for further consideration of H.R. 4, the Personal Responsibility Act.

STATE ROUTE 905—NAFTA's MISSING LINK

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 23, 1995

Mr. FILNER. Mr. Speaker, I hope my colleagues will be interested in testimony I gave today before the Transportation Subcommittee of the Committee on Appropriations:

Mr. Chairman, thank you for this opportunity to provide testimony on a project that is critical to the economic success of the North American Free Trade Agreement [NAFTA] and the economic development of not only southern California, but the whole Nation.

When the 103d Congress approved and the President signed NAFTA, we all knew that ensuring the success of the agreement would require that all parties provide the necessary infrastructure to facilitate the flow of trade. I am asking this committee and this Congress to honor this commitment to San Diego.

State Route 905 is the critical missing link in our United States-Mexico border trade and transportation system on the West Coast. The current road serves as the only connection between the Otay Mesa point of entry [POE] in San Diego and the Nation's interstate highway system. State Route 905 is a part of that infrastructure which is needed to accommodate international trade and deserves to be funded and completed.

I am here today to urge you to consider funding this vital link during your upcoming deliberations of transportation projects to be funded during fiscal year 1996.

DEMONSTRATION PROJECTS

There is a critical need for continued Federal funding of ''special highway demonstration projects.'' States undergo a constant struggle to build and maintain their own intrastate roads and bridges. They do not have sufficient funds to single-handedly complete highway projects which supplement the national highway system and which support Federal trade policy—as in our case.

This project will produce benefits far beyond the local region as only 16 percent of trade using this border crossing has a San Diego origin or destination. Every State in the continental United States, Hawaii, Canada, Asia, and the Canal Zone all profit from trade through this point of entry.

The Federal Highway Administration has proposed that this road be a part of the National Highway System—and I am confident that the Committee on Transportation and Infrastructure will include this in its list of authorized projects.

LOCAL COMMITMENT

The city of San Diego and the State of California already have demonstrated their good faith commitment to their share of this project. They have invested $14 million and have begun work to widen the existing road from four to six lanes of traffic. However, due to the increasingly heavy flow of transborder commercial traffic, this road will be at—or above—capacity when completed. This is only a short-term solution, however, and a permanent answer to America's growing trade with Mexico is needed.

We have worked closely with the city and county of San Diego, the State Department of Transportation [CALTRANS], and the local regional council of governments in identifying this as our county's top transportation need.

In addition, CALTRANS, the General Services Administration and the California Highway Patrol Department all concur on the vital need for completion of this highway to meet the pressing needs created by the substantial increase in trade transportation.

TRADE FACILITATION

This is a necessary and vital road because the Otay Mesa crossing is the only commercial vehicle border crossing facility between the two largest cities on the United States-Mexico border. With the recent opening of a new border crossing facility at Otay Mesa, this point of entry handles the third highest value of commerce along the entire United States-Mexico border.

The recent Federal Highway Administration report to Congress estimated that, because of the adoption of NAFTA, the value of commercial goods crossing the border would increase by 208 percent by the year 2000—but only if additional infrastructure improvements are made. If we achieve this 208 percent growth—the estimated value of goods crossing this border would be $18.8 billion annually.

The Otay Mesa border crossing facility can handle this increase in business. We simply need an additional incremental investment on the part of the Federal Government to put us in a position to take full advantage of future increases in trade.

The one road that leads from the interstate highway, to this border crossing cannot accommodate the increase in traffic. This link is a four-lane city street—Otay Mesa Road—which is already over capacity and which has been the location of a number of fatal vehicular accidents due to its congestion. This road was never intended to handle heavily loaded cargo trucks travelling at high speeds to and from the international border. We need a highway to take this commercial traffic inland.

Mr. Chairman, the Federal Government made the decision to process all international commercial traffic at the Otay Mesa border crossing. The Federal Government also made the decision to approve NAFTA—which will soon double the volume of our cross-border traffic. These two new federal trade policies have created the urgent need for this highway. Not funding this project would be the worst kind of unfunded mandate. The Federal Government must meet this responsbility—our local communities simply cannot.

