequate semblance of even a poor defense.

For all these reasons, I ask you to accept the definition of those on death row, as a

● 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.

cognizable class of socioeconomically deprived. I ask you to recognize the use of the death sentence as an act of social genocide.

Please, as men of international awareness and good conscience, recognize the gross abuses in the imposition and application of this death penalty and render an advisory opinion against the United States of America's unconscionable acts of social genocide.

I am a citizen of the United States of America and personally have a death sentence. Because of these things, I come under the legal jurisdiction of this court. This petition is legal, timely and proper.

I remain your humble supplicant.

#### PROPOSITION 42

### HON. MAJOR R. OWENS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1989

Mr. OWENS of New York. Mr. Speaker, as a member of the Education and Labor Committee I am concerned about education problems throughout the Nation; however, I am particularly and deeply concerned about school and education problems within my 12th Congressional District in New York City. In reality my national and local concerns are not mutually exclusive. My district is a mirror of some of the best and the worst educational activities in the country. Lessons learned in my district would be useful anywhere in the Nation. From time to time, in my district, I discover situations which can only be described as atrocities. I think it would be useful if these outrages were exposed to the whole Nation.

In this instance I am concerned about a policy which will have an adverse impact on African-American student athletes, specifically males, not only in my district but nationally. Educational experts have shown through statistics that African-American men are disappearing from higher education. High school graduation rates among the African-American community have been increasing, while at the same time the rates of African-American men attending and graduating from institutions of higher education have been falling. The education community has been discussing the dire need to reverse this trend. One avenue into higher education for young African-American men is through the sports arena. The NCAA's proposition 42 is unfair to all athletes in higher education, and is a giant step backward in the struggle to include more African-American men in the higher education community.

In the university setting, there have always been and probably will always be several special classes of students.

These have included musicians, prodigies in one special subject such as math, accomplished writers and poets, children of alumni, and athletes. These special students are valued and privileged members of any college community. As students, they may be admitted primarily because of these demonstrated special talents, though they may be lacking in other areas of academia. As teachers, a prize-winning writer who never graduated from college or received a Ph.D. may be asked to come to the institution as a professor, based on demonstrated talents and accomplish-

ments. This increases the diversity of the school and the richness of the school's community.

Athletes contribute much to any institution of higher learning. The Greeks, from whom we have borrowed most of the tenets of our higher education system, believed that in education one exercised both one's mind and one's body. They saw athletic competition as a primary means to learn about gamesmanship, honor, teamwork, and much more. Athletics was an integral part of their educational system and their daily lives.

In our institutions, there has been concern that athletes be given the same educational opportunities as other students at the college. Prior to now, this concern manifested itself in the form of extra assistance, special tutors, and special support services for the athletes. Prior to now, African-Americans represented a minority in all aspects of college life, including athletics. Now, when African-Americans are beginning to constitute a majority in some sports arenas in the colleges, there is a new movement to test these students out of college life. If there are new problems on college campuses with student athletes, the responsible move would not be to eliminate these students from the population, but to expand existing services to better assist these students and their changing needs.

If musicians on the college campus were deemed to be lacking in academic achievement, there would be no mention of cutting their student aid or their educational opportunities.

Proposition 42 will prevent many student athletes from attending the college of their choice because they did not perform as well as other students on various tests. These students have demonstrated a special talent, similar to many other admitted students, and are being admitted to the school based on those special talents. As students, it is expected that the institution will take appropriate action to give these students whatever assistance they need to be able to be competitive in the academic arena as well as the sports arena. Denying these students financial aid will keep many of them out of college. It is denying them the opportunity to use their special abilities to better themselves as some musicians and prodigies are allowed.

Proposition 42 is uncomfortably reminiscent of the testing imposed on jockeys in the early 1900's to exclude African-Americans from racing. The white controlled Jockey Club decided that all jockeys must pass written tests to be eligible for licenses, effectively excluding African-Americans from the sport. Preventing student athletes from attending college because they cannot pass a test will hurt those students coming from poor and minority communities such as those in my congressional district, with below standard educational facilities. It will eliminate from the college sports scene a significant number of minority students, and it will decrease the number going into professional sports.

Most major educational associations have been fervently asserting that they must do more to educate and graduate more minority students in their colleges.

The Center for Sports in Society finds in a recent study that 80 percent of African-Ameri-

can athletes who entered Division I schools in 1981 would have been denied scholarships by those schools if proposition 42 had been in effect then. There is no one who can say that these students would be helped by proposition 42. Instead of hurting the students who have been denied so much by the educational establishment throughout their lives, the NCAA should focus more attention on highlighting the problems that produce educationally disadvantaged students in the first place.

The NCAA has said that proposition 42 is simply an attempt to elevate the academic position of student athletes. But proposition 42 is a bad rule. Worse than that, it is an inherently racist rule. One which seeks to rectify a situation by getting rid of the evidence that proves there is a problem, rather than correcting the problem. The NCAA and all educational institutions must look carefully at this rule and at the history of racism in sports which this rule will be perpetuating. In order to improve the condition of the student athlete, programs and resources must be devoted to assisting them. Shutting them out of the system is unfair and unnecessary. This is not a solution; for many young, African-American males it is a potential catastrophe.

Mr. Speaker, I hope that through more congressional hearings on this matter, we will be able to shed more light on the condition of student athletes in our institutions, and be able to identify some more suitable ways to meet their special needs.

#### RULE ON H.R. 3024, TO PROVIDE A TEMPORARY INCREASE IN THE PUBLIC DEBT CEILING

### HON. DAN ROSTENKOWSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1989

Mr. ROSTENKOWSKI. Mr. Speaker, pursuant to the rules of the Democratic caucus, I wish to serve notice to my colleagues that I have been instructed by the Committee on Ways and Means to seek less than an open rule for the consideration by the House of Representatives of H.R. 3024, to provide a temporary increase in the public debt ceiling.

#### IN MEMORY OF EDWARD P. BAKER

### HON. JAMES J. FLORIO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1989

Mr. FLORIO. Mr. Speaker, I rise today to commemorate the life of Edward P. Baker of the First Congressional District in New Jersey, a true champion of former members of our Armed Forces who passed away on June 14, 1989, at the age of 94.

Ed was the civil defense director in Gloucester County for 27 years, chaplain of the County Freeholder Board for 30 years, and director of the county's veterans' affairs until his death. Known fondly as Mr. Veteran,



he also held more than a dozen titles in local veterans' organizations.

Ed Baker was born in Pennsylvania in 1894 and lived in Cuba from 1898 to 1907. In 1915, he moved to Texas, joined the National Guard and fought the border war with Mexico. During World War I, Ed served as an ambulance driver in the French Army, and in England with the Canadian Army. He joined the U.S. Army's American Expeditionary Force and was discharged with the rank of second lieutenant. He received the French Croix de Guerre Award for bravery and a Purple Heart for injuries received in 1918.

Ed was a member of numerous civic organizations, giving of his time freely and with a great deal of enthusiasm. He was a life member of the Colonial Manor Fire Company, a volunteer for the Woodbury Veterans Committee and the Vineland Memorial Home. This is in addition to his membership and responsibilities at the American Legion Post 133 and VFW Post 2117 of Woodbury.

Ed Baker's commitment to his community and his country demonstrates the highest tradition of the American spirit. He will be sorely missed. Mr. Speaker, I respectfully ask that my colleagues join with me in extending sincere condolences to his family and friends for the loss of such a dedicated American.

#### HONORING THE 100TH BIRTHDAY OF THE NATIONAL ASSOCIATION OF LETTER CARRIERS

**HON. GARY L. ACKERMAN**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1989

Mr. ACKERMAN. Mr. Speaker, I rise today to pay tribute to one of this country's most successful and thriving unions, the National Association of Letter Carriers. On Friday, August 18, the New York State Association of Letter Carriers will be conducting a special stamp and post marking ceremony in observance of NALC's 100th birthday.

The National Association of Letter Carriers began in 1889 when a Detroit letter carrier, William Wood, organized the founding meeting during an encampment of the Grand Army of the Republic. Approximately 100 letter carriers from 13 States responded to Wood's organizing call which took place in Milwaukee, WI. The assembled carriers elected Wood the first president and appointed an executive board to coordinate all legislative efforts.

The NALC immediately went to work to improve the working conditions of letter carriers. Burdened by little job security and low wages, the NALC had an uphill battle with postal officials to gain more justice for letter carriers. A few years after the formation of the NALC, a landmark labor case was won by the NALC before the Supreme Court. After that surprising victory, membership in the NALC boomed, and the power of the union grew.

Since those early days the NALC has grown from a few hundred members to over 200,000 today. As the NALC grew in numbers, it continued to fight for the rights of all letter carriers: those in small cities as well as large, the

old as well as the young, substitutes, and the sick. From its beginnings, the NALC pioneered programs for mutual support and welfare to complement its struggles for improved working conditions. Today the NALC is led admirably by its president, Vincent R. Sombrotto.

The New York State Association of Letter Carriers has an equally impressive and important history as well. From its inception, the NYSALC has been influential in shaping the national agenda of the letter carriers. This tradition is being carried on today by the able leadership of Jerry Kane, president of the NYSALC.

Mr. Speaker, the NALC should be commended for its progressive outlook and staunch defense of workers' rights. The NALC has been at the forefront of labor reform for 100 years, and there is no sign of letting up. I ask all of my colleagues in the United States House of Representatives to salute the NALC on its 100th anniversary and wish it continued success in the future.

#### TESTIMONY OF MS. ROSANN WISMAN, EXECUTIVE DIRECTOR OF PLANNED PARENTHOOD OF WASHINGTON, DC

**HON. JAMES H. SCHEUER**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1989

Mr. SCHEUER. Mr. Speaker, I would like to take this time to thank Ms. Rosann Wisman, the executive director of Planned Parenthood of Metropolitan, DC, Inc. for her testimony before the Appropriations Subcommittee on the fiscal year 1990 Appropriations bill for the District of Columbia on July 19, 1989.

Ms. Wisman, as the director of Planned Parenthood is at the forefront of one of America's most pressing social issues, that of pregnant women's right to self-determination. She is the most knowledgeable kind of witness, one who works everyday with the individuals our decisions affect. We should adhere to her professional insight and expertise.

Her testimony depicts the desperation and hopelessness of those women living in the District of Columbia whom, due to budget restraints imposed last September by Congress, were unable to receive adequate medical care. The needy women number in the thousands. Their unfortunate situations will only continue if we ignore Ms. Wisman's message.

**STATEMENT OF ROSANN WISMAN, EXECUTIVE DIRECTOR, PLANNED PARENTHOOD OF METROPOLITAN WASHINGTON, DC, INC.**

Mr. Chairman and Distinguished Members of the Committees: I am Rosann Wisman, Executive Director of Planned Parenthood of Metropolitan Washington. I appreciate the opportunity to appear before this joint meeting of the Appropriations Sub-Committees of both the House and Senate Appropriations committees.

Planned Parenthood of Metropolitan Washington is the oldest and largest provider of family planning services in the national capital area. Our three clinics in the District of Columbia serve 10,000 low-income women and men annually. Planned Parenthood provides more family planning services

to prevent the need for abortion than any other organization in our community.

But we know that even with the use of contraception, unintended pregnancies are a reality. As a major provider of abortion services in the District of Columbia, Planned Parenthood of Metropolitan Washington is committed to providing all women with the option of a safer, dignified, and affordable abortion.

I am here today because I want to tell Members of the Committees about three women who have come to Planned Parenthood of Metropolitan Washington since last September when Congress prohibited the District from assisting poor women who needed an abortion. These are real stories about real women's lives. Each woman was affected by the prohibition. In order to protect the confidentiality of the women involved, I am using only initials.

B.K. was a twenty-three year old pregnant woman who had lived since Christmas of 1988 in a District shelter for the homeless with her three year old son and her four month old baby. B.K. was unemployed, lived on public assistance and food stamps, and paid \$150 a month for shelter. She stated that she occasionally used drugs, including crack. B.K. had no contact with her family. Her male partner was in jail.

Another woman at the shelter suggested that B.K. contact Planned Parenthood of Metropolitan Washington.

When B.K. came to our clinic seeking an abortion, she was ten and one-half weeks pregnant. She could barely afford to pay \$10 for any medical service.

B.K. made a difficult decision, but one that she believed was responsible given the circumstances of her life.

Until enactment of the Congressional restriction, District citizens were able to show compassion and concern for a woman like B.K. by providing her with the public assistance she needed to obtain a safe abortion. Now District citizens can no longer provide women like B.K. with that assistance.

Let me tell you about another woman who came to Planned Parenthood.

R.D. was a twenty-two year old homeless District woman who lived on the streets. R.D. was given Planned Parenthood's name by a person at an Alcoholic's Anonymous meeting. R.D. was a multiple-substance abuser, including crack. She thought she was sixteen weeks pregnant, but her doctors determined she was nineteen weeks pregnant. She had no money.

Planned Parenthood of Metropolitan Washington does not perform abortions past sixteen weeks.

We gave R.D. information about shelters of the homeless, substance abuse treatment programs, and referrals for second trimester abortions.

Until enactment of the Congressional restriction, District citizens were able to show compassion and concern for a woman like R.D. by providing her with the public assistance she needed to obtain a safe abortion. Now District citizens can no longer provide women like R.D. with that assistance.

I want to tell you about a third woman.

A.G. was a young woman who sought an abortion from a public hospital in the District. The Congressional restriction prohibited that facility from providing her with the abortion. The hospital referred her to Planned Parenthood of Metropolitan Washington.

A.G. had tested HIV positive. She had visible symptoms of AIDS. She was nineteen weeks pregnant.

A.G. had no money, and had delayed seeking an abortion for several weeks because she had no money. At nineteen weeks, the abortion would cost more than \$800.

Until enactment of the Congressional restriction, District citizens were able to show compassion and concern for a woman like A.G. by providing her with the public assistance she needed to obtain a safe abortion. Now District citizens can no longer provide women like A.G. with that assistance.

Through tenacity and good luck, each of these three women learned about Planned Parenthood of Metropolitan Washington. We were able to help B.K. by performing the abortion. We helped both R.D. and A.G.—finding other providers for them and giving both R.D. and A.G. the money they needed to pay for the abortion.

Planned Parenthood of Metropolitan Washington cannot afford to continue providing its basic family planning services and subsidize abortion services for poor women in the District indefinitely. Reducing our family planning services would simply compound the problem of unintended pregnancy and the need for abortion.

We are deeply concerned about the hundreds of women who have neither the tenacity nor good luck to find Planned Parenthood or other health care providers who can help.

These women risk death or continuing a pregnancy and bearing a child for whom they cannot care. They know they cannot provide the food, shelter, education, and health care needed to give their child a decent life. These women believe that the difficult decision to terminate a pregnancy through abortion is a responsible and moral decision.

The Congressional restriction falls hardest on Washington's minority women. More than 72% of the District women who obtain abortions are Black or members of other minority groups.

The United States Supreme Court in *Webster v. Reproductive Health Services* has set the stage for all future public policy decisions about abortion services to be made by the elected representatives of the people in each State. It would be ironic in the aftermath of *Webster* if Congress again denied residents of the District authority to determine whether or not to use local revenue to assist poor women.

The spirit if not the letter of "Home Rule" should command respect for the decision reached by citizens of the District.

The women whose stories I have told struggled with problems in their lives relating to jobs, education, marriage, drugs or crime which resulted in a grim existence—not only for themselves but for the children that they have already borne. They knew they could not provide the financial or emotional support needed to care for another responsible decision for themselves and their families.

