

EXTENSIONS OF REMARKS

RAMPANT ANTI-SEMITISM IN INDONESIA—ISRAELI ARCHERY TEAM NOT PERMITTED TO COMPETE UNDER ISRAEL'S FLAG

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1995

Mr. LANTOS. Mr. Speaker, I was outraged, appalled, and dismayed—but unfortunately not surprised—by the latest case of blatant anti-Semitism in Indonesia.

The facts of the case are appalling. The world archery championships are to be held in Jakarta, Indonesia, on August 1–6 of this year. The Indonesian officials organizing the event refused to permit the team representing Israel to participate under the name of the country of Israel and under the Israeli flag. The Indonesian organizing officials proposed that the Israeli archery team be designated group A, that it march at the opening and closing ceremonies under the flag of the International Archery Federation [FITA], and, if an Israeli archer wins a medal, the Indonesian officials want the fanfare of the FITA to be played instead of the national anthem of Israel.

Mr. Speaker, this request from Indonesian officials is both ludicrous and outrageous. Israel is a sovereign nation, a member of the United Nations, and is recognized by most countries. Indonesia, as a matter of policy, does not have diplomatic relations with Israel, and that, I am certain, is a clear reflection of the reason these Indonesian officials have taken such an offensive racist, anti-Semitic and anti-Israel position.

Unfortunately, this is not the first instance of such intolerance. When the film "Shindler's List" was produced a few years ago by Stephen Spielberg, Indonesia was one of the few countries on the face of the Earth which refused to permit the movie to be shown. I intervened with the Indonesian Ambassador and I am delighted to report that eventually the movie was screened in Indonesia.

A year or so ago, I also raised with the Indonesian Ambassador and discussed in a hearing of the House Foreign Affairs Committee the publication in Indonesia's leading English-language newspaper, the Indonesia Times, an article by Prof. Agha Hamid, which was one of the most vicious anti-Semitic diatribes that I have seen, and I have seen a great deal of vicious anti-Semitism. Just one sample: "Actually the Jewish religion is not a religion at all. It is infact [sic.] a bloody, sadistic and obscene code devised by Zionist-Talmudist sages." And further: "The Jewish sages were not exclusively interested in homicide. Sexuality, particularly in far lesser conventional modes, is a strong rival for their attention." The Indonesian Government at that time knew of my outrage over the publication of such disgusting trash.

Mr. Speaker, in light of this latest intolerable action by Indonesian officials organizing the world archery competition against the citizens

of a sovereign, independent country, I have introduced a resolution which puts the Congress on record as opposing the effort to deny recognition to the State of Israel and its citizens and reaffirming the Congress' strong opposition to racism and anti-Semitism. This resolution calls upon the Indonesian Government to act to end this outrageous anti-Israeli action. I invite my colleagues to join me as cosponsors of this resolution.

The text of my resolution is as follows:

HOUSE CONCURRENT RESOLUTION

Mr. LANTOS submitted the following resolution; which was referred to the Committee on International Relations.

A resolution condemning the refusal of the Indonesian officials organizing the World Archery Championships in Jakarta, Indonesia, in August 1995 to permit a team from Israel to participate in the competition under the name of Israel and under the flag of Israel, and urging the government of Indonesia to join in condemning this manifestation of racism and anti-Semitism.

Whereas the Congress has repeatedly expressed its abhorrence of racism and anti-Semitism in any form;

Whereas the constitution of the International Archery Federation (FITA) bars discrimination against any country, association or person on grounds of race, religion or politics;

Whereas Indonesian officials organizing the World Archery Championships in Jakarta, Indonesia, in August 1995 have refused to permit a team representing Israel to participate in the competition unless the team agrees to conceal its national identity and not compete under the flag of Israel; and

Whereas officials of the International Archery Federation (FITA) have confirmed that Indonesian officials have refused to permit an Israeli team to participate under its country's name and with its country's flag in the World Archery Championships; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress:

(1) Condemns the Indonesian offices organizing the World Archery Championships in Jakarta, Indonesia, for this refusal to permit a team representing Israel to participate in this international competition under the name and flag of their country;

(2) Calls upon the Government of Indonesia to repudiate publicly the position that has been taken by those Indonesian officials organizing the World Archery Championships in Jakarta regarding the participation of a team representing Israel in the competition and to urge the inclusion of the team of Israel under the name of Israel and under the flag of Israel;

(3) Condemns all manifestations of racism and anti-Semitism wherever they may appear in Indonesia and elsewhere throughout the world; and

(4) Directs the Clerk of the House of Representatives and the Secretary of the Senate to convey a copy of this resolution to the President of Indonesia and to the President of the International Archery Federation (FITA).

