

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

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

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

#### TRIBUTE TO TOM HART

### HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 20, 1998*

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

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

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

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

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

#### STATEMENT REGARDING THE CREATION OF A PUBLIC HEALTH PESTICIDE REGISTRATION PROGRAM

### HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 20, 1998*

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

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

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

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

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

#### IN RECOGNITION OF CARLTON A. FUNN, SR.

### HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 20, 1998*

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

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

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

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

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

#### OPERATION: EASTERN STAR

### HON. SILVESTRE REYES

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 20, 1998*

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

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

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

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

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

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

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

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

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

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

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

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

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

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

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

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

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

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

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

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

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

H. RES. 609

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

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

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

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

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

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

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

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

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

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