In the past, the residents of the District supported their decision.

On behalf of Planned Parenthood of Metropolitan Washington, on behalf of the thousands of women whom we serve, I urge that Congress allow the District of Columbia to resume using local revenue to provide support for poor women who have chosen an abortion.

## TRIBUTE TO SUBCOMMITTEE CHAIRMAN DAVID R. OBEY

HON. MARY ROSE OAKAR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1989

Ms. OAKAR. Mr. Speaker, I would like to take a moment to thank subcommittee Chairman OBEY for his dedicated work on the Foreign Operations Appropriations bill. He and the other committee members have worked very hard to bring a balanced foreign aid bill, which addresses so many of our important foreign affairs commitments abroad.

I would specifically like to thank him for including the earmark of \$7.5 million in economic support assistance and development assistance for humanitarian aid for the people in Lebanon in the Foreign Operations Appropriations bill. I successfully offered this as an amendment to Foreign Aid Authorization bill. My amendment was broadly supported by many Members, including members of the authorizing committee. I greatly appreciate the Appropriations Committee's decision to fully fund the amount that was authorized.

I am also grateful to note that the amendment which was successfully offered by subcommittee Chairman OBEY spared Lebanon from the 1-percent across-the-board cut. In view of the dire situation in Lebanon and the suffering there, I appreciate this gesture by the distinguished chairman.

Our Nation's continued assistance to Lebanon is an important symbol of support and a signal to the people in that strife-torn nation and to its people that the United States has not forgotten them in their darkest hour and is willing to help. In my amendment, I intended that the humanitarian aid for Lebanon would be made available to Private Voluntary Organizations and educational organizations who are able to supply assistance to those in need and carry out effective programs in humanitarian and relief and rehabilitation assistance.

I would like to thank the members of the committee for raising concerns in the Appropriations Committee report about the increased politicization of the process under which allocations are made of the funds provided for the American Schools and Hospitals Abroad [ASHA] under section 214 of the Foreign Assistance Act of 1961, as amended. I am also gravely disturbed by this trend, because ASHA allocations for educational institutions in Lebanon decreased as a result of the politicization of the allocation process. The Appropriations Committee report on the Foreign Operations Appropriation (Report 101-165) discusses the politicization of the process and the 1989 allocation to the American University in Beirut on pages 103 through 104. I hope that the trend toward politicizing the ASHA allocation process will be reversed.

The decreased allocation for American University in Beirut and Beirut University College particularly troubled me because I am a former educator. As a former educator, I appreciate the importance of education and the role that educational institutions play in society. Education is the anchor for a society. In fiscal year 1988, the American University in Beirut received \$6.5 million, and in fiscal year

1986 and fiscal year 1987 the American University in Beirut received \$6 million in each year. Yet despite report language in the 1989 Senate Foreign Assistance Appropriations bill (Senate Report 100-395) that the committee expected that the American University in Beirut would receive similar sums in fiscal year 1989 from the ASHA account, the Agency for International Development allocated \$3.5 million for the American University in Beirut.

I am greatly discouraged by this decision to ignore the great financial need of both the American University in Beirut and Beirut University College in their darkest hour. By diminishing the allocation for these established, western-oriented educational institutions, our Nation is sending a signal that we no longer care as much as we once did about the future of Lebanon. Both institutions help our country greatly by promoting understanding between the United States and the Arab world. It is my belief that their activities should continue and my hope that our Nation will support these institutions, at least to the extent which we supported them in the past.

Finally, I would like to thank Chairman OBEY for his dedicated work to craft a compromise amendment regarding schools on the West Bank. I believe that it is important to support Israel's decision to open some of the schools and to express the desire that all schools will be opened at an early date and remain opened.

Again, I commend the committee for its work on this fair bill which addresses the problems of so many people who are in need throughout the world.

## NUTRITION LABELING AND EDUCATION ACT

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1989

Mr. WAXMAN. Mr. Speaker, today, I am introducing legislation, H.R. 3028, the Nutrition Labeling and Education Act, that will put an end to the confusion and deception that frequently characterizes nutrition labeling today. I am pleased to be joined by a number of distinguished Members of the House, Mr. MOAKLEY, Mr. GLICKMAN, Mr. COOPER, Mr. SCHEUER, Mr. WALGREN, Mr. SIKORSKI, Mr. BATES, and Mr. SHARP.

An identical bill is also being introduced in the Senate today by Senator METZENBAUM and Senator CHAFEE.

Last year, the Surgeon General issued the "First Report on Nutrition and Health." The report provided invaluable information to nutrition policymakers about the role of diet in preventing the leading causes of death and disability in the United States. The report concluded that if Americans would change their dietary practices, the risk of diseases like heart disease, stroke, some forms of cancer, diabetes, and obesity could be reduced.

The Surgeon General is not alone. The U.S. Department of Agriculture, the National Institutes of Health and the National Academy of Sciences all say our diets should have less



fat, sodium, and cholesterol to reduce the risk of heart disease, and contain more fiber to reduce the risk of cancer.

The American public wants better nutrition information. Salad bars, low fat diets and health clubs are not a fad. The American public wants to choose food that contributes to a healthy lifestyle. The food industry knows this and has produced a mass of new food products that are low in sodium, high in fiber, and cholesterol free. But when consumers try to look beyond the marketing hype displayed on food packaging and investigate the actual nutrition content of a product, they are greeted with a bewildering array of contradictory and misleading information.

There is probably no greater example of abuse than the industry practice of defining serving size. Some products labeled as containing two servings are ordinarily consumed at a single serving. The result is twice the labeled exposure to potentially unhealthy amounts of sugar or total fat. Most of us think of serving size as the average amount of a product we eat. But to some food companies, the serving size has less to do with actual consumption than with how to lower sodium, calorie, and cholesterol numbers on the nutrition label.

Look at a package of Lays potato chips as an example. They sell them in the takeout line of the House restaurant. The nutrition label says a single serving contains 240 milligrams of sodium, and 10 grams of fat. Is this useful information in planning a diet? Absolutely. But look carefully at the serving size upon which the nutrition disclosure is based. In fact, the package actually contains two servings. Since there is no way to reseal the package, a consumer that eats the entire package will consume 480 milligrams of sodium and 20 grams of fat. When was the last time you saved half a bag of potato chips for your next snack? Food companies should be required to disclose nutritional information on the amount of food that people really eat.

Current nutrition labels also don't have enough information. Products can be high in saturated fat without your knowledge. Products high in fiber, and therefore a good addition to your diet, can also be unhealthy because of high levels of cholesterol. Products claiming no cholesterol can actually increase the risk of heart disease because of high levels of sodium and saturated fat.

The Food and Drug Administration has been studying the issue of nutrition labeling since the Carter administration. That's simply too long. The FDA is incapable of taking the kind of strong, decisive action the public demands. It is incumbent upon Congress to help consumers get accurate information about the nutritional content of the food they consume and feed their families.

The opportunity to pass legislation requiring new nutrition labels has never been better. There is scientific consensus on the nutrients that contribute to a healthy diet. And Members of Congress are just like their constituents. We all want better nutrition information on our food.

Mr. Speaker, I urge all Members to join in cosponsoring H.R. 3028.

## MUTUAL DEFENSE COSTS AND CONSULTATIONS—UNITED STATES-JAPAN

**HON. BYRON L. DORGAN**

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1989

Mr. DORGAN of North Dakota. Mr. Speaker, I want to call my colleagues' attention to my amendment on mutual defense costs with Japan and consultations on security affairs with our Pacific allies to the bill, H.R. 2461, the National Defense Authorization Act of 1990. The amendment will be taken up as part of Chairman ASPIN's pending en bloc amendment. I wish to thank the chairman and the ranking member, Mr. DICKINSON, for their cooperation and support. I also want to commend Mrs. SCHROEDER and Mr. IRELAND for their leadership on mutual defense costs and allied burden sharing.

### WHAT IS THE AMENDMENT?

It is a sense of Congress expression that the President should:

First, encourage the Government of Japan to start in 1991 to increase its host nation support to cover all except the salaries of United States military personnel, and

Second, invite by 1991 Japan and our other Pacific allies—South Korea, Australia, Philippines, and Thailand—to engage in annual security consultations, consistent with each nation's own constitution and national defense requirements.

The amendment seeks to increase Japan's host nation support by about \$2.5 billion while it also urges that Japan play a larger role in setting security policy through annual multilateral consultations. In a word, it addresses burden sharing and power sharing.

The amendment does not mandate negotiations, does not set a rigid timetable, and does not ask the Japanese Government to disregard its constitution. It clearly, but fairly, puts Congress on record that we need a change in our security relationship with Japan.

### WHY IS THE AMENDMENT NEEDED?

It lays out some guidelines to meet a goal on which most everyone agrees.

It would implement recommendations compatible with the Armed Services Committee Burden Sharing Panel, Secretary Baker's call for improved consultations among Pacific allies, and the North Atlantic Assembly's request for a Western working group on security issues which would include Japan.

It addresses a key defense issue not addressed directly in the bill.

If implemented, the guidelines would result in significant savings to U.S. taxpayers and a stronger partnership with our major Pacific ally.

The Japanese Government, the administration, and the American public all agree on the need to enlarge Japan's role in mutual defense.

The only questions remaining are what should we do, when should we do it, and how should we do it? The committee bill is silent on these points and the report is very vague. Frankly, that concerns me because burden sharing is one of the most important foreign

policy and defense questions we must address.

### GUIDELINES FOR A NEW PACIFIC SECURITY POLICY

But my amendment fills this void and proposes guidelines for each of these issues.

When? By 1991 the President should set a plan for increased burden sharing by Japan and should call for multilateral consultations with Japan and other Pacific allies.

What? The Japanese should pay for all host nation costs—except the actual salaries of United States military personnel. Note that this prevents the U.S. military from being perceived as merely a mercenary force. It also gives Japan a wider forum—consistent with its constitution—to discuss mutual security concerns. These are consultations—not an alliance.

The amendment proposes—but does not mandate—that Japan begin to pay for operations and maintenance, most all military construction costs, civilian personnel, currency fluctuations, family housing beyond what it now budgets for new facilities, labor cost sharing, environmental matters, and deferred costs. This will result in increased Japanese defense spending without increasing Japan's defense forces.

The present total cost of United States military forces in Japan is about \$7 billion per year, of which the United States pays \$4.5 billion and Japan only \$2.5 billion. My amendment seeks to have those shares reversed, with the United States paying \$2 billion for military salaries and Japan absorbing all other costs.

The amendment goes beyond burden sharing to power sharing. If we say Japan should pay more for mutual defense it should have more to say about it. We already have bilateral contacts with Japan. But there is no multilateral forum for Japan, the United States, Australia, South Korea, the Philippines, and Thailand to discuss mutual concerns. I believe this would give Japan an appropriate forum in which to enlarge its role, while giving other Pacific allies a voice in this change.

How? The President is given wide latitude in the arrangements and timetable for meeting this goal.

In a word, the two provisions of this amendment offer a fair, flexible, and measured approach to the critical issue of mutual defense requirements in the Pacific. Since the reported bill provides limited guidance on this issue, I would urge my colleagues to support my amendment as part of the en bloc measure.

### AMENDMENT TO H.R. 2461 BY MR. DORGAN OF NORTH DAKOTA

At the end of title XII (page 253, after line 15), insert the following new section:

SEC. 1243. SENSE OF CONGRESS REGARDING HOST NATION SUPPORT BY JAPAN FOR UNITED STATES MILITARY FORCES AND ANNUAL CONSULTATION WITH PACIFIC ALLIES.

It is the sense of Congress that the President should—

(1) encourage the Government of Japan to begin to increase by 1991 its host nation support for United States military forces in Japan to eventually cover all costs related to the presence of such forces in Japan, except the pay and allowances of military personnel of the United States stationed in Japan; and

(2) issue an invitation by 1991 to the Government of Japan and other governments of Pacific allies of the United States to engage in annual multilateral consultations on security concerns, consistent with the constitutions and national defense requirements of the respective countries.

# THE COOKIE MONSTER OF P.S. 224

## HON. MAJOR R. OWENS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1989

Mr. OWENS of New York. Mr. Speaker, as a member of the Education and Labor Committee I am concerned about education problems throughout the Nation; however, I am particularly and deeply concerned about school and education problems within my 12th Congressional District in New York City. In reality, my national and local concerns are not mutually exclusive. My district is a mirror of some of the best and the worst educational activities in the country. Lessons learned in my district would be useful anywhere in the Nation. From time to time, in my district, I discover situations which can only be described as atrocities. I think it would be useful if these outrages were exposed to the whole Nation.

One such atrocity involves school administrators who are insulated from accountability under local disciplinary regulations for firing incompetent public school principals. They are also frequently protected by powerful friends in their union, the Council of Supervisors and Administrators, by district school board members, and others with positions in local politics. A given principal could be abusive, lazy, even intoxicated by drugs or alcohol, but due to the iron-clad regulations and the influence of their friends, most manage to stay in their positions virtually forever, or until their incompetence becomes so blatantly obvious that they are forced to resign. Many are simply transferred to other school districts. To permit such people to have continuous daily contact with our children constitutes an atrocity against our children.

A public school administrator who successfully escaped accountability until recently is Virginia Noville, principal of P.S. 224 which is located in my congressional district.

Her actions were revealed in an article published in the February 12, 1989 New York newspaper, the Village Voice, entitled "The Cookie Monster of P.S. 224: A Principal Sells Junk Food to Poor Students." For most of last year, Noville had her teachers and school aides push a cart in the school cafeteria during lunch hour which was loaded with cookies, cheese snacks, and other nonnutritional junk food. She would pay 15 cents for a bag of cookies and sell the bags to the children for 35 cents each. On occasion, she would recruit older students to help her sell this junk food to the younger children. It cost her \$3,000 to purchase the junk food from a local company. In the 6 months before her relationship with the company ended, stopping her illegal practice, Noville received between \$4,000 and \$6,000 for her investment.

Most of the students at P.S. 224 could not afford to purchase the junk food items, Noville and her cohorts pressured them into buying. Nicknamed "The Forgotten School of District 19," three-fourths of its 820 African-American and Hispanic students qualify for the free lunch program.

Noville's exploitation of these poor students did not end with her junk food cart. One Mother's Day, she sold flowers to the children ranging in price from \$1.50 to \$2.50, even though she had purchased these same flowers at 50 cents or 60 cents each. She even spoke on the school's public address system to remind the children to bring their money for the flowers.

Noville sponsored so-called holiday parties for which the students had to pay, at least a dozen per year. She enlisted school aides to sell tickets to these parties to the students during their classes. The tickets ranged in price from \$0.75 to \$2.00.

During these parties the students would receive only stale popcorn and juice. There would be no games, activities or supervision at these events. While the New York City Board of Education permits school principals to sponsor one profit-making activity per year, Noville clearly had more than the allotted number. She never produced any accounting sheets, and the school did not visibly benefit from her various parties.

In fact, some P.S. 224 teachers told the Village Voice that Noville never ordered new classroom supplies. The only new supplies the school received came from the Teachers Choice program, a union-coordinated fund that gives each teacher \$200 per year for classroom materials. The Voice reported that Noville often confiscated these funds and gave them to her favorites.

Money that should have been spent on field trips, after school programs and other activities designed to broaden the educational horizons of P.S. 224 students instead lined the pockets of Noville's friends. Or the money ended up in Noville's cookie tin where she kept the profits from her ill-gotten holiday parties, flower sales and other questionable enterprises.