ON THE PASSING OF GEORGE L.P. WEAVER

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1995

Mr. CLAY. Mr. Speaker, I would like to call to my colleagues' attention the following obituary for George L.P. Weaver which appeared in the July 18, 1995 issue of the Washington Post. With the passing of George Weaver, the country has lost a great American—one who dedicated himself to ensuring equal opportunity and justice for all Americans. The principles for which George Weaver dedicated his life—an abiding respect for the dignity of workers and the worth of labor and an unshakable commitment to ending the scourge of segregation and racism—both in his service to the labor movement and in his work in Government, are the principles that have served to make this country what it is today. This House turns its back on those principles at its own and the Nation's peril.

[From the Washington Post, July 18, 1995]

GEORGE L.P. WEAVER, ASSISTANT SECRETARY OF LABOR

George L.P. Weaver, 83, a former labor union official who served as assistant secretary of labor for international affairs during the Kennedy and Johnson administrations, died July 14 of complications related to emphysema and asthma at George Washington University Hospital.

Mr. Weaver spend most of his working life in activities related to the labor movement, beginning in the 1930s when he carried passengers' baggage as a redcap at railroad stations in Chicago. As a young man, he joined the United Transport Service Employees Union.

Later, he was assistant to the secretary-treasurer and director of the civil rights committee of the old Congress of Industrial Organizations. After the CIO's merger with the American Federation of Labor in 1955, he became executive secretary of the new union's civil rights committee.

In his capacity as assistant secretary of labor for international affairs, Mr. Weaver was the U.S. representative on the governing body of the International Labor Organization. He was chairman of that body in 1968. After stepping down as assistant secretary of labor in 1969, he was assistant to the president of the ILO for about six years.

Mr. Weaver, a Washington resident, was born in Pittsburgh and grew up in Dayton, Ohio. He attended what now is Roosevelt University in Chicago and Howard University law school.

In 1941, he came to Washington as a member of the CIO's War Relief Committee. A year later, he became assistant to the secretary-treasurer and director of the civil rights committee. During the next dozen years, he took leaves of absence to serve on special government assignments and on overseas missions. The assignments included service in 1950 as special assistant to Stuart Symington, chairman of the National Security Resources Board, and assisting in the reorganization of the Reconstruction Finance Corporation.

• 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.

He participated in investigations of labor conditions in various Asian countries for the International Confederation of Free Trade Unions.

In 1958, Mr. Weaver resigned from the AFL-CIO to become assistant to the president of the International Union of Electrical, Radio and Machine Workers and director of the union's political education program. He remained in that job until joining the Labor Department in the Kennedy administration.

In 1963, he was the first American to receive the Malayan honorary award of Panglim Mangku Megara. He had served on the boards of trustees of Washington Technical Institution and the University of the District of Columbia, was chairman of the Finance Committee of the United Negro College Fund and was a life member of the NAACP.

Survivors include his wife of 54 years, Mary S. Weaver of Washington, and two sisters, Vivian Belden of Detroit and Annalouise Jenkins of Cleveland.

TRIBUTE TO MAJ. GEN. JAMES J.
CRAVENS, JR.

HON. RONALD D. COLEMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1995

Mr. COLEMAN. Mr. Speaker, I rise today to pay tribute to a man that has served as Commanding General at Fort Bliss, TX for the past 2 years with distinction, Maj. Gen. James J. Cravens, Jr. He is highly regarded as an outstanding leader, and maintained Fort Bliss' reputation as a good neighbor to El Paso.

General Cravens has served his country since 1966 when he was commissioned a Second Lieutenant of Artillery upon graduation from North Georgia College where he received a bachelor of science degree in business administration. He also holds a master of science degree from Clemson University.

His military education includes the Air Defense Artillery Officers Basic Course, the Air Defense Artillery Officers' Advanced Course, the Army Command and General Staff College, and the National War College.

