

## EXTENSIONS OF REMARKS

### RECOGNITION OF MELANIE KIENZTY

#### HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 4, 2003*

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Melanie Kientzy, a very special young woman who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Girl Scouts of America, Troop 1230, and in earning the most prestigious honor of the gold award.

The Girl Scout Gold Award is the highest achievement attainable in Girl Scouting. To earn the Gold Award, a Scout must complete five requirements, all of which promote community service, personal and spiritual growth, positive values, and leadership skills. The requirements include: (1) Earning four interest project patches, each of which requires seven activities that center on skill building, technology, service projects, and career exploration; (2) earning the Career Exploration Pin, which involves researching careers, writing resumes, and planning a career fair or trip; (3) earning the Senior Girl Scout Leadership Award, which requires a minimum of 30 hours of work using leadership skills; (4) designing a self-development plan that requires assessment of ability to interact with others and prioritize values, participation for a minimum of 15 hours in a community service project, and development of a plan to promote girl scouting; and (5) spending a minimum of 50 hours planning and implementing a Girl Scout Gold Award project that has a positive lasting impact on the community.

For her Gold Award project, Melanie set up a video library for the area agency on aging.

Mr. Speaker, I proudly ask you to join me in commending Melanie Kientzy for her accomplishments with the Girl Scouts of America and for her efforts put forth in achieving the highest distinction of the Gold Award.

### AMIRA ANUAR AS THE DISTRICT WINNER OF THE 2003 CAST ESSAY CONTEST—BOUNDLESS SCIENCE FOR BOUNTIFUL AGRICULTURE

#### HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 4, 2003*

Ms. DeLAURO. Mr. Speaker, it gives me great pleasure to rise today to extend my sincere congratulations to Amira Anuar of West Haven, Connecticut as Connecticut's Third Congressional District winner of the Council for Agriculture Science and Technology's annual essay contest. This year's theme, "Boundless Science for Bountiful Agriculture," gave youngsters a chance to learn about the importance of agriculture and the innovative

science and technologies that are making a difference in our world. I am pleased to submit Amira's essay, entitled "Dynamic DNA" to the CONGRESSIONAL RECORD and recognize her for this outstanding achievement.

Let it be a well known fact that science has no limit to its endless possibilities. We can make miracles happen with the technology of brilliant scientists. Genetic DNA manipulation has helped the world of science accomplish countless numbers of near impossible tasks. What is DNA? DNA is a hereditary material that controls all cell activities and contains information for making new cells.

We can use DNA exploitation technology to increase agriculture's production. Genetic manipulations have fueled the growth of agriculture. Using the technology, farmers, ranchers and herders can control the reproduction of their crops and livestock. How do they do this? They do it by following a brief amount of steps.

Animals can have foreign genes implanted into their DNA structure that can help them do things they couldn't do with out it. To do that, the foreign genes have to be implanted into a fresh fertilized egg before it develops. First, you have to identify the wanted and helpful genes in the donor cells of a foreign animal. Next, you use restriction enzymes to cut the genes out of its DNA. It is clipped in to the DNA molecules of a bacterium which will carry the traits. Once it is ready, the carrier will transplant the genes into a host embryo. The embryo will either duplicate or immediately be inserted into a pregnant mother or egg so it will develop.

These genes can do many things to help the animals. They can help to fight diseases, grow stronger, or withstand harsh environments. For example, an antifreeze producing gene that was extracted from a cold water flounder can be inserted into certain kinds of salmon so they can be raised in chillier climates.

Not only can genetics help animals, but they can be beneficial to plants as well. The process is almost the same for a plant as it is for an animal. You find the target gene, cut it, and transplant it into the carrier where it is then inserted into a plant.

Although the processes are very similar, the benefits to plants are very different. Fruits can have a strong resistance to bruising. A crop defense against disease or pests can be made stronger. Soybean can be made into a healthier food source. Green plants can have more efficient photosynthesis. All that and more can occur. It's all thanks to DNA manipulation and genetic exploitation.

The manipulation of genetics has propelled agriculture bounty. It's no wonder agriculture is leading the way with its cutting edge gene manipulation techniques.

### HUMAN CLONING PROHIBITION ACT OF 2003

SPEECH OF

#### HON. CHET EDWARDS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 27, 2003*

Mr. EDWARDS. Mr. Speaker, on February 27, 2003, Congress passed H.R. 534 that

would ban human cloning. I oppose human cloning, but it appears that I inadvertently voted against the legislation banning such cloning when my intention was to support the ban. Last year, I voted for a bill to prohibit cloning and my position has not changed.

I support a prohibition on human cloning. Our society has not even begun to evaluate the moral, ethical and medical implications of petri dish factory lines creating genetically identical humans. There is something sacred about the fact that every human being is unique. I cannot support the technology that would ultimately allow people to create exact genetic duplicates of themselves, because I believe that once the technology is available, it would just be a matter of time before someone succumbed to the temptation of, in effect, trying to recreate himself.

We can continue to make enormous progress in medical research without opening the Pandora's box of creating embryos and babies with the identical genetic makeup of other human beings. A human cloning ban will not prohibit stem cell research, which holds the promise of solving major diseases such as Alzheimer's without artificially creating exact genetic duplicates of other humans.

Just because researchers can do something does not mean society should allow it. Researchers can create biological and chemical weapons in laboratories, but civilized society has agreed that it is best to prohibit such activities. The profound implications of creating human genetic duplicates, in my opinion, warrant a prohibition on such technology.

### HONORING LORRAINE AND DON IRVINE

#### HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 4, 2003*

Mr. RADANOVICH. Mr. Speaker, I rise today to honor Lorraine and Don Irvine for their outstanding achievements and participation as ambassadors for the Rotary Group Exchange Program in New Zealand. Their accomplishments for the Rotary Group Exchange Program will be celebrated in Invercargill, New Zealand, on March 15, 2003.

The Rotary Group Study Exchange Program has served as a successful exchange program for decades. A Rotarian team leader is chosen from each district that helps pick a team of 25 and 40 to visit the other district in a cultural and occupation exchange for four to five weeks. While visiting, each team presents a program to various Rotary Clubs about their home district, its attractions, economic base, climate, geography, and so on. In addition, approximately one day a week is spent by each team member in a similar working environment to their occupation at home to learn how similar occupations are performed in that country.

• 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.

Don Irvine is a past president of the Invercargill North Rotary Club and has been very active in the Rotary Group Exchange Program for a number of years. Mr. Irvine also served as a Group Study Exchange team leader in 1999 when he led a team to Essex, England. Don and his wife, Lorraine, have made great contributions to America. Their promotion of good will and understanding between all cultures and nations serves as a guiding light to all.

Mr. Speaker, I am pleased to honor Lorraine and Don Irvine for their meritorious achievements and their desire to share the great culture of America with others. I urge my colleagues to join me in wishing Lorraine and Don Irvine many years of happiness.

#### RECOGNITION OF DEVON KILGORE

##### HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 4, 2003*

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Devon Kilgore, a very special young woman who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Girl Scouts of America, Troop 1381, and in earning the most prestigious honor of the Gold Award.

The Girl Scout Gold Award is the highest achievement attainable in Girl Scouting. To earn the Gold Award, a scout must complete five requirements, all of which promote community service, personal and spiritual growth, positive values, and leadership skills. The requirements include, 1. earning four interest project patches, each of which requires seven activities that center on skill building, technology, service projects, and career exploration, 2. earning the Career Exploration Pin, which involves researching careers, writing resumes, and planning a career fair or trip, 3. earning the Senior Girl Scout Leadership Award, which requires a minimum of 30 hours of work using leadership skills, 4. designing a self-development plan that requires assessment of ability to interact with others and prioritize values, participation for a minimum of 15 hours in a community service project, and development of a plan to promote Girl Scouting, and 5. spending a minimum of 50 hours planning and implementing a Girl Scout Gold Award project that has a positive lasting impact on the community.

For her Gold Award project, Devon organized nursing center interactions.

Mr. Speaker, I proudly ask you to join me in commending Devon Kilgore for her accomplishments with the Girl Scouts of America and for her efforts put forth in achieving the highest distinction of the Gold Award.

#### TRIBUTE TO MICHAEL BARENT

##### HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 4, 2003*

Ms. DeLAURO. Mr. Speaker, it is from the mouths of our youngest citizens that we hear the voice of the future of our great nation. Our children, through their imagination, creativity

and pure honesty, often bring a unique perspective to some of the most debated issues of our time.

I recently received the following essay, entitled "If I Were President," from Michael Barent, a ten-year-old who is in the fifth grade at Deer Run Elementary School in East Haven, Connecticut. As I read it, it was apparent that even at such a young age, Michael knows the direction in which he would like to see his country led.

"If I were President, I would work hard for all the citizens of the United States. If I were President, I would improve education, keep the citizens safe, and protect our environment.

First of all, I would improve education. I would do that by building more schools and hiring more teachers. I would also improve them by giving all of the schools new books. Also, I would get more computers. Finally, there would be more subjects for the students to choose from.

Second, I would keep the citizens safe. I would do this by putting border guards at every town and city on the border of the United States. Also, I would not go to war with Iraq until I had proof that they have or don't have nuclear weapons.

Finally, I would protect our environment. I would do that by telling car companies to make cars that would take in carbon dioxide and put out oxygen. I won't allow people to cut down many trees and green plants so we could get the oxygen we need. I would build more buildings that filter the water we drink. Also, there would be more solar power and wind power, but less power plants.

This is what I would do if I were President. I would improve education, keep the citizens safe, and protect our environment."

I have often been impressed with the messages that I hear from the voices of our youngest citizens. I am proud to stand today to thank Michael for sharing his thoughts with me and to extend my congratulations to him on a job well done. Michael is sure to have a bright future ahead of him.

#### TRIBUTE TO MABEL PETERSON

##### HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 4, 2003*

Mr. THOMPSON of Mississippi. Mr. Speaker, in commemoration of Black History Month, I would like to take this opportunity to recognize the many accomplishments of distinguished African-Americans in Mississippi's Second Congressional District.

Mrs. Mabel Peterson was born on November 2, 1924. Upon graduating from Bowman High School, Mrs. Peterson married Robert Holmes. They had two children. Mrs. Peterson then decided to run for judge, where she won.

As a judge, Mrs. Peterson is known for practicing nothing but fairness. She has been known to often help people pay fines that she has charged. Mrs. Peterson admits that her favorite duty of being a judge is marrying couples. Mrs. Peterson served as a judge for twenty years.

On December 31, 2000, Mrs. Peterson retired to spend more time with her grandchildren and her husband. This past January, Mrs. Peterson was selected as the senior citizen of the month.

#### PANCREATIC ISLET CELL TRANSPLANTATION

##### HON. GEORGE R. NETHERCUTT, JR.

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 4, 2003*

Mr. NETHERCUTT. Mr. Speaker, I am pleased to introduce the Pancreatic Islet Cell Transplantation Act of 2003.

I know first-hand about the difficulty involved in managing this disease, as my daughter was diagnosed with diabetes when she was 6. I have hope in the rapid pace of research in this area and believe that one day soon there will be a cure for my daughter and the millions of Americans with diabetes. The legislation we are introducing today is an important step toward this goal.

It is a promising time for research on diabetes, and those suffering from the disease and their families are filled with hope. One of the most exciting recent advances, and the focus of this legislation, is pancreatic islet cell transplantation. Many have hailed the breakthrough in this area as the most important advance in diabetes research since the discovery of insulin in 1921.

In 2000, researchers in Edmonton, Canada, were successful in isolating islets from donor pancreases and transplanting those cells into a person with diabetes through an injection. These injected islets then begin to function and produce insulin, and this procedure appears to offer the most immediate cure for diabetes. This procedure has become known as the Edmonton Protocol and of the approximately 200 patients who have been transplanted using variations of this protocol, nearly 80 percent remain insulin independent beyond 2 years. The research is moving forward quickly, and researchers around the world are trying to replicate and expand on this success and make it appropriate for children.

I am proud that exciting advances are underway in the State of Washington. Recently, a clinical research team at the JDRF Center for Human Islet Transplantation in Seattle performed the first three human islet transplants in the Northwest. All of these individuals were suffering the effects of advanced diabetes complications prior to receiving the transplant, and all three have now achieved critical post-transplant success in the management of their blood sugar levels. I am heartened to know that the Seattle program team plans to continue its research in the future.

The Pancreatic Islet Cell Transplantation Act of 2003 contains four provisions that I believe will help move this research forward. The first section of the bill provides a regulatory incentive to organ procurement organizations (OPOs) to procure additional pancreases. One of the major challenges in promoting research on and transplantation of islet cells is the shortage of pancreases. Approximately 2,000 pancreases are donated each year, and only approximately 500 of those donated are available for use in islet cell transplants. Clearly, this is not nearly a large enough supply considering that millions of Americans have diabetes. While OPOs do receive credit from CMS for pancreases retrieved and used for whole pancreas transplants, they do not receive credit for pancreases retrieved and used for islet cell transplantation. This creates a disincentive for OPOs to retrieve pancreases for

research or islet transplantation. My legislation attempts to provide an incentive to OPOs by directing CMS to provide credit to OPOs for pancreases retrieved and used for research and islet transplantation.

The second section of this legislation creates a federal inter-agency committee to coordinate efforts in the area of islet transplantation and to make recommendations to the Secretary of Health and Human Services on regulations and policies that would advance this exciting area of research.

The goal of the human clinical trials is to demonstrate success over a longer period of time, and move islet cell transplantation from an experimental procedure to standard therapy covered by insurance and appropriate for all individuals with diabetes. The third section of this legislation directs the Institute of Medicine to conduct a study on clinical outcomes and comprehensive cost-utility analysis that will be important in moving toward this goal.

The fourth section of this bill creates a Medicare demonstration project. A significant percentage of individuals with type I diabetes has kidney failure and becomes Medicare eligible before the age of 65. Insufficient data exists to determine the efficacy of a simultaneous islet-kidney transplant or an islet transplant after a kidney transplant for individuals with type I diabetes. By directing the Secretary of HHS to create a demonstration project to test Medicare coverage for individuals with type I diabetes, we can assess the value of simultaneous islet-kidney transplants or islet transplant after a kidney transplant.

I encourage all of my colleagues to join with me in supporting this important legislation.

RECOGNITION OF ASHLEY  
MORGAN

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 4, 2003*

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Ashley Morgan, a very special young woman who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Girl Scouts of America, Troop 3248, and in earning the most prestigious honor of the Gold Award.

The Girl Scout Gold Award is the highest achievement attainable in Girl Scouting. To earn the Gold Award, a Scout must complete five requirements, all of which promote community service, personal and spiritual growth, positive values, and leadership skills. The requirements include: 1. Earning four interest project patches, each of which requires seven activities that center on skill building, technology, service projects, and career exploration; 2. Earning the Career Exploration Pin, which involves researching careers, writing resumes, and planning a career fair or trip; 3. Earning the Senior Girl Scout Leadership Award, which requires a minimum of 30 hours of work using leadership skills; 4. Designing a self-development plan that requires assessment of ability to interact with others and prioritize values, participation for a minimum of 15 hours in a community service project, and development of a plan to promote girl Scouting; and 5. Spending a minimum of 50 hours planning and implementing a Girl Scout Gold

Award project that has a positive lasting impact on the community.

For her Gold Award project, Ashley organized a basketball camp for elementary and middle school girls.

Mr. Speaker, I proudly ask you to join me in commending Ashley Morgan for her accomplishments with the Girl Scouts of America and for her efforts put forth in achieving the highest distinction of the Gold Award.

IN RECOGNITION OF GENIE RICE  
AND CIVITAS

**HON. CAROLYN B. MALONEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 4, 2003*

Mrs. MALONEY. Mr. Speaker, I rise to pay tribute to CIVITAS, Citizens Committed to Improved Neighborhood Life in the Upper East Side and East Harlem on the occasion of their annual benefit. As founding President of CIVITAS, Genie Rice will be honored for her many years of tireless service to CIVITAS and commitment to the community.

Founded in 1981, the first chair, August Heckscher, looked to the Roman Republic for a name that embodies the spirit of citizen involvement that founders envisioned as the guiding principle of the new community organization. In ancient Rome, CIVITAS referred to that quality of a citizen that caused that person to be deeply involved in the life and fate of the city. The members of CIVITAS have dedicated themselves to protecting and enhancing the quality of life in the Upper East Side and East Harlem.