Mr. Speaker, it is a mystery how this woman managed to maintain her position as the principal of P.S. 224 given her obvious exploitation and abuse of her students. It is also a mystery that it took several years before the Board of Education finally bestirred itself to have its Auditor General investigate Noville and the school. She was also under investigation by the Brooklyn District Attorney's Office, the Board of Education's Inspector General and the Department of Investigation.

As a result of the Auditor General's findings, Noville was dismissed from her post as of April 11. She was reassigned to a post in the Community School District 19 office. In the near future there will be an administrative hearing before an arbitrator selected by the Central Board of Education, at which attorneys for Noville and for the Community Board, as well as the Inspector General, the Auditor General, the Community School Board Superintendent, and others will testify regarding the charges against Noville, then findings and recommendations will be made on her case. P.S.

224 meanwhile has an acting principal, Robert Newton, operating the school.

In the years that it took to oust Noville, hundreds of P.S. 224 students for whom she was responsible were undoubtedly emotionally scarred, perhaps irreparably so. And for every Noville who is investigated and finally discharged, there are many other principals, teachers, and District School Boards' members who are never caught.

While I support the concept of academic freedom, I do not support the idea that an incompetent principal, even if he or she is tenured, should be allowed to stay in that position and wreak havoc on our children's lives. Principals who are racist, drug or alcohol abusers, or dictators who use their positions as personal fiefdoms, have absolutely no place in our schools. The Central Board of Education should provide more coherent monitoring and technical assistance to local boards and individual schools.

And the Chancellor for New York City schools should be given a voice in the selection of local principals and superintendents. Perhaps if these measures are taken, we can prevent "Cookie Monsters" and worse from inflicting themselves on our vulnerable and defenseless young people.

# FLORIO HAILS "MOCK TRIAL" COMPETITORS

## HON. JAMES J. FLORIO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1989

Mr. FLORIO. Mr. Speaker, it is my pleasure to bring to the attention of my colleagues a team of nine high school students whose desire and success in learning about the law is truly commendable.

The Cherry Hill High School East mock trial team—Samir Ahuja, Daniel Choi, John Dunfee, Gregory DeMichael, Niraj Gusani, Drew Katz, Dara Less, John Musero, and Todd Shoenhaus—won third place in the mock trial competition which was held in Louisville, KY; 2,800 teams competed in the local competitions across the country which led to 28 berths at the national event. The Cherry Hill team earned a place after winning the New Jersey Bar Association's seventh annual competition. The team's consistent academic effort over the school year made their success possible. The student team members spent over 200 hours studying various legal and procedural aspects of the law under coach Ron Hillman, a history and American law teacher. Three community lawyer-coaches—Lewis Katz, Richard DeMichael and John Shipley—enhanced the teams practical knowledge of the justice system and courtroom proceedings. The team "fine tuned" their lessons at nine local competitions which led the way to their State and national successes.

Mr. Speaker, promoting greater student interest in our justice system can only help to ensure a greater interest in public service and public trust. It is especially gratifying to see these young people participating in such a worthwhile and productive program. I respectfully ask that my colleagues join with me in



congratulating the Cherry Hill High School East mock trial team for a job well done.

# **HONORING QUEEN OF PEACE CHURCH ON ITS 50TH ANNIVERSARY**

**HON. GARY L. ACKERMAN**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1989

Mr. ACKERMAN. Mr. Speaker, I rise today to pay special tribute to an outstanding establishment, the Queen of Peace Church, whose congregation is celebrating 50 years of faithful service to the Kew Gardens Hills community in Queens, NY.

Queen of Peace Church was founded by Pastor Eugene Nolan, and throughout the years it has sponsored many community service programs, including an elementary school, currently run by Sister Delores Ryan, and a 50-plus club for senior citizens. It warmly embraces all members of the community and shares a harmonious relationship with the community's many other religious denominations.

To honor the 50th anniversary of Queen of Peace Church, its devoted congregation will offer a Rededication Ceremony on Sunday, September 10. His excellency, Bishop Muga-vero of the Diocese of Brooklyn, will be present. After this formal religious service, the congregation will then have a parade of flags, led by the Stars and Stripes and including heritage flags which represent all the nationalities that make up this vibrant multiethnic community.

Mr. Speaker, in a time when urban violence and crime are crippling our cities, it is heart warming to see citizens come together to honor their church, their community, and their country. I would like to ask all Members of the U.S. House of Representatives to congratulate Queen of Peace Church and wish their congregation continued success in the future.

# **TRIBUTE TO FORMER REPRESENTATIVE FRANK THOMPSON**

**HON. BEVERLY B. BYRON**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1989

Mrs. BYRON. Mr. Speaker, today I would like to include in the RECORD an article which appeared in the Frederick News Post on July 26, 1989, in tribute to former Representative Frank Thompson.

The article was written by my constituent, Roy Meachum, who covered the Hill for many years in the Washington media before moving to Frederick.

[From the Frederick (MD) News Post, July 26, 1989]

FALLEN HERO

(By Roy Meachum)

Frank "Thompy" Thompson's death at John Hopkins Hospital last weekend should have occasioned national mourning. As in life, he remains one of the few political heroes from my years in Washington.

At the very least, the former congressman was deserving of pro forma plaudits from civil rights and labor leaders. By all that's fair and just, the nation's arts community should have been generously quoted in stories accompanying his obituary. I can neither ignore nor forgive their silences.

As House whip, Thompy was down in the trenches, leading the fight for this nation's landmark civil rights legislation. He forged new dignity for America's working class through service on various labor committees.

It was said, at the time, that the gentleman from New Jersey "made all the difference" in the creating of the National Endowment for the Arts and Humanities. Roger Stevens, the endowment's first chairman, put it simply: "I don't know what we would have done, without Frank Thompson."

When Mr. Stevens brought the Kennedy Center for the Performing Arts into reality, again it was Thompy who managed the enabling bills through the congressional wars.

Frank Thompson's talent was to win so many battles for causes that directly profited so few congressmen. Somehow, he was able to bring out the best, time and again, from women and men who seem, most times, concerned only with their re-election.

Others have attributed Capitol Hill's attack of conscience 20 years ago to the country's grief at the murder of a youthful president. And there can be no doubt: John F. Kennedy's assassination became an important argument for the passage of measures that made good on the dead leader's promises.

After the president's murder, no congressman had better right to invoke the magic of the Kennedy name than Mr. Thompson. He played a key role in the 1960 campaign that upset Richard M. Nixon's first assault on the White House.

However, grief is a short-lived commodity among politicians. Death is usually measured in terms of its impact on the continuing struggle for power and influence. Furthermore, the Kennedys' hard-ball politics left behind scores to be settled that counterbalanced the post-assassination sentiments.

If there were a key to Thompy's victories for workers, minorities and the arts, it was in the New Jersey representative's firm belief in the principle that this government has a solemn obligation to provide a better life for all its citizens.

In short, Frank Thompson was an idealist. I know that it was his knowledge of the House and how its games are played that permitted him to help bring the Congress to its finest hours. I would like to think it was an understanding for his faith in true democracy that enabled the Trenton-born politician to retain the respect and confidence of his fellow members.

As indication of the great respect Frank Thompson enjoyed from his colleagues, the members called upon him to clean up the mess left behind by Wayne Hayes and his messy sex scandals. In 1976, he took over as chairman of the House Administration Committee, the post that allocates offices, parking permits and those other perquisites so important to congressional sensitivities.

The record shows that, as Administration Committee chairman, Thompy ended the corruption practiced by his predecessor. Unlike Mr. Hayes, he awarded choice offices and other "perqs" in an openness that brooked no charges of favoritism. At the same time, he pushed vigorously for campaign finance reform.

The bare facts about Frank Thompson's 26 distinguished years in the U.S. House of Representatives were touched upon in most of his obituaries this week, but not all. However, in every newspaper that marked his passing last weekend the headline writers made much of Thompy's conviction in the Abscam sting operations.

For younger readers, perhaps I should explain that in the last years of the Carter Administration, the Department of Justice launched an investigation of representatives and senators. FBI agents posed as wealthy Arabs and offered bribes to selected congressmen.

Delaware Sen. Harrison Williams and seven representatives were indicted in 1980 on criminal charges. They all went to jail. Among them was Frank Thompson.

I mean to pass no judgment on the others when I say that I have never thought Thompy was guilty of abusing his high office in any way. Nor was I alone in my serious doubts. Colleague Jack Anderson had the same problem. We shared our disbelief that Frank Thompson, of all that group, could have descended to such stupidity.

"Why would I risk all this?" Thompy asked, sweeping his arm around the huge Administrative Committee chairman's office the last time I saw him. He claimed to have no knowledge of the briefcase containing \$50,000 in purported bribe money. The videotape did not show the briefcase in his possession. His story was that his meeting with the "Arab investors" was because of their promises to invest in his hometown.

In the late 1970s, Trenton was coming apart. The plumbing in some areas didn't work. Water trucks patrolled the streets, filling residents' bottles. The city's collapse had been well covered in the press. Against the supporting background, and knowing the man's history on Capitol Hill, I came away that day completely convinced of his innocence.

In any event, a Brooklyn, N.Y., jury disagreed. It convicted the New Jersey representative. I've always wondered if the verdict might not have been different in another venue. Now, it doesn't matter of course.

After his release from prison, Thompy lived a quiet life in Virginia. His name was never again in the headlines, not until after his death last Saturday. An operation for throat cancer didn't work. He was 70.

Let the record show: Frank Thompson was one of my few political heroes during my Washington years. He still is. Requiescat in pace. Now and forevermore.

# **NATIONAL YOUTH SERVICE**

**HON. GERRY SIKORSKI**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1989

Mr. SIKORSKI. Mr. Speaker, "National Youth Service" is a phrase that has many definitions but one common goal. That goal is the development of patriotism and community spirit by encouraging America's youth to devote a portion of their lives to working for the common good. Our communities need the voluntary services of our Nation's college students and many of our young people are willing to serve their community. But one thing

often stands in their way—looming student loan indebtedness.

Loan debt burden is the most frequently cited reason for students not serving their community upon graduation. In our winner take all society, graduating college students fear that they cannot afford to serve their communities. We must allow America's college students to participate in community service without the fear of falling into bankruptcy because of their loan debt and without the interference from our Federal Government.

Mr. Speaker, today I am introducing three bills to amend the Higher Education Act to encourage graduates of our colleges and universities to devote up to 3 years of their lives to public and community service upon graduation. These three bills will give students a break on their loans when they are willing to take low paid, full-time positions with tax exempt community service organizations.

Few students know that when they serve in these low paid, full-time positions with community service organizations they can defer repayment of all of their Government student loans. The first bill I am introducing will require that the Department of Education publicize this current deferment—which it has been unwilling to do.

Under current law, the Perkins loans of Peace Corps and VISTA volunteers are partially cancelled—up to 75 percent cancellation over 5 years. The second bill I am introducing will extend this partial loan cancellation to students who perform comparable service with tax exempt community organizations.

The current partial cancellation provisions for Peace Corps and VISTA volunteers only apply to direct Perkins loans, so the third bill I am introducing will provide for partial cancellation of Stafford loans for Peace Corps and VISTA volunteers and for students who perform comparable service with tax exempt community service organizations. GSL loans constitute the bulk of the Federal student financial assistance.

These three bills encourage and promote community service at an incredibly low cost. The current deferment program costs the Government only \$80 per \$1,000 of student loans deferred per year. The proposed partial cancellation for direct loans would cost \$500,000 in 1992. The bill is prospective and applies only to loans taken out after the bill becomes law. I am now obtaining a cost estimate for the partial cancellation for guaranteed loans.

These bills do not establish a new Federal agency or bureaucracy, the Federal Government is not involved in organizing the community service, and most importantly, there is nothing mandatory or semimandatory in the program. The bills are plain and simple: They encourage American youth to serve the American community.

## A PLAN FOR CLEANER POLITICS

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1989

Mr. JACOBS. Mr. Speaker, I place in the RECORD an article by Mark Green.

The article was published in the Christian Science Monitor and it not only is eloquent but has some thoughtful opinions which I believe to be worthy of the Members' attention.

[From the Christian Science Monitor, July 3, 1989]

### A PLAN FOR CLEANER POLITICS

(By Mark Green)

Dear Speaker Foley, congratulations. As expected, though not as planned, you're the Speaker. Unfortunately, your ascension results from a congressional oil spill as challenging as Exxon's.

How can you clean up after the Wright and Coelho disasters? How do you respond to the crescendo of Republican attacks on "Democratic corruption"? (For the moment, put aside the humorous notion that the party of Meese, Deaver, and North, the party whose President vetoed the '88 Ethics Act, the party of today's HUD scandals can make any accusations about ethics.)

As both a proud Democrat and an ethics activist, may I suggest one answer that would help restore trust in government, expand the franchise, and get our party off the defensive? In exchange for a modest and recorded-vote pay increase, Congress would enact long-needed reforms of political action committees (PACs), campaign finance, honoraria, conflicts-of-interest, and voter registration.

Clearly, people of good faith seem divided on the issue of Congress and ethics. Rep. Tom Downey denounces "ethical McCarthyism," yet Fred Wertheimer of Common Cause attacks "institutionalized bribery." Who's right? Both are.

It is outrageous that, in the post-Hart-Biden-Tower-Wright-Coelho atmosphere, charges become tantamount to convictions. Such trial-by-press could cashier talented people out of public life, and deter others from ever running in the first place.

At the same time, as Mr. Wertheimer implies, the scandal of Congress is not what's illegal but legal—i.e., the "smoking gun" is not so much third-rate burglaries or arms diversions but a system of "legal graft" whereby good people are pressured into bad acts. Jim Wright, for example, was accused of accepting a gift from someone with an interest in legislation. But isn't that usually true of a speech honorarium (if the member keeps the money)?

Sacrificial lions like Mr. Wright and Tony Coelho, then, are not the real problem on Capitol Hill. Rather, it's too much money and too few voters. First, after years of receiving thousands of dollars from economic elites, how many members have the courage to bite the hand that funds them? Too often they favor contributors over constituents. And second, a Congress that abolished poll taxes and literacy tests still tolerates a voting-registration maze introduced a century ago to discourage the participation of minorities and immigrants. The result today: the lowest voting turn-out among Western democracies, as people who earn over \$50,000 vote on average 50 percent more than those who earn \$5,000.

Some commentators belittle these issues as trivial and diverting. But since process shapes policy, a tainted congressional process is not a trivial but a primary concern. We can't ever achieve sound defense or environmental policies, for example, if contractors and polluters have so much more say than taxpayers and consumers.

Given these problems of ethics and access, and given the courage of Chinese protesters quoting Thomas Jefferson, many of us wonder where are our marchers for democracy? In fact, millions of citizens in thousands of civic groups have indeed won many reforms at the local and state levels.

Speaker Foley, let's apply their lessons to our national legislature. To advance democracy and ethics, here is an omnibus proposal that should be appealing both to defensive Democrats who believe in ethics reform and to Republicans frustrated by their permanent minority status.

Pay hike. Provide for a 10 percent pay increase for each of three years (starting with the next Congress) and then a cost-of-living increase if Congress allows a recorded vote on such an amendment. This provision avoids the flaws of the earlier, discredited salary grab, which was both excessive (50 percent in one year) and covert (no recorded vote).