General Cravens' military decorations and awards include the Legion of Merit (with two Oak Leaf Clusters), Bronze Star Medal (with Oak Leaf Cluster), Meritorious Service Medal (with four Oak Leaf Clusters), Army Commendation Medal (with Oak Leaf Cluster), Parachutist Badge, Pathfinder Badge, and Army Staff Identification Badge.

As Commanding General of the Air Defense Artillery Center at Fort Bliss, General Cravens has overseen the instruction of air defense artillery students from all over the world. The ADA School trains air defenders, develops air defense doctrine, and defines air defense equipment requirements. As you know, Mr. Speaker, some of the school's graduates distinguished themselves operating the Patriot Missile during Operation Desert Storm when the allied forces fought off various SCUD missile attacks from the country of Iraq.

When James Cravens assumed his command at Fort Bliss, I found him to be a man of integrity and great talent. He quickly captured the affection of El Pasoans with his unyielding quest to produce the finest air defense specialists in the world. The overwhelming skill and superiority that our air defense forces displayed in Operation Desert Storm is

due in large part to the intense training they received at the ADA School at Fort Bliss.

Mr. Speaker, I would like to wish my friend, James Cravens, all the best as he prepares to assume his next assignment as Deputy Chief of Staff for Combat Development at Fort Monroe, VA. It has been a pleasure to work with General Cravens to ensure that Fort Bliss continues to live up to its motto, "First to Fire." General Cravens, his lovely wife, Joe Beth, and his children, Jay and Tonya, will be sorely missed.

RETIRING? NOT EXACTLY

HON. GERRY E. STUDDS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1995

Mr. STUDDS. Mr. Speaker, when Bill Breisky announced recently his decision to step down from the helm of the Cape Cod Times, the newspaper launched a national search for a new editor. The advertisement sought—and, in case any Member of this House is interested, is still seeking—candidates with a "proven track record of staff motivation, community leadership, innovative product improvements, a bias toward strong local news coverage, a belief in the principles of public journalism, and a respect for the budget. Our 72-person staff is highly talented and has won a barrelful of excellence awards. No 'now hear this' candidates need apply."

It is hard to imagine a more fitting tribute to the standard and example set over the last 17 years by Mr. Breisky. A daily reporter at heart, Bill would nonetheless hold a story to ensure its accuracy. He cares far less about journalistic conventions like political box scores, than reporting how we on the cape and islands—as a geographic community and as what he calls "communities of interest"—actually conduct our business.

Bill has grappled thoughtfully with the high, often irreconcilable expectations of Times readers—not to mention those of its editorial staff, or of people whose activities we read about in the paper. We sometimes seek all things from our local paper, from the House floor to our back yard. Beyond the hour-by-hour crises and judgments that on into making sure the paper actually hits the street each day, there are important questions about the future of the industry. The traffic on the information superhighway is increasing as fast as the price of newsprint.

About this and other things, Bill Breisky actually sits back, puts aside the crisis of the moment—and reflects. He set out in 1978 to do better than parochial, stenographic reporting, and got as passionate as deadlines permit about looking at the bigger picture. As an editor, he inaugurated "Cape Cod Agenda" to sort out the real impact of development on the cape and islands. As a citizen, he has worked through the Center for the Environment and Sustainable Development to pursue the twin—and, notwithstanding the naysayers, the compatible—objectives of economic development and environmental protection.

You do not get that from a sleepy country editor, any more than from a cigar-chomping Lou Grant. As Adlai Stevenson once said, "Via ovicipitum dura est"—"the way of the egghead is hard." It will surprise no one that

this was in a speech to Harvard students. Or that they needed to have it translated.

With a steady rudder, an even keel and numerous other maritime metaphors, Bill has guided the Times through these shoals with dignity, professionalism, compassion, and humor. He must have even overcome that highest of all hurdles, since I have not heard anyone ask recently how many generations ago his family settled on Cape Cod. In the process, he has earned the affection and respect of the community he's worked so hard to define.

And in case you were wondering—and let us hope that the various editors who may be interested were wondering—yes, Editor and Publisher does think the word "barrelful" has three L's. The way this session of Congress is going, resolving that question may require another amendment to the Constitution.

In spirit, and in preparation for festivities at home this weekend in Mr. Breisky's honor, it is my privilege to enter into the RECORD his "Centerpiece" column of July 2, 1995—entitled "Retiring? Not Exactly"—in which Bill made official his graduation to emeritus status.