TRAFFIC AND SAFETY

As I have mentioned, an overcrowded four lane city street—Otay Mesa Road—provides the only connection between the Otay Mesa point of entry and the interstate highway system. This road, which has the appearance of a country road, was not intended to carry a high volume of automobile traffic and certainly never a high volume of heavy commercial vehicles.

With the closing of the nearby San Ysidro border crossing to commercial traffic, an additional 1,200 trucks per day carrying commercial goods to and from Mexico now travel on this city street. While the average mix of commercial trucks on any city street is 5 percent, this road experiences a 20 to 25 percent truck mix during regular business hours. Wear and tear on this road is occurring at an alarming rate due to these heavy loads.

When major traffic accidents occur on this road—as they do with increasing frequency now—all border traffic slows to a stop. It is typically 4 hours and occasionally more before accidents are cleared away and traffic returns to normal. This constitutes a major impediment to the implementation of NAFTA.

This road also does not meet requirements for the transportation of hazardous materials through communities. With the closing of the San Ysidro crossing to commercial traffic, trucks carrying hazardous materials must travel to the Calexico-Mexicali point of entry to cross the border—a 90-mile detour!

COST

We are asking that the Federal Government help San Diego accommodate this increasing international trade by approving a three-year project to build State Route 905, which would link the Otay Mesa border crossing with the interstate highway system, and to make the necessary street improvements to manage this commercial traffic that is so vital to our economic growth.

While the total cost for the 3-year project is $96.7 million, our request for fiscal year 1996 is $500,000. These funds would allow for the completion of necessary environmental and cultural reports on the proposed route of the new highway. These studies are important and invaluable as they will influence the highway's alignment and potentially reduce expensive mitigation costs in the future. Funding for these studies is critical for this project to move forward.

CONCLUSION

It is a Federal responsibility to connect ports of entry with the interstate highway system. The Federal Government has not met its obligations. The State of California and the city of San Diego have invested more than $14 million in interim remedies. The private sector has invested far more than that to finance the necessary local street network. Existing State and Federal funds are being used to improve two existing highways, Interstates 5 and 15. These two highways would carry NAFTA-related traffic from the new highway to destinations throughout the county and beyond.

San Diego County's transportation and infrastructure needs are many. I hope that this committee will agree that the relatively small Federal investment required for this critical portion of border infrastructure, State Route 905, is in the national interest and that you will include funding for this road in our fiscal year 96 budget.

AMERICAN HOLOCAUST SURVIVOR HUGO PRINCZ

HON. CHARLES E. SCHUMER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 23, 1995

Mr. SCHUMER. Mr. Speaker, I rise today to bring your attention and that of my colleagues to the case of Hugo Princz. Mr. Princz is the only known America survivor of the Nazi death camps. He has been denied Holocaust reparations by Germany for 40 years because of his U.S. citizenship while in the camps, despite numerous diplomatic entreaties on his behalf by successive administrations and Congress.

During the 103d Congress, the House and Senate unanimous resolutions supporting Mr. Princz and took numerous other steps on his behalf, including unanimous passage last October in the House, and near passage in the Senate, of legislation I authored which would have permitted the lawsuit he filed against Germany in 1992 to proceed; the courts had found Germany immune from the suit. My colleagues and I are prepared to reintroduce that

bill in this Congress should the latest diplomatic efforts to resolve the case founder.

Much has been written about the Princz case, but a superb column by Eric Beindel, editorial page editor of the New York Post, describes the Princz story in especially eloquent and dramatic detail. Entitled ''Germans stick to 'principle'—and the price is decency,'' it was published in the Post on January 19, 1995. Mr. Speaker, I ask its inclusion in the RECORD and urge my colleagues to read it.