PACs. Ideally, abolish PACs and institute a campaign-spending ceiling. Or at least limit PAC gifts to the amount of individual gifts (now \$2,000 per election) and restrict them to a set amount, say \$100,000 per House race, so a few PACs running in packs cannot dominate thousands of individual, local contributors.

Matching public financing. As in New Jersey, New York City, and the presidential primaries, public funds should match smaller, private contributions if participating candidates agree to a spending ceiling. Better that we spend pennies apiece as taxpayers than lose billions in revenues to special-interest lobbies.

Voter registration. As Minnesota and Wisconsin have done, simplify registration requirements: Allow postcard, election-day, and agency-based registration while not purging voting rolls if someone fails to vote.

Dishonoraria. Ban them. It's wrong for private interests, in effect, to pay a quarter of the salary of public servants.

Soft money. The Bush and Dukakis campaigns each funneled \$50 million to state parties from large donors in an obvious violation of the spirit (and maybe even the letter) of the presidential public-financing system. Because so-called "soft money" takes us back to the Watergate era of presidential funding, it should be prohibited or limited.

Investments. Prohibit investments by members of Congress in firms directly affected by their committee assignments, as is already the case in the executive branch. A member of, say, a banking committee, shouldn't hold bank stock.

If Congress doesn't adopt such dramatic ethics reforms, Capitol Hill will remain an echo chamber where a skeptical public may believe all accusations. Nor is this pay-for-ethics plan farfetched. Get Ralph Nader and Sen. Bob Dole to agree—since Mr. Nader has been anti-pay hike and Senator Dole anti-campaign reform—and it's a done deal.

Last week, President Bush made his highly publicized proposals on campaign-finance reforms. He deserves applause for urging the abolition of special interest PACs and of the transfer of war chests from cam-



paign to campaign. But he also deserves a Bronx cheer for admitting in a meeting with public-interest groups that one of his goals was to promote Republican prospects in 1990—which his PAC proposal does, since PAC's favor incumbents and there are more Democratic congressional incumbents. Why not laud Bush's modest opening bid and raise the ante?

Mr. Speaker, obviously this grand compromise uses the bait of a reasonable pay hike to get Congress to go along with needed reforms. Would that virtue were its own reward. Until then, isn't this modest trade-off worth the greatest pro-democracy bill of the century? Won't this proposal expose the Gingriches and Atwaters, if they balk, as partisans more interested in a good election-year issue than in good government?

It's time for a new Speaker to break with the past and to take the ethics offensive, for the good of our party, Congress and country.

### AMBASSADOR JOSEPH JOHN JOVA AN EXEMPLARY GREAT AMERICAN

#### HON. ESTEBAN EDWARD TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1989

Mr. TORRES. Mr. Speaker, I wish today to call attention to my colleagues in the House the retirement of my good friend Joseph John Jova from the presidency of Meridian House International. Prior to his assuming the presidency, Ambassador Jova distinguished himself as a career Foreign Service Officer serving in many diplomatic assignments on behalf of our Nation.

Ambassador Jova entered the Foreign Service after 4 years in private enterprise in Central America and 5 years in the U.S. Navy during World War II. He was appointed vice consul at Basra, Iraq, 1947-49; and then served in Morocco, 1949-52; and in Portugal, 1953-57; in the Department of State's Bureau for French and Iberian Affairs, 1957-58; and as the State Department's Chief of Personnel Operations, 1959-61. He served as Deputy Chief of Mission and Chargé d'Affaires in Santiago, Chile, 1961-65. He was appointed Ambassador to Honduras, 1965-69; Ambassador to the Organization of American States, 1965-69; Ambassador to the Organization of American States, 1965-74; and Ambassador to Mexico, 1974-77. He has headed U.S. delegations to a variety of international conferences.

He serves as trustee on the boards of Mount St. Mary College in Newburgh, NY; the University of the Americas in Puebla, Mexico; the Pan American Development Foundation; the Foundation for Cooperative Housing; the Library Associates of Georgetown University; and Amigos de las Americas. He is a member of the Mexican Academy of International Law, the Mexican Academy of History and Geography, the Washington Institute of Foreign Affairs, and Spain's Institute of Hispanic Culture. In addition, Ambassador Jova is a member of the Knights of Corpus Christi of Toledo, the Asociación de Hildalgos (Spain), the Societe d'Histoire de la Guadeloupe (France), and the Knights Malta.

Mr. Speaker, in Washington, he is an active member of the Metropolitan Washington Board of Trade. Ambassador Jova has served as chairman of the District of Columbia's advisory committee on wages and as chairman of the Mayor's task force on foreign residents. He is a director of the First American Bank of Washington.

Ambassador Jova has received honorary degrees from Mount St. Mary College, D.H.L.; and Dowling College, LL.D. In 1971, he received the U.S. Presidential Management Improvement Award; in 1975, the Thomas F. Cunningham Award from the International House in New Orleans "for outstanding contributions to relations between the United States and Latin America;" and in 1978, the State Department's Wilbur J. Carr Award for meritorious service. He has been honored with the Constantinian Order of St. George, and the Grand Crosses of the Orders of Morazan (Honduras), and the Aztec Eagle (Mexico). In recognition of his contributions to cultural exchange as president of Meridian House International, he was awarded the Grand Cross of the Order of Isabel La Catolica (Spain) and was named Commandeur of the order of Orange-Nassau (the Netherlands).

Mr. Speaker, Ambassador Jova was born on November 7, 1916 in Newburgh, NY, where he attended the Newburgh Free Academy. In 1938, he received his A.B. with honors from Dartmouth College. He attended the State Department's Senior Executive Seminar on Foreign Policy, 1958-59. Ambassador and Mrs. Jova, the former Pamela Johnson, have two sons and a daughter.

Mr. Speaker, I know my colleagues in the House wish Ambassador Jova and his wife Pamela all best wishes for a much deserved retirement. Their untiring efforts at this unique institution made it possible for Meridian House to serve as a doorway to the United States for hundreds of international visitors, and as a window to the world for Americans.

### OPENING OF APPALACHIAN HIGHWAY MONUMENT TO RURAL DEVELOPMENT

#### HON. ED JENKINS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1989

Mr. JENKINS. Mr. Speaker, the opening recently of the final portion of the Appalachian Highway network through Georgia brings to fruition a dream for rural development in the lower end of the Appalachian Mountain chain.

Completion of this 66-mile, four-lane artery connecting Georgia's beautiful Blue Ridge mountains and its residents with metro Atlanta reduces the traveltime between the two by an hour. The increased accessibility to the region already has brought commercial development along the completed portions of the route and more than 1,000 new jobs.

The credit for the concept of promoting rural development with better transportation routes to attract industry and tourists to an area we all love lies with the designers of the 13-State network of developmental roads proposed in the 1960's during the Johnson ad-

ministration. My predecessor, the Honorable Phil Landrum, Sr., was one of those designers. They saw the opportunity for tapping the human resources of the area through accessibility. The people of Appalachia could help themselves through development in the area and quicker access to other areas. Highways were one way of realizing this dream.

Even grand designs, such as this Appalachian rural development program, must have executors. Without cooperation from State officials, particularly in the Georgia Department of Transportation, the Appalachian Highway never would have left the drawing board. Through the years of development, Georgia DOT officials Bert Lance, Tom Moreland, and Hal Rives nurtured the project. Georgia DOT board members Tom Mitchell, Steve Reynolds, Troy Simpson, and Doug Whitmire spent countless hours of their time and talents to make the highway system a reality.

While DOT was taking the highway from the drawing boards to the land, other State agency officials, such as George Berry and Hannah Ledford in the department of industry, trade and tourism, were working on an overall strategy for rural development in the area.

Cooperation among the agencies was necessary to prepare the area for the increased growth and traffic. Many programs in the Appalachian Regional Commission's jurisdiction provided the vital seed money for water and sewer projects and other basic needs for industries and businesses ready to take advantage of the area's increased accessibility.

Sometimes during the process, the plan had to be reassessed and the primary goals restated. The purpose was not to destroy the home of the natives and the natural beauty of those mountains formed millions of years ago. Successfully, growth has come to the mountains, and the rare endangered ladyslippers and trillium still thrive with the local residents who treasure the land of their ancestors more than 20 years after the grand design was born. Grand designs do take time. It must be our mission now to ensure that our original intent of a better quality of life for Appalachia is not lost.

### A TRIBUTE TO WESLEY A. BROWN

#### HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1989

Mr. RANGEL. Mr. Speaker, it is indeed an honor for me to pay tribute to Wesley Anthony Brown, a man who has paved the way for many African-Americans to follow. Mr. Brown's life represents the exemplary advancement of blacks in the military.

Wesley A. Brown was born in 1927 in Baltimore, MD. He attended Dunbar High School and Howard University in Washington, DC, where he was enrolled in the Specialized Training Reserve Program.

The U.S. Naval Academy was founded in Annapolis, MD, in 1845, only 100 years later was Wesley A. Brown nominated by the late Adam Clayton Powell, Jr., to attend this academy. On June 3, 1949, Wesley Brown became

the first African-American to be graduated from the U.S. Naval Academy. Others have tried before him, but with hard work and dedication Wesley became the first. Mr. Brown graduated from the Naval Academy with a B.S. in mechanical engineering.

As a certified professional engineer, Wesley A. Brown was commissioned and served in the Navy from July 1949 until he retired in June 1969. From his first assignment in July 1949 as the assistant maintenance and transportation equipment superintendent at the Boston Naval Shipyard, to his last assignment in 1965 as the public works officer and officer in charge of construction at the Brooklyn Navy Yard, Brown has been nothing but a promising leader who has made many contributions to the Navy.

Along with his 20 years of service in the Navy, Brown has worked on various civilian projects. From 1976 to 1988 he was the director of physical facilities analysis and planning at Howard University. He is currently a member of the nominations committee where he selects bright and energetic individuals who are eager to follow in his footsteps.

Wesley Anthony Brown is the perfect role model for the youth of today. Not only have his achievements in the Navy stood as an example of leadership and pride, but his accomplishments also represent progress and success for all African-Americans. On this commemorative occasion recognizing the 40th anniversary of Mr. Wesley A. Brown's graduation from the Naval Academy, I salute all of his historic achievements.

#### JUSTINE ALESCHUS: FRIEND OF SCOUTING

#### HON. GEORGE J. HOCHBRUECKNER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1989

Mr. HOCHBRUECKNER. Mr. Speaker, I rise today to pay tribute to an outstanding American in my district who is being honored on August 3, 1989, for her outstanding contributions to the youth of this country and the Boy Scouts of America in particular. This inspiring woman, Justine Aleschus, is the recipient of the second annual Service to Youth Award which has been bestowed upon her by the Suffolk County Council of the Boy Scouts of America.

This award is not a surprise to those of us who know Justine. Her commitment to community service is well known throughout Suffolk County. Justine has previously been honored with the American Hospital Association's Award for Volunteer Excellence and with the First Volunteer Service Award from the Smithtown chapter of the American Association of University Women. Justine is active in a number of business organizations as well, and is currently a member of the board of the Long Island Builders' Institute's newly formed Sales and Marketing Council.

Justine's commitment to the Boy Scouts of America has been a long and fruitful one. She is a cornerstone of the Suffolk County Council's fundraising efforts and contributes untold hours of her time to ensure that all young men

in Suffolk County have the opportunity to experience the challenge of being a Boy Scout. I know that many of my colleagues in the House of Representatives join me in extending our congratulations to Justine Aleschus on this joyous occasion.

#### CONGRESSIONAL TRIBUTE TO JOE PLACENTIA OF LOS ANGELES

#### HON. JULIAN C. DIXON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1989

Mr. DIXON. Mr. Speaker, it is with pride and admiration that I rise to recognize the lifetime achievements of an individual committed to the welfare of America's workers, Joe M. Placentia. Joe is retiring on July 31, 1989, after 41 years of active involvement with the United Automobile, Aerospace and Agricultural Implement Workers of America [UAW].

Throughout his lengthy tenure with the Aluminum Co. of America, Joe worked within the UAW to advocate the rights of workers. He has acted as president of UAW Local 808, and as an international representative of UAW region six. He has also been actively involved with minority politics; he has traveled to Israel on a goodwill tour as a representative of the Hispanic community, is a four-time delegate to the Democratic National Convention and has worked to elect Hispanic and other minority group candidates to political office. He has also served on the board of directors of many community organizations in Los Angeles.

Mr. Speaker, Joe Placentia's commitment to his community, his job and to the cause of the unions should not go unrecognized. Now, on the eve of his retirement, I ask my colleagues in the House of Representatives to join me in congratulating Joe on his accomplishments, and in wishing him much future happiness.

#### THE WALKER AMENDMENT—SOLACE FOR NONVIOLENT CIVIL RIGHTS DEMONSTRATORS

#### HON. ROBERT K. DORNAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1989

Mr. DORNAN of California. Mr. Speaker, last Thursday, the House adopted by voice vote an amendment to the fiscal year 1990 Veterans-HUD and independent agencies appropriations that would deny community development block grant to any municipality where three or more law enforcement personnel have been convicted of using excessive force, on the order of a superior, against nonviolent civil rights demonstrators. The amendment is meant to deter such actions and to express the sense of the Congress that brutality in law enforcement is unnecessary, inexcusable and won't be tolerated.

Recent events, including the arrest of a news reporter covering a nonviolent pro-life demonstration in West Hartford, CT, are inspiring the press to take a closer look at the

extent of official violence against American citizens engaged in traditional modes of political dissent. Incidents of physical violence against civil rights demonstrators on the abortion issue have erupted in Portland, OR; Sunnyvale, CA; San Diego; Pittsburgh; Los Angeles; Atlanta; Boston and many other cities across this great Nation. In the West Hartford case, on June 17, police officers not only roughed up elderly protestors, clergymen and other participants (breaking one demonstrator's arm with audible force), but they also seized and destroyed the arrested reporter's notes and confiscated newswire of the event.

Columnist William F. Buckley summarized the situation well in his syndicated column published on June 21, 1989. He wrote that June 17 "is a day that can be compared to the famous day that featured Selma, AL, in 1965. It is hard to believe that Bull Connor, directing white redneck policemen, caused more brutality in the treatment of blacks than was caused by the police of West Hartford in their treatment of members of Operation Rescue." Mr. Speaker, I am pleased to submit a copy of Mr. Buckley's column for the record, and I ask my colleagues to reflect on whether the behaviors it describes are tolerable responses to acts of peaceful political protest.

#### ABORTION FOES LACK RHETORICAL RESTRAINT

It isn't easy to achieve psychological neutrality in the abortion standoff, but the violence of the surrounding rhetoric, and now the physical violence of the policemen of West Hartford, Connecticut require that the effort be made to focus on a critical difference between the two camps.

It is this: that the lifers do not seek to harm anybody, or, for that matter—to use a taxonomically neutral term—anything. When they demonstrate in front of an abortion clinic, they are not seeking to hurt the choicers queuing up for abortions. They are seeking by their demonstrations to persuade pregnant mothers to have what the lifers consider to be developing human beings.

The choicers should honor this distinction. Their conviction that the fetus is simply a disposable part of their—repeat—their—body is a position held by honorable men and women of rectitude. But they need to recognize that there is that other point of view, and that this other point of view seeks not to destroy, but to preserve, and that accordingly, a certain rhetorical restraint is in order when engaged in disputes with them.

The events in West Hartford on June 17 are gradually catching the attention of the public. It is certainly a day that can be compared to the famous day that featured Selma, Alabama, in 1965. It is hard to believe that Bull Connor, directing white redneck policemen, caused more brutality in the treatment of blacks than was caused by the police of West Hartford in their treatment of members of Operation Rescue, the anti-abortion organization.