[From the Cape Cod Times, July 2, 1995]

RETIRING?—NOT EXACTLY

(By William J. Breisky)

Seventeen years ago, I assumed the editorship of the Cape Cod Times, and inaugurated a column entitled "Another Monday." It ran in place of the second Monday editorial, and was meant to serve as something of an antidote to the unpleasant surprises so often in store for us on a typical Monday morning.

In the six years that I managed to meet my self-imposed deadline for "Another Monday," I never succeeded in finding writing time at the office, and the task became, all too often, a Sunday-evening stress test. So I declared a sabbatical.

Part of the reason I never got around to returning from that sabbatical was a gentlewoman who approached me regularly during the coffee hour that followed our Sunday-morning church service. For two years' worth of Sundays after "Another Monday" had vanished, this charming and faithful reader assured me, week after week, "I love your column. Never miss it."

That was reassuring.

Well, this is a long-winded introduction to the fact that tomorrow will be anything but "another Monday" in my professional life. It will be the first Monday in more than 17 years that I will not be contemplating my responsibilities as editor of the Times.

Tomorrow I will assume the title of "editor emeritus"—which means I will begin fishing through 17 years' accumulation of office files and clutter, to make room for the lucky individual who soon will be elected to occupy my chair. It also means that while I will continue to sit on the Times editorial board, our newsroom staff will be free to dismiss my notions concerning what is, or isn't, newsworthy.

Our readers, on the other hand, will not get off the hook so easily.

For the next few months at least, I will be spending a portion of my time at something we in the trade have come to refer to as "public journalism," a major part of which involves listening more closely to readers.

To journalists who are captivated by the idea, public journalism generally means finding new ways to involve readers in their newspapers, and to involve newspapers in the communities they serve—reporting on the issues of the day as they are seen by the people who live here, rather than relying on elected officials and the bureaucracy.

To some skeptical editors who are less than enchanted with the concept, public journalism means handing the reins over to amateurs—and trading objectivity and detachment for reader chumminess.

There is no prescribed formula for the practice of public journalism, however, and there's no reason why common sense shouldn't prevail in applying it.

When great numbers of readers take a proprietary interest in the Times—when they call us to applaud or criticize “my newspaper,” and when people who work here take the position that public service is their primary mission—we're surely on the right track.

Letters to the Editor, and a range of opinion columns by writers who live in our towns, and our “Sound Off” feature, and our Earthkeeping Forum, and our Cape Cod Times Needy Fund, and the Volunteers in Journalism group recently established by members of our news staff—all are aspects of what I think of as public journalism.

But we can and should be doing more.

Last year's “Cape Cod Agenda” project was our most thoroughgoing effort at inviting the public to tell us and their political representatives where we should be focusing our attention. In order to help persuade November's batch of candidates to focus on issues that matter, we asked members of our Citizens Election Panel—a diverse panel of public-minded citizens chosen for us from a pool of volunteers by the League of Women Voters—to cite the local and regional issues most important to them. Then we invited readers to narrow the panel's two dozen issues to six, and we declared those issues to constitute the “Cap Cod Agenda.”

Agenda issues were debated by candidates—and discussed at length at a series of programs where the citizenry did most of the talking and the candidates came primarily to listen.

This fall the Times will again invite you and your neighbors to set an agenda for Cape Cod, and to talk to us and each other about things that matter individually and collectively. The agenda format may change this year, but the objective will be the same—encouraging community leaders, and the Times itself, to do a better job of serving our community of readers.

Do you think we're on the right track?

Would you like to be involved in one way or another? A postcard or letter to Agenda '95, Cape Cod Times, 319 Main Street, Hyannis, MA 02601, will get my attention and will assure you a seat on the train.

Welcome aboard.

And while I have your attention, I would like to go on record with a couple of concluding observations.

First, I'd like to say that serving as editor of the daily newspaper that serves this remarkable corner of America has been more fun than a barrel of cranberries. (Well, most days.) That has been so because I've had the privilege of working with a wondrous crew of talented, steadfast journalists who care deeply about their world and their chosen profession.

And second—to the legions of friends and acquaintances who greet me these days with the words, “I hear you're retiring,” I would like to say:

You've got to be kidding! My wife's got 17 years' worth of unintended chores saved up as retirement projects.

I'm not the retiring type. It's just that someone else deserves a turn at this nifty job I've had.