I want to underscore one point made by Mr. Briendel. He rightly praises the key role in the Princz matter played by William R. Marks, a D.C. attorney, and his firm, Atlanta-based Powell, Goldstein, Frazer & Murphy. Mr. Marks and Powell, Goldstein—led in this effort by partner Simon Lazarus—have been tireless champions of Mr. Princz since they took the case on 20 months ago. They have so successfully raised its profile on the political, diplomatic and media fronts that a breakthrough may finally be possible. And that they accepted the case *pro bono* is a true testament to their commitment to resolving this unique humanitarian issue. I commend Mr. Marks, Mr. Lazarus, and Powell, Goldstein, and look forward to continued work with them and with Steven Perles, Mr. Princz' top-notch litigation attorney, as we try and bring this case to a successful conclusion.

[From the New York Post, Jan. 19, 1995]

GERMANS STICK TO ''PRINCIPLE''—AND THE PRICE IS DECENCY

(By Eric Breindel)

Tuesday's refusal by the U.S. Supreme Court to hear the case of Hugo Princz—a 72-year-old Holocaust survivor who wants to sue the German government in an American court—will be hailed by well-meaning lawyers as a victory for the ancient principle of ''sovereign immunity.''

In fact, Hugo Princz's story represents a case study in the abandonment of ordinary decency for abstract principle.

The Princz affair is almost a Manichean morality play. Princz himself, who endured the ultimate in barbarism as a Jewish inmate at Maidanek, Auschwitz and Dachau, is driven by a quest to realize some semblance of justice—to make his tormentors pay, if only in a meager, monetary way, for abusing him and murdering his family.

The Germans are animated in part by parsimony and in great measure by a determination to close the book on a past they've never fully been willing to face. Meanwhile, handicapped by an addiction to absolute order and an aversion to creative problem-solving, Berlin refuses to recognize that dealing with Hugo Princz as a special case would have spared Germany a good deal of unhappy publicity.

Notwithstanding the Supreme Court's ruling, the Princz story isn't over—largely because the aging survivor has managed to find vocal champions. Two of them stand out Rep. Charles Schumer (D-N.Y.) and William R. Marks, a young, Washington-based lawyer who's taken on Princz as a pro bono client.

Marks, a graduate of Harvard and Georgetown, persuaded his law firm colleagues that Princz's struggle against the German government deserved attention for humanitarian reasons. Schumer, a powerful House Democrat and skillful parliamentarian, means to introduce legislation that would strip Germany of its sovereign immunity for ''acts of genocide'' committed against American citizens. The bill, in short, would apply only to Princz. There is not other living American who survived the Nazi Holocaust as a U.S. citizen.

Princz and his family were American nationals living in Slovakia in 1942 when the German SS—assisted by Slovak Collaborators—sent them to the Maidanek death camp in Poland because they were Jewish. Twenty years old at the time, Princz had been born an American citizen. The Princz family—blessed with valid U.S. citizenship papers—should have been able to join a Red Cross prisoner-exchange transport. But in the night and go of war, Princz, his parents and five siblings were hustled onto Maidanek-bound cattle cars.

It's well to note that Princz and his father tried many times to secure appropriate papers for passage to America during the course of 1938 and 1939; despite their desperate circumstances—as Jews under impending Nazi rule—they were rebuffed by the U.S. embassy in Prague.

Apart from the curious fact of their nationality, the Princz family's fate was akin to that experienced by most East European Jews. Both his parents and his three sisters were shipped to Treblinka from Maidanek and gassed on arrival. Hugo and his brothers spent most of the war as slaves at Auschwitz. Both brothers perished. Princz himself was tasked with stacking the bodies of his fellow Jews after they were murdered. Near the war's end, he was marched into the German interior and wound up as a slave laborer at Dachau—where he was liberated in 1945 by U.S. troops.

As an American, Princz was spared interment in a Displaced Persons camp: After recuperating in a U.S. military hospital, he came to the U.S.—finally—in 1946.

