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BOB ROE, I do not know him or her. To call him a workaholic is a gross understatement. And nobody, I mean nobody knows in detail more about each and every piece of legislation BOB ROE has brought to the floor than he does. He was a superb chairman of the Science and Technology Committee and remains a forceful advocate for space exploration as well as the superconducting super collider.

For the past 2 years—too short a tenure in my view—BOB has been our leader on Public Works and Transportation. But despite his brief time at the helm he has shepherded landmark legislation through the Congress. Most notable, of course, is the Intermodal Surface Transportation Act of 1991. The entire Nation is indebted to BOB ROE for his persistent refusal to give up when it looked as though the intransigence of the other body would kill the measure and stall transportation reform and highway construction for at least a year.

The other thing that I think sets BOB ROE apart is the style with which he has chaired our committee. BOB's objective has always been to do all he could to build America's infrastructure and he has never felt he had to be a partisan Democrat to do it. Highways and bridges, waterways and airports do not recognize party labels. And neither has BOB when it comes to the work of the committee. He has been more than fair to the minority Members and, in fact, Public Works is known as having the most equitable ratio of Democrat to Republican Members in the Congress.

I salute him for all he has done for America and wish him good fortune in his future pursuits which, knowing BOB, will be busy and productive.

OPPOSE THE BROOKS BILL

HON. CRAIG T. JAMES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 3, 1992

Mr. JAMES. Mr. Speaker, if H.R. 5096 comes to the floor in the closing days of this Congress, I ask my colleagues to oppose it.

I oppose H.R. 5096 because it violates the Constitution. When I was sworn in as a Member of Congress, I vowed to uphold the Constitution. I cannot in good conscience, vote for a bill which offends the Constitution.

I want to make it clear that I think Congress is responsible to produce legislation that will guide telecommunications policy. Such legislation, however, should encompass the entire telecommunications industry. There is no reason for Congress to embrace a bill that shapes the future of telecommunications, but applies only to seven companies bearing the name "Bell."

This bill violates the Constitution in two respects. First, it violates the principle of separation of powers. Second, it is a bill of attainer.

First, H.R. 5096 offends the fundamental principle of separation of powers. Our Constitution requires that Congress make the laws, not adjudicate or execute them. By attempting to codify the modified final judgment [MFJ], the Judiciary Committee has crossed that line and attempts to fill the court's shoes.

The judge in the case involving AT&T and the Bell companies has already made decisions about the Bell's entry into various lines of business. This bill overturns those decisions and usurps the court's authority. It is not our function to intervene in a case the court has adjudicated since the 1984 breakup of AT&T.

Of course, there is nothing wrong with passing a law of general application that would apply to everyone or to a reasonable class.

However, this bill's only purpose is to change the rights of the specific parties in a specific legal action. Put another way, H.R. 5096 does nothing but change a final court ruling—and violate the separation of powers.

Second, H.R. 5096 is a bill of attainer, forbidden by the Constitution. Article I of the Constitution, which established Congress' legislative authority, mandates that "no bill of attainer * * * shall be passed." A "bill of attainer" describes any law that legislatively inflicts punishment on named groups or an identifiable entity. Accordingly, legislation that singles out companies by name is an impermissible bill of attainer.

H.R. 5096, by naming the seven Bell companies, clearly violates the Constitution's prohibition of bills of attainer. The bill essentially exempts other similarly situated large local exchange carriers in a way that discriminates against only the Bell-operating companies. As a result, while other similarly situated companies may enter into manufacturing, information services, and long distance, the seven Bell companies may not.

When the Judiciary Subcommittee held hearings about the need for comprehensive legislation to curb monopoly abuses, I publicly expressed my concern about legislation that named specific corporate entities. I suggested that this was a violation of the Constitution, and recommended language which would apply to all telecommunication companies that could abuse their monopoly powers.

This bill violates the core principle of separation of powers, and is a bill of attainer. I am left with no other alternative than to vote against a bill I believe to be unconstitutional. Instead, I hope that Congress will address this critical public policy issue with legislation that applies fairly to everyone, not just companies bearing the Bell name.

HELPING FAMILIES AND COMMUNITIES AFFECTED BY THE DEFENSE BUDGET ADJUSTMENTS

HON. PETER HOAGLAND

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 3, 1992

Mr. HOAGLAND. Mr. Speaker, on October 1, 1992, I testified before the Defense Conversion Commission and presented some thoughts and suggestions on how we can ease the transition for families affected by defense base closures and realignments. I would like to share my statement with my colleagues:

TESTIMONY OF CONGRESSMAN PETER HOAGLAND BEFORE THE DEFENSE CONVERSION COMMISSION

Chairman Berteau and members of the Commission, thank you for this opportunity to testify. My name is Peter Hoagland and I represent eastern Nebraska, including Sarpy County, the home of Offutt Air Force Base, headquarters of the Strategic Command.

Until June of this year, Offutt Air Force Base was the headquarters of the Strategic Air Command. SAC was the single largest employer in Nebraska, and its total Offutt payroll in 1990 was just under $400 million. Offutt has seen its authorized personnel decline since 1990 from 12,181 military and 1,958 civilians to 8,958 military and 1,386 civilians by mid-1993, a reduction of roughly 3,800 authorized positions. These figures do not include the accompanying reductions in non-authorized civilian personnel and the reduction in military dependents living in the surrounding community. The bulk of these cuts were in a relatively short period of time during the first few months of this year.

The community did not have very much warning that these reductions were coming. The Defense Base Closure and Realignment Commission had not singled out Offutt for significant reductions, so it came as a surprise to many when the Secretary of the Air Force announced a plan to restructure the major commands on September 17, 1991. The Strategic Air Command was to be inactivated. Many of SAC's functions and personnel were removed from Offutt. A new Strategic Command was to assume only a few of SAC's previous responsibility. On December 13, 1991, the specific impact of the restructuring on the affected bases was announced, and received the first reliable information about how severe the impact on our community would be. The Strategic Air Command was officially inactivated on June 1, 1992.

DEFENSE PERSONNEL AND EMPLOYEES ARE A VALUABLE RESOURCE—ADDITIONAL TRAINING IS THE KEY TO SUCCESSFUL ECONOMIC CONVERSION

Scaling back our defense establishment, the military and the defense industrial base, is taking a toll on many communities and it is taking a toll on many American families. One of the most serious challenges facing us as we downsize defense is creating opportunities for the displaced workers in jobs that offer pay and benefits comparable to, if not better than, the jobs lost. We can't leave the people who worked to win the Cold War out in the cold. After all, the House passed a bill last week to help 750 Soviet high-tech defense scientists and their families to bring their knowledge to America for the next four years. If we can take special steps to "re-employ" Soviet scientists, surely we can take special steps to "re-employ" our people.

We must capitalize on the highly skilled and competent people who will move from defense jobs to the private sector. We must recognize that they can bring valuable talents to many sectors of our economy. We have to improve our training and retraining effort to help defense and defense industry personnel move effectively into the private sector. This is a two-pronged challenge.

First, we must devote more resources at all levels of government to programs like the Job Training Partnership Act, student loans and adult education. We must promote measures like my bill to enhance technology training at the nation's community colleges. The community college network is the largest arm of American higher education. With its roots in the local community and its ties to the local economy, a community college is in the unique position of being able to design training programs to meet the demands of an economy in transition. Community colleges are especially advantageous for adults because of their low cost and flexibility in scheduling. Today, almost 50 percent of community college students are of non-college age.

The second aspect of helping former defense personnel move to the private sector is job creation. It seems to me that with the problems confronting this nation, there must

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