It was a Saturday morning. According to affidavits filed by the people arrested, including Bishop George Lynch (a veteran of seven Operation Rescue efforts), about 275 Rescuers had gathered to picket and block the Summit Women's Center, which does most of its business on Saturdays.

If we are to believe these affidavits, the policemen tried to get the crowd to disperse, failed to do so—whereupon they illegally removed their badges and name tags, and



through this gave them immunity to act like thugs rather than to pursue their profession, which is among other things, to prevent thuggery.

These policemen arrested most of the Rescuers, using nylon cuffs attached so tightly as to cut off circulation to the hands. One policeman pushed his nightstick across an elderly woman's face, twisted her arms behind her, and put his weight on her back.

This scene was repeated, with variations, many times. Nightsticks were used liberally. Several Rescuers were beaten. One experienced a nightstick placed between his legs and jerked sharply upward. Another arm was broken with such force that the snap was audible 40 feet away. Many of the Rescuers were elderly; they were not spared the violent treatment, not even the technique that became standard for the day, the strap-pado—inserting the nightstick between the back and the bound hand, then lifting, so that the body's weight is painfully concentrated on the elbows or upper arms.

Many of the victims screamed involuntarily, others sobbed. The police laughed and mocked them. "Jesus isn't helping you," one policeman told a praying Rescuer. "Call out for Satan." Those words, in that context, have a resonance 2000 years old.

At least one reporter was also arrested. Her notes were seized and destroyed. "Aww, her First Amendment rights have been trampled," another policeman was heard to coo. Photographers representing several local Catholic newspapers were forced to turn over their film: confiscated, South African style.

In the jailhouse, the police punched, kicked and tossed the arrestees about. One man was pitched head-first into a sink from a height of five feet. A comrade who saw this called it a "miracle" that no serious injury resulted marveled at the audacity of the policeman's violence, considering the liability that might arise: that should arise.

The Rescue folk are not more violent than those who almost every day sit in on South African consulates and are gently removed, booked and released. They seek to dramatize a point that choicers should force themselves to acknowledge: as demonstrators for civil rights they were fighting not for themselves, but for others.

## BIG U.S. MULTINATIONAL FIRMS PAYING LITTLE U.S. TAX

**HON. FORTNEY PETE STARK**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1989

Mr. STARK. Mr. Speaker, recently, the National Bureau of Economic Research, Inc., released a study of taxes paid by U.S. multinationals and their foreign subsidiaries. This study, called *Coming Home to America: Dividend Repatriations by U.S. Multinationals* (NBER Working Paper No. 2931), concludes that "... U.S. multinationals paid little or no U.S. tax on their foreign operations."

Under current law, the dividends paid by foreign subsidiaries of American firms to their parent companies are taxable in the United States. But multinationals can avoid paying U.S. taxes by investing their foreign profits instead of paying out dividends. One would think that most firms would choose this option to escape taxes.

Yet, statistics show that many firms have not taken advantage of this practice. But neither have firms paid much tax on the dividends. How is this possible? According to the authors of the article, some firms paid taxes to foreign governments in amounts that exceeded the tax they owed to the IRS. As a result, the foreign subsidiaries incurred no U.S. tax liability by paying dividends to the parent company here. Another way that multinationals avoid taxes on dividends is when the losses from their U.S. operations outweigh their foreign incomes.

The authors go on to say that the recent cut in the U.S. corporate income tax rate from 46 percent to 34 percent will further increase the number of multinationals which will have excess foreign tax credits, enabling them to pay little or no U.S. tax.

It may be beneficial for us to reconsider our tax laws, as examples such as these surface. As the writers conclude, "The present U.S. system of taxing multinationals' income may be raising little U.S. tax revenue, while stimulating a host of tax-motivated financial transactions."

NBER's description of the article follows:

### THE MYSTERY OF MULTINATIONAL DIVIDENDS

When overseas subsidiaries of U.S. multinationals pay dividends to their parent corporations, these dividends are subject to U.S. tax. However, firms can defer paying U.S. taxes indefinitely by reinvesting their foreign profits abroad rather than remitting dividends. Yet in 1984, the latest year for which statistics are available, foreign subsidiaries paid \$11.8 billion in dividends to their U.S. parents on profits net of foreign taxes of \$30 billion, for a payout rate of 39 percent. In some years, this payout rate has been as high as 60 percent. Why would U.S. corporations voluntarily choose to increase their tax bills by transferring income in this way from subsidiary to parent?

A new NBER study by James Hines and Glenn Hubbard finds that these transfers do not actually increase the taxes paid by U.S. multinationals. In *Coming Home to America: Dividend Repatriations by U.S. Multinationals* (NBER Working Paper No. 2931), they examine tax data for 1984 on 12,041 foreign subsidiaries of 453 U.S. parent corporations. They report that 84 percent of foreign subsidiaries did not pay dividends at all to their U.S. parent. Among the 16 percent of foreign subsidiaries that did pay dividends, firms with excess foreign tax credits paid over half of the repatriated dividends. In other words, the taxes paid by these subsidiaries to foreign governments exceeded the tax owed to the IRS. Therefore, these firms incurred no U.S. tax liability in choosing to pay dividends to their U.S. parent. Other multinationals that received dividends from foreign subsidiaries had losses on their U.S. operations that offset their income from overseas. The net result was that U.S. multinationals paid little or no U.S. tax on their foreign operations.

Foreign subsidiaries also can transfer income to their U.S. parents in the form of interest, rents, and royalties. Hines and Hubbard find that 6 percent of foreign subsidiaries made such payments in addition to paying dividends, while another 15 percent paid interest, rents, and royalties but not dividends. These latter firms generally paid foreign taxes that were less than the U.S. taxes that would have been due if they had paid dividends to their U.S. parents. Hines and Hubbard calculate that 63 percent of in-

terest, rents, and royalties were paid by firms in such situations.

Finally, they suggest that the recent reduction in the U.S. tax rate on corporate profits from 46 percent to 34 percent will increase the number of multinationals with excess foreign tax credits. This will tend to reduce further the U.S. taxes collected from U.S. multinationals. Although other changes introduced by the Tax Reform Act of 1986 will tend to raise tax revenues from overseas income, Hines and Hubbard conclude, "The present U.S. system of taxing multinationals' income may be raising little U.S. tax revenue, while stimulating a host of tax-motivated financial transactions."

## DOD AUTHORIZATION AMENDMENTS

**HON. MICKEY LELAND**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1989

Mr. LELAND. Mr. Speaker, unfortunately, due to very pressing business in my district I was not present to vote on the amendments to H.R. 2461, the Department of Defense authorization bill. Had I been present, I would have voted as follows:

Rollcall No. 174, "yea."  
Rollcall No. 175, "yea."  
Rollcall No. 176, "yea."  
Rollcall No. 177, "yea."  
Rollcall No. 178, "yea."  
Rollcall No. 179, "yea."  
Rollcall No. 180, "yea."

## CHILEAN CONSTITUTION TO PROTECT PINOCHET'S POWER

**HON. ROBERT GARCIA**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1989

Mr. GARCIA. Mr. Speaker, Chile is a nation in transition as it enters the 17th year of the Gen. Augusto Pinochet dictatorship. Although some positive changes have advanced democracy here, including a number of proposed constitutional changes, which will be voted on in a national referendum on July 30, many observers question the legitimacy of Pinochet's democratic intentions. Since his October 5 plebiscite defeat, the general has fought unceasingly to maintain both his and the military's power after his scheduled departure from office in March 1990. Though a new president, to be elected in December, will take his place, Pinochet will remain as commander in chief of the armed forces for 8 more years, thanks to his hand crafted 1980 constitution.

Since the military's role is defined as insuring the "institutional order of the Republic", many experts interpret this as Pinochet's way of guaranteeing the possibility of a future coup if things get out of hand, as defined by him and his military colleagues. In order to heighten public awareness of the important Chilean constitutional debate and to encourage a true democratic transition, I wish to submit into the RECORD a slightly edited article which first appeared in the July 19 edition of the Washing-

ton Report on the Hemisphere, a biweekly publication of the Washington-based Council on Hemispheric Affairs [COHA], authored by COHA research associate Tim Sheehan.

**CHILEAN CONSTITUTION TO PROTECT  
PINOCHET'S POWER**  
(By Tim Sheehan)

Chilean voters will go to the polls July 30 to vote in a referendum on amending the 1980 constitution imposed by Gen. Augusto Pinochet. A majority of them are expected to approve the proposed changes, which the government and opposition have agreed to after several months of often tough negotiations, through anti-Pinochet forces feel the reforms still do not sufficiently limit the power assumed by Pinochet and the military after the 1973 coup.

The regime was willing to make some important, though far from critical, changes such as reducing the next presidential term from eight to four years, abolishing the requirement that two consecutive congresses approve constitutional amendments, and eliminating the president's power to dissolve the Chamber of Deputies. Voters will likely support these reforms, hoping that they are a step in the right direction, even though the opposition fought for greater changes.

One of the biggest disappointments for the opposition was its inability to eliminate the provision allowing for ten unelected senators, including Pinochet's lifetime seat. In past elections, the political right has usually won at least one-third of the legislative races. If the same occurs in the December 14 general election, this could give the pro-Pinochet forces a near majority in the 43-member upper house, thus making it all but impossible for the opposition candidate, Patricia Aylwin, if she wins, to get desired legislation through Congress.

The composition of the all-important National Security Council (NSC), a powerful body created by the 1980 constitution which can issue opinions to authorities regarding "any deed, act, or matter" which undermines the "foundations of the institutionality" of the nation, was altered but only in a cosmetic way. The military will hold four of the eight voting council seats instead of four out of seven, which will still give the armed forces effective control of the body since the military members can be counted on to vote as one.

The controversial Article B, outlawing "totalitarian" (i.e. Marxist) actions and doctrines was abolished, yet a very similar clause was added to Article 19, continuing to define "totalitarian" acts, which Pinochet would attribute to half the opposition, as unconstitutional.

Under Article 41, the president still has the right during a state of siege to arrest people at will, suspend or restrict the right of assembly, and curtail freedom of information and opinion. The president may also call for a declaration of a "state of assembly," enabling a prohibition of unionization, and allowing censorship and confiscation of property.

Other clearly undemocratic provisions of the Pinochet-mandated 1980 constitution were left untouched, including the government's right to dissolve political parties, forbid association contrary to the "Security of the State," and even forbid "partisan" education.

Pinochet has turned to the constitution that he pushed through in a fraud-ridden 1980 referendum to protect both his present, and the military's future, power. His endorsement of these relatively modest

constitutional reforms should not be seen as a sign that Pinochet is ready to yield some of his power. The Chilean leader previously had placed a clause in the constitution mandating that he will remain at the head of the armed forces throughout the next administration. But he is using these modest concessions, in his waning months in office, as a way to widen his base of public support and build confidence in the armed forces' good intentions, painting them as the best alternative should the nation again face a political crisis.

Article 90 explains that the role of the armed forces is to "guarantee the institutional order of the Republic." Many people see this as the general's way of legitimizing a future coup attempt. The army deputy commander, Gen. George Zincke, surely struck fear into the hearts of many Chileans when he responded to a hypothetical question about the role of the military should the nation's institutional order break down: "You already saw what happened on September 11, 1973," he said.

**NEW YORKER VOLUNTEERS  
FOR THE ENVIRONMENT**

**HON. LOUISE M. SLAUGHTER**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1989

Ms. SLAUGHTER of New York. Mr. Speaker, today I rise to salute the exceptional work of a woman from my district who recently gave up 2 weeks of her time to help cleanup efforts in the aftermath of the *Exxon Valdez* oilspill in Alaska.

Miriam Nathan of Scottsville, NY, worked tirelessly as a volunteer at the Oil Spill Volunteer Response Center in Seward, AK. She provided the invaluable service of monitoring the health of oil-fouled wildlife and assisting with their recovery. Time was of the essence to save lives. Now, 4 months after the Nation's worst oilspill, long-term cleanup efforts continue. Exxon employees, Coast Guard officials, and scores of volunteers are still laboring to cleanse the beaches, wildlife, and the water of more than 10 million gallons of crude oil that poured from the *Exxon Valdez* on March 24.

Ms. Nathan has never considered herself an activist; she works full time as a sign language interpreter in Rochester, NY. However, the scope of the Exxon disaster compelled Ms. Nathan to take time off and help in any way she could. She felt she could not sit by and allow our beaches and marine wildlife to be destroyed by toxic crude oil.

Mr. Speaker, I applaud Ms. Nathan's attitude, determination, and effort. She did not merely deplore the situation; she took action to help in a time of need. I ask my colleagues to join me in seeing that her contributions were not in vain. We have an obligation to Ms. Nathan and the other cleanup volunteers to enact safeguards to prevent future oilspill disasters. The loss of life, livelihood, and a once-pure environment that we have witnessed in Alaska's Prince William Sound must never be repeated.

**A RIGHT DIMINISHED**

**HON. DON EDWARDS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1989

Mr. EDWARDS of California. Mr. Speaker, an editorial in the San Jose Mercury News on July 4, 1989, offers an insightful look at the Supreme Court's recent decision in Webster versus Reproductive Health Services. The editorial illustrates what a fractured, unfortunate opinion Webster offers. It demonstrates that this case undermines the 1973 Roe versus Wade decision, which affirmed reproductive freedom as a constitutional right of privacy.

The date of July 4 was an excellent choice to print this editorial as it demonstrated the irony of celebrating America's independence when the day before—July 3—the Supreme Court decision made many women less free. As the Mercury points out: "for women, the celebration of Americans' inalienable rights to life, liberty and the pursuit of happiness rings hollow today."

The editorial shows clearly that by upholding the Missouri statute's prohibition against the use of public facilities and public employees to perform abortions, the Court essentially ruled against poor women, minority women, and rural women, whose only access to medical facilities may be the local city or country hospital.

There is no doubt in my mind that this decision invites the Government to intrude into the bedroom of every American family. As the editorial states, what is at risk "here and everyone, is not simply a woman's right to an abortion, but women's right to control their lives."

The editorial follows:

[From the San Jose Mercury News, July 4, 1989]

**A RIGHT DIMINISHED**

All men are created equal. But, for women, the celebration of Americans' inalienable rights to life, liberty and the pursuit of happiness rings hollow today.

Monday, a narrowly and bitterly divided Supreme Court expanded state power to regulate abortions, and promised to hear cases next term that could strip away the constitutional right to abortion.

If the Webster ruling is the first step toward overturning the 1973 Roe vs. Wade decision, as the court minority warns, then it will mean that men in state legislatures across the country will decide whether women shall bear children.

It will be the first case of a constitutionally determined civil right being withdrawn from the people. This is no decision to applaud.

The five-member majority in the Webster case upheld a Missouri law that bans state-funded hospitals and state employees from providing abortions or counseling, unless necessary to save a woman's life, and requires doctors to test a fetus for viability before performing an abortion after 20 weeks of pregnancy.

The decision ducked ruling on the constitutionality of the law's preamble, which proclaims that "the life of each human being begins at conception" and gives unborn children "all the rights, privileges, and immunities available to other persons, citizens, and residents of this state."



Missouri had claimed, absurdly, that the preamble was "abortion-neutral."

Since 1973, the court has ruled that while states are not required to fund abortions for poor women, they may not put obstacles in the path of their decision.