This circumstance caused the German government to reject his original 1955 application for reparations: Insofar as he hadn't been either a German national or a DP, Princz was declared ineligible, notwithstanding Germany's professed willingness to recognize its moral obligation to make restitution to Holocaust survivors.

After 37 years of humiliating application and reapplication, Princz filed suit in federal court in 1992. The German government had broadened its eligibility criteria in 1965, but failed to notify Princz. When he finally submitted new forms, the long-suffering survivor was told that the statute had lapsed. Princz's lawsuit required him to advance a serious damages claim—thus, he's seeking $17 million for ''false imprisonment, assault and battery and infliction of emotional distress.'' (It's wrenching to see the Holocaust reduced to the language of tort law.) He also seeks payment from private German firms for the slave labor he performed.

The real debt may not be $17 million, if it's calculated in accordance with what other survivors were awarded. (Princz insists that his goal is retroactive parity.) Still, the debt is a good deal larger that the $3,400 lump-sum payment, plus a $340-per-month stipend, that Germany's lawyers offered Princz Tuesday after the high court ruled against him.

The Germans claim they can't strike an entirely separate deal with Princz, lest doing so invite additional litigation. (''The concern is groundless. Princz's circumstances are entirely unique.'') On a less than compelling note, the Germans contend that the settlement they're now offering is ''all the German government can afford.''

This sordid business has gone far enough. If Berlin can find funds to pay military pensions to ex-members of the murderous Latvian SS, it should be possible to locate money to ''compensate'' Hugo Princz.

Schumer's bill—which has lots of cosponsors and supporters on both sides of the aisle and in both houses of Congress—may help concentrate Berlin's mind and promote a focus on settling the case. After all, it's hard to imagine that Germany wants to see a genuine Holocaust trial take place in an American courtroom.

COMMENDING NATIONAL SERVICE

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 23, 1995

Mr. MILLER of California. Mr. Speaker, in light of the continuing debate about increasing Federal fiscal responsibility, it is extremely important that we recognize those programs that offer a substantial national return on the Federal investment. One such initiative, the National and Community Service Program, is a successful Federal program which provides volunteer placements for young people who choose to perform thousands of hours of work serving their country in return for educational assistance. Unfortunately, this program is also one of the many victims of misplaced Republican budgetary cuts.

As my colleagues are aware, the National and Community Service Program took a large hit in the recent House-passed rescissions bill. In response to this action, I would like to draw your attention to Mary McGrory's article in today's Washington Post which complements the program as a ''model enterprise.'' The article describes ''rampaging Republicans'' in the House who would like to eliminate National Service even though the program is overwhelmingly supported by both Democratic and Republican Governors across the Nation and by the communities that are recipients of the valuable work performed.

In 1994, approximately 20,000 AmeriCorps volunteers worked to confront unmet human, educational, environmental and public health needs. Roughly 350 of these volunteers worked in eight units of the National Forest System to combat the severe backlog of maintenance, improvement, and rehabilitation needs—work which is important but far from glamorous. The task undertaken on our public lands are those which are too undesirable or too costly for Forest Service personnel or contract employees to perform. Yet, this work directly benefits all Americans. Some of the AmeriCorps' accomplishments in the national forests include:

In San Bernardino National Forest, in California, AmeriCorps volunteers have taken important steps to prevent erosion by rehabilitating 12,000 acres of land burned by fires;

In Six Rivers National Forest, also in California, National Service volunteers have rehabilitated 3.5 miles of hiking and horse trails and reforested and restored wildlife habit on 10 acres of land which was once a gold mine waste area;

Volunteers planted 2,390 trees in several campgrounds, enhanced fish habitat, built a nature trail, and improved timber stands in the Rouge River National Forest in Oregon. AmeriCorps volunteers have also improved overall forest health on 55 acres by pruning second growth trees;

In Washington's Olympic National Forest, AmeriCorps volunteers have maintained 4 miles of trails, rehabilitated campground sites, completed handicapped access in six recreation sites, completed restoration of two historic sites, surveyed species habitat, and pruned 120 acres of timber stands;