Amnesty International: ''Torture (in Punjab and Kashmir) and illtreatment is widespread and in some cases systematic, resulting in scores of deaths in police custody.''

State Department Human Rights Report (1994): Over 41,000 cash bounties were paid to police in Punjab for extrajudicial killings of Sikhs between 1991 and 1993.

GRAPHIC EXAMPLES OF TORTURE AND MURDER, PUNJAB AND KASHMIR

Extrajudicial murders of Sikh youth are a common occurrence. Between 1986 and 1994, 6,017 unidentified Sikh victims of Indian police were cremated in the District of Amritsar alone. There are 13 districts in Punjab. It has been estimated that security forces have had over 25,000 unidentified Sikhs cremated or dumped in rivers during this period.

In January 1995, the water level of the Sirhind Canal was lowered for repair work. One dozen bodies of young Sikh torture victims were found at the bottom of just one shore section of the canal with the hands and feet bound. There are hundreds of miles of the canals through the province.

In January 1993, Indian paramilitary forces in Kashmir burnt to death at least 65 Kashmiri civilians in the town of Sopore. Soldiers deliberately set fire to five separate areas of the town. They also dragged shopkeepers out of their shops and shot them in the streets. The torching of entire Kashmiri villages by Indian forces is a common tactic.

In 1994, Sikh activist Kanwar Singh Dhami was imprisoned along with his pregnant wife and son. He and his wife were tortured in front of each other. When the police were unable to extract an untrue confession from Mr. Dhami, they hung his wife up by her heels (she was six months pregnant) forcing her to have a miscarriage.

In Amritsar district in 1993, Indian police brought a Sikh youth they had tortured and thought was dead to the hospital for an autopsy. After the police left, the doctors discovered that the young man was miraculously still alive and revived him. The police returned several hours later after hearing that the man was alive. They took him out of the hospital, killed him again, and brought him back to the same hospital for his autopsy.

KILDEE HONORS DR. NATHEL BURTLEY

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 1995

Mr. KILDEE. Mr. Speaker, I rise today to urge my colleagues in the U.S. House of Representatives to join me in paying tribute to a great educator and a great man, Dr. Nathel Burtley upon his retirement from his outstanding service as Superintendent of the Flint Community Schools.

Since 1988, Dr. Burtley has led the Flint Community Schools as superintendent. Prior to accepting the superintendency, Dr. Burtley served as deputy superintendent in Flint from 1981 through 1988. Before coming to Flint, Dr. Burtley served the Ypsilanti Public Schools for 5 years in both the capacities of assistant superintendent for curriculum and instruction, and as interim superintendent. Dr. Burtley preceded his time in Ypsilanti in the Grand Rapids Public Schools where he was an elementary school principal for 4 years, briefly served as assistant high school principal, and as a speech pathologist. Dr. Burtley has served over 31 years in the field of public education.

A native of Cairo, IL, Dr. Burtley earned a bachelor's degree in 1962 and a master's degree in 1964 from Southern Illinois University. Dr. Burtley then went on to his beloved Michigan state University where he earned a doctorate in educational administration.

Dr. Burtley is truly one of those individuals who has made a difference. Upon taking over the reins of leadership of the Flint Community Schools, he proceeded to work with the community and all employees of the district to review and completely remake the direction of the school system. This was a system that has been a world leader in the arena of community education; but was also a district, like many others, that needed to experience changes in the way it had done things in the past in order to insure the students who graduated were prepared for the world they were about to enter. Throughout the time that change was occurring in the system, Dr. Burtley continuously asked the question ''Is it in the best interest of kids?''

Dr. Burtley will truly be missed by all throughout the Flint Community School system. I know his heart will remain with the school district and the future of each of its students.

Mr. Speaker, it is indeed an honor and pleasure for me to rise today to pay tribute to a great American educational leader. I know all throughout the State of Michigan and the city of Flint who know Dr. Burtley, and the entire U.S. House of Representatives, will join me today in honoring a great educator, Nathel Burtley.

INTRODUCTION OF LEGISLATION TO OVERRRULE THE U.S. SUPREME COURT'S ADAMS FRUIT DECISION

HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 1995

Mr. GOODLING. Mr. Speaker, today, I am introducing legislation along with several of my colleagues, Mr. FAZIO, Mr. BALLENGER, Mr. ANDREWS, Mr. FAWELL, Mr. STENHOLM, Mr. HOEKSTRA, Mrs. THURMAN, Mr. FUNDERBURK, and Mr. DOOLEY, which would overrule the U.S. Supreme Court's 1990 decision in Adams Fruit Co., Inc. versus Barrett. In this decision, the Court held that injured farmworkers may bring a private cause of action under the Migrant and Seasonal Agricultural Worker Protection Act [MSPA], even though the workers had already received workers' compensation benefits for those same injuries.

The implications of the Adams Fruit decision are quite troubling as the decision undermines the general principle of the exclusivity of workers' compensation, both in the MSPA context and beyond. The workers' compensation system was designed as a quid pro quo system in which employees forego the right to a tort remedy in exchange for readily accessible relief without questions of liability or contributory negligence. The Adams Fruit decision undercuts the bargain that both employers and employees made in participating in the workers' compensation system. By allowing a private cause of action under MSPA, the decision opens employers up to costly litigation and open-ended liability for workplace injuries they thought they were ensuring themselves against through their payments into the workers' compensation system.

Farmworkers will also suffer under the Adams Fruit decision as it removes any incentive for agricultural employers to provide workers' compensation coverage for them. In many States, coverage of farmworkers remains optional and the decision provides employers little reason to exercise that option. The uncertainty of a private cause of action is not a substitute for the accessibility and sure relief of workers' compensation.

When MSPA was passed in 1982, it received bipartisan support from agricultural employers, organized labor, and farmworker representatives. That coalition would hardly have held together had it been intended that MSPA would provide a private cause of action for workplace injuries that would supplement any recovery under the workers' compensation system.

The legislation which I am introducing today would effectively overturn the Adams Fruit decision and provide that a farmworker could not bring a private cause of action under MSPA for actual damages for a workplace injury, but would be limited to the remedies available under the State workers' compensation scheme. A farmworker would still be entitled to bring an action for statutory damages or an injunction based on a MSPA violation.

By reversing the Adams Fruit decision and recognizing the importance of the exclusivity of workers' compensation, this legislation returns to the original congressional intent in enacting the MSPA remedial scheme. This legislation is good for farmworkers and for agricultural employers and I urge my colleagues to support it.

MEMORIAL DAY

HON. JAY DICKEY

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 1995

Mr. DICKEY. Mr. Speaker, from the steps of the Capitol Building and across the Potomac we see the thousands of men and women who lay at rest, silenced by guns of war.

We, the beneficiaries of their sacrifices, cannot adequately praise these fallen veterans by merely uttering words. It takes a commitment by Members of Congress from both sides of the aisle to follow through with promises to those who have served and who currently serve our country.

This Memorial Day weekend, we should recognize a disturbing change in our Nation. There is a sense of resentment among our veterans today. They feel as though they are not held in the same light they once were. Benefits guaranteed to them are now targets for elimination.

The military traditions that kept ours the most resilient fighting force in the world seem to be forgotten by many of their civilian leaders. And many of those same leaders view the military as a place for social experiment.

If we allow this to escalate, we will not maintain our esprit de corps which is so vital to cohesiveness in combat; nor will we feel good about ourselves.