IN RECOGNITION OF THE SERVICE OF KOREAN WAR VETERANS

HON. BRUCE F. VENTO

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1995

Mr. VENTO. Mr. Speaker, today our Nation honors the many soldiers who fought in the forgotten war in Korea by dedicating the Korean War Veterans Memorial on the Mall. This Memorial is a tribute to the contributions and sacrifices made by all the men and women who served.

Near the entrance to the memorial, an inscription reads, “Our Nation Honors Her Sons and Daughters Who Answered the Call to Defend a Country They Did Not Know and People They Had Never Met.” The bravery of these Korean War veterans is inscribed in our history. They served our country in places like the Chosin Reservoir, Inchon, and Pusan. Some who went and fought did not come home, but made the ultimate sacrifice. In fact, some 54,000 Americans lost their lives. Others who served experienced events that changed their lives forever.

In Korea, United States soldiers fought in a United Nations force alongside soldiers from all over the world. As part of this multinational force, some 114,000 men and women from Minnesota answered the call to serve. Minnesotans served in all branches of our military service and they served with honor and distinction. Six hundred and eighty-eight Minnesotans were killed in action.

Because of their sacrifices and those of other United Nations troops, the Republic of Korea's freedom was preserved. Over the past 42 years, the Republic of Korea has emerged from the ruins of the war and has built one of the most successful economies in Asia.

The Korean War Veterans Memorial will be a permanent reminder for visitors to our Capital of the American soldiers who served in a difficult and costly war in Korea. As a Member from the State of Minnesota, I am proud to say that the cutting, etching, and polishing of the soldiers' faces on the granite of the memorial was done in our State at Cold Spring, Minnesota.

The memorial on the Mall is a testament to the sacrifices of the soldiers who fought and to those who never made it home. It is also a testament to those veterans who vowed never to forget their comrades. It was through their efforts that this memorial was built. I was proud to have a role in supporting and helping guide the policy and laws that facilitated this Korean War Veterans Memorial.

I join with all Americans in proudly saluting the bravery and service of America's Korean War veterans.

TRIBUTE TO KOREA VETERANS

HON. WILLIAM J. MARTINI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1995

Mr. MARTINI. Mr. Speaker, I rise today to remember an important chapter in American history. It was not long ago that American soldiers were fighting in the name of democracy on the shores of Korea. While it is necessary

to put those days behind us, it is also important not to lose sight of the tremendous acts of courage by our Armed Forces that are responsible for this new cordial period.

Today, here in our Nation's Capital, we will honor the men and women who gallantly served our country in the Korean war. Across from the Vietnam Memorial and in the shadow of the Lincoln Memorial, the Korean War Memorial will stand in the company of the most celebrated monuments in the Nation. It is a tribute to all those brave men and women who donned a U.S. military uniform, including those who lost their lives and those still missing. As Americans, we are indebted to the soldiers who placed their own lives on the line in order to protect the cornerstones of American freedom. They fought to protect the freedom to speak without the fear of Government censorship. They fought for the freedom to freely worship any religion without fear of retribution. All in all, they fought for the very principles that our Founding Fathers wrote into the four corners of the Constitution.

In an era that is often assumed to be bereft of leaders, we overlook these true American heroes. As a nation, we must ensure that those who have honorably served and died in our Armed Forces are remembered with gratitude. The decision to serve this country was a selfless act not only to protect the future of the United States, but the beliefs on which we founded our Nation. When the country called, these courageous young soldiers stared fear in the face and accepted the challenge no matter the cost. They embody the traits that we, as a nation, should all strive to emulate.

Mr. Speaker, I hope that we all bow our heads in remembrance of the valiant young men and women who have pledged to protect the principles of freedom that we, as Americans, cherish as no other nation on Earth.

THE FOURTH ANNUAL OSCE PARLIAMENTARY ASSEMBLY

HON. BENJAMIN L. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1995

Mr. CARDIN. Mr. Speaker, I was privileged to serve as a member of the U.S. delegation to the recently concluded 4th annual meeting of the OSCE Parliamentary Assembly, held in Ottawa from July 4–8. Our delegation was co-chaired by Helsinki Commission ranking member, STENY H. HOYER and Representative MICHAEL P. FORBES, and included our colleagues, LOUISE M. SLAUGHTER, ROBERT G. TORRICELLI, RONALD D. COLEMAN and THOMAS C. SAWYER.