Chief Justice William Rehnquist argued that the Missouri law does not obstruct free choice by denying a hospital abortion to a woman whose doctor has medical privileges only at a state-funded hospital.

His logic was even worse when it came to the ban on abortion counseling. Women with family incomes below \$11,000 account for one-third of all abortions, teenagers for one-fourth. Girls and women who rely on public clinics and hospitals for medical care will receive no information about abortion, under the Missouri law, but lack of information also was judged no obstacle to their right to decide.

The 1973 opinion allowed states to intervene to protect the fetus only in the last trimester, when it could live outside the mother's body. It is not unreasonable to modify this, since medical science has made it possible for some babies to survive after 22 weeks of gestation. The question is whether the court intends to go much further.

In the most chilling part of his opinion, Rehnquist denied any intent to overturn *Roe vs. Wade*, and then wrote: "We do not see why the state's interest in protecting potential human life should come into existence only at the point of viability, and that there should therefore be a rigid line allowing state regulation after viability but prohibiting it before viability."

If states can regulate abortion before viability, then nothing remains of women's rights to choice.

Justice Harry Blackmun, author of the *Roe* opinion, wrote in dissent: "The plurality opinion is filled with winks and nods, and knowing glances to those who would do away with *Roe* explicitly, but turns a stone face to anyone in search of what the plurality conceives as the scope of a woman's right under the due process clause to terminate a pregnancy free from the coercive and brooding influence of the state."

In California, where the right to privacy was written into the state Constitution in 1972, the Legislature has passed a ban on Medi-Cal funding of abortion for the poor every year for 10 years. And every year, the state Supreme Court rules the funding ban violates the state Constitution. Gov. Deukmejian's conservative appointees have not changed that view.

Following Monday's Supreme Court decision, an initiative drive to amend the Constitution and limit state abortion rights is a possibility. A lot of grandstanding in the Legislature is a certainty.

At risk, here and everywhere, is not simply a woman's right to an abortion but women's right to control their lives.

#### A GLASNOST HALF EMPTY OR FULL?

HON. ROBERT K. DORNAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1989

Mr. DORNAN of California. Mr. Speaker, last Friday Soviet Marshal Sergei Akhromeyev testified before the House Armed Services Committee on Soviet national security. While this meeting was a welcome step toward a

better understanding of Soviet defense resources, we must still be cautious.

Akhromeyev was fairly forthcoming with his answers, however, when the HASC Members tried to pin him down on specifics, he was generally unable to respond. He flatly stated that the detailed information about Soviet military production would remain unavailable for a few more years. This should be viewed with a certain amount of skepticism. On the one hand the Soviet Union has openly discussed the heretofore secret defense budget, yet on the other hand it will take 2 plus years to present real numbers? I would like to share with you an article written by the Undersecretary of Defense, Paul Wolfowitz. I believe you will find his commentary in today's Washington Post of compelling interest.

(From the Washington Post, July 27, 1989)

A LITTLE MORE GLASNOST, PLEASE, MARSHAL AKHROMEYEV

(By Paul Wolfowitz)

The Soviet Union has been making a number of gestures toward the West recently in the name of glasnost, or openness. Adm. William Crowe visited the Soviet Union last month, and last Friday Soviet Marshal Sergei Akhromeyev appeared before the House Armed Services Committee, where he spoke about Soviet national security in the 1990s, with a particular emphasis on arms control. We welcome more Soviet openness, just as we welcome and hope to continue high-level meetings between U.S. and Soviet defense officials.

However, we must also be candid. Despite Chairman Gorbachev's announcement that his country is spending 77.3 billion rubles per year for defense, Soviet budgets remain secret and puzzling. In his congressional appearance, Marshal Akhromeyev indicated that more detailed information could not be made available until 1990 or perhaps 1991.

Based on the information we have, we cannot be certain whether the Soviet Union is really cutting its military budget, and if so, which portions are being cut. Do the cuts reflect a fundamental shift in military doctrine and foreign policy, or are the Soviets merely shedding anachronistic burdens to develop a leaner and more capable military force?

Our skepticism begins with the overall budget total. The figure of 77.3 billion rubles clearly is more realistic than the 20.2 billion acknowledged in 1988. But others in the Soviet leadership, including leading Soviet economists, have said that the defense budget is more than 100 billion rubles, and we estimate that true spending on the Soviet military is almost 15 to 17 percent of GNP, or about double the figure the Soviets now use.

Our skepticism about the total grows out of a skepticism about its parts. The Soviets have indicated that the 77.3 billion rubles includes procurement, research, construction and "maintaining" the armed forces (probably military pay). But that still leaves some questions about items not covered, and the prices used to calculate the released numbers. Soviet spokesmen the past two years have been saying it would not be possible to release a defense budget until price reform because they could not know the real value of military goods and services. But price reform still has not occurred, so how much credence should we now place in a 77.3 billion figure?

Gorbachev has said his country would reduce defense spending by 14.2 percent. He

implied this was to be accomplished by the end of 1990. However, other Soviet officials have subsequently suggested they would not reach 14.2 percent until 1991, with the 1989 cut being only 1.5 percent. The Soviets also say that defense spending was frozen in 1987-88, but we estimate 3 percent annual growth since Gorbachev has been in power. Of course we could welcome Soviet budget cuts, but we need more information to go on.

By contrast the size of the U.S. defense budget is well known and the subject of spirited public debate. The whole world can see that our recent budget request of \$295.5 billion for fiscal 1990 was \$10 billion, or 3 percent, below President Reagan's request in January. This represents the fifth consecutive year of budget decline—a real decline and not just promise—for a cumulative reduction in real defense spending of approximately 12.6 percent over the five years. Our projected defense spending for the fiscal years 1988-1994 will have been reduced by a total of \$373 billion.

It is important, however, to get past the totals. We provide massive amounts of detailed data on specific programs, whereas the Soviet Union provides nothing comparable. These details are important, because the real Soviet threat is measured by military hardware, not dollars or rubles.

For example while the United States announces how many systems it produces and fields, the U.S.S.R. provides almost no such information. While the U.S.S.R. has released some information on forces in the area from the Atlantic to the Urals, it has not provided basic information about how many systems it currently has deployed worldwide. And while Soviet leaders quote detailed, public information about the cost of our Strategic Defense Initiative, they provide no cost information about their own ambitious strategic defense program, even though their research effort was started years before ours.

For real military glasnost to exist, the U.S.S.R. would have to be much more open about providing defense information. At the very least, it should meet United Nations standards for military budget reporting. In fact, the Soviets should adopt a more progressive standard and provide detailed information on programs and production similar to what is routinely revealed in the West. This would be a positive step, consistent with their claims of a truly defensive doctrine and with their expressed desire to reduce tensions and improve trust. What should come next? During their meeting in March 1988, U.S. Defense Secretary Carlucci and Soviet Minister of Defense Yazov agreed to exchange basic information on U.S. and Soviet forces and force structure. The Soviets later declined to carry out such an exchange. They should revisit their position on this issue.

Finally, the Soviet Union needs to spell out how its military forces and capabilities contribute to a more stable international environment. Gorbachev told the Congress of People's Deputies in May that although he was cutting spending and reducing forces, the cuts would give a "a new quality to the U.S.S.R. Armed Forces without any detriment to the country's defense capability." Does this mean that the Soviets have changed their force requirements, or will the forces be reduced in size without losing capability? If the latter, the reductions may make little difference to the threat faced by the United States. We must ask what exactly are the long-term Soviet military goals.

We look forward to additional exchanges during future meetings with representatives of the Soviet Ministry of Defense. Clearly there is much yet to do. If the Soviet Union really is moving toward a less threatening posture, and if it wants to reap the full benefits of its new position, it can only stand to gain by releasing information that would help resolve the ambiguities in its present position.

## POLL RESULTS ON LONG-TERM CARE

### HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1989

Mr. STARK. Mr. Speaker, I have asked most of my constituents who have written letters in opposition to the new Medicare Catastrophic Coverage Act a series of questions about what changes they would like to see.

The following poll results on 150 usable responses may be of interest as we consider future legislation:

	Percent
Do you believe we should enact long-term health care (home health aides, adult day care, nursing home) insurance:	
(a) instead of spending money helping people with acute care catastrophic expenses:	
Yes.....	59
No.....	25
No response.....	15
(b) in addition to acute care catastrophic expenses:	
Yes.....	40
No.....	43
No response.....	17
If you said YES to either question above, roughly how much would you be willing to pay per month for such insurance:	
less than \$10.....	32
\$10 to \$25.....	27
\$25 to \$50.....	16
\$50 to \$100.....	3
No response.....	22

Mr. Speaker, as you know, the average 1988 cost of a month in intermediate care nursing home is at least \$1,200. As the poll indicates, 59 percent of the seniors who have written me letters on the new Medicare law are willing to contribute less the \$25 a month for such insurance.

As we draft legislation in this area, we will need to pay close attention to these thresholds of "tax tolerance," if we are to avoid complaints like those that have arisen against the Medicare Catastrophic Coverage Act.

## OPTION OR EXTORTION?

### HON. ROBIN TALLON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1989

Mr. TALLON. Mr. Speaker, on Monday of this week, the Ways and Means Committee approved by a narrow margin a proposal to change the new Medicare catastrophic coverage law. Despite good intentions from many

members of the committee, I cannot help but be disappointed with the provisions in this committee proposal.

I have always been an advocate of making catastrophic coverage optional under the Medicare Program. When Congress originally considered catastrophic in 1987, I voted for a substitute proposal simply because it made the extended coverage optional.

In both the 100th and 101st Congresses, I have introduced legislation to make catastrophic optional. My bill, H.R. 558, the Catastrophic Coverage Election Act, would allow seniors to opt out of both the new catastrophic benefits and premiums while enabling them to keep their valuable part B physician coverage.

The Ways and Means Committee makes a mockery out of the idea that catastrophic should be voluntary. Under this proposal seniors can opt out of catastrophic premiums and benefits only if they chose to forego part B. That's ludicrous. Ninety-six percent of Medicare enrollees have chosen part B insurance because they need it and want it.

If Ways and Means has its way then seniors would have only a one-time chance to elect coverage instead of a true option such as an open season as proposed in H.R. 558. To top it off, the committee version would mean that the seniors would be penalized for dropping part B if they do not want catastrophic coverage.

Pure and simple, it's extortion to force seniors to give up part B in order for them to be rid of the burden of the catastrophic premiums which most of us in Congress believe are unfair.

I commend the Ways and Means for cutting the new supplemental premiums in half. Still, I am opposed to the idea that the new benefits for all beneficiaries are paid by a smaller group of enrollees on the basis of ability to pay. I say if there is going to be catastrophic coverage under Medicare, the Ways and Means Committee will have to come up with a different way of financing it. That's what we have been fighting for over many months now.

I can certainly understand the pressure my colleagues on the Ways and Means Committee have faced in this matter. But I fear its reported solution is only a perfunctory attempt to pay lip service when the present catastrophic crisis presents a real challenge that must be met with fortitude, determination, and reason.

## THE DEMOCRATIC REVOLUTION

### HON. WALTER E. FAUNTROY

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1989

Mr. FAUNTROY. Mr. Speaker, recently the National Endowment for Democracy held a Conference on "The Democratic Revolution." During the course of the conference, Mr. Leopold Berlangier, the President of the Haitian International Institute for Research and Development, delivered remarks at a Luncheon Panel Session on the situation facing democrats in Haiti.

Mr. Berlangier's comments are most enlightening and in my capacity as Chair of the bi-

partisan Congressional Task Force on Haiti, I am pleased to submit them for review by my colleagues. A brief introduction precedes these remarks by Mr. Berlangier.

## REMARKS BY MR. LEOPOLD BERLANGIER

(Leopold Berlangier is the president of the Haitian International Institute for Research and Development, which is working to promote democratic values and processes and encourage cooperation and dialogue among private sector groups committed to democracy in Haiti. Mr. Berlangier, who served as a program coordinator for the Haitian Development Foundation, has also been a professor of development economics and land management.)

I am delighted to be here with such a distinguished assembly of people fighting all around the world for democracy. Again, we want to congratulate the National Endowment for Democracy for its efforts and initiatives and for making this gathering possible.

During the last three or four years, Haiti has been a critical test for the spread of the democratic revolution. The wave of democratic change in the 1980's which affected political regimes of the American subcontinent also found its way into Haiti. The downfall of twenty-nine years of brutal and corrupt dictatorship in February 1986 was welcomed by the Haitian people as a second independence. Most Haitians believed the 1986 revolution, based on people's sovereignty and political rights, would give full meaning to the 1804 victory over colonization.

Today, democratic principles and values have become the latest motif for politics—the common ground for political consensus and Haitian hopes for freedom, responsible government, and for a better life. We all have in mind the tremendous effect on the world's political context of the human rights policies initiated by the Carter Administration. Also, these policies were strengthened throughout the hemisphere by the Catholic Church's new commitment to elementary rights against political oppression.

In Haiti, the most sensible and perhaps most crucial achievements to date as a consequence of this new era are indisputable—freedom of speech, freedom of the press, and more space for pluralistic organizations of civil society.

Yet in this painful surge for a new beginning, the Haitian people have not been able to choose democratically their own leaders, and the fulfillment of their aspirations—clearly expressed through a constitution, massively voted by the people in March 1987—still remains a dream.

But this difficult birth of democracy is consistent, on the one hand, with the firm conviction of the Haitian people to struggle for a new democratic society and, on the other hand, with the enormous obstacles that handicap the process.

In today's Haiti, threats against democracy come from every direction. First of all, one has to take into consideration the weight of historical heritage. The political culture is dominated by an authoritarian tradition which favors the exclusivism of a small group against the will of the many. Of course, this type of political culture favors neither the common surge of consensus nor the general equilibrium of the political system.

The lack of adequate institutions at the state level is also an important obstacle to democracy, especially without the institutionalization of the armed forces along pro-



fessional criteria. Under a clear perception of the supremacy of a legitimate civilian government, the risk of a coup d'état or a military coup could remand a regular pattern.

Another major problem is the judiciary. Until now, the idea of justice has been considered as luxury for the strong, while the weak, or the majority, have to struggle every day against oppression. Nevertheless, the institutionalization processes of democracy also rely heavily on the shoulders of civil society. Strong leadership based on political parties, as well as structured unions, is a known prerequisite for stable democracy. Such structures will take a great deal of time, effort and know-how.

Above all, however, corruption and poverty are the most crucial obstacles to democracy in Haitian society today. Systematic abuses, enormous privileges and monopolies are current practices for an oligarchic fraction of society.

Those elements are antagonistic to every conceivable positive step toward democracy and development. Such corrupt practices are the basis for actual perceptions of pre-eminence of personal and particular interest over national interest and common good. In this perspective, the democratic revolution is also a moral revolution.

On the other side, massive poverty is by all accounts an awful plight and impediment to democracy. It goes hand-in-hand not only with hunger, but also with ignorance. Poverty and ignorance are exploited by the political extremes who can build on them slogans of totalitarian revolution and systematic immediate rupture at any expense, at any cost.

Today in Haiti democrats stand a fighting chance to overcome the totalitarian and authoritarian challenge if they show enough realism to mold democracy according to social and historical realities. Three years of political and governmental instability spell, apparently, chaos and anarchy. But these years are also years of searching for something better than dictatorship. In fact, the social and political instability demonstrates society's willingness not to go back to an ancient and traditional solution.