CIVITAS has steadfastly fostered, mobilized and coordinated civic activism in Manhattan's Upper East Side and East Harlem by focusing on promoting, preserving and protecting residential neighborhoods. Currents projects include cosponsoring a remapping of East Harlem with Community Board 11 and tree planting on East 86th Street. Among the issues that CIVITAS has identified as being crucial to ensuring that the community remains lively and livable are: (i) urban planning, including limits on residential towers, coherent zoning, attractive public and private spaces and a reasoned approach to the siting, size and permit use of community facilities; (ii) infrastructure, including good public transit; (iii) the environment, and (iv) landmark preservation.

An effective and dedicated community advocate, Genie Rice has served as CIVITAS President since 1982 and has played a key role in many important projects, including initiation of the remapping of East and Central Harlem. Devoted to the improvement of the community, Ms. Rice organized focus groups with East Harlem property owners to encourage rehabilitation of dilapidated buildings. In 1992, Ms. Rice served as Committee Chair at the New School's Environmental Simulation Center to model and discuss zoning options for East Side Avenues. Ms. Rice worked tenaciously for 8 years in a successful advocacy effort to pass these zoning modifications for Upper East Side avenues and other high-density Manhattan avenues.

When a developer arrogantly added 12 stories to his building, in violation of the zoning law, at 108 E. 96th Street, Genie Rice, CIVITAS and I were at the forefront of the ef-

fort to bring it down. We won a historic decision forcing the developer to remove the 12 stories, the first of its kind in the city. Ms. Rice is an active member of many other community organizations including Friends of the Upper East Side Historic Districts, the 7th Regiment Armory Conservancy and the New York League of Conservation Education Fund.

The many members and friends of CIVITAS have made it an extraordinary and invaluable community organization. I am proud of my involvement as a member of CIVITAS. CIVITAS's contributions over the years have truly preserved the quality of life of Upper East Side and East Harlem residents.

In recognition of these outstanding contributions, I ask my colleagues to join me in honoring CIVITAS and Ms. Genie Rice on the occasion of their annual benefit reception.

RESOLUTION COMMENDING AOPA  
FOR AIRPORT WATCH

**HON. JAMES L. OBERSTAR**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 4, 2003*

Mr. OBERSTAR. Mr. Speaker, I rise in strong support of this resolution to commend the Aircraft Owners and Pilots Association's (AOPA) for its contribution to the Airport Watch Program.

General aviation and private pilots have a proud and patriotic history of working to keep America secure. During the Second World War, private pilots in the Civil Air Patrol were our eyes in the sky, watching over our coasts for Nazi Uboats and patrolling our borders for enemy saboteurs. As we fight this new war on terrorism, we must remember general aviation's proud history. We must make sure to employ the GA community as an ally, not to treat it with suspicion.

The Airport Watch Program is contemporary example of general aviation working to keep this country secure. The Airport Watch Program is a collaborative effort between AOPA and the Transportation Security Administration (TSA) to enhance security at our Nation's 5,400 public use airports. Airport Watch will enlist the help of those most familiar with airports and pilots to be our eyes and ears. Modeled after the highly successful neighborhood watch programs, Airport Watch will enlist the help of the more than 550,000 general aviation pilots by giving every pilot an important role to monitor community airports.

Airport Watch also encourages pilots to report any suspicious airport activity to a TSA-sponsored toll free hotline (1-866-GA Secure) staffed by the federal government's National Response Center. Additionally, the program includes warning signs for airports, informational literature, and training videotapes to educate pilots and airport employees on how security of their airports and aircraft can be enhanced.

This groundbreaking program is just one example of AOPA's leadership in promoting national security while preserving freedom of the skies. Further, this partnership between government and private citizens represents what can be achieved when we work together to address the security of the homeland.

Again, I want to commend the Aircraft Owners and Pilots Association for designing this

proactive security program. I strongly support this resolution and urge its approval.

INTRODUCTION OF SECURING CONSUMERS' ASSURANCE IN MOVING ACT OF 2003

**HON. THOMAS E. PETRI**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 4, 2003*

Mr. PETRI. Mr. Speaker, today, I am introducing the Securing Consumers' Assurance in Moving Act of 2003 (the SCAM Act) in order to put more cops on the beat in policing the interstate household goods industry and to provide more information for consumers facing an interstate move.

While the vast and overwhelming majority of moving companies operate in a fair, open and honest way, I am sure all Members are aware of the increasing problem with so-called "rogue" movers who prey upon consumers. Since the ICC was abolished in 1996, there have been fewer resources available for consumer protection enforcement at the Department of Transportation which now oversees the moving industry. Over the course of the last several years, this issue has been the subject of hearings and continuing oversight by the Subcommittee on Highways, Transit and Pipelines, and I believe it is now time to act.

We have all heard the horror stories of moves gone wrong. One of the most egregious practices is the "hostage goods" situation, where a mover low-balls an estimate, loads the consumer's goods onto his truck, drives off, and then refuses to deliver the goods until paid an amount in cash that can be up to 4 or 5 times the amount of the original estimate—in strict violation of Federal regulation. I have heard from some who have gone months without knowing where their goods are located. And yet there is little the consumer can do.

A major issue which has emerged is the authority of states to take action, since various courts have ruled that they have no jurisdiction over interstate moves—citing primarily the Carmack amendment. This policy was enacted in 1906 and simply sets forth a uniform liability scheme for loss and damage to avoid uncertainties over differing state laws.

A lot has changed since 1906 and Congress has never really had a debate on what role states or individuals should have regarding consumer protection and the moving industry. I understand that the moving industry has concerns regarding the application of consumer protection laws, claiming that it will be difficult to operate with 50 different state laws. However, states have been enforcing consumer protection laws—which are aimed at those businesses engaged in fraud and deceptive practices—for many years now and somehow other businesses which are not exempt have survived and thrived.

Certainly within the trucking industry, the movement of an individual's household goods is unique from commercial shipments. A consumer may utilize a moving company once or twice in a lifetime and entrusts virtually all his worldly goods to a mover—which gives a lot of leverage to the moving company. Although the President has requested funds for another 7

personnel to oversee household goods, I believe it will never be possible for the federal government to provide adequate oversight over those who take advantage of consumers—it is more appropriate that the states also be able to get involved against those who operate now with near immunity from effective oversight.

The bill I am introducing has three major goals—allowing for Federal-State partnerships to enhance enforcement; establishing new fines for certain behavior; and increasing opportunities for consumer education for those contemplating a move.

Specifically, the bill would: Clarify that an individual or states can use consumer protection laws against interstate movers; require DOT to establish a working group of state attorneys general, consumer protection administrators and law enforcement to coordinate information and enforcement efforts; require DOT to establish a database of consumer complaints with a procedure for public access to the database; require DOT to review current federal regulations regarding insurance coverage and determine whether revisions are necessary to provide adequate protection to consumers; establish a civil penalty of \$10,000 and potential 6-month suspension of operating authority, and create criminal penalties, for movers who hold goods hostage in violation of the 110 % rule; create a \$25,000 civil penalty for brokers or movers operating without authority; and establish a \$10,000 civil penalty for a broker who provides an estimate before entering into an agreement with a carrier; require that movers and brokers include additional information regarding DOT registration numbers, consumer rights and responsibilities, and broker-carrier relationships on Web sites; and increase disclosure requirements for brokers who arrange for the shipment of household goods.

Mr. Speaker, it is an unfortunate but necessary step that I am taking today in introducing this legislation. For too long the scales have been tipped in favor of those few within the moving industry who abuse consumers—it is time to even the scales.

RECOGNITION OF RACHEL NEWELL

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 4, 2003*

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Rachel Newell, a very special young woman who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Girl Scouts of America, Troop 472, and in earning the most prestigious honor of the Gold Award.

The Girl Scout Gold Award is the highest achievement attainable in Girl Scouting. To earn the Gold Award, a scout must complete five requirements, all of which promote community service, personal and spiritual growth, positive values, and leadership skills. The requirements include, 1. Earning four interest project patches, each of which requires seven activities that center on skill building, technology, service projects, and career exploration, 2. Earning the Career Exploration Pin, which involves researching careers, writing resumes, and planning a career fair or trip, 3. Earning the senior Girl Scout Leadership

Award, which requires a minimum of 30 hours of work using leadership skills, 4. Designing a self-development plan that requires assessment of ability to interact with others and prioritize values, participation for a minimum of 15 hours in a community service project, and development of a plan to promote Girl Scouting, and 5. Spending a minimum of 50 hours planning and implementing a Girl Scout Gold Award project that has a positive lasting impact on the community.

For her Gold Award Project, Rachel refurbished and painted a playground.

Mr. Speaker, I proudly ask you to join me in commending Rachel Newell for her accomplishments with the Girl Scouts of America and for her efforts put forth in achieving the highest distinction of the Gold Award.

IN RECOGNITION OF THE PARTHENON CHAPTER OF THE ORDER OF AHEPA (AMERICAN HELLENIC EDUCATIONAL PROGRESSIVE ASSOCIATION)

**HON. CAROLYN B. MALONEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 4, 2003*

Mrs. MALONEY. Mr. Speaker, I rise to pay tribute to the Andreas T. Stamboulidis Parthenon Chapter of the Order of AHEPA on the occasion of their annual dinner dance. For their extraordinary service and commitment to the community, Senator Frank Padavan, James Efthimiades, Stephen Cherpelis and George Doulaveris will be honored. They are truly "Axie", worthy of this honor.

Established to fight prejudice and racism, AHEPA is philanthropic organization that has been serving the Hellenic community since its inception 80 years ago. The many dedicated members of AHEPA have provided the community with an understanding of the Hellenic heritage and an awareness of its contribution to the evolution of democratic ideals in the United States and Greece.

AHEPA's many contributions to the community include the establishment of educational scholarships, relief drives to aid the victims of warfare, persecution and national disaster, sponsorship of sports tournaments, support for women and children, the elderly, and the disabled. Through all of their community outreach efforts, AHEPA has striven to promote appreciation of Greek culture and further advance understanding between the Hellenic-American, American and the Hellenic community abroad.

The Andreas T. Stamboulidis Parthenon Chapter is exemplary of the AHEPA objective. Founded by the late Andrew Stamboulidis twenty-two years ago, the Parthenon Chapter has raised and contributed over \$35,000 toward the Holy Cross School and Community Center. For the Parthenon Chapter's extraordinary support of the school, one of the classrooms is named after founder Andreas T. Stamboulidis. Mr. Stamboulidis typified the ideals and aspirations of AHEPA.

It is a true pleasure to honor this chapter and its members, including Theodore Stamas and my good friend Manny Mavroidis. As the founder and co-chairperson of the Hellenic Caucus in Congress it has been my pleasure and honor to work with many of the members of AHEPA. Since its inception, the Parthenon

Chapter of AHEPA has become an important and invaluable member of the community.

In recognition of the Andreas T. Stamboulidis Parthenon Chapter of the Order of AHEPA's many contributions to the community, I ask my colleagues to join me in saluting this organization and all of tonight's honorees on the occasion of their annual dinner dance.

TRIBUTE TO MR. ANDREW E.  
CRAWFORD, JR.

**HON. DONALD M. PAYNE**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 4, 2003*

Mr. PAYNE. Mr. Speaker, it is with both sadness and pride that I rise today to recognize the life of an amazing young man, Mr. Andrew E. Crawford, Jr., a highly valued member of my staff who tragically lost his life a few months ago.

Born in Trenton, New Jersey on February 11, 1978 Andrew was a loving son and friend, gifted student, and dedicated staff member. Spending his early years in schools in both Pennsylvania and New Jersey, Andrew was both an outstanding athlete and student. An exceptional wrestler, Andrew found a way to balance both his athletic talent and scholastic success, being named to the "Who's Who Among American High School Students". Andrew was a true role model for his classmates, always taking the time for friends who confided in him and sought his guidance. Andrew continued his studies at William Patterson University, majoring in Communications. While there, Andrew became an active participant within the college community as a Resident Assistant, news announcer on the campus radio station, a member of the Brothers of Awareness Christian Fellowship, and the gospel chorus.

Upon completing his studies, Andrew joined my staff as Special Assistant in my district office in Elizabeth, New Jersey. Responsible for special projects and programs within the 10th Congressional district as well as serving as a liaison between myself and elected officials within Union County, Andrew was an extremely reliable and dedicated man. His laughter and positive spirit were contagious and he will be truly missed by myself and all who knew and loved him.

Mr. Speaker, I know that all of my colleagues here in the U.S. House of Representatives join me today in recognizing Andrew, a spirited young man whose life and spirit will never be forgotten. While his earthly life was short, his achievements and contributions were very significant. Please join me in sending our heartfelt condolences to his family: his mother Catherine, his father Andrew, Sr., and siblings Candice and Alexander.

TRIBUTE TO JILL THOMPSON

**HON. IKE SKELTON**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 4, 2003*

Mr. SKELTON. Mr. Speaker, it has come to my attention that a lifelong resident of Lexington, MO, will be celebrating 25 years of

service to the Lafayette County Health Department on March 12, 2003. Mrs. Jill Thompson has demonstrated a strong commitment to the area and has helped to ensure a brighter future for the community.

Mrs. Thompson graduated from Lexington High School and attended Research School of Nursing in Kansas City receiving her diploma in 1971. Jill began her 25 year journey with the Lafayette County Health Department in March of 1978 as a Registered Nurse working part-time. Her dedication and hard work earned her the position of Administrator of the Lafayette County Health Department in 1988. She has been the Administrator ever since and has helped expand the department and its services.

Mrs. Thompson's devotion to the Lafayette County community does not stop at the Health Department. She is a member of many organizations such as Cancer Assistance Relief, Treasurer; Sounds of the Heart, Treasurer; Charles Lyons Memorial Foundation; MoAlpha, Chair of the Rural Public Health Committee; West Central Missouri AHEC; Lexington R-V School District Health Advisory Committee; County Health Improvement Project; Lafayette County InterAgency; Lafayette Emergency Preparedness Committee; Mohakca; and P.E.O. Chapter HX.

Mrs. Jill Thompson has distinguished herself as a community leader in Lexington and Lafayette County, Missouri. She has and continues to make her friends and family proud. I am certain that my colleagues will join me in wishing Jill Thompson, her husband, Larry, and their three children Craig, Chad and Kristin all the best.

RECOGNITION OF ASHLEY FOWLER

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 4, 2003*

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Ashley Fowler, a very special young woman who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Girl Scouts of America, troop 971, and in earning the most prestigious honor of the gold award.

The Girl Scout Gold Award is the highest achievement attainable in Girl Scouting. To earn the Gold Award, a scout must complete five requirements, all of which promote community service, personal and spiritual growth, positive values, and leadership skills. The requirements include, 1. Earning four interest project patches, each of which requires seven activities that center on skill building, technology, service projects, and career exploration, 2. Earning the career exploration pin, which involves researching careers, writing resumes, and planning a career fair or trip, 3. Earning the senior Girl Scout leadership award, which requires a minimum of 30 hours of work using leadership skills, 4. Designing a self development plan that requires assessment of ability to interact with others and prioritize values, participation for a minimum of 15 hours in a community service project, and development of a plan to promote Girl Scouting, and 5. Spending a minimum of 50 hours planning and implementing a Girl Scout Gold Award project that has a positive lasting impact on the community.

For her Gold Award project, Ashley made baby quilts for Hope House.

Mr. Speaker, I proudly ask you to join me in commending Ashley Fowler for her accomplishments with the Girl Scouts of America and for her efforts put forth in achieving the highest distinction of the Gold Award.

PERSONAL EXPLANATION

**HON. ROBERT W. NEY**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 4, 2003*

Mr. NEY. Mr. Speaker, on February 27, 2003, I was unable to be present for rollcall votes 38-39 on H.R. 534, the Human Cloning Prohibition Act due to urgent family business. Had I been present I would have voted "no" on rollcall vote No. 3, and "yes" on rollcall vote No. 39, final passage of H.R. 534."

HUMAN CLONING PROHIBITION  
ACT OF 2003

SPEECH OF

**HON. DAVID WU**

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 27, 2003*

Mr. WU. Mr. Chairman, I rise today to state that I am strongly pro-choice. I am strongly pro stem cell research. I have profound discomfort in opposing many of my former professors by supporting the Weldon/Stupak bill. But, difficult as it may be, I have no hesitation in following both my heart and my head in this matter. I urge support of the Weldon/Stupak bill, and reluctantly urge defeat of the Greenwood/Deutsch substitute bill.

I think this is a time to pause. This is a subject that behooves caution, and we must take time to let our ethics catch up with our technology. Our technology has gotten to the point where we are talking about genetic mixes, chimeras of human and animal cells, and other procedures with which Americans have a reasonable and profound discomfort.