The Parliamentary Assembly, created as a result of a United States initiative during the Bush administration, is designed to help integrate newly independent countries and emerging democracies in Central and Eastern Europe and the former Soviet Union into western-style organizations. Through the Assembly, those responsible for crafting the laws which implement civic and economic reforms in the new democracies have the opportunity to share their experiences with, and gain advice from, parliamentarians from established democracies. Participation by parliamentarians from the reforming countries was strong in Ottawa. Forty-seven of OSCE's 52 fully participating States were represented in Ottawa, as

well as observers from Macedonia and Japan. Due to the continuing siege of Sarajevo, parliamentarians from Bosnia-Herzegovina were unable to attend. Their Ambassador to the OSCE was present, however, and at his request, I was pleased to make a statement on behalf of the people of Bosnia during the closing plenary session.

Mr. Speaker, in his statement to the Assembly during the closing plenary session Mr. HOYER reminded us that August 1, 1995 marks the 20th anniversary of the signing of the Helsinki Final Act. In that speech Mr. HOYER recalled the words of President Gerald Ford upon the signing of the historic accord—"This document will not be measured by the promises made in the Helsinki Final Act, but by the promises kept."

The tragic overrunning of Srebrenica and Zepa by the Bosnian Serbs, and the creation of thousands of more victims of war crimes perpetrated by the Serb aggressors is a searing reminder to all of us that there are promises to be kept. I agree wholeheartedly with my friend and colleague STENY HOYER that we can, and must, do more. I commend to you his remarks:

STATEMENT OF U.S. REPRESENTATIVE STENY HOYER, 4TH ANNUAL SESSION OF THE OSCE PARLIAMENTARY ASSEMBLY,

July 8, 1995.

President Swaalen, Officers of the Assembly, fellow delegates: In twenty-three days, on August 1, 1995, we will celebrate the 10th anniversary of the signing of the Helsinki Final Act. That date also holds significant personal interest for me because, ten years ago, as a new member of the U.S. Helsinki Commission, I attended my first OSCE meeting—a Conference on the Human Dimension—here in Ottawa.

When President Gerald Ford signed the historic accord in Helsinki on behalf of the United States he said, "This document will not be measured by the promises made in the Helsinki Final Act, but by the promises kept."

Many signatory states viewed the words of the act dealing with human rights and the obligations that each state had toward its own citizens, as well as those of other states, as essentially meaningless window dressing. Their objective was to secure a framework in which their international political position, and the then existing map of Europe would be adjudged a fait accompli.

Ten years ago, when I came to the Helsinki meeting in Ottawa, I was told by my Soviet counterparts that the discussion of the rights of Soviet citizens was inappropriate, and an interference with their internal affairs. My delegation rejected that rationale. Words, we strongly maintained, were not enough. Words are not enough today.

The relevance of this organization or any international organization must be judged not solely on the merits of its principles, but on the strength of its commitment to those principles and on its unwillingness to witness or permit violation of those principles by signatory states.

The Helsinki Final Act, like the United Nations Charter, was an attempt to avoid the egregious mistakes of the past which had allowed so much human suffering and carnage. A history which witnessed too often the rationalization of inaction.

President George Bush, in assessing the end of the cold war and the fall of the Berlin Wall, called for a "New World Order" in which the international community would act in order to assure a global political environment dependent upon right not might.

Today we are confronted within the Helsinki sphere by the actions of those adjudged

by my government, as well as by many of yours, to be war criminals. Actions which have repeated genocide on the European continent, and created the largest number of refugees on that continent since the second world war.

We have in past meetings condemned these atrocities. As parliamentarians we have urged that such actions be stopped. And many of our members have committed people and resources to relieve the suffering and stop the criminal behavior. But we have not yet succeeded. And we must, therefore, do more.

I believe this organization can be an important instrument in realizing a world order based upon law and the principles of the final Act. I, and the members of my delegation, pledge to you our every effort to ensure the full participation of the United States Congress as a partner in the vital quest to ensure that history's judgement of the Parliamentary Assembly, and the OSCE, is that our words of principle were supported by our decisive and effective actions.

It is said in America that many can "talk the talk," but only a few are prepared to "walk the walk." The tyrants and terrorists of our world are not dissuaded or intimidated by talk. But they can and must be confronted and confounded by our walk. I believe together we can see the realization of a new world order.