This proves that democracy stands as the only workable alternative in Haiti. The democratic society the Haitian people are striving for may not be an ideal or fully genuine one for the next decade. Today and in the years ahead, Haitian democrats must be careful not to give way to absolute political competition. Moderate political consensus will be the only reasonable path for some years to come. At this stage, it means also a genuine expression of democracy. Again, it points out that a democratic revolution is a gradual revolution.

Finally, despite the primary responsibility of government policy in establishing the rule of law, the real fight will be from the bottom up. A major portion of this initiative will have to come from grassroots levels.

It is consequently imperative to strengthen political processes by making them instrumental for social and economic transformation, mostly to the benefit of the disenfranchised, which represent a national majority today. Although there have been many different problems on the paths of Haiti's progress toward democratization, its ongoing struggle is an expression of confidence and a testament that the people of Haiti want democracy, and they will attain it.

The future of six million Haitians is at stake. Social change is inevitable. Our duty

is to make it happen as peacefully as possible and in what we believe are the best interests of our country.

Our presence here today means that we share a wish to work together to promote, protect and defend the basic human rights of liberty and social justice. Yes, democracy will prevail.

#### CONGRATULATIONS MISS BRANDI SHERWOOD

HON. RICHARD H. STALLINGS

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1989

Mr. STALLINGS. Mr. Speaker, I rise today to congratulate Miss Brandi Sherwood of Idaho Falls, who was crowned Miss Teen America on Tuesday.

Brandi graduated in May from Idaho Falls High School where she was involved in many activities. As a junior, she was a member of the varsity cheerleading squad. She also was president of Girl's Federation and vice president of the Idaho Student Government.

Brandi is a very active young woman who enjoys waterskiing, modeling, and dancing. After her reign as Miss Teen America, Brandi plans to go on to college to study communications and performing arts.

We are very proud of Brandi's presentation and performance. It was obvious to anyone watching that this young woman from Idaho was clearly the winner.

Brandi has done an excellent job of representing my State as Miss Teen Idaho. She is an outstanding role model for our Nation's young people, possessing strong family values and a demonstrated commitment to her school and community. I am sure that she will be an excellent representative of our Nation.

#### INTRODUCTION OF COMPREHENSIVE OILSPILL LEGISLATION

HON. ARLAN STANGELAND

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1989

Mr. STANGELAND. Mr. Speaker, today I am pleased to join the leadership of the House Public Works and Transportation Committee in introducing comprehensive oilspill legislation—the Oil Pollution Prevention, Response, Liability, and Compensation Act of 1989.

Our bipartisan package is the product of lengthy hearings this Congress by our Water Resources and Investigations and Oversight Subcommittees as well as thousands of pages of testimony from previous Congresses. We intend to move the bill expeditiously so we can then work with the Merchant Marine and Fisheries Committee and others to resolve differences between our bill and H.R. 1465.

The committee bill, like H.R. 1465, contains three titles that would: First, establish a comprehensive scheme to provide liability for oilspills and establish a fund to pay for uncompensated cleanup costs, natural resource damages, and economic damages to third parties; second, implement international proto-

cols on oilspill liability and compensation; and third, make improvements, as well as conforming changes, to existing Federal oilspill laws such as section 311 of the Clean Water Act.

Unlike H.R. 1465, the committee bill contains a fourth title on oilspill prevention and response, addressing issues such as improved contingency plans and response teams, vessel traffic systems, tug escorts, and Coast Guard authorities to "federalize" or supervise private cleanup efforts. The bill also differs from H.R. 1465 by calling for several new studies and establishing a major research and development program. Focus would be given to, among other things, double hulls, cleanup technologies, health risks to response workers, and improved methods to restore or replace damaged natural resources.

Mr. Speaker, this bill is not so much punitive as it is preventive. The *Exxon Valdez* catastrophe and other recent spills have taught us that we can prevent many spills by taking certain steps in a responsible fashion—without having to ban oil exploration or transportation. Our bill takes that approach.

For example, our bill establishes a major new research and development program and increases the focus on double hulls and other vessel safety issues. It gets "tough" on alcohol-related problems by giving Coast Guard new authority to learn about current or chronic alcohol-related problems of tanker captains and others and to deny or revoke various licenses and documents based on such problems.

Our bill also strengthens the Federal Government's response authorities and improves the coordination of Federal, State, local, and private efforts. As with the prevention provisions of our bill, the response provisions are based in large measure on the graphic lessons of the *Exxon Valdez*. This Nation needs a clearer delineation of authority among response officials as well as greatly increased emergency response resources.

Our bill responds to those needs. It also answers the question of "who's in charge?" It gives the Federal Government aggressive new direction to prevent and respond to oilspills through improved contingency plans and response centers that have adequate equipment and trained personnel on hand. It leaves primary responsibility for initial cleanup with the spiller—the party in the best position to react to the unexpected emergency. At the same time, though, our bill authorizes the Coast Guard—such as after a major spill—to seize control and direct all cleanup efforts without letting the polluter "off-the-hook."

While we as a nation should focus first on oilspill prevention and cleanup, we must not lose sight of liability and compensation issues. The polluter should pay and the victim should receive full compensation for direct, proven damages. This includes governmental cleanup costs, natural resource damages, and economic damages to third parties such as fishermen and beachfront property owners. And when the polluter can't or won't pay, a Federal fund should be available for prompt, adequate compensation to oilspill victims without having to endure endless and costly litigation. Our bill follows these important principles.

The public works bill improves upon the liability and compensation provisions that Congress has debated many years. In close cooperation with the Merchant Marine and Fisheries Committee, we have crafted a truly comprehensive Federal regime to consolidate the current patchwork of Federal and State laws and State trust funds.

Some may argue that our bill, like H.R. 1465, should not preempt State oilspill laws or certain uses of their trust funds. I certainly understand these concerns. But the benefits of preemption far outweigh the theoretical detriments—and this is true whether the beneficiary is the Federal Government, a State and its citizens, or interstate commerce generally.

States will ultimately have greater jurisdiction over foreign tankers under title III of our bill which would implement the international protocols upon their ratification. State officials and their citizens will also have increased Federal resources for cleanup, greater legal remedies, and increased opportunities for compensation. For example, our bill gives State officials "direct draw" authority to spend up to \$250,000 from the fund immediately; they also have priority status to recover from the fund their other costs after the cleanup. In addition, our bill continues to recognize the important roles State officials must play in determining cleanups and assessing damages to their natural resources.

Actually, Mr. Speaker, the committee's bill is only partially preemptive of State laws and trust funds. And this is an important point for those like myself who are very supportive of States' rights. Nothing in our bill affects—in any way—State laws regarding personal injury, wrongful death, or workers' compensation. Nothing in our bill preempts a State from enforcing oilspill laws through the assessment of civil or criminal penalties or from enforcing the new Federal financial responsibility laws on State waters. And nothing in the introduced bill prevents a State from having a trust fund—regardless of its revenue source—for responding to spills or for paying certain additional cleanup costs beyond what Federal officials recommend.

Mr. Speaker, this comprehensive bill is—more than anything else—a compromise. It's certainly not perfect. It will need some work in a few areas. But our bill does offer a good starting point. I urge my colleagues, including those on the Merchant Marine and Fisheries Committee and other relevant committees, to support this legislation and the principles embodied in it. I am confident it can become a strong House-passed bill that is both responsive to the environment and responsible to our Nation's growing energy and economic needs.

#### FLAG VOTE A SHAM

### HON. CHUCK DOUGLAS

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1989

Mr. DOUGLAS. Mr. Speaker, unfortunately today the Judiciary Committee passed H.R. 2978, a bill which: First, had no hearings; second, was never subject to subcommittee

markup; and third, was written on July 24, 2 days after the close of hearings on broader matters.

This bill, H.R. 2978, did not exist when the Civil and Constitutional Rights Subcommittee held its hearings on both the statutory and constitutional amendment approaches to the flag burning issue. This bill deals only with the statutory approach and no consideration is being given to the constitutional amendment arguments. At least 162 Members have co-sponsored the bipartisan Michel/Montgomery bill which would call for an amendment. But because of the gag imposed by the Judiciary Committee, the 435 Representatives of the people will not be given the opportunity to even consider the question.

The statute itself is flawed with all sorts of defects. Not enough consideration has been given to its drafting. As now written, the statute would not punish the desecration of a flag which somehow had become soiled or worn. This would be an absolute defense. Anyone who wants to burn a flag can simply defile it, soil it, or wear it out first, then burn it. This is no protection for the flag.

The statute also provides for an expedited review by the Supreme Court. We will have to have another flag burning situation and then a review by the Court to see if this approach will even work. It won't. If a statute would clearly work, there would be no need for expedited review.

We are dealing with the first amendment rights and free speech actions. By denying our Members the ability to even consider an amendment, we are abridging our rights of free speech. We are being gagged from debating the issue. Why?

I am pleased my protest to having this put on under suspension of the rules has succeeded and the bill is put off until September.

#### HONORING MRS. DONNA PELKEY

### HON. JOHN G. ROWLAND

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1989

Mr. ROWLAND. Mr. Speaker, I rise today in order to honor Mrs. Donna Pelkey of Cheshire, CT who is the recipient of the 1989 "Pharmacist of the Year" award. The award was presented by Pharmacists Against Drug Abuse. Mrs. Pelkey was nominated by the Connecticut Pharmaceutical Association in recognition of her outstanding work in the struggle against drug abuse.

Mrs. Pelkey has been a pharmacist for 11 years, and is presently the Director of Pharmacy Services for the State of Connecticut Department of Corrections. Pharmacists Against Drug Abuse awarded \$2,500 to Mrs. Pelkey and presented another check for \$7,500 to the University of Connecticut in her name for a needy pharmacy student(s).

Out of a field of approximately 120,000 pharmacists, Mrs. Pelkey was 1 of 23 nationwide nominee's for the fourth annual "Pharmacist of the Year" award. Once again, I would like to congratulate Donna on her award and her tireless efforts in combating drug abuse.

#### COLOMBIA'S COMMITMENT TO THE WAR AGAINST DRUGS

### HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1989

Mr. RANGEL. Mr. Speaker, as chairman of the House Select Narcotics Committee, I would like to join with my ranking Republican member, Congressman LAWRENCE COUGHLIN, in praising President Barco of Colombia for his continuing leadership on the front lines of the war against drugs. His country is under siege by the drug traffickers, but the Colombian people have refused to surrender in spite of the trafficker's murderous tactics.

President Barco gave a speech during his visit to Washington in April 1989 outlining Colombia's anti-drug efforts and calling, as this Congress has, for a Western Hemisphere anti-drug summit. Mr. COUGHLIN and I would like to submit this important speech, to be published at this point in the RECORD, so that our colleagues can more fully appreciate Colombia's noble sacrifices and continuing resolve in the war against drugs.

The speech follows:

#### DRUGS AND VIOLENCE A THREAT TO DEMOCRACY

Ladies and Gentlemen: I want to thank you for inviting me to speak to you this morning about one of the most ominous threats faced by mankind in modern times. This is an altogether appropriate forum because the consequences of threat are perhaps best symbolized by colleague of yours a man who could be sitting here today, a fellow editor, a friend of mine and a hero in Colombia.

#### GUILLERMO CANO: A COLOMBIAN HERO

Guillermo Cano, the editor of one of the largest national newspapers, *El Espectador*, prepared to drive home after work on December 17, 1986, *El Espectador* has more than a hundred years of proud history as a free and independent newspaper and the Cano family, since the paper's founding, has been its driving force. Guillermo Cano, in editorial after editorial, spoke out against the production, consumption and traffic of illegal narcotics. On that December evening, two hitmen operating under the orders of Pablo Escobar, one of the major traffickers in the international drug business, brutally gunned him down. He paid with his life for his courage and his moral commitment. Today his sons carry on his crusade.

Cano was not alone in that cause nor in the pain and tragedy his family and friends have suffered. Another thirty newsmen have been assassinated and, just two weeks ago, *El Espectador's* attorney was killed as he pursued the case against the narcotics cartel.

Guillermo Cano and his colleagues in the press, a Minister of Justice, and Attorney General, judges, more than 1,300 policemen and thousands of others have given their lives to this cause—all of them are heroes in Colombia. All of them should be heroes here.

Knowing these people as we Colombians do, feeling their pain and suffering and being so proud of their courage, we cannot understand nor accept the usual stereotypes attributed to Colombians. Contrary to what so many American TV drama programs sug-



gest, Colombia is not a nation of criminals. Rather, we too are victims of the scourge of narcotics.

#### A CALL TO ACTION

There is also no better time for a Colombian President to speak here in your capital city. I am in Washington to join with others in demanding extraordinary action. The production, consumption and traffic of illegal drugs not only threatens public order in this and other cities across the United States. The insatiable demand for drugs in this country is also the greatest single threat to democracy in our hemisphere.

I am well aware that this is why I am here today. That you have chosen me to speak after Director Bennett. You have greeted me politely, for which I thank you, but many of you are no doubt ambivalent about me and my country and the role you believe we play in America's new agony.

If we are to work together to eliminate this curse, we must understand the cross we each bear. Let me start with circumstances all too familiar here in Washington:

A people that are the standard-bearer, and historical home of democracy but are now besieged by cocaine cartels.

A people that have enjoyed strong economic growth and an ever diversifying economy for many years, but now see it put at risk by cocaine cartels.

In considerable part, a middle class people that put a premium on law and order in their streets, safe neighborhoods and good schooling, yet now face cocaine cartels that would destroy all of that.

And a people that still have an underclass of the impoverished and dispossessed whose needs have long been inadequately addressed and who see a unique chance to get rich quick through narcotics production, consumption and traffic.

You assume possibly that I am talking about Washington, D.C. I am not. I am describing my own country, Colombia. We are Latin America's oldest democracy, a democracy almost as old as yours. We have a constitution over 100 years old with democratic institutions that have traditionally been a model for our neighbors.

Our free press is one of the fundamental pillars of our democracy, for without a free and independent press democracy is not possible. The Colombian people believe that our national and regional press is the basis of liberty and individual rights. This is one of the great assets of our democracy. The long history of our pluralistic political system is also the history of a free press and of the open exchange of ideas. In contrast with many other regions in Latin America, Colombia has never been a fertile land for dictatorship nor for authoritarian regimes.

#### ECONOMIC AND SOCIAL PROGRESS

The exceptional strength of our democracy is not the only achievement we are proud of. In fact, democracy in Colombia has promoted a stable and growing economy. We have enjoyed an average rate of 5% growth a year for the last twenty years and we are the only country in the region to have enjoyed positive economic growth throughout the 1980s. We are the only Latin American country not to have had to reschedule our debt. Indeed, throughout the debt crisis we have retained the creditworthiness to allow us steadily to continue our program of investment and development.

Asked to name our exports, I am sure even as distinguished an audience as this, would for the most part name only two: coffee and cocaine. Yet the flowers in your hotel room

are almost certainly Colombian. We have \$1.5 billion in oil exports, as well as growing exports in industrial goods, fruits, printing, leather and seafood. We have the largest coal reserves in Latin America and the third largest gold reserves in the region. In short, we have built a modern, diversified, thriving economy.

This significant economic performance has served as a key driving force for social change and for improving the living conditions of our population. Life expectancy in Colombia has increased from 46 years in 1950 to 68 years today. Over 90 percent of our population is literate. Our country has also lived through a profound demographic revolution, showing today one of the lowest birth rates among developing countries. While in 1950, only 30% of the population lived in the cities, today that rate is over 70%.