Many scientists say it is incredibly dangerous to stop any form of experimentation. However, I submit to you that we do stop certain forms of experimentation. We no longer permit certain kinds of head trauma experiments on non-human primates that potentially could protect us in vehicle accidents. The nuclear test ban treaty is nothing but a cessation of certain forms of experimentation. And many scientists were in favor of the destruction of the last stocks of smallpox, which would have stopped experimentation on that virus.

There are times when it is important to pause, to pull back, and to deeply consider an issue before proceeding. I differ with the chairman in that perhaps in five or ten years our science and our ethics may lead us to a different conclusion than the ban on cloning we are debating today. Perhaps both our science and our ethics will lead us to the same conclusion we reach today. We should come back and force Congress to reexamine and address this issue again in five or ten years.

On the issue of cloning, no one can make a sure and permanent claim to truth and rectitude.

MASSHEALTH COALITION OPPOSES  
BUSH MEDICAID PLAN

**HON. BARNEY FRANK**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 4, 2003*

Mr. FRANK of Massachusetts. Mr. Speaker, in our efforts to do our jobs, we are aided by private organizations, which share our commitment to the public, and have first-hand experience with how the policies we enact work in practice. Three of the organizations to which I am indebted for their advice and their important public roles are the Massachusetts Hospital Association, the Home and Health Care Association of Massachusetts, and the Massachusetts Extended Care Federation. They are together, extremely important institutions both for the services they provide and for the economic role they play. I was therefore particularly impressed when they sent along a copy of the letter they sent on February 20 to Massachusetts Governor Mitt Romney, in which these three responsible and important organizations say with regard to the President's Medicare reform proposal, "our coalition firmly opposes the President's proposed plan since it would have long term detrimental effects on MassHealth recipients and providers." As their letter concludes, "the nearly 1 million Massachusetts residents covered by MassHealth deserve federal action to address the current crisis that does not put additional financial pressure on our state, nor diminish the guarantee of coverage for our most vulnerable patients." Mr. Speaker, I have for some time thought that the President's policy of fighting two wars and financing that with three tax cuts inevitably means serious social harm in our country in many areas. This letter from these three organizations, which play such an important role in the health and welfare of our citizens, underlines that point and I ask that the letter be printed here.

MASSACHUSETTS HOSPITAL ASSOCIATION, HOME HEALTH CARE ASSOCIATION OF MASSACHUSETTS, INC.,  
*February 20, 2003.*

His Excellency MITT ROMNEY,  
*Office of the Governor, State House,  
Boston, MA.*

DEAR GOVERNOR ROMNEY: On behalf of the Massachusetts institutions dedicated to patient care, we must voice our grave concerns with President Bush's Medicaid reform proposal, which the National Governors Association (NGA) plans to discuss next week. Though the plan is promoted by the Administration as an answer to states' current financial problems, we urge caution in embracing this or similar future proposals. The proposal offers short-term federal relief for increasing state financial risk over the long term. Our coalition firmly opposes the President's proposed plan since it would have long-term detrimental effects on MassHealth recipients and providers.

**MAINTAIN THE FEDERAL/STATE PARTNERSHIP**

We believe that both federal and state governments have an obligation and responsibility to maintain their financial commitment to the Medicaid program. The Administration's reform proposal would sever the federal and state financial partnership and replace it with a fixed federal commitment and state maintenance of effort. This plan would destabilize the financial foundation of the Medicaid program since federal financial participation would no longer extend to

costs that grow beyond its fixed contribution. If Massachusetts cannot shoulder the burden of future cost growth, it will be faced with further reducing provider payments and/or limiting coverage and benefits.

We also strongly oppose any proposal that would force states to radically transform their Medicaid programs in order to receive federal fiscal relief. The President's proposed plan would require reduced federal payments in later years in order to repay additional federal support given now. Massachusetts would bear the ultimate risk of any cost increases that grow beyond the fixed federal commitment. States that need immediate relief and new programmatic flexibility should not have to risk the mission of their Medicaid program.

**PROMOTE FINANCIAL INTEGRITY**

Unfortunately, the Administration's proposal seeks fundamental change to the Medicaid program and ties any fiscal relief for states to the acceptance of such proposed changes. It weakens the guarantee of coverage for vulnerable populations and dismantles the Disproportionate Share Hospital Payment (DSH) program, which is our nation's primary source of support for safety net hospitals that serve the most vulnerable Americans. Indeed, last year Massachusetts received \$290 million in federal Medicaid DSH funds.

Further, the Administration's approach would cap federal spending using fiscal year (FY) 2002 spending as the base year, updated yearly by a non-specified trend factor. Like DSH funding that was initially capped in 1991, this new proposal caps a state's Medicaid spending at last year's level of spending—penalizing states that have yet to expand benefits and coverage, and severely limiting the ability of all states to expand coverage during better economic times or even to weather growth in Medicaid eligibility due to increasing unemployment during recession. This new cap proposal also has the potential to mirror the further reductions to DSH spending that took effect in the Balanced Budget Act of 1997.

**PROTECT ACCESS TO CARE**

The President's reform proposal simply translates into a program that over time will barely meet the needs of the mandatory population by putting pressure on states to reduce coverage for non-mandatory populations and to reduce payments to providers. This proposal has the potential to damage core services delivered by health care providers to all MassHealth patients in Massachusetts:

Hospitals, reeling from Medicaid reimbursement rates that are close to 30 percent below the cost of delivering care, cannot sustain further hits without compromising their mission and cutting vital services. Reductions in Medicaid enrollment will exacerbate hospital difficulties by increasing uncompensated care costs and decreasing Medicare Disproportionate Share Payments.

Nursing homes already receive Medicaid rates that average \$20 per day below cost in Massachusetts. Over the past four years, 91 homes with 6,200 beds have been forced to close.

Medicaid also pays home health agencies between 28 to 35 percent below what it costs to provide care. Additional reductions will likely result in agencies either becoming insolvent or putting other patients on the caseload at risk by continuing to provide care.

**PROVIDE FISCAL RELIEF**

Instead, Massachusetts and other states require immediate and meaningful federal support. Such support should be in the form of an increase in the Medicaid federal medical

assistance percentage (FMAP) and the elimination of the scheduled fall-off in federal Medicaid DSH funding. Members of Congress have introduced legislation to enact these proposals and we urge your support of these bills.

The nearly 1 million Massachusetts residents covered by MassHealth deserve federal action to address the current crisis that does not put additional financial pressure on our state, nor diminish the guarantee of coverage for our most vulnerable patients. We look forward to working with your administration on alternative mechanisms to meet the current and long-term challenges associated with MassHealth.

Sincerely,

RONALD HOLLANDER,  
*President, Massachusetts Hospital Association.*

ABRAHAM MORSE,  
*President, Massachusetts Extended Care Federation.*

PATRICIA KELLEHER,  
*Executive Director, Home & Health Care Association of Massachusetts, Inc.*

RECOGNITION OF CHERYL HALSEY

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 4, 2003*

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Cheryl Halsey, a very special young woman who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Girl Scouts of America, Troop 985, and in earning the most prestigious honor of the Gold Award.

The Girl Scout Gold Award is the highest achievement attainable in Girl Scouting. To earn the Gold Award, a Scout must complete five requirements, all of which promote community service, personal and spiritual growth, positive values, and leadership skills. The requirements include, 1. Earning four interest project patches, each of which requires seven activities that center on skill building, technology, service projects, and career exploration, 2. Earning the career exploration pin, which involves researching careers, writing resumes, and planning a career fair or trip, 3. Earning the Senior Girl Scout Leadership Award, which requires a minimum of 15 Hours of work using leadership skills, 4. Designing a self-development plan that requires assessment of ability to interact with others and prioritize values, participation for a minimum of 15 hours in a community service project, and development of a plan to promote Girl Scouting, and 5. Spending a minimum of 50 hours planning and implementing a Girl Scout Gold Award project that has a positive lasting impact on the community.

For her Gold Award project, Cheryl created handicapped parking at more than ten city buildings.

Mr. Speaker, I proudly ask you to join me in commending Cheryl Halsey for her accomplishments with the Girl Scouts of America and for her efforts put forth in achieving the highest distinction of the Gold Award.

ANNIVERSARY OF THE WALWORTH  
MASONIC LODGE, NUMBER 286

**HON. PAUL RYAN**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 4, 2003*

Mr. RYAN of Wisconsin. Mr. Speaker, today I rise in recognition of the 100th anniversary of the Walworth, Wisconsin Masonic Lodge 286. Throughout this period, the Masons of Lodge 286 have made invaluable contributions to their community and to Wisconsin.

Faith, honor, integrity, responsibility for one's actions, the absolute right to intellectual and spiritual freedom, and self-control are the Masons' core values and principles. After the first Grand Lodge was founded in England in 1717, Masonry's rich history was solidified in America by such patriots as Benjamin Franklin, George Washington, Paul Revere, and John Hancock. Many would argue that the Masons and Masonry played a significant role in the Revolutionary War and an even more important part in the Constitutional Convention. For 100 years the Masons of the Walworth, Wisconsin Lodge 286 have worked to maintain this tradition and standard of excellence.

Charitable giving is also a large part of Masonry. Along with scholarship and loan funds to assist young people in furthering their education, Masons support many community-based charitable projects. These projects range from donating to children's hospitals and burn institutes built by Shriners, to simple and much needed services such as buying shoes and clothing for disadvantaged children. They have participated in charitable giving with other lodges in Wisconsin through the Wisconsin Masonic Foundation. Founded in 1925, the Foundation has been committed to educating our youth through an educational scholarship fund; caring for our elderly through the Wisconsin Masonic Home Endowment Fund; and doing good works through the Special Donor Advised Funds Program, which allows special donors to have naming rights as well as advisory capabilities related to the fund's intended purpose. Masons have constantly worked to make the world a better place.

Mr. Speaker, the Masons of the Walworth, Wisconsin Lodge 286 have served as a model for all Masons for 100 years. Their commitment to God and country, emboldened by their brotherhood, has set a high standard for all Masonic lodges.

H.R. 1048—DISABLED VETERANS  
ADAPTIVE BENEFITS IMPROVE-  
MENT ACT OF 2003

**HON. HENRY E. BROWN, JR.**

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 4, 2003*

Mr. BROWN of South Carolina. Mr. Speaker, as Chairman of the Subcommittee on Benefits of the House Veterans' Affairs Committee, I am introducing H.R. 1048, the Disabled Veterans Adaptive Benefits Improvement Act of 2003. Mr. CIRO RODRIGUEZ, Ranking Member of the Subcommittee on Benefits, as well as Chairman CHRIS SMITH and Rank-

ing Member LANE EVANS join me as original sponsors.

The Disabled Veterans Adaptive Benefits Improvement Act of 2003 would increase the one-time reimbursement VA may provide to certain severely disabled veterans to assist their purchase of an automobile from \$9,000 to \$11,000. According to the American Association of Motor Vehicle Administrators, the average cost of a new automobile in 2001 was estimated to be \$21,605.

The bill would also increase the grant to help eligible veterans make adaptations to their homes, which are necessary because of the nature of their disability. The bill would raise the Specially Adapted Housing Grant from \$48,000 to \$50,000 for the most severely disabled veterans and from \$9,250 to \$10,000 for other severely disabled veterans.

Mr. Speaker, this bipartisan legislation is the right thing to do for our severely disabled veterans so that they may live their lives in the most independent manner possible. I look forward to our colleagues' support of our efforts.

TRIBUTE TO MR. PATRICK  
DIDOMENICO

**HON. JAMES T. WALSH**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 4, 2003*

Mr. WALSH. Mr. Speaker, I rise today to honor the life of Mr. Patrick DiDomenico. From 1973 until just recently, Pat served as an elected official for the Town of Clay, New York, first in the role of town counselor and then town supervisor for the past 20 years. This makes him the longest continuously serving town supervisor in Onondaga County history. His long life of public service came to an end on February 8th of this year after a battle with cancer. He was only 65 years old.

Pat DiDomenico leaves behind his love for family and the town of Clay. I knew Pat as a genuinely kind and compassionate man who, when he wasn't smiling, was fighting hand and glove for the betterment of the town of Clay. He always marveled local colleagues with his steadfast ability to create astonishing opportunities and results from meager beginnings and often lopsided opposition. Under Pat's leadership the town of Clay has grown from a small rural community to a suburban township of 60,000 residents. His guidance is a testament to his skillful leadership of small town development. This is exemplified as Clay became the fastest growing town in New York State, growing from 36,274 in 1970 to 58,805 in 2000.

With the excitement of Clay's development, Pat made it a point to create fiscal prosperity for the town while easing the economic burdens of new growth. This is seen in the closing of Clay's landfill and the Three Rivers Project, which has transformed an old industrial area into a prospering tourist and commercial region for the town. His fingerprints can be found on all the major projects taken on by the town, foremost the development of Route 31, the Great Northern Mall and the recent completion of the new town hall. His visionary leadership was the primary root that has branched out into a town the size of many small cities.

Mr. Speaker, it is an honor to have known and worked with a leader who fought so hard

for a town he loved so much. Pat is one of the best civic leaders I have ever had the privilege to know in all my years of public service.

It is my honor to recognize Mr. Pat DiDomenico for his endless years of service on behalf of the people of Clay and Onondaga County. We owe him a huge debt of gratitude for all he has done. I extend my heartfelt sympathies to his family and friends, including wife Patricia and children Anthony, Patrick and Nicole. Pat's leadership will be missed, but his life will not be forgotten.

RECOGNITION OF DAWN HARDY

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 4, 2003*

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Dawn Hardy, a very special young woman who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Girl Scouts of America, Troop 1166, and in earning the most prestigious honor of the Gold Award.

The Girl Scout Gold Award is the highest achievement attainable in Girl Scouting. To earn the Gold Award, a scout must complete five requirements, all of which promote community service, personal and spiritual growth, positive values, and leadership skills. The requirements include, (1) Earning four interest project patches, each of which requires seven activities that center on skill building, technology, service projects, and career exploration, (2) earning the career exploration pin, which involves researching careers, writing resumes, and planning a career fair or trip, (3) earning the senior Girl Scout leadership award, which requires a minimum of 30 hours of work using leadership skills, (4) designing a self development plan that requires assessment of ability to interact with others and prioritize values, participation for a minimum of 15 hours in a community service project, and development of a plan to promote Girl Scouting, and (5) spending a minimum of 50 hours planning and implementing a Girl Scout Gold Award project that has a positive lasting impact on the community.

For her Gold Award project, Dawn created a self-esteem awareness program.

Mr. Speaker, I proudly ask you to join me in commending Dawn Hardy for her accomplishments with the Girl Scouts of America and for her efforts put forth in achieving the highest distinction of the Gold Award.

THE HONORABLE JOHN MILLER  
SWORN IN AS DIRECTOR OF THE  
STATE DEPARTMENT'S OFFICE  
TO MONITOR AND COMBAT  
TRAFFICKING IN PERSONS

**HON. FRANK R. WOLF**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 4, 2003*

Mr. WOLF. Mr. Speaker, our former colleague, the Honorable John Miller, who served as a member of the House of Representatives from the State of Washington from 1984-92, was sworn in today by Vice President Dick

Cheney as the director of the State Department's Office to Monitor and Combat Trafficking in Persons. John also serves in the Bush Administration as a senior adviser to the Secretary of State.

Sex trafficking is a growing problem of slavery both abroad and at home. John Miller is an excellent choice by the President for this job and we wish him well in this important position.

I insert for the RECORD the remarks John gave at his swearing-in ceremony.

Speech given by the Honorable John R. Miller at his swearing in as Senior Advisor to the Secretary of State and Director of the Office to Monitor and Combat Trafficking in Persons, at the Capitol on March 4, 2003

Vice President Cheney, I feel honored and appreciative that someone who I respect as much as you has taken the time to swear me in. Thank you.

It is so good to see many of my former colleagues in Congress. House Majority Leader Tom Delay, House Minority Leader Nancy Pelosi, Congressman Frank Wolf and Chris Smith who have been such leaders on the slave trading issue, my class mates Howard Coble, Jim Saxton, Joe Barton, and from the neighboring district to mine in Seattle, Jim McDermott . . . thank you all for joining my family and me on this occasion.

Undersecretary Paula Dobriansky, thank you for your kind words and thank you for your work on human rights over the years and for your support, your counsel and your guidance.

And my thanks to all of you today who come as friends, or relatives, or advocates in this cause.

Most of all, I want to thank my wife, June, and our son, Rip, for supporting me in this effort.