INTERNATIONAL CRIMINAL TRIBUNAL

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1995

Mr. SMITH of New Jersey. Mr. Speaker, I hail the indictments issued this week by the International Criminal Tribunal for the Former Yugoslavia. The number of indictments has now grown to 46; more significantly, they now include the infamous names of Radovan Karadzic and Ratko Mladic, the highest ranking political and military leaders among the Bosnian Serb hierarchy in Pale. With their indictment, Chief Prosecutor Richard Goldstone has proven himself a man of his word. Upon his appointment in July 1994, Goldstone promised to take his prosecution where the evidence leads and to bring the most culpable—those who order and enable others to commit atrocities—within the reach of the court. In so doing, his indictments bring us one step closer to holding those responsible for the orchestration of the most egregious crimes of the Yugoslav War personally responsible for their actions.

To further advance the work of this Court, the United States should take two key measures. First, the United States must ensure that the Tribunal has the financial resources to bring these cases to trial and continue with effective investigations and prosecutions. Although last year, during a period of initial startup, the United States made a \$3 million voluntary contribution to the Tribunal, a subsequent voluntary contribution has not been forthcoming. Failure by the United States to provide adequate financial support to the Tribunal—at the very time the Tribunal's initial investigations are producing meaningful results—would send a regrettable sign of weakening U.S. resolve to see war criminals held truly accountable. If the Administration will not take the lead, Congress should earmark ap-

propriations for the Voluntary Fund for the Tribunal, consistent with the authorization in H.R. 1561.

Second, President Clinton should, once and for all, put to rest the notion that amnesty or immunity is a viable option for the architects of ethnic cleansing and those charged with genocide; the continued silence of top U.S. officials on this matter undermines confidence in the U.S. commitment to hold such individuals personally accountable. In addition, the U.S. Ambassador to the United Nations, Madeleine Albright, should publicly state American resolve to use our veto, if necessary, to ensure that sanctions against Serbia remain in place until Belgrade cooperates with the Tribunal by surrendering to the Hague indicted criminals present on Serb-controlled territory. Easing sanctions throughout the past year has only been followed by Serbia's continued support for those responsible for war crimes and violations of humanitarian law, including the fall of Srebrenica and Zepa.

Mr. Speaker, there are those who have long sought to minimize the importance of this Tribunal. They have argued that it cannot succeed because we will not gain custody of the indicted—and therefore we need not try. They have argued that it cannot succeed because it lacks resources—and therefore we need not bother to provide it with the means to do the job we have given it. And they have argued that it cannot succeed because war criminals sit as negotiators—and therefore we should merely continue to negotiate with them rather than seek to bring them to justice. But even if those indicted this week are never brought to trial, this Tribunal has already ensured that they will be fugitives for the rest of their lives, subject to international arrest warrants wherever they go. Moreover, by identifying individual perpetrators, this court may pave the way for the innocent among all ethnic groups in this conflict to reconcile the divisions in society that these war criminals exploited for their own personal ends.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1996

SPEECH OF

HON. GARY A. FRANKS

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 20, 1995

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 1976) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and related agencies programs for the fiscal year ending September 30, 1996, and for other purposes:

Mr. FRANKS of Connecticut. Mr. Chairman, I rise in strong support of the Hall-Roukema amendment to the Agriculture Appropriations for fiscal year 1996. This amendment eliminates the cap on the number of people who can participate in the WIC Program. In an effort to return power to the States, make our Government more efficient, and help countless individuals, it is essential to remove this cap.

This amendment will give the State WIC administrators the opportunity to help as many WIC participants as possible.

WIC is a respected prevention program which effectively fights hunger, reduces infant mortality, provides education, and cares for low-income women, infants, and children, so they can reach their full potential in life. With this counterproductive cap, the WIC Program will impact fewer lives.

The Hall-Roukema amendment is a budget-neutral amendment which would remove the cap of \$7.3 million on the WIC Program, without changing the funding level appropriated in this bill. The elimination of the cap would encourage cost-containment measures which would generate more savings which, in turn, will serve more needy participants. The cap only serves to cause unnecessary redtape in a time when we are working to down-size Government and limit Government intrusion into people's lives.

I urge my colleagues to support the Hall-Roukema amendment and provide States with the incentive and ability to stretch their funds and help eligible individuals enter the WIC Program.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1996

SPEECH OF

HON. MARGE ROUKEMA

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, July 21, 1995

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 1976) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and related agencies programs for the fiscal year ending September 30, 1996, and for other purposes:

Mrs. ROUKEMA. Mr. Chairman, I rise in strong support of the Zimmer-Schumer amendment.