#### THE DRUG TRADE AND COLOMBIA'S ECONOMY.

Some suggest that our prosperity comes from cocaine. Nothing could be farther from the truth. Most of the drug funds are laundered through U.S. and European banks and end up invested outside of Colombia in real estate and industries. In fact, the violence of narcotics production, consumption and traffic deters higher investment in Colombia. Narcotics is not a driving factor in our economy, just as it is not in Washington nor in the United States. It is a force of disruption, not of growth.

Academic research has demonstrated that the drug traffickers' activities have been harmful to our economy. The fast-buck has become the enemy of hard work. The Financial Times recently estimated that cocaine sales amounted to between 1.5% and 3% of Colombian G.D.P. Assuming these high figures were true, compared to the violence, disorder, deterrence to investment and the enforcement costs to the government, there is no net benefit to Colombia by any standard.

#### THE NARCOTICS CARTEL

Yet, for those directly involved in the drug trade, the sums they receive are powerful incentives to kill, bribe, and intimidate to get their way against the interests of the law abiding majority. Like the United States, we are not a society taken over by the cocaine traffickers. We face determined cartels and criminals willing to go to any length to hold and expand their exclusive control of addiction and misery. Our democratic tradition, the heritage of a free press, and even the moral nature of our society is what is threatened by the international drug business. However, what is at stake is so precious to Colombia that, quoting President Kennedy, "we are willing to pay any price, bear any burden, meet any hardship, support any friend, oppose any foe to assure the survival and the success of liberty".

The narcotics cartel is an international criminal class who have refined the concept of the multinational illegal operation. From the drug producing areas through the processing and shipment to the final distribution point on the corner of your block, a single chain of criminal organizations, of many nationalities, seeks to corrupt our youth and destroy our democracies for the sake of their illegal profits.

Today, in speaking to you as opinion leaders I make this appeal: we must combine in an alliance stronger and better coordinated than the cartels. We need our own alliance of drug-victim nations to fight back.

Drug production, consumption and traffic is not a problem of one nation, not even of a

group of nations; it is a universal scourge. If we don't develop effective and strong instruments for international cooperation to fight against all the different phases of the problem, there will be no final victory.

#### A PRESIDENT'S DRUG SUMMIT

That is why today I am using this forum to call for a new initiative that draws on the sense of urgency we all share. We, the President of the Americas, that is, President Bush, myself and my neighbors must come together as soon as possible and put our combined authority behind a strong program of common international action. We can not expect successful results if Colombia, or for that matter any country, is left to act alone. We must defeat the cartel on the international field of operations they have made their own.

Indeed, we are making progress. In 1988, we in Colombia captured more than 5,000 individuals engaged in the narcotics trade. We destroyed almost 900 laboratories and 72 airstrips; seized more than 19 tons of cocaine and destroyed a million and a half coca plants. And in the first quarter of the present year we have already done nearly as much as in all of 1988. Overall, more than 80% of cocaine interdiction that occurs in the world is carried out by Colombian officials. But still the menace of cocaine persists.

The efforts we make to curb supply must be accompanied by equivalent efforts against demand in the developed countries. The only law narcotics traffic does not break is the economic law of supply and demand. While people are willing to pay huge amounts of money to satisfy their vice, the cartels will continue to produce and sell cocaine. The incentives and the profits are too large. They are as addictive as the cocaine itself.

That is why we look to the consumer of more than half the world's cocaine, the United States, to curb demand through vigorous policing, education and rehabilitation. If cocaine sales are tolerated on your streets, coca will continue to be grown in the hidden valleys and hillsides of South America. We can only break this trail through concerted action at both ends.

We Presidents of the Americas must meet and plan common action on:

First, prompt and effective implementation of the Vienna Convention;

Second, sharing police intelligence and satellite information;

Third, better interdiction, not just of cocaine, but also of ingredients such as the chemicals, shipped from North America and Europe, that go into its manufacture;

Fourth, environmentally effective crop eradication;

Fifth, action against money-laundering;

Sixth, share knowledge and experience on combating addiction;

Seventh, better transport and equipment for our armies and police forces;

Eight, improved training;

Ninth, more support for programs to develop alternative sources of income in coca producing areas; and

Tenth, programs to reduce demand.

For our part we are continuing to step up our efforts through all the means at our disposal. But you may be interested to note that despite the attention given to narcotics in the U.S. we received only \$12.8 million in security assistance last year, for equipment and spare-parts of the Air Force and the Anti-narcotics Police. We lack the logistical

means to effectively combat the mobile, well equipped narco-traffickers.

#### THE FIGHT AGAINST CONSUMPTION

We can make progress on the drug problem by capturing narcotics dealers, destroying laboratories and interdicting drug shipments. Yet, can we honestly believe it is possible to stop all drug supplies at the source and also to seal off all 90,000 plus miles of America's shoreline? Or, will we finally acknowledge that the war against drugs will not be won alone by the proven heroism of the Colombian people or for that matter, by the courageous work of your Coast Guard and DEA? It will be won—only in the hearts, minds and habits of the people of the United States and the other consumer countries.

If we are to rescue both of our countries from the many forms of fear and intimidation due to the drug trade, we must face the problem with frankness as well as courage.

The war against drugs will be won not only on ships, but in schools; not just by coast guards but by teachers; not only by new hardware, but by the hard work of education, treatment and effective law enforcement. Every tactic and every weapon in the war against narcotics pales into insignificance compared to the need to reduce U.S. demand.

We must insist on the message that illegal drugs are neither fashionable nor harmless, whether at glittering parties of the wealthy or in the ghetto. Drug users in this country need to understand that their habit is pushing our countries to the brink of disaster and, that in the all-out war against narcotics that we are proposing, they, the consumers, are in the camp of the enemy, along with those who produce and push the drugs.

#### HUMAN RIGHTS IN COLOMBIA

There is another issue related to drug violence in Colombia which should be addressed here. We are deeply committed to protect human rights. Our task has, however, been complicated by narcotics. In some areas the drug mafia uses guerrillas for protection and assistance; in other areas the narcotic dealers and the guerrillas are at deadly odds mainly because of economic conflicts. In this battle around the narcotics business, the drug dealers have been retaliating against guerrillas, killing innocent peasants accused by the mafias of being members of such groups and assassinating honest members and leaders of perfectly legitimate leftist parties such as the UP, Union Patriótica. In either case, the interrelation of law and order and justice is further torn. "America's Watch", summarizing its recent report, says that the entry of drug dealers on the scene is "deeply disturbing" and has had a "tragic impact". In its press release on the same report, "America's Watch" also states:

"Most of the political assassinations and collective massacres in 1987 and 1988 were committed by paramilitary groups directed, financed and trained by figures in the international drug trade". We welcome the fact that for the first time a Human Rights organization recognizes the role of drug traffickers as a key factor in promoting violence in Colombia.

As you are aware, human rights abuses in Colombia are perpetrated by various factions and groups on both the extreme right and extreme left of the political spectrum. Let me be clear. My Government will not tolerate human rights abuses by any group. The Colombian press has recently highlighted the great successes we have achieved in dismantling terrorist groups.

Today, our two nations, long tied together by common values, are involved in the joint necessity of confronting the international cocaine business and the drug mafia. Faced with these perils, we cannot surrender. Not to act is to concede defeat and you can be sure that we will never give up. In re-dedicating ourselves to fighting against this menace, we will preserve our two great democracies, and freedom in the hemisphere. We will also forge an even stronger bond of friendship between the Colombian and American people, in which your children and ours will live in security and free from the threats of vice and criminal terror.

#### INTRODUCTION OF NATIONAL OCCUPATIONAL SAFETY AWARENESS WEEK

**HON. SAM GEJDENSON**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1989

Mr. GEJDENSON. Mr. Speaker, today I have introduced a bill which would designate the week of September 17-23, 1989 as National Occupational Safety Awareness Week. This legislation will bring needed attention to the importance of occupational safety in the workplace.

Every year, more than 100,000 Americans die of diseases and injuries that are job related. In the last 2 years there has been a disturbing increase in the number of work-related accidents, injuries, and deaths within the American work force. According to the most recent figures available from the Bureau of Labor Statistics, injury and illness incident rates climbed from 7.9 percent to 8.3 percent in 1987. Additionally, of the 6 million-plus cases reported in 1987, over one-half were serious enough to result in lost workdays for the injured worker.

Perhaps many of you recall the tragic construction accident that occurred in the State of Connecticut, where 28 workers lost their lives when a partially built apartment complex tumbled to the ground. By cosponsoring this important legislation you can help bring attention to the importance of safety awareness for working Americans throughout the United States.

This significant commemorative legislation has already received wide attention among the members of the International Association of Industrial Accident Boards and Commissions. Prevention of work-related crisis through safety awareness is an important step for both employees and employers if we are to reduce the occurrence of these incidents.

I urge my colleagues to become cosponsors of National Occupational Safety Awareness Week and take part in the effort to increase our awareness of the importance of on-the-job safety for the protection of our workers.

#### A SCULPTURE OF COURAGE

**HON. PETER H. KOSTMAYER**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1989

Mr. KOSTMAYER. Mr. Speaker, today I bring to the attention of the House an extraordinary work of art by George Anthonisen. Mr. Anthonisen is a nationally-known artist residing in my congressional district in Bucks County, PA. The 6-foot bronze sculpture entitled, "I set before you this day \* \* \*" is a monument to men and women who risked their lives to protect Jews from Nazi persecution. The title is taken from Deuteronomy 30:19, which invites the choice of life over death. For Mr. Anthonisen, the sculpture is connected with every issue of conscience that calls upon people to choose life by demonstrating the power of individual action and personal courage.

George Anthonisen, of Solebury, PA, is the artist who sculpted the statue of Senator Ernest Gruening on display in the Capitol Building.

"I set before you this day \* \* \*" addresses the choice faced by gentiles during the Holocaust: to help the Jews or ignore their cries. The question was initially raised 10 years ago with Mr. Anthonisen by the late Alfred Ronald, a Jewish survivor of the Holocaust, who was haunted by the same question and wondered if it could be translated into sculpture.

I believe, Mr. Speaker, many who are concerned for human rights throughout the world will find this sculpture moving and provocative. I hope all of my colleagues will have an opportunity to view "I set before you this day \* \* \*," which will be on display in the rotunda of the Cannon House Office Building during the month of September, 1989.

I would like to insert into the RECORD at this point an article published by the Bucks County Courier Times which portrays the significance of this work.

#### BUCKS ARTIST'S WORK OF HEART

(By Sally Friedman)

It is, for now, a "working model" not yet in its final form or size. But George R. Anthonisen's "I set before you this day \* \* \*" is still a monumental work of soaring beauty and deep personal meaning. It is a sculpture that asks an agonizing question about a terrible part of our collective history.

Anthonisen, a nationally known sculptor who lives and works in Solebury, explains that haunting question, and its meaning to him:

"What would you do if helping your fellow man meant that you and your family were threatened with certain death? Would you choose to help, or would you choose to ignore that cry?"

The question was initially raised by a Jewish survivor of the concentration camps of the Holocaust, a man named Al Ronald whose path crossed Anthonisen's some years ago. Ronald was plagued by that question, and eager to translate it into some enduring art form. Before his death, Ronald had fueled the Bucks County sculptor's imagination and creativity.

In recent years, Anthonisen has set about to create what he calls "the most important



project of my life," a sculpture that addresses the deepest issues of morality, responsibility and commitment—a memorial to the "righteous gentiles" whose courage helped Jews and others.

Today at Temple Judea, Swamp Road, Doylestown (8 p.m.) viewers will have the opportunity to view Anthonisen's "I set before you this day \* \* \*." In special observance of National Holocaust Remembrance Week, the sculpture will be on display, and the sculptor will be on hand to discuss it.

"There is so much to say about the figures in the work, about what they represent, and about why I dealt with the questions as I did," said the sculptor who has works in New York's Carnegie Hall, the U.S. Capitol Building and the World Health Organization Headquarters in Geneva.

"I choose to use the metaphor of a family of three generations to respond artistically, with each figure expressing some point of view. Every detail of positioning is significant, every nuance of posture is part of the message."

And what a message.

Anthonisen admits he "came as close as I ever have to a religious conversion" the day he walked into his first sculpture class, attempts to show every reaction to the rescue of Jews from indifference to self-sacrifice in his lyric work.

One "righteous male" will take the leap to commitment; an elderly "patriarch" cannot be moved. Another female figure has dropped to her knee to offer solace to a frightened child, while lovers stand locked in their own embrace, shutting out the world.

Anthonisen can explain each tiny nuance of his work, from the position of a hand to the rigidity of posture. A cadaverous figure from the death camps, mythically bound to the resistant patriarch, is a ghostly, ghastly reminder of the horrors from which the refugees are escaping.

"There are three generations in the work, and three groupings within. I needed to reduce it to a family equation," explains

Anthonisen, born a Christian, but now a man who regards himself as a "humanist." The piece is now scaled to 3 feet, but the sculptor hopes someday to create it in massive, 8-foot scale. And the message is vast beyond human dimension.

"My feeling is that these kinds of responsibilities are going to become more and more frequent \* \* \* The Holocaust is now history, but it can be repeated, and maybe it is being repeated in different forms in South Africa, Ethiopia, South America."

Anthonisen, who once attended Dartmouth Medical School in order to perfect his knowledge of anatomy—who learned to see both sides of an issue as the middle brother of three, and has used that "conflict-resolution" skill in his art—is passionately concerned with more than his sculpture.

While that work has won him awards from the National Sculpture Society, the U.S. Department of the Interior, the Alaska State Council on the Arts, and, in 1985, from the Bucks County Chamber of Commerce, Anthonisen sees his role as an artist in this unique way: "I'm a keen observer whose mission is to stir up people and hopefully, to give them vision."

With his wife, Ellen, as his partner, Anthonisen has consistently concentrated on "the family of man" as his artistic inspiration. His own family, which includes a son and daughter with definite artistic leanings, shares his commitment to the development of a major "I set before you this day" enlargement, and its ultimate placement at Israel Yad Vashem, the memorial to the Holocaust in Jerusalem. It is a project that will take enormous time, money and commitment.

For now, George Anthonisen is happy to share his labor of love with his community. And he is mindful of the passage in Dueteronomy from which his moving title comes:

"I call heaven and earth to witness against you this day, that I have set before you life and death, blessing and curse; therefore

choose life, that you and your descendants may live."

## HONORING THE CREW OF THE U.S.S. "PUEBLO"

### HON. JIM SLATTERY

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1989

Mr. SLATTERY. Mr. Speaker, I would like to recognize the contributions of the members of the House Armed Services Committee in putting together the Defense Authorization Act that is before us this week.

I am very pleased that the legislation includes a provision for awarding the Ex-POW Medal to the crew of the U.S.S. *Pueblo*.

In 1968, the entire crew of the *Pueblo* was taken prisoner by North Korea. One man was killed in the attack, and the rest were held for 11 months under military confinement and subjected to the physical and mental tortures of prisoners of war.

Eighty-two former crewmen of the U.S.S. *Pueblo*, including Steven Woelk of McLouth, KS, were imprisoned in North Korea, and are presently being denied the Ex-POW Medal.

Despite the crew's honorable service to our country, and their eligibility for full benefits as Ex-POW's, the Ex-POW Medal has been withheld by the Department of Defense because the United States was not in open conflict with North Korea at the time the U.S.S. *Pueblo* was attacked.

The Department of the Navy has endorsed efforts to correct this oversight.

I am pleased that the House is considering this important legislation. These soldiers have honored their country with distinguished service. It's time to honor them with a medal that is unquestionably deserved.