When one takes on a challenge of modern day slavery, one benefits from the work of others, past and present. Some came long before, such as the English opponent of the slave trade, William Wilberforce, the American abolitionist, William Lloyd Garrison; the Quakers with their Underground Railroad, or the men and women of the Salvation Army who started the fight against sex slavery in the 19th century.

Others whose shoulders I stand upon are less well known and more recent. But they are here in attendance today. I see Laura Lederer, who outside and now inside government, has labored to raise the public consciousness of trafficking around the world through her research, writing and speeches.

I see Amy O'Neill-Richard, who, with her seminal study on trafficking of women, influenced many inside government to understand that modern day slavery is a great emerging womens' issue.

I see Michael Horowitz, my friend and also welcome critic, who has been present and active at the creation of just about every important piece of human rights legislation this past decade.

I also see here many committed people from my office. Would you all please raise your hands. These are the people who travel thousands of miles and labor thousands of hours in their efforts to fight the slave trade.

The dimensions of the modern day slavery challenge that we face are vast. There are not thousands or hundreds of thousands but over a million people who are trafficked and enslaved every single year. That's right-over a million every single year.

Many of our fellow Americans believe slavery ended here after the Civil War. And, indeed, slavery based on color did end then in our country. But we know that today slavery based on color still exists in countries such as Mauritania.

We know that today slavery based on bonded labor still in the brick kilns of Pakistan and in exists on the farms of India, the charcoal camps of Brazil.

We know that today slavery based on military impressment of children goes on from Sri Lanka to Uganda.

And most of all, we know that today the fastest growing and And most of all, most hideous form of modern day slavery, sex slavery, reaches into most countries of the world, including these United States. We know that sex slavery makes billions for organized crime every year. We know at the same it time physically, mentally, and spiritually ruins millions of children and women.

Mr. Vice President, the struggle we wage to abolish modern day slavery will decide the fate of millions of human beings. But this struggle is also tied to the United States' role in the world. We live in a time when many people abroad do not know or have forgotten the idealism that led Americans to sacrifice over and over so that others might enjoy the God-given, inalienable right to liberty enunciated in our Declaration of Independence. They do not know what moves America; what makes us tick.

Now with many grave challenges facing us at home and abroad, the President and Congress have asked that we take on the ultimate issue of liberty: freeing people from slavery. It is an issue that cries out for national and international leadership. And as is so often the case, while many nations will cooperate in this fight, one nation must lead the way. Which country will put its power and resources into this fight to help the world's weakest achieve freedom? Which country will risk alienating others by reporting openly what's going on and holding out the possibility of aid sanctions to encourage action? There is only one answer to the question of which country must lead: it is the United States of America.

We lead not because we are perfect—we have our imperfections—including on this issue. We lead because we alone have the idealism, the power, the history and the commitment to freedom to lead the world in this new abolitionist struggle.

Yes, some abroad and even at home will view this effort with alarm and cynicism. They do not understand that on this as on many issues, our interests are reflected in our values. They will also ignore the fact that the fight against slavery is premised not only on our own values but universal values and UN covenants. Such people will still ask why are you trying to impose American values on the world? Two hundred years ago similar people asked the English evangelist and member of Parliament, William Wilberforce, as he fought to end the slave trade based on color, why are you trying to impose British values on the world? But Wilberforce persisted and persevered and millions who emerged for slavery to live in freedom thanked him and Great Britain. And just as today the people of Eastern Europe thank us for freeing them from Soviet tyranny, in the future, if we are successful, millions of men in forced peonage and millions of women and children forced into prostitution and sex slavery will thank the United States for their freedom.

Just last week President Bush issued an executive order that showed anew his determination that the U.S. lead the fight to abolish modern day slavery. President Bush became the first American President to challenge government agencies to make the fight against modern day slavery a priority in planning and deeds.

I am proud to serve an administration and a President who will make this issue of human rights and freedom an integral part of United States foreign policy.

I accept this position humbly, Mr. Vice President, and I ask for the prayers and help of those in this room and elsewhere. I have learned enough in my few weeks here to know that I truly need such prayers and help.

This struggle will not be short or easy. Wilberforce only succeeded in abolishing the 19th century slave trade after over 25 years. We will need his spirit and the spirit of our own nineteenth century abolitionists if we are to defeat this modern scourge.

But we all should know this: As we pursue this struggle, we will serve God, we will serve mankind, and we will serve our country well. And that is all we can and should ask of ourselves.

Thank you.

HONORING MICHAEL J. QUIRK—A  
TRUE AMERICAN HERO

**HON. ALLEN BOYD**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 4, 2003*

Mr. BOYD. Mr. Speaker, I rise today to honor Michael J. Quirk for his service to his country and as a volunteer with the United States Coast Guard Auxiliary. At a time when the President is encouraging all Americans to serve our nation in a volunteer capacity the United States Coast Guard Auxiliary will recognize Michael J. Quirk on his retirement from the Coast Guard Auxiliary with over 22 years of service. What is truly remarkable about Commodore Quirk is that prior to his involvement in the US Coast Guard Auxiliary, he had also well and faithfully served our nation in the military for over thirty years.

In World War II, Commodore Quirk was a member of the famed 56th Fighter Group of the US Army Air Corps and achieved the status of Double-Ace. On his 100th mission he was shot down and was held as a prisoner-of-war until April 1945 at Stalag Luft 1, Barth, Germany. For his World War II service he received the Silver Star among other decorations and the Purple Heart for wounds received when his plane was shot down.

Following his return to the States in 1945, he entered Catholic University and, while pursuing his degree instructed Air National Guard to fly the P-47 . . . the plane he flew in Europe.

In 1947, after the service was formally established, Quirk returned to the service of his country with the US Air Force and over a thirty-year career saw service with the 4th Fighter Group flying F-80 Shooting Stars; Langley Air Force Base where flew F-86 Sabre jets; La Paz, Bolivia training Bolivian pilots to fly the P-47; the Central Air Defense Force from 1951-52; Commander of the 87th Fighter Interceptor Squadron; 453rd Tactical Fighter Training Wing; Seventh Air Force Headquarters, Tan Son Nhut Air Base, RVN; and completed his Air Force career at the Tactical Air Warfare Center, Eglin AFB, Florida, retiring as a Colonel in 1977.

Soon after his retirement from the US Air Force, he and his wife Kit joined the US Coast Guard Auxiliary, the volunteer force of the United States Coast Guard, and rose through various positions in further service to the nation and served at Commodore of the 8th Coastal Region in 1990-1991.

On his retirement from the US Coast Guard Auxiliary with over 22 years of volunteer service, the nation joins the US Coast Guard Auxiliary and the US Coast Guard in saluting this great American.

TRIBUTE TO ABEL VICTOR  
OLAZABEL

**HON. GRACE F. NAPOLITANO**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 4, 2003*

Mrs. NAPOLITANO. Mr. Speaker, it is with deep sadness that I rise today to honor the life of Abel Victor Olazabel. On the occasion of his funeral, I offer my sincerest condolences to his family. Abel was a true American hero, providing valiant service to our nation during World War II, and he will be sorely missed.

Abel served with the 40th Infantry Division, 2nd Battalion, Company G, 160th Infantry. This famous division included many Latino soldiers from South East Los Angeles County, including Abel who lived in Hacienda Heights. As a staff sergeant, Abel led his troops through some of the most challenging combat on the Pacific front. Working toward the American liberation of the Philippines, Abel's division fought courageously and suffered many casualties.

After landing with the first wave of Allied soldiers in the Lingayen Gulf, Abel's division fought tirelessly in the Zambales Mountains. Following this phase of combat, they were sent to Luzon Island, where a ferocious attack occurred. After much bloodshed, Abel's division defeated enemy troops in this key battle. For his extraordinary acts of bravery and patriotism, including leading a rescue party to find and save a unit on Panay Island, Abel earned further distinction.

Throughout the war, Abel demonstrated numerous acts of heroism in combat and assisted many wounded among his own men. He received a Presidential Unit Citation for surviving overwhelming enemy attacks and defeating enemy soldiers. He was also awarded a Combat Infantry Medal.

Abel Victor Olazabel was a model of courage, generosity and patriotism. I ask that my colleagues join me in honoring this outstanding hero.

RECOGNITION OF EVELYN  
HOWARD

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 4, 2003*

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Evelyn Howard, a very special young woman who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Girl Scouts of America, troop 1230, and in earning the most prestigious honor of the Gold Award.

The Girl Scout Gold Award is the highest achievement attainable in Girl Scouting. To earn the Gold Award, a scout must complete five requirements, all of which promote community service, personal and spiritual growth, positive values, and leadership skills. The re-

quirements include: 1. earning four interest project patches, each of which requires seven activities that center on skill building, technology, service projects, and career exploration, 2. earning the career exploration pin, which involves researching careers, writing resumes, and planning a career fair or trip, 3. earning the Senior Girl Scout Leadership Award, which requires a minimum of 30 hours of work using leadership skills, 4. designing a self-development plan that requires assessment of ability to interact with others and prioritize values, participation for a minimum of 15 hours in a community service project, and development of a plan to promote Girl Scouting, and 5. spending a minimum of 50 hours planning and implementing a Girl Scout Gold Award project that has a positive lasting impact on the community.

For her Gold Award project, Evelyn created a web site on college admissions at geocite.com.

Mr. Speaker, I proudly ask you to join me in commending Evelyn Howard for her accomplishments with the Girl Scouts of America and for her efforts put forth in achieving the highest distinction of the Gold Award.

PERSONAL EXPLANATION

**HON. SOLOMON P. ORTIZ**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 4, 2003*

Mr. ORTIZ. Mr. Speaker, due to official business in my district, I was unable to vote during the following rollcall votes. Had I been present, I would have voted as indicated below.

Rollcall No. 37 "no," rollcall No. 38 "no," and rollcall No. 39 "yes."

NAACP IMAGE AWARD NOMINA-  
TIONS, THE ROSA PARKS STORY

**HON. DIANE E. WATSON**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 4, 2003*

Ms. WATSON. Mr. Speaker, today I rise to share the good news of the nomination of The Rosa Parks Story for an NAACP Image Award. It is nominated in the category of Outstanding Television Movie, Miniseries or Dramatic Special. Ms. Angela Bassett is also nominated for an award for Outstanding Actress for her portrayal of Rosa Parks. The film was directed by Ms. Julie Dash, who was also nominated for a Director's Guild of America award earlier this year. The Image Awards will be held this Saturday, March 8, and will air on television Thursday, March 13.

The Rosa Parks Story stars Angela Bassett, Cicely Tyson and Dexter Scott King, the son of Dr. Martin Luther King, Jr. The film brings to life the peaceful dissent an exhausted Rosa Parks showed on a crowded Montgomery, Alabama bus in 1955, and the Civil Rights Movement that ensued. The movie originally aired on television on February 24, 2002.

It is difficult for African American directors and others in the industry to seek recognition for their hard work. The NAACP Image Awards is a premier event that ac-

knowledges achievements of talented African Americans involved in the industry.

I was honored to host a congressional screening of the film, The Rosa Parks Story, last year prior to the film's television debut. I had the good fortune then of meeting Ms. Angela Bassett, Ms. Cicely Tyson, Ms. Julie Dash and many others who were instrumental in the success of this movie. I particularly want to acknowledge the contributions of Mr. Willis Edwards. His work as Executive Producer of the film was instrumental in its success.

This film has held meaning and significance for me personally, and it brings me great joy to see this work nominated for an NAACP Image Award. I wish all those who were involved the best at the awards ceremony on March 8th!

CELEBRATING THE 225TH ANNI-  
VERSARY OF THE TOWN OF  
FRANKLIN

**HON. JAMES P. MCGOVERN**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 4, 2003*

Mr. MCGOVERN. Mr. Speaker, I rise today to pay tribute to the Town of Franklin, Massachusetts on the occasion of its 225th anniversary, March 2, 2003.

Founded on March 2, 1778, the Town of Franklin was the first in our nation to be named after Benjamin Franklin and is home to America's first public library. Franklin is also home to the nation's only continuously operating one room schoolhouse. Today, Franklin has grown into a vibrant community of over 30,000 people and remains a great place to live, work and raise a family.

Mr. Speaker, I am proud to represent this fine community of dedicated individuals who, over the years, have worked hard to build their town into what it is today. Whether it is providing a first class public education for all their children or valuing their senior citizens, the people of Franklin are what "community" is all about. Every summer, residents line the streets for Franklin's annual 4th of July parade. The town commemorates our independence in the spirit of its great namesake, Benjamin Franklin, with a festive celebration at its historic town common.

Mr. Speaker, I am confident that my colleagues in the U.S. House of Representatives join me in congratulating the Town of Franklin for its 225 years.

TRIBUTE TO DR. MARION JACK  
BROOKS

**HON. MARTIN FROST**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 4, 2003*

Mr. FROST. Mr. Speaker, I rise today to pay tribute to a local pioneer and doctor in Fort Worth, Texas. Dr. Marion Jack Brooks died on Monday, March 3, 2003, at his home in the city's Morningside community. He was 83 years old and a true local success story. He graduated from the former I.M. Terrell High School near downtown and was a founding member of Morningside United Methodist Church.

Dr. Brooks began practicing medicine in North Texas during the 1950's. He and his brother Dr. Donald Brooks opened their own clinic that is still family owned and operated, on Fort Worth's famous Evans Avenue. During those days, when segregation was an awful reality in Texas and the entire South, black families who resided in the city could always count on Dr. Brooks to provide medical care for the children and the sick in their households.

Mr. Speaker, it is also important that I note the many contributions that this great man made outside the field of medicine. Like many of our institutions that existed before the days of the Great Society, hospitals and medicine were not immune to the realities that African-Americans faced based solely on their skin color.

When his patients needed treatment, Dr. Brooks was forced to treat them out of a basement at the old St. Joseph's Hospital. He was outspoken until local hospitals decided to do the right thing and change their policies. He also led a march from Fort Worth to Austin that coincided with Dr. Martin Luther King's famous pilgrimage on our nation's capitol. He also was active in local politics and was a driving force behind the Tarrant County Precinct Council.

Dr. Brooks will be missed by his friends, family and community. He leaves behind a great legacy that will live on through his work in the sciences, the Sickle Cell Anemia Association of Texas, and an annual scholarship awards presentation for which he is the namesake.

AFRICAN AMERICAN HISTORY  
MONTH, 2003

**HON. ALCEE L. HASTINGS**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 4, 2003*

Mr. HASTINGS of Florida. Mr. Speaker, I chose to celebrate African American History Month 2003 by acknowledging African Americans who have served with distinction in the United States Armed Forces. Each day of the month, I distributed brief biographies to my colleagues, which honored the accomplishments of generals and privates, paratroopers, cooks, and nurses, who have contributed to our rich history.

I chose this theme because the integration of the Armed Forces was a momentous event in our national and military history. Although the pressures generated by the civil rights movement compelled the U.S. military to reexamine its traditional practices of segregation, in fact, African Americans have been integral in the service to this nation since its beginnings.

I hope that my colleagues and their staffs have taken a few moments each day this month to read the stories of these inspiring men and women. Some distinguished themselves with their impressive accomplishments; the first African American General in the Air Force, the first African American in space, and the first African American Chairman of the Joint Chiefs of Staff. Some, in a moment of gallantry and courage, sacrificed their lives in the line of duty or for their fellow soldiers. Following are the names of the men and women

I chose to honor during African American history month.

General Benjamin O. Davis, Jr., Tuskegee Airman. Graduating from West Point in 1936, Benjamin O. Davis, Jr. became one of only two black general officers in the U.S. Army at the time—the other was his father. With his promotion to Brigadier General, Davis became the first African American General in the U.S. Air Force. He retired in 1970, and served under President Nixon as Assistant Secretary of Transportation for Environment, Safety, and Consumer Affairs.

Colonel Guion S. Bluford, Jr. Guion S. Bluford, Jr. has the honor of being the first African American in space. Bluford has also served as a mission specialist on STS 61-A (*Challenger*) in 1985 and on STS-39 (*Discovery*) in 1991.

Sergeant Major Christian A. Fleetwood. Fleetwood served in the U.S. 4th Colored Troops and was one of thousands of African Americans who fought in the Civil War. At the battle of Chapin's Farm, Virginia, in July 1864, Fleetwood valiantly defended the American flag and was awarded the Medal of Honor for his heroism. In 1948, his daughter donated his Medal of Honor to the National History Museum, making him the first African American veteran to be honored by the Smithsonian.

Ensign Jesse LeRoy Brown. Brown was the first African American to achieve the status of Naval Aviator. He was awarded the Distinguished Flying Cross for his service during the Korean War. In 1973 the USS *Jesse L. Brown*, a 3963 ton Knox class ship, was named in honor of Ensign Jesse L. Brown.

Private William Cathy. In 1866, with little employment opportunities, Williams disguised herself as a man, assuming the name William Cathy and enlisted with Company A, 38th United States Infantry. Williams was determined 'fit for duty' following a limited medical test and within months she had become a "Buffalo Soldier" serving with one of the six black units. Williams served for two years.

Sergeant William H. Carney. During a siege at Fort Wagner, South Carolina, on July 18, 1863, Sergeant William Carney displayed the courage that won him the Congressional Medal of Honor, making him the first African American to receive the prestigious medal. Despite being shot twice, Carney planted the colors announcing, "Boys the old flag never touched the ground."

Dorie Miller. On May 27, 1942, Dorie Miller was presented with the Navy Cross for extraordinary courage in battle. Miller served on the USS *West Virginia* when the battleship was attacked by the Japanese at Pearl Harbor. Miller valiantly aided the mortally wounded Captain of the ship, manning a 50 caliber Browning anti-aircraft machine gun, which he had not been trained to operate. Miller continued to fire until he ran out of ammunition. In addition to the Navy Cross, Miller earned the Purple Heart Medal.

Colonel Charles Young. In 1889, Charles Young became the third African American to graduate from the United States Military Academy at West Point. He served with the Buffalo soldiers of the 9th and 10th Cavalries, and the 25th Infantry. When the Army created the Military Information Division, he was one of the first military attaches, serving in Port Au Prince, Haiti. Young was the highest ranking African American officer in the Army when World War I started.

General Daniel James, Jr. Daniel "Chappie" James, one of the Tuskegee airmen, was commissioned in 1943. An outstanding fighter pilot, he flew over 100 combat missions in Korea and over 300 in Vietnam. In September 1975, he became the first African American in the history of the United States military to attain the rank of 4-star General.

Moses Jones. On May 11, 1898, the Revenue Cutter *Hudson* joined two U.S. Navy gunboats at the Battle of Cardenas Bay in Cuba. When one of the Navy gunboats was hit and began drifting towards shore, the *Hudson* and its crew, despite being directly in the line of fire, managed to tow the gunboat to safety. The courage of the crew was recognized by a joint resolution of Congress and Moses Jones received the silver Medal of Honor.

Sergeant First Class William Maud Bryant. Sergeant Bryant was a member of Company A, 5th Special Forces Group, in the Republic of Vietnam in 1969. He received the Medal of Honor for conspicuous gallantry and intrepidity in action. When his battalion came under heavy fire and was surrounded by 3 enemy regiments, SFC Bryant charged an enemy automatic weapons position, overrunning it, and single-handedly destroyed its 3 defenders.

General Clara L. Adams-Ender. Clara L. Adams-Ender was commissioned as a second lieutenant in 1961. In 1967, she became the first woman in the Army to qualify and be awarded the Expert Field Medical Badge. In 1976 Adams-Ender received a Master of Military Arts and Sciences from the U.S. Army Command and Staff College in Fort Leavenworth, Kansas. Adams-Ender was promoted to the rank of Brigadier General in 1987, and appointed Chief of the Army Nurse Corps.

General Calvin Waller. Lt. Gen. Calvin Waller served as deputy commander of the allied forces during the Persian Gulf War. Waller died of a heart attack in 1996, leaving behind an enduring legacy. Waller's service during the Gulf War was invaluable. In 1998, the Army honored Waller, when a 100,000 square foot personnel center at Fort Lewis, Washington was named Waller Hall in his honor.

Private First Class Milton Lee Olive, III. Pfc. Olive was a member of the 3d Platoon of Company B in Vietnam. He and four other soldiers were moving through the jungle together when a grenade was thrown into their midst. Pfc. Olive saw the grenade, and then saved the lives of his fellow soldiers by grabbing the grenade in his hand and falling on it to absorb the blast with his body. "For conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty", PFC Olive was posthumously awarded the Congressional Medal of Honor.

Private First Class Malvin L. Brown. Private First Class Malvin L. Brown was a medic and member of Headquarters Company, 555th Parachute Infantry Battalion. The 555th or "Triple Nickles," was the nation's first all-black parachute infantry test platoon, company, and battalion. In 1945 the Army dispatched the 555th to the Western U.S. to combat fires set by Japanese fire bomb balloons and by lighting. In attempting to climb out of his harness and lower himself with a rope, PFC Brown slipped or lost his grip and crashed into a rock bed 150 feet below. He was the first airborne firefighter, or "smokejumper", killed in the line of duty.

General Julia Jeter Cleckley. Jeter Cleckley has served with the military for 27 years. In

September of 2002, she became the first African-American woman to be promoted from full colonel to flag officer in the Army National Guard. She was also the first minority woman to become a branch chief at the National Guard Bureau; the first African-American woman to be promoted to colonel in the Active Guard and Reserve Program, and the first woman to serve on the Army Guard director's special staff as the chief of Human Resources.

Salem Poor. Details of what took place at the Battle of Charleston, today known as the Battle at Bunker Hill are scarce, however it is clear that Poor's conduct was exceptional. A petition to the Continental Congress was signed by fourteen of his officers in an attempt to cite him for his heroism. The petition read, "A Negro called Salem Poor of Colonel Frye's regiment, Captain Ames' company, in the late battle at Charleston, behaved like an excellent officer, as well as an excellent soldier. It would be tedious to go into more detail regarding his heroic conduct. We only beg leave to say, in the person of this Negro centers a brave and gallant soldier." Despite the petition, Poor was never officially recognized for his actions. In 1975, two hundred years after the Battle of Bunker Hill, Salem Poor was honored on a stamp by the U.S. Postal Service.

Sergeant Cornelius H. Charlton. Charlton served during the Korean War. When his platoon was heavily attacked, he took control, rallying the troops and spearheading an attack up a heavily defended hill. Sgt. Charlton took control of two hostile positions and killed six enemy troops. Though wounded, he continued the advance and managed to damage a gun emplacement. Charlton was then hit by another grenade, this time mortally wounded. In recognition of his heroism, Cornelius Charlton was posthumously awarded the Congressional Medal of Honor in 1952. In 1999 the U.S. Navy named a Cargo ship the USNS *Charlton*, in honor of Sergeant Charlton.

General Colin L. Powell. Current Secretary of State Powell was a professional soldier for 35 years, during which time he rose to the rank of 4-star General. His last assignment, from October 1, 1989 to September 30, 1993, was as the 12th Chairman of the Joint Chiefs of Staff, the highest military position in the Department of Defense. He was the first African American to hold this position. During this time, he oversaw 28 crises, including Operation Desert Storm in 1991. After being unanimously confirmed by the U.S. Senate, he was sworn in as the 65th Secretary of State on January 20, 2001.

#### RECOGNITION OF KELLY HULT

### HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 4, 2003*

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Kelly Hult, a very special young woman who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Girl Scouts of America, Troop 971, and in earning the most prestigious honor of the Gold Award.

The Girl Scout Gold Award is the highest achievement attainable in girl scouting. To earn the Gold Award, a scout must complete five requirements, all of which promote com-

munity service, personal and spiritual growth, positive values, and leadership skills. The requirements include: (1) earning four interest project patches, each of which requires seven activities that center on skill building, technology, service projects, and career exploration; (2) earning the career exploration pin, which involves researching careers, writing resumes, and planning a career fair or trip; (3) Earning the Senior Girl Scout Leadership Award, which requires a minimum of 30 hours of work using leadership skills; (4) Designing a self development plan that requires assessment of ability to interact with others and prioritize values, participation for a minimum of 15 hours in a community service project, and development of a plan to promote girl scouting; and (5) spending a minimum of 50 hours planning and implementing a Girl Scout Gold Award project that has a positive lasting impact on the community.

For her Gold Award project, Kelly organized a father/daughter hike for a service unit.

Mr. Speaker, I proudly ask you to join me in commending Kelly Hult for her accomplishments with the Girl Scouts of America and for her efforts put forth in achieving the highest distinction of the Gold Award.

#### WILLIS EDWARDS, RECIPIENT OF CHRISTOPHER AWARD

### HON. DIANE E. WATSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 4, 2003*

Ms. WATSON. Mr. Speaker, it gives me great pleasure to rise today and share the news that a good friend and colleague of mine, Mr. Willis Edwards, received a prestigious Christopher Award for his work as an Executive Director of the film, *The Rosa Parks Story*. The awards ceremony was held last month, on February 27th, in New York City.

The *Rosa Parks Story* stars Angela Bassett, Cicely Tyson and Dexter Scott King, the son of Dr. Martin Luther King, Jr. The film brings to life the peaceful dissent an exhausted Rosa Parks showed on a crowded Montgomery, Alabama bus, in 1955, and the Civil Rights Movement that ensued. The movie originally aired on television on February 24, 2002.

It is difficult for African American actors, directors and others in the industry to receive recognition for their hard work in the entertainment industry. I am pleased that the Christopher was able to recognize and acknowledge the outstanding performance and talent of Mr. Edwards as well as others involved in the film.

I was honored to host a congressional screening of the film, *The Rosa Parks Story*, last year prior to the film's television debut. I had the good fortune then of meeting Ms. Angela Bassett, Ms. Cicely Tyson, Ms. Julie Dash and many others who were instrumental in the success of this movie. Ms. Julie Dash was nominated for a prestigious Director's Guild of America Award earlier this year for her work directing the film.

The film received two nominations for an NAACP Image Award for Outstanding Television Movie, Miniseries or Dramatic Special, and for Ms. Angela Bassett's performance as Ms. Rosa Parks.

This film has held meaning and significance for me personally, and it brings me great joy

to see Mr. Willis Edwards' work acknowledged with a Christopher Award.

#### TRIBUTE TO MR. EVAN HANKIN

### HON. JAMES P. MCGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 4, 2003*

Mr. MCGOVERN. Mr. Speaker, I rise today to recognize Mr. Evan Hankin on the celebration of his 60th birthday. A resident of Newton, Massachusetts, Mr. Hankin will celebrate this milestone on March 17, 2003.

The son of Toby and Sidney Hankin and a native of Buffalo, New York, Mr. Hankin received his undergraduate degree from The University of Buffalo and followed up his undergraduate degree by pursuing and receiving a Masters of Business Administration from Boston College. The husband of Barbara Hankin for 34 years and the father of Markos and Stefan Hankin, he is an active member of the art and cultural communities in Massachusetts.

In addition to being a loving husband and father, Mr. Hankin is also the President of Hankin Construction Company, based in Woburn, Massachusetts. For many years, Hankin Construction built new schools in many towns and cities across Massachusetts, as well as providing the restoration of some of the Commonwealth's great historical landmarks. A union contractor, Mr. Hankin has made a commitment to ensuring that his employees are happy and the job is done right.

Mr. Speaker, I ask my colleagues to join me today in wishing Mr. Evan Hankin a happy 60th birthday.

#### CONGRATULATIONS TO DUNCANVILLE PANTHERETTES, GIRLS BASKETBALL 5-A CHAMPIONS

### HON. MARTIN FROST

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 4, 2003*

Mr. FROST. Mr. Speaker, I want to recognize and congratulate the remarkable Duncanville Pantherettes girls basketball team for winning the 2003 Texas Division 5-A championship.

This weekend, Pantherette fever was running high across North Texas as Duncanville battled Georgetown for the state title. Duncanville's defense was overwhelming as they held their opponents to a meager 27 points, a record low total for a UIL Class 5-A title game. The Pantherettes dominated their foes all season en route to a 39-1 record and talk of a repeat is already rampant.

This year's championship team builds upon a remarkable record for girls basketball at Duncanville. This is the Pantherettes' 6th basketball title and 15th appearance in the state championship.

Winning the state championship is a fitting culmination to the careers of Duncanville's seven seniors, five of whom have signed to play basketball in college and four signed with Division I teams. Those are big shoes to fill, but Duncanville's underclassmen say they are

ready to lead the Pantherettes back to Austin next year.

Congratulations to coach Cathy Self-Morgan and the other Duncanville staff who guided a super group of girls through a historic season. The 2003 Duncanville Pantherettes have earned the chance to savor this victory and reflect on all their achievements together. I look forward to following the Pantherettes as they try to return to Austin next year.

SUPPORTING AFFIRMATIVE  
ACTION

**HON. ALCEE L. HASTINGS**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 4, 2003*

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to express my deep and continued commitment to affirmative action.

Like many of my colleagues, I am baffled by the fact that almost thirty years since the enactment of the Civil Rights Act and the full implementation of affirmative action, many still question its importance and significance.

It astounds me that a country that brags on its riches in diversity of people can not equally boast on their diversity in university class rooms and company board rooms. Affirmative action is not a hand out! It is an all access pass for people who have long been denied the chance to achieve their potential because of an American society steeped in institutionalized racism and sexism.

Mr. Speaker, as you may know, there has been a recent uproar over the issue of affirmative action. In the past such states as Texas, California, and more recently my home state of Florida has prematurely abolished affirmative action, deeming it no longer necessary. Now, we are faced with this issue again. However this time, it's Michigan.

In 1999, the state of Florida brought an end to affirmative action under a plan named the One Florida Initiative. This initiative not only sparked hundreds of protest, but also ignited a march in Tallahassee, Florida's capital. Former state senator and current U.S. Congressman KENDRICK MEEK led this demonstration.

Mr. Speaker, as much as I wish affirmative action was an expired concept from an archaic time, the fact is, it is not. It is still needed. We as a Nation will no longer need affirmative action when we address the inequalities found at the heart of the educational system and corporate America. Then and only then should we discuss its abolishment.

RECOGNITION OF ELIZABETH  
CLARK

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 4, 2003*

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Elizabeth Clark, a very special young woman who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Girl Scouts of America, Troop 985, and in earning the most prestigious honor of the Gold Award.

The Girl Scout Gold Award is the highest achievement attainable in girl scouting. To earn the Gold Award, a scout must complete five requirements, all of which promote community service, personal and spiritual growth, positive values, and leadership skills. The requirements include, (1) Earning four interest project patches, each of which requires seven activities that center on skill building, technology, service projects, and career exploration, (2) earning the career exploration pin, which involves researching careers, writing resumes, and planning a career fair or trip, (3) earning the Senior Girl Scout Leadership Award, which requires a minimum of 30 hours of work using leadership skills, (4) designing a self-development plan that requires assessment of ability to interact with others and prioritize values, participation for a minimum of 15 hours in a community service project, and development of a plan to promote girl scouting, and (5) spending a minimum of 50 hours planning and implementing a Girl Scout Gold Award project that has a positive lasting impact on the community.

For her Gold Award project, Elizabeth created handicapped parking for more than ten city buildings.

Mr. Speaker, I proudly ask you to join me in commending Elizabeth Clark for her accomplishments with the Girl Scouts of America and for her efforts put forth in achieving the highest distinction of the Gold Award.

IN HONOR OF DR. SAMUEL GWINN

**HON. MICHAEL N. CASTLE**

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 4, 2003*

Mr. CASTLE. Mr. Speaker, it is with great pleasure that I rise today to congratulate Dr. Samuel W. Gwinn of Newark, Delaware on his induction into the National 4-H Hall of Fame. His long-time service to the Cooperative Extension and 4-H programs has touched the lives of numerous children in Delaware.

Dr. Gwinn, 83, served as Director of the Delaware Cooperative Extension for 22 years before retiring in 1984. His legacy with 4-H began when he joined the club as a 10-year-old. After participating in the club's activities as a child, he decided to help the club serve the future generations of children. In 1949, Dr. Gwinn established an overnight 4-H camp at Camp Barnes in Frankford, Delaware. To this day, the camp continues to attract hundreds of 4-H campers in the summer. In the 1970's, Dr. Gwinn helped create the Delaware 4-H Foundation that raises money to support 4-H activities for children. Throughout his career of service, Dr. Gwinn has served as a mentor to many colleagues who refer to him as the "Dean of Extension" and "Mr. 4-H."

Dr. Gwinn performed a great service by dedicating his career to enriching and giving back to Delawareans the experience that was given to him. It is people like Dr. Gwinn who ensure that the State of Delaware and the nation will continue to keep the American Dream alive and growing. I am proud to honor Dr. Gwinn's achievements and congratulate him on being the first Delawarean to be inducted into the 4-H Hall of Fame. His recognition, Mr. Speaker, is duly deserved.

PERSONAL EXPLANATION

**HON. HENRY J. HYDE**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 4, 2003*

Mr. HYDE. Mr. Speaker, on February 27, 2003, I was unavoidably absent for several rollcall votes, due to influenza and a physician's advice to rest.

Had I been present, I would have voted "nay" on rollcall votes 37 (Greenwood Substitute Amendment) and 38 (Motion to Recommit) and "yea" on rollcall vote 39 (Final Passage of H.R. 534—Human Cloning Prohibition Act).

PERSONAL EXPLANATION

**HON. JOE WILSON**

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 4, 2003*

Mr. WILSON of South Carolina. Mr. Speaker, on rollcall Nos. 29, 30, 31, and 32, on February 13, 2003, I was unable to cast my vote because I was on Speaker-authorized travel with CODEL Collins to Kyrgyzstan, Uzbekistan, and Kuwait.

Had I been present, I would have voted the following:

Rollcall 29, the Motion to Recommit on the Personal Responsibility, Work, and Family Promotion Act, I would have voted "nay."

Rollcall 30, on Passage of the Personal Responsibility, Work, and Family Promotion Act, I would have voted "yea."

Rollcall 31, the Motion to Recommit on the Making Further Continuing Appropriations for the Fiscal Year 2003, and for other purposes, I would have voted "nay."

Rollcall 32, on Passage of the Making Further Continuing Appropriations for the Fiscal Year 2003, and for other purposes, I would have voted "yea."

TRIBUTE TO MS. FIFINE GLAWS

**HON. MARY BONO**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 4, 2003*

Mrs. BONO. Mr. Speaker, along with my colleagues, Representatives JAN SCHAKOWSKY and SILVESTRE REYES, I would like to take this opportunity to honor Cannon elevator operator Ms. Fifine Glaws, who passed away over the President's Day weekend.

Fifine, a native of Boston, followed her family, including three siblings, to the Washington area in 1970. She began work at the Capitol in March 1983.

Each day, for close to 20 years, Fifine would make the trip from her group home in Rockville, MD to the Hill. However, unlike that of many other commuters, Fifine's trek was not an easy one. As her brother, Peter Glaws, told the Washington Post (Feb 20, 2003, page B1), Fifine "faced adversity every day and conquered it every day . . . She had much less to deal with in terms of capacity and had a very simplistic approach to life—that if you were expected to do something, you did it."

Not only did Fifine do her job, she brought a sense of kindness and consideration to an establishment more used to divisiveness and self-importance. Fifine would never let an opportunity to compliment riders of fifth floor elevator number five pass by. Her customary "You look nice today" would raise spirits and brighten moods even in the darkest of hours.

So often, those of us in the Capitol Hill community rush about our business and don't take a moment to reflect upon how great this institution is. Fifine kept this in mind every day. Her appreciation for her job and the U.S. Congress was second to none.

In an April 21, 1997 interview with the Washington Post, Fifine stated: "I love the congressmen," she said. "They have a lot of work to do and don't always have time to talk. I give them time to work, but I always talk to them. I love my job."

Fifine, we greatly appreciate you for taking the time to talk with us and thank you for a job well done. Our prayers and thoughts are with you and your family. We will miss you greatly.

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TRIBUTE TO MICHAEL DURHEN  
CHRISTIAN

**HON. ROBERT E. (BUD) CRAMER, JR.**

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 4, 2003*

Mr. CRAMER. Mr. Speaker, I rise today to honor Lieutenant Commander Michael Durhen Christian. Michael was a prisoner of war in Vietnam from April 24, 1967, to March 4, 1973. Today marks the 30th anniversary of his release.

Mike was a highly decorated soldier, touting two Silver Stars, three Bronze Stars, four Air Medals, the Legion of Merit, and the Navy Commendation Medal. But perhaps what Michael is most well known for is the flag he made while in the Hao Lo POW Camp.

In the last year of his imprisonment, Mike began collecting bits of fabric. He fashioned a needle out of bamboo, used the thread from his blanket, and made an American flag that he sewed to the inside of his jacket. Mike's flag was a source of pride and comfort for many of the soldiers. Mike would hold up his flag, and they would salute.

When the guards at the POW Camp eventually found the flag, Mike was beaten and tortured for hours. When he was returned to the cell, Mike immediately gathered his remaining cloth and began to sew again. Leo Thorness, Congressional Medal of Honor recipient and survivor of the Hao Lo POW Camp stated "Now, whenever I see the flag, I think of Mike and the morning he first waved that tattered emblem of a nation. It was then, thousands of miles from home in a lonely prison cell, that he showed us what it is to be truly free."

Mike attended Butler High School in Alabama and still has family in our community. In September 1983, Mike lost his life in a house fire. Mr. Speaker, I am proud to recognize LCDR Christian today. His patriotism and service to this country serve as an example to all Americans.

INTRODUCTION OF BIKE  
COMMUTER ACT

**HON. EARL BLUMENAUER**

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 4, 2003*

Mr. BLUMENAUER. Mr. Speaker, today, Congressman MARK FOLEY and I are introducing legislation to extend commuter benefits to bicyclists. This important legislation includes bicycles in the definition of transportation covered by the qualified transportation fringe benefit.

Currently, employers may offer a Transportation Fringe Benefit to their employees for commuting to work. Employees who take advantage of this program may receive a tax exemption benefit totaling \$180 for participating in qualified parking plans or \$100 for transit or van-pool expenses. Employees may also opt to take cash compensation instead, which is subject to employment taxes. The Bike Commuter Act would extend these same Transportation Fringe Benefits to employees who choose to commute by bicycle.

It's time to level the playing field for bicycle commuters. Bicycling is one of the cleanest, healthiest and environmentally friendly modes of transportation that exists today. At a time when communities across the country are seeking to reduce traffic congestion, improve air quality, and increase the safety of their neighborhoods, bicycles offer a wonderful alternative to driving for the more than 50 percent of the working population who commute five miles or less to work. The Federal Government should do its part to support these goals by providing transportation benefits to people who choose to commute in a healthy, environmental, and neighborhood-friendly fashion.

According to the Bureau of Transportation Statistics, bicycles are second only to cars as a preferred mode of transportation, demonstrating their potential for commuter use. Many Americans own one or more bicycles, but limit their use to recreational purposes. This legislation is an important step in making the Federal Government a better partner for more livable communities.

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LETTER OF RESIGNATION BY  
JOHN BRADY KIESLING

**HON. FORTNEY PETE STARK**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 4, 2003*

Mr. STARK. Mr. Speaker I commend to the attention of my colleagues the following letter of resignation written by American diplomat John Brady Kiesling. Mr. Kiesling served in the U.S. State Department as Political Counselor at the American Embassy in Greece before resigning his post on Thursday, February 27—ending twenty years of public service. Mr. Kiesling's letter is an eloquent expression of principal in opposition to war with Iraq and America's heavy-handed approach to foreign policy under the leadership of President Bush.

US DIPLOMAT JOHN BRADY KIESLING,

*February 27, 2003.*

Secretary of State COLIN L. POWELL,  
Letter of Resignation.

ATHENS

DEAR MR. SECRETARY: I am writing you to submit my resignation from the Foreign Service of the United States and from my position as Political Counselor in U.S. Embassy Athens, effective March 7. I do so with a heavy heart. The baggage of my upbringing included a felt obligation to give something back to my country. Service as a U.S. diplomat was a dream job. I was paid to understand foreign languages and cultures, to seek out diplomats, politicians, scholars and journalists, and to persuade them that U.S. interests and theirs fundamentally coincided. My faith in my country and its values was the most powerful weapon in my diplomatic arsenal.

It is inevitable that during twenty years with the State Department I would become more sophisticated and cynical about the narrow and selfish bureaucratic motives that sometimes shaped our policies. Human nature is what it is, and I was rewarded and promoted for understanding human nature. But until this Administration it had been possible to believe that by upholding the policies of my president I was also upholding the interests of the American people and the world. I believe it no longer.

The policies we are now asked to advance are incompatible not only with American values but also with American interests. Our fervent pursuit of war with Iraq is driving us to squander the international legitimacy that has been America's most potent weapon of both offense and defense since the days of Woodrow Wilson. We have begun to dismantle the largest and most effective web of international relationships the world has ever known. Our current course will bring instability and danger, not security.

The sacrifice of global interests to domestic politics and to bureaucratic self-interest is nothing new, and it is certainly not a uniquely American problem. Still, we have not seen such systematic distortion of intelligence, such systematic manipulation of American opinion, since the war in Vietnam.

The September 11 tragedy left us stronger than before, rallying around us a vast international coalition to cooperate for the first time in a systematic way against the threat of terrorism. But rather than take credit for those successes and build on them, this Administration has chosen to make terrorism a domestic political tool, enlisting a scattered and largely defeated Al Qaeda as its bureaucratic ally. We spread disproportionate terror and confusion in the public mind, arbitrarily linking the unrelated problems of terrorism and Iraq. The result, and perhaps the motive, is to justify a vast misallocation of shrinking public wealth to the military and to weaken the safeguards that protect American citizens from the heavy hand of government. September 11 did not do as much damage to the fabric of American society as we seem determined to do to ourselves. Is the Russia of the late Romanovs really our model, a selfish, superstitious empire thrashing toward self-destruction in the name of a doomed status quo?

We should ask ourselves why we have failed to persuade more of the world that a war with Iraq is necessary. We have over the past two years done too much to assert to our world partners that narrow and mercenary U.S. interests override the cherished values of our partners. Even where our aims were not in question, our consistency is at issue. The model of Afghanistan is little comfort to allies wondering on what basis we plan to rebuild the Middle East, and in whose

image and interests. Have we indeed become blind, as Russia is blind in Chechnya, as Israel is blind in the Occupied Territories, to our own advice, that overwhelming military power is not the answer to terrorism? After the shambles of post-war Iraq joins the shambles in Grozny and Ramallah, it will be a brave foreigner who forms ranks with Micronesia to follow where we lead.

We have a coalition still, a good one. The loyalty of many of our friends is impressive, a tribute to American moral capital built up over a century. But our closest allies are persuaded less that war is justified than that it would be perilous to allow the U.S. to drift into complete solipsism. Loyalty should be reciprocal. Why does our President condone the swaggering and contemptuous approach to our friends and allies this Administration is fostering, including among its most senior officials? Has "oderint dum metuant" really become our motto?

I urge you to listen to America's friends around the world. Even here in Greece, purported hotbed of European anti-Americanism, we have more and closer friends than the American newspaper reader can possibly imagine. Even when they complain about American arrogance, Greeks know that the world is a difficult and dangerous place, and they want a strong international system, with the U.S. and EU in close partnership. When our friends are afraid of us rather than for us, it is time to worry. And now they are afraid. Who will tell them convincingly that the United States is as it was, a beacon of liberty, security, and justice for the planet?

Mr. Secretary, I have enormous respect for your character and ability. You have preserved more international credibility for us than our policy deserves, and salvaged something positive from the excesses of an ideological and self-serving Administration. But your loyalty to the President goes too far. We are straining beyond its limits an international system we built with such toil and treasure, a web of laws, treaties, organizations, and shared values that sets limits on our foes far more effectively than it ever constrained America's ability to defend its interests.

I am resigning because I have tried and failed to reconcile my conscience with my ability to represent the current U.S. Administration. I have confidence that our democratic process is ultimately self-correcting, and hope that in a small way our democratic process is ultimately self-correcting, and hope that in a small way I can contribute from outside to shaping policies that better serve the security and prosperity of the American people and the world we share.

LAWYERS COMMITTEE FOR  
HUMAN RIGHTS ISSUES REPORT  
ON THE RISE OF ANTISEMITISM  
IN EUROPE

**HON. HOWARD L. BERMAN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 4, 2003*

Mr. BERMAN. Mr. Speaker, I rise to commend the Lawyers Committee for Human Rights for producing the report entitled "Fire and Broken Glass: The Rise of Antisemitism in Europe," which underscores the commitment of the Lawyers Committee to speak up against human rights abuses wherever they occur, and whatever form they take.

In the report, the Lawyers Committee states forthrightly that "antisemitism is racism.

Antisemitic acts need to be confronted more forcefully and treated as serious violations of international human rights." The Lawyers Committee observes that the responsibility of reporting and confronting antisemitism should not be shouldered by Jewish organizations alone; "their involvement does not relieve governments, the United Nations . . . or private human rights groups of their obligations to address antisemitism as an integral part of their work."

In pointed remarks concerning the failure of European governments to address the problem, executive director Michael Posner writes, "Too often European leaders have downplayed antisemitic acts as inevitable side-effects of the current crisis in the Middle East. We reject this reasoning as an abdication of responsibility. Criticism of Israeli policies and practices is not inherently antisemitic. But when such criticisms and related actions take the form of broadside attacks against 'Jews' or the 'Jewish State,' they become racist."

The report cites recent instances of antisemitism in Europe, laments the failure of European governments to accurately report and engage in action to combat these hate crimes, and makes a series of recommendations for steps the European governments should take. The text of the report follows.

FOREWORD

A year ago the United Nations convened the third World Conference on Racism, Racial Discrimination, Xenophobia and Related Intolerance, in Durban, South Africa. The conference was intended to highlight particularly serious patterns of racism and racial discrimination around the world and to shape appropriate global responses. The meeting succeeded in raising public attention with respect to some particularly egregious situations—not least the plight of 250 million victims of caste discrimination (among them the Dalits of India—the so-called "broken people," or "untouchables").

Further, the conference provided a long overdue acknowledgment of the criminal nature of slavery ("that slavery and the slave trade are a crime against humanity and should always have been") and recommendations for the repair of its lasting consequences for people of African descent around the globe.

The conference also made clear that racism and racial discrimination need to be placed more squarely on the international human rights agenda. But what was positive in the conference process was seriously undermined when the World Conference itself became the setting for a series of antisemitic attacks. Directed primarily against representatives of Jewish groups, these attacks were fueled by the heated debates at the meeting concerning Israeli practices in the West Bank and Gaza Strip. But the racist anti-Jewish animus displayed represented considerably more than criticism of Israeli policies and practices.

Most of the offensive behavior occurred during meetings of nongovernmental organizations (NGOs) and individual participants in a forum that paralleled the intergovernmental conference. Throughout the five-day NGO forum, antisemitic cartoons and materials were distributed widely and on display, tolerated by the forums's nongovernmental organizers. Representatives from Jewish organizations were denied access to some meetings—either physically excluded or shouted down and attacked when they were present and tried to speak. Efforts to put antisemitism on the nongovernmental agenda were roundly defeated by an assembly of

representatives and individual participants in procedures that were neither democratic nor principled.

Rather than serving as a forum for correcting racial and religious intolerance and hate, the public meetings and exhibition halls of the Durban conference became a place where pernicious racism was practiced and tolerated. Important recommendations adopted by the conference despite this environment, with a real potential to advance the fight against antisemitism—and other forms of racism—have as a consequence received inadequate attention. Some of these recommendations, concerning government monitoring and reporting on racist violence, are discussed here.

The outbursts at Durban reflect a growing trend toward antisemitic expression and violence in many parts of the world. As this report makes clear, there is an alarming rise in antisemitic violence in Europe: but it is on the rise in other parts of the world as well. Unfortunately, with the notable exception of Jewish organizations and a number of other human rights and antiracist groups and institutions, the world community—governments, intergovernmental organizations, and nongovernmental organizations alike—has not responded adequately to this growing problem. Antisemitism is racism. Antisemitic acts need to be confronted more forcefully and treated as serious violations of international human rights.

This report highlights the inadequacy of efforts by European governments to systematically monitor and report on antisemitic threats and violence—and to develop effective measures to stop it. We define antisemitism as hatred or hostility toward or discrimination against Jews as a religious, ethnic or racial group. Governments and intergovernmental organizations need to routinely incorporate facts about antisemitic assaults, arson, vandalism, desecration of cemeteries, and the proliferation of antisemitic materials on the internet into a wide range of existing human rights reporting mechanisms. Though some Jewish organizations, like the Anti-Defamation League and the American Jewish Committee, are doing excellent reporting on these issues, their involvement does not relieve governments, the United Nations and its regional organizations, or private human rights groups of their obligations to address antisemitism as an integral part of their work.

In the pages that follow, we outline the scope of antisemitism, in Europe and examine some of the efforts by European governments and institutions to monitor and confront the problem. In our view these efforts are insufficient. Too often European leaders have downplayed antisemitic acts as inevitable side-effects of the current crisis in the Middle East. We reject this reasoning as an abdication of responsibility. Criticism of Israeli policies and practices is not inherently antisemitic. But when such criticisms and related actions take the form of broadside attacks against "Jews" or the "Jewish State," they become racist.