I want to thank my friend from New Jersey for offering this common sense amendment. It is about time that this Congress sent a clear message to the American people—that we are serious about reducing the Federal deficit. How can we possibly ask the American taxpayer to subsidize advertising for corporate America? Yet that's what we do.

At a time when we are slashing programs in every agency, it is absurd that we would continue this type of corporate welfare.

It would be different if the Market Promotion Program worked to the benefit of the small farmer. The fact is that it doesn't. In 1994, Hershey's Chocolate received \$265,000. In contrast, Berry Confectioners, a small company in New York, received \$2,000. Clearly, this is indicative of a program that is designed not to help small businesses, but rather to provide welfare to wealthy corporations.

My colleagues, if that example is not enough to convince you that the MPP is severely flawed, consider this: Gallo Wines received an astounding \$2.5 million, while small businesses such as Mountain View Vintners received \$2,500. Does this strike anyone else

as odd? Gallo Wines, a company with hundreds of thousands, if not millions of dollars at its disposal received 1,000 times the Federal dollars that a small vintner did.

Every year, huge American corporations like SunSweet, Sunkist, Del Monte, and McDonalds take Federal dollars and spend them overseas.

The GAO has said that the Market Promotion Program is a case study in poor management. Even so, the Appropriations Committee has elected to expand the MPP budget this year by \$25 million. We have before us a chance to end the practice of supporting corporations with multimillion dollar advertising budgets to market their programs in foreign countries.

Mr. Chairman, if we are so concerned with the ability of small and mid-size businesses to market their products overseas, we should pass the Zimmer amendment, eliminate the MPP and allow the Agriculture Committee to devise a program that actually helps the small farmer during consideration of the farm bill.

Mr. Chairman, the time is now. Support the Zimmer-Schumer amendment. End this form of corporate welfare, and let Federal dollars go to programs that really need our help.

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1996

SPEECH OF

HON. JIM KOLBE

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 25, 1995

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2076) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1996, and for other purposes:

Mr. KOLBE. Mr. Chairman, I rise in support of the Commerce, Justice, State, and Judiciary appropriations bill before us today. I especially want to commend Chairman ROGERS for his excellent work through difficult budgetary and personal times. Despite the hurdles, the chairman and subcommittee have brought to the House a bill worthy of support.

Downsizing Government means making choices among spending priorities, and this bill does just that by channeling funds to programs that are in the taxpayers' interest. While I don't agree with every single funding decision, on balance this is a responsible bill with which I am proud to be associated.

This bill takes a giant step toward addressing the issue of border enforcement. Even with an outright rejection of the administration's ill-conceived border crossing fee, H.R. 2076 provides funding to put an additional 1,400 Border Patrol agents and inspectors on the front lines of the border. Overall funding for the Immigration and Naturalization Service is increased by 20 percent which will help border communities like those I represent.

The bill also provides \$500 million for the State Criminal Alien Assistance Program that reimburses States for the costs associated with incarcerating criminal aliens. The General Accounting Office estimates that the nation-

wide costs incurred by States for this could exceed \$650 million. This appropriation takes a huge step towards addressing that problem.

The committee also recommends to the INS that they participate in a pilot program designed to increase cooperation between Federal, State, and local agencies at ports-of-entry. I am convinced this pilot program will prove that ports can be run more efficiently, thus better facilitating trade and commerce along the border.

This increase in funding is justified. We must recognize that illegal immigration is a national problem, not a State problem. This Congress must reaffirm its commitment to States and local communities because they are the ones who must contend with failed illegal immigration policies of the past. To turn our backs on that responsibility would be wrong.

The recent tragedy in Oklahoma City is a horrific reminder of violence in our society, but sadly, it occurs all too often—if not as dramatically—in communities across this land. So, I'm supportive of the actions this bill takes to combat crime.

The Federal Government does not have all the answers when it comes to combating the crime we are most concerned about. I do not believe the Congress should try to manage State and local law enforcement agencies. Rather, we need to support measures that empower local law enforcement—H.R. 2076 does just that. This legislation gives maximum flexibility to local law enforcement officials to administer \$2 billion for law enforcement and prevention programs instead of mandating that money be used for specific purposes. The bill will