In this report we make a series of recommendations as to how these abuses can better be investigated and reported in the future. These recommendations are intended as a starting point for a much larger discussion about how anti-semitism and other forms of racism can better be addressed as a more central element of the global human rights debate. At the end of last year's Durban meeting, we wrote that "[t]he subjects of this conference are the human rights issues of the 21st century. Racism, racial discrimination, xenophobia and intolerance affect each of us in our own communities. All of us—governments, the UN, NGOs—must

find constructive way to discuss and combat these problems."

Events of the last year only underscore the continuing importance of meeting that challenge, and, with regards to antisemitism, history emphasizes the urgency of doing so with force and with vigor. Michael Posner, Executive Director, August 2002.

#### FIRE AND BROKEN GLASS—THE RISE OF ANTISEMITISM IN EUROPE

On July 12, the online wire of the Associated Press included a story out of the Welsh city of Swansea, where a synagogue had been vandalized the night before. According to the story, which was not picked up by any major American newspaper, a group of youths broke into the synagogue, destroyed one of the temple's Torah scrolls, drew a swastika on the wall, and attempted to burn the building down before fleeing.

The Swansea break-in, the second such vandalism of a British synagogue in three months, is being investigated by local authorities as a hate crime—a crime driven by anti-Jewish animus. This desecration of synagogues occurred within a broader pattern of anti-Jewish attacks in Britain and across Europe. In April 2002 alone the Jewish community in Britain reported fifty-one incidents nationwide, most of them assaults on individuals.

Elsewhere in Europe firebombs and gunfire were directed at Jewish targets. At around midnight on March 31, two firebombs were thrown into a synagogue in the Anderlecht district of Brussels, Belgium's capital and the seat of the European Union. The interior of the synagogue was badly damaged. In the previous month, a rash of graffiti had appeared on Jewish owned shops in Brussels declaring "Death to the Jews." On April 22, up to eighteen gunshots were fired at another synagogue, this one in Charleroi.

As gasoline bombs were thrown in Brussels late on Sunday night, March 31, fires still smoldered from a series of attacks across France that weekend. In Strasbourg, the seat of the Council of Europe, the doors to a synagogue were set alight that Saturday; while in Lyon, an estimated fifteen attackers wearing hoods crashed two cars through the main gate of a synagogue earlier the same day and set fires there.

On March 31 alone, a pregnant Jewish woman and her husband were attacked in a Lyon suburb, requiring her hospitalization; a Jewish school in a Paris suburb was badly damaged by vandals; and in Toulouse, shots were fired into a kosher butcher shop. That night, a synagogue in Nice was attacked with a firebomb, and in Marseille attackers set alight and burned to the ground the Or Aviv synagogue. Despite the deployment of police to centers of the Jewish community, the violence in Marseille continued. A week after the synagogue attack, the Gan-Pardess school was set on fire, its windows broken with stones, and its walls daubed with anti-Jewish graffiti.

Anti-Jewish attacks have continued at a high level in France since late 2000, when attacks were reported on forty-three synagogues and three Jewish cemeteries in the last three months of the year alone. A synagogue in the Paris suburb Trappes was burned to the ground, while synagogues were damaged by fire in Villepinte, Clichy, Creil, Les Lilas, and the synagogue in Les Ulis was attacked on three occasions. Then, as now, officials downplayed the racist, antisemitic nature of the attacks, suggesting they were an inevitable side-effect of the crisis in the Middle East, where protests and violence had broken out in what became known as the second intifada.

A surge of anti-Jewish violence in Russia was also a part of the mosaic of racist vio-

lence across Europe in 2002. In the incident most widely reported in Western news media, Tatyana Sapunova was badly injured on May 27 by a rigged explosive charge, when attempting to take down a roadside sign near Moscow that declared "Death to Jews." Other booby-trapped signs bearing similar messages were reported elsewhere in the country. In a welcome and unprecedented gesture, Russian president Vladimir Putin honored Tatyana Sapunova for her civic courage in a July 11 ceremony, and condemned racial and religious intolerance.

The incidents in Swansea, Brussels, Strasbourg, Marseille, Moscow, and other European towns and cities earlier this year occurred as a number of organizations worldwide—most prominently the Anti-Defamation League (ADL) in the United States—have drawn increasing attention, both here and abroad, to the rise of antisemitism in Europe, a problem that appears to be intensifying.

#### HATE CRIMES—THE INFORMATION DEFICIT

The emphasis of this report is on the proliferation of violence against persons and property in Europe that is driven by anti-Jewish animus—and the failure of governments to accurately report and effectively engage in concerted action to combat this racist violence. In both east and west, European governments have done too little to monitor, report, and act on the many levels required. The failure of some governments in Western Europe to do even basic reporting on hate crimes targeting the Jewish community (and other minorities) is a principal focus of this report. Yet timely, accurate, and public information on racist violence is essential for effective action to suppress such violence.

By addressing only the information deficit that clouds the real scope and nature of antisemitic violence in Europe, the Lawyers Committee for Human Rights does not want to understate the broader issues arising in the fight against antisemitism and other racist intolerance. Yet the educational and other programs required to address antisemitism in the long term can be effective only if accompanied by immediate action to acknowledge and to combat violent criminal acts motivated by anti-Jewish hatred.

Similarly, while this report is about anti-Jewish violence in Europe, its recommendations apply to the broader plague of racist violence that affects many of Europe's minority communities. Racist violence against minorities such as the Roma, and in particular against Europeans and immigrants of North African, Middle Eastern, and South Asian origin, also requires urgent attention by European governments, nongovernmental organizations, and the international community. Accessible disaggregated data is required in order to report accurately on racist violence, to identify particularly vulnerable groups, and to generate effective antiracism measures. The fight against racism should not itself be balkanized, as if in a competition between advocates for each of the groups bloodied by racism. Nor should particularly egregious forms of racism be overlooked.

Europe's extreme nationalist groups show a frightening fervor and consistency—and a disturbing unity—in their promotion of violent antisemitism. The same racist extremists who attack synagogues may also attack Turkish immigrants in Berlin, French citizens of North African origin in Paris, or South Asians in Britain's towns and cities. A similar unity is required of the antiracist effort in Europe to combat this. The rise in violence against Jewish communities across Europe is part of a broader pattern of racist violence—but the severity, pan-European

scope, and historical roots of this violence requires particularly urgent attention as a part of this larger effort to combat racism. In view of the calamitous record of antisemitism in Europe, every effort must be made to ensure that this scourge is not permitted to gather momentum again.

The increasing incidence of racially-motivated attacks against Jews and Jewish institutions across Europe has been well-documented by nongovernmental bodies, most notably the ADL, along with the American Jewish Committee (AJC), the Simon Wiesenthal Center (SWC), and the Stephen Roth Institute for the Study of Contemporary Anti-Semitism and Racism at Tel Aviv University. Similarly, the U.S. government has taken notice, with the Helsinki Commission—the American government's liaison agency with the Organization for Security and Cooperation in Europe (OSCE)—holding a high-profile hearing on May 22 to address the issue, and with both the House of Representatives and the Senate subsequently passing unanimous resolutions echoing the Commission's concerns.

Yet, whereas nongovernmental organizations have released a considerable amount of material on the increasing incidence of attacks, many European governments have been less forthcoming in documenting the upsurge in antisemitic violence. The French government, which, for much of early 2002, made few public statements about the rising tide of anti-Jewish violence, has yet to release official statistics on such incidents in 2002. In a June 2002 statement, a French spokesman acknowledged that "A series of inexcusable assaults—physical, material and symbolic—has been committed in France against Jews over the past 20 months," while suggesting this was simply a spill-over of the Middle East conflict into Europe (most of the incidents were laid to "poorly integrated youths of Muslim origin who would like to bring the Mideast conflict to France"). The involvement of extremist nationalist groups in anti-Jewish violence, a longstanding source of antisemitism in France and elsewhere in Europe, has found little reflection in these public statements.

Similarly, the governments of Belgium, Germany, the United Kingdom, and Russia, where a majority of the other attacks have been concentrated, have made public statements condemning the upsurge in violence. But these governments have released little detailed documentation of anti-Jewish violence, and have, according to nongovernmental observers, done too little to abate the rising tide.

Systems for collection, analysis, and reporting information from European capitals differ widely. While most governments release limited information on antisemitic acts, what statistical data is available generally allows only the identification of broad trends. Statistics on registered incidents appear to vastly underestimate the extent of the problem—with some exceptions.

The criteria applied in data collection and statistical analysis and reporting by NGOs also vary widely. In some cases, reporting on antisemitism—and other manifestations of racism—blur criminal acts of violence with incidents of hate speech, a tendency that is echoed in the news media. This notwithstanding human rights organizations and the independent media in Western Europe often report on violent anti-Jewish incidents. Their reporting points clearly to a severe and pernicious rise in this violence that cannot be attributed to any one factor.

Governments, despite periodically adhering to multilateral pledges to combat racism and antisemitism, and acknowledging treaty

obligations to do so, find little tangible pressure to undertake close monitoring and reporting. The reality is that public information is required in order to generate the political will to address the problem and to inform decisions on how best to do so.

#### A PATTERN OF INTIMIDATION AND VIOLENCE

The Swansea incident and others in many parts of Europe are part of a prolonged surge of violent threats and attacks on individuals and community institutions solely because they are Jewish. This racist violence has included physical assaults on individuals—and fire-bombings, gunfire, window smashing, and vandalism of Jewish homes, schools, synagogues and other community institutions. Vandals have desecrated scores of Jewish cemeteries across the region, daubing anti-Jewish slogans, threats, and Nazi symbols on walls and monuments, while toppling and shattering tombstones.

Jews and people presumed to be Jewish have been assaulted in and around centers of the Jewish community, in attacks on Jewish homes, and in more random street violence. Attackers shouting racist slogans have thrown stones at children leaving Hebrew-language schools and worshippers leaving religious services. In street violence attackers shouting racist slogans have severely injured people solely because they were thought to have a Jewish appearance.

How are anti-Jewish, antisemitic acts distinguished from random violence in a violent world? Sometimes the nature of the target alone is sufficient reason to conclude that an arson attack, stone throwing, or other violence is motivated by discriminatory animus (a synagogue or a kosher shop, for example, is set alight; a Jewish cemetery is desecrated). In many cases, even when the target of an attack is less clearly singled out because of a real or imputed Jewish identity, the self-identification of the attackers with neo-Nazi extremist groups, assailants' statements at the time of an attack, expressly anti-Jewish graffiti, or other elements give reason to believe them antisemitic. Such acts are manifestations of both racist violence and religious intolerance, directed at the Jewish people as a whole.

Hate speech—spoken, broadcast and published—provides a motor and a backdrop to anti-Jewish violence. In Europe, this is particularly chilling, as hate speech often involves immediate incitement to racist violence while openly harking back to the racist terror of the Holocaust. Extremist political groups openly endorse the past horrors of the Holocaust or implicitly do so by denying its reality, even where European law makes such statements punishable as crimes.

Threatening racist speech often also provides the immediate context of physical acts of violence. Racist speech may provide evidence of motivation by which some acts of vandalism or related violence can be distinguished from random acts. Thugs who both break windows and daub swastikas on walls make their anti-Jewish animus explicit. Public officials and senior political leaders have themselves made racist anti-Jewish statements, disparaging the Jewish religion and members of this faith as a people. Other public officials remain silent concerning attacks on Jews and symbols of the Jewish community, or attribute racist violence and threats to common crime or political protest.

The resulting environment, particularly where anti-Jewish attacks occur with relative impunity, is a climate of fear and encouragement for further hatred and violence.

Even where public security agencies act promptly to halt and punish anti-Jewish violence—and other violent racist attacks on

minorities—they may address this violence as just one aspect of a larger pattern of racist violence and xenophobia. Shamefully, anti-Jewish attacks are too often left largely to the Jewish community itself to document and protest.

#### THE REGIONAL MONITORING BODIES

Most European governments publish little official information on anti-Jewish and other racist violence, while monitoring and reporting norms vary significantly from country to country. Across the region, there is a paucity of official information concerning individual attacks on the Jewish minority and there is little meaningful statistical data. With some exceptions, detailed statistical information is either not compiled or is compiled without differentiating between attacks on distinct minorities.

In some cases, monitoring and reporting blurs racist violence and offensive speech into a single category. This practice is not limited to European institutions: the Department of State's annual Country Reports on Human Rights Practices often does the same in reporting on antisemitic and other racist "incidents." Considerably more is published by official bodies in the E.U. on racist and intolerant speech, in turn, than on the detail of antisemitic attacks on persons and property.

Concern for improved data collection has frequently been expressed as a necessary step toward the identification of discrimination in public policy, in particular as concerns criminal justice and the equitable provision of public services. Such data is also required to identify government failings to fulfill obligations to protect minority groups against discriminatory action, and in particular violence, by private citizens. The posture of the state toward racist violence against a particular group can be put in the spotlight by disaggregated data on the full spectrum of violent crime—showing in some situations that police condone or encourage private violence against minorities. Impunity for attacks on certain minorities, in turn, can be a factor in the generation of further such violence. Data accurately reflecting the reality of racist violence, by public officials or others, provide crucial benchmarks by which to independently assess the need for remedial action.

Several European intergovernmental institutions were created expressly to monitor and combat racism, and are available to assist governments in the region in the implementation of legislative, criminal justice, educational, and other antiracism measures.

The Council of Europe's European Commission on Racial Intolerance, ECRI, provides a range of ambitious programs intended to make European anti-discrimination norms a reality, including express measures to monitor and combat antisemitic speech and violence. ECRI has one member appointed by each member state, serving in an individual capacity. Its stated aim is "to combat racism, xenophobia, antisemitism and intolerance at a pan-European level and from the angle of the protection of human rights," and it is an effective voice to this end. But it cannot alone compensate for the failings of its member governments.

In its annual report covering the calendar year 2001, ECRI identified racial discrimination—including antisemitism—as a blight on Europe. Of particular concern was "the problem of racist violence which has erupted on several occasions in a number of countries"—a considerable understatement. ECRI stressed "[a] rise in the spread of antisemitic ideas," while deploring a trend in which "[a]cts of violence and intimidation against the members and institutions of the Jewish communities and the dissemination of

antisemitic material are increasing in a number of countries." ECRI has not, however, issued a general recommendation on antisemitism.

ECRI's country by country reporting is based on a procedure in which draft reports are submitted on a confidential basis to member governments for discussion and reviewed in the light of this dialogue. The statistical reflection of racist incidents in the country reports is limited by the systems for data collection and dissemination of each of the member governments—even when generally critical conclusions may be drawn. In its March 2000 report on Belgium, for example, ECRI highlighted the absence of official reporting on incidents and complaints of discrimination, while giving little alternative information on the extent of antisemitism—and other forms of racism—resulting in acts of violence in the country:

"The scarce use made of antiracist laws and civil remedies in cases of racial discrimination [is] reflected in the current lack of detailed information on complaints of racist and xenophobic acts, the number of complaints of racial discrimination filed with the courts, the results of the proceedings instituted in these cases and the compensation granted, where appropriate, to the victims of discrimination. ECRI expresses its concern at this situation, since accurate and comprehensive statistics constitute indispensable tools to plan policies and strategies in the fields of combating racism and intolerance and to monitor their effectiveness. It therefore encourages the authorities to develop an adequate system of statistical data to cover the above mentioned areas."

Notwithstanding the noncompliance by Belgian authorities with ECRI's recommendations, unofficial sources reported some 2,000 antisemitic incidents in Belgium in the nine months since the September 11 attacks on the United States (the reports did not distinguish violent crimes from other incidents). As a corollary, there was no reference whatsoever to antisemitism in the Department of State's report on Belgium.

In addition to the failure of governments to report on antisemitic and other racist violence, ECRI has identified the absence of common criteria with which to monitor and report attacks against members of particular minorities as an obstacle to its antiracism work in many parts of the region.

In 1997 the European Union created a new institution, the European Monitoring Centre on Racism and Xenophobia (EUMC), to combat racism, xenophobia and antisemitism in Europe. EUMC, like the Council of Europe's ECRI, has pressed for better data collection, transparency, and analysis of incidents of racist violence by European governments. EUMC has also published comparative surveys of anti-discrimination legislation in member states, prepared by independent experts. In its 1999 annual report, echoing ECRI, it called for special action in the area of information collection, analysis, and dissemination:

"The various reports in Europe on racism in 1999, whether the subject of the national media, the official authorities or NGOs, reveals that no country of the European Union is immune from it. To gain an accurate and comprehensive picture, however, requires a certain degree of uniformity and/or common definition among the Member States on the subject of racial/ethnic minorities and the methods of data collection. At present this does not exist. The EUMC is still therefore lacking a complete set of tools to monitor racism effectively.

"Another important area hampering reporting is that criteria used to draw up statistics differ in the EU Member States."

In its 1999 recommendations, EUMC also stressed the importance of "collecting and

publishing accurate data on the number and nature of racist and xenophobic incidents or offenses, the number of cases prosecuted or the reasons for not prosecuting, and the outcome of prosecutions." In gathering data at the European level, EUMC encouraged governments to draw upon both their own resources and those of nongovernmental organizations, research bodies, and international organizations. "Statistical, documentary or technical information," in turn, was to be collated in a form facilitating effective courses of action.

In its most recent annual report, published on December 18, 2001, EUMC expressed concern at the continuing crisis of racism in Europe and found that little progress had been made toward systems of consistent and comprehensive monitoring and reporting. Systems of recording racially motivated crimes in police statistics still varied widely between member countries, and under-reporting of violence appeared to be the norm.

In commenting on trends in 2000, EUMC's 2002 report observed that "extensive increases in racial violence," including antisemitic attacks, were reported in France, Germany, Spain, Sweden and the UK. In contrast, "racist crimes" were simply not identified separately in crime statistics from Belgium, Greece, Ireland and Portugal. Statistics reported, in turn, were "challenged by human rights organizations" in some countries, notably in Italy, Spain, and Germany, where police records "are minimal in comparison with statistics collected by NGOs":

"Italian NGOs recorded 259 racist murders between 1995 and 2000, whereas the Italian police authorities recorded not a single case. For statistics on racist attacks, the Italian NGO records show more than ten times as many crimes as the official figures. In Germany the NGOs recorded five times as many racist murders as the police. Racist propaganda or 'incitement to hatred towards ethnic minorities' is well documented by the police authorities in some of the Member States."

As a step to meet the information challenge, EUMC acted to create its own network of monitoring and reporting in member states, with the acronym RAXEN—*Reseau européen d'information sur le racisme et la xénophobie* (European information network on racism and xenophobia), which began its work in 2000. RAXEN was tasked with defining common criteria for data collection, to be proposed to member governments. But its efforts to this end, and to improve collection, are still at an early stage.

Both ECRI and EUMC, the preeminent European agencies combating racism, have addressed the rise of antisemitism intensively since the year 2000, and addressed some of the difficulties of monitoring and combating these and other racist trends in the region. The sister agencies have made extraordinary efforts toward public education to counter racism and to promote effective measures to criminalize and punish racist acts through the justice system. Harmonization of data collection and dissemination concerning racist acts has been central to the recommendations of both organizations.

The reports published by ECRI and EUMC on racism in member states illustrate the disparities of national reporting on racism in general and on antisemitic expression and violent crime in particular countries. Reporting by the United States government on human rights practices and on religious intolerance around the world, in turn, echoes these failings, often repeating almost verbatim European reports limited largely to generalities, and tending to emphasize often illusory improvement.

Reporting on antisemitism and other forms of racism prepared by nongovern-

mental organizations often provides detailed information on specific acts of violence and instances of racist expression which serve as a check on government failings. This information, however, is often difficult to interpret on a comparative basis, as the criteria applied to reporting on incidents of different kinds are not always clear or consistent.

The annual reports of EUMC since 1999 have included capsule descriptions of racism and xenophobia in member countries, while stressing the inadequacy of the government reporting on which the system depends. In the 1999 report, detailed references to anti-Jewish violence were uneven, closely reflecting the strengths and weaknesses of member governments' reporting regimes. A section on the United Kingdom, for example, made no reference to antisemitism. In coverage of Germany, in contrast, EUMC reported the desecration of forty-seven Jewish cemeteries in 1999—while stressing that this was an improvement, a decline from the toll a year before. No other reference to expressly antisemitic acts in Germany appeared—as victimized groups were not distinguished clearly in the statistics provided on racist violence.

In its 2002 report, on the year 2000, EUMC provided further detail on antisemitic acts in Germany, noting that the system of data collection there "is broader and more detailed than in many other EU Member States." Police reports on violent crimes "with right-wing extremist motives" totaled 939, "out of which 874 were assaults, 48 arson or bomb attacks, 2 were cases of murder and 15 attempted murders." Twenty-nine violent antisemitic crimes were recorded, including an arson attack on a synagogue in Erfurt, and the desecration of fifty-six graves in Jewish cemeteries.

ECRI addressed antisemitism in the United Kingdom only briefly in its second country report, providing no detail apart from an expression of concern at "the occurrence of antisemitic incidents and the circulation of antisemitic literature . . ." The Department of State's 2002 country report on the United Kingdom, in turn, cited no official sources on antisemitism there. It said only that, the Board of Deputies of British Jews, a nongovernmental organization, had reported 310 "anti-Semitic incidents in 2001, in contrast to 405 in 2000," while stressing that public expressions of antisemitism "are confined largely to the political or religious fringes." No further detail was provided. (The country report was equally vague about attacks on Muslims in the wake of September 11, referring to "isolated attacks . . . throughout the country.")

France has been the object of particular criticism for its response to antisemitism. Some observers have protested that the government responded slowly to the rise of attacks in late 2000, initially advising the Jewish community "to remain quiet and inconspicuous." As noted, antisemitic attacks increased dramatically there, particularly in Paris and its suburbs, with a high level of violence sustained throughout 2001 and into 2002.

Although France was last the object of an ECRI country report in June 2000, ECRI's findings on monitoring and reporting there reflect continuing obstacles to effective antiracism action to counter anti-Jewish attacks. The ECRI report, produced in consultation with the French government, at that time placed antisemitism firmly within a larger milieu of racist intolerance propagated by far right political groups, while stressing that reports of antisemitic violence and harassment had decreased. Citing the findings of the official human rights commission, however, it found that almost half of the total number of acts of intimidation recorded were of an antisemitic character.

The ECRI report did not refer expressly to acts of violence in its breakdown of acts of intimidation. But ECRI highlighted the difficulties posed for monitors in France, where government agencies by law do not distinguish between ethnic or racial groups in their records:

"As noted in ECRI's first report, due to the French Republican egalitarian approach, there is officially no categorization of ethnic or racial groups in statistics. The main categories used are therefore "foreigners" and "citizens", while ethnic monitoring is contrary to the Constitution and expressly prohibited by the Criminal Code. ECRI emphasizes that, given the consequent difficulties to the collection of accurate data on the incidence of racial discrimination as well as on social indicators concerning parts of the French population, a reconsideration of this approach would be beneficial."

EUMC's 1999 reporting on France, in turn, cited only broad statistics from the report of the official National Consultative Commission on Human Rights (Commission Nationale Consultative des Droits de l'Homme, CNCDDH), on a rise of "racist and anti-Semitic violence," from 27 incidents in 1998 to 36 in 1999. It said four people were "injured as a result of anti-Semitism." In its annual report for 2000, the EUMC continued to highlight the inadequacies of government reporting. The CNCDDH's annual report for 2001 provided statistics as well as detail on some individual cases of antisemitic violence. The commission noted that its statistical findings are based on Ministry of Interior information, which distinguishes "antisemitism from other forms of racism," and that particular attention has been given to antisemitism in particular since the dramatic rise in incidents in late 2000. The statistics, however, are clearly based on only a small set of the most extreme cases of violence during the year.

In the most recent annual report of the CNCDDH, released in March 2002 and covering 2001, the commission stressed the gravity of antisemitic violence in France, while apparently reflecting the weakness of the Ministry of Interior's data collection. The report documents just twenty-nine such incidents—all high profile cases, and most involving dramatic attacks on Jewish schools and synagogues. These included fifteen assaults on synagogues and other places of prayer—most involving firebombs—and arson attacks on four Jewish schools. Three incidents of stone throwing at worshippers leaving synagogues were also registered in the chronology included in the report. Just two incidents cited involved physical assaults on individuals. In contrast, nongovernmental organizations reported hundreds of incidents.

Recent actions of the French government, particularly the new interior minister, Nicolas Sarkozy, give some cause for hope. Minister Sarkozy, who met in mid-July with Rabbi Abraham Cooper and Dr. Shimon Samuels of the Simon Wiesenthal Center, vowed that he would do everything necessary to stop criminal attacks against the Jewish community in France, adding that these antisemitic attacks have all been hate crimes. Sarkozy has also vowed to change the culture of the police and has instructed them to deal with these attacks as hate crimes. As part of these measures, his office has reportedly promised to release monthly statistics on all criminal acts in France.

#### INTERNATIONAL STANDARDS AND IMPLEMENTATION

The building blocks of international human rights law were shaped in the wreckage of World War II and the searing reality of Europe's death camps and racist ideologies. "[D]isregard and contempt for

human rights have resulted in barbarous acts which have outraged the conscience of mankind," declaims the preamble of the Universal Declaration of Human Rights (1948), in introducing its common understanding of the rights and freedoms to be enjoyed by all people. The Universal Declaration has as its bedrock principle the equality of all human beings—and the entitlement of all to fundamental rights and freedoms without discrimination of any kind.

From these foundations the international community crafted tools through which to put into practice the principles of equality and non-discrimination, notably the treaties by which governments accept binding obligations. The International Covenant on Civil and Political Rights, ICCPR (1966) transformed the anti-discrimination principles of the Universal Declaration into treaty law. Article 2 of the ICCPR requires each state party:

"To respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status."

The treaty, to which 148 states are now party, requires governments to report on the measures adopted to give effect to the rights recognized, and established the Human Rights Committee to review these reports. The committee, known as treaty body, issues comments and recommendations on government reports and also issues general comments interpreting the provisions of the covenant. The first Optional Protocol to the ICCPR (with 102 states party) recognizes the competence of the committee to receive and consider individual complaints of violations of rights protected by the covenant by states party to the protocol.

A companion treaty to the ICCPR addresses racial discrimination alone. The International Convention on the Elimination of All Forms of Racial Discrimination, CERD (1996), defines racial discrimination broadly—in consonance with modern questioning of the very concept of race. Racial discrimination:

"Shall mean any distinction, exclusion, restriction or preference based on race, colour, descent, or national origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equally footing, of human rights and fundamental freedom in the political, economic, social, cultural or any other field of public life."

The convention, to which 162 states are party, obliges governments "to nullify any law or practice which has the effect of creating or perpetuating racial discrimination." To this end, it obliges governments to condemn and eliminate racial discrimination by both public officials and private individuals, and to oppose discriminatory practices even in the absence of discriminatory intent.

The interpretation and implementation of the convention lie with the Committee on the Elimination of Racial Discrimination, which receives periodic reports from governments on their implementation of the treaty. General recommendations issued by the committee concerning articles of the convention have provided essential guidance for measures to combat discrimination. Government action as well as inaction can violate obligations under the convention—there is no excuse for complacency or indifference by a government toward either public or private discrimination, particularly when this involves violence.

The provisions of international treaty law barring racial discrimination are further

buttressed in Europe by regional human rights instruments, notably the European Convention on Human Rights (1953), and strong European institutions for the protection and promotion of human rights. European commitment to combating discrimination was further reinforced by the adoption of Protocol No. 12 to the European Convention on Human Rights, which was opened for signature on November 4, 2000. There is no lack of a legal foundation for strong governmental measures to halt and deter anti-Jewish violence and violence against Europe's other minorities. European governments and intergovernmental bodies have acknowledged, however, that further national and regional initiatives are required to impel stronger protections in practice.

European nations made a strong commitment to the improvement of national and international efforts to document and respond to patterns of racist violence and expression in the regional conference held in Strasbourg in October 2000 in preparation for the World Conference Against Racism, Xenophobia, and Related Intolerance. The commitments made in the European Conference against Racism highlighted the link between effective measures to combat antisemitism—and other forms of racism—and comprehensive monitoring and reporting of racist incidents.

The European Conference, for example, recommended the collection and publication of data on the number and nature of racist, xenophobic, or related incidents or offenses or suspected "bias crimes" as a building block of measures to combat racism. It further called for data to be collected and published on the number of cases prosecuted, and the outcome—or the reasons for not prosecuting. The Strasbourg forum also stressed the need for data to be broken down to include information on the race, ethnicity, or descent (and gender) of the persons reported harmed. The information required, in turn, was to be collected in accordance with human rights principles, and protected against abuse through data protection and privacy guarantees.

The European Conference also highlighted the scourge to antisemitism as meriting particular attention, stating in its conclusions:

"The European Conference, convinced that combating antisemitism is integral and intrinsic to opposing all forms of racism, stresses the necessity of effective measures to address the issue of antisemitism in Europe today in order to counter all manifestations of this phenomenon."

The Council of Europe's Commissioner for Human Rights, Alvaro Gil-Robles, also declared solemnly in the General Report of the European Conference that "racism, xenophobia, antisemitism, and intolerance pose a mortal danger to human rights," and singled out the advocates of discrimination as a particular concern. The statement observed that the "very dangerous game" of "seeking out and pinpointing scapegoats," and fueling the "hatred of difference" finds particular expression in antisemitism:

"[T]here are those who use antisemitic prejudice, whether implicitly or openly, to further their political interests. We are all aware of the destructive effects of anti-Semitism on democracy. We cannot divorce the fight against anti-Semitism from the fight against all forms of racism, for it is one and the same struggle."

Many of the Strasbourg meeting's recommendations were ratified and elaborated upon in the program of action agreed upon at the World Conference in Durban—a slate of useful recommendations that emerged despite the acrimony of the final stage of the conference process. Recommendations for action at the national level to combat racist

violence, for example, included: "Enhancing data collection regarding violence motivated by racism, racial discrimination, xenophobia and related intolerance." The means to this end were elaborated at length in a section on "data collection and disaggregation, research and study," in which the conference urged governments:

"To collect, compile, analyse, disseminate and publish reliable statistical data at the national and local levels and undertake all other related measures which are necessary to assess regularly the situation of individuals and groups of individuals who are victims of racism, racial discrimination, xenophobia and related intolerance;"

The full text of this section of the World Conference program of action is included as an appendix to this report.

The Durban action document also reminded governments of their reporting requirements at the international level—as parties to the Convention on the Elimination of All Forms of Racial Discrimination. This included both periodic reporting to the committee, and reporting on progress made to respond to the recommendations of the committee. To this end, governments were encouraged "to consider setting up appropriate national monitoring and evaluation mechanisms to ensure that all appropriate steps are taken to follow up on [the commission's] observations and recommendations."

The impact of the practical recommendations made in Strasbourg and in the final documents of the World Conference itself has been severely undermined by the backwash of post-Durban recriminations. To a large extent they remain unread outside small circles of relevant technical staff in United Nations and regional antiracism programs. Yet their relevance in the fight against antisemitism and other forms of racism may ultimately be shown at the national level, as important contributions to public policy development.

#### ADDRESSING THE INFORMATION DEFICIT

The Lawyers Committee for Human Rights has identified several important steps to improve the recognition and reporting of anti-Jewish violence, and recommends that governments:

Acknowledge at the highest level the extraordinary dangers posed by antisemitic violence in the European context;

Establish clear criteria for registering and reporting crimes motivated by racial animus, sometimes described as bias crimes or hate crimes;

Make public reports of racially motivated crimes through regular and accessible reports;

Distinguish clearly in reporting between acts of violence, threatening behavior, and offensive speech;

Make transparent government norms and procedures for registering and acting upon racially motivated crimes and offenses;

Cooperate fully with Europe's regional inter-governmental organizations charged with combating racism, xenophobia, and antisemitism, and with the human rights mechanisms of the United Nations; Cooperate fully with nongovernmental organizations concerned with monitoring and taking action against racist violence and intimidation.

The Lawyers Committee believes there is an important role for the United States to play in encouraging its European allies of the Council of Europe, the European Union, and the member countries of the Organization for Security and Cooperation in Europe to improve their monitoring and public reporting of antisemitic acts and other forms of racist violence.

In pursuing this goal, the United States should also improve its own reporting and

action on racist violence world-wide. To this end, the standards of the Department of State's annual Country Reports on Human Rights Practices, and in particular the Annual Report on Religious Freedom should be raised in order to report more accurately and comprehensively on antisemitism in Europe and on government actions and omissions in addressing this scourge. These reports should

not simply accept that a lack of official government information on antisemitic violence is the whole story; nor should they reflect clearly misleading reporting from official sources without balancing this with reports from nongovernmental organizations. Particular care should be taken not to emphasize only vague improvement when the basis for such an analysis can not be quantified.

To this end, Congress should insist that staffing and resources be reinforced in the Department of State's Bureau of Democracy, Human Rights, and Labor, and that the Bureau's guidelines for preparing these reports require an accurate reflection of the nature and patterns of racist violence and of government actions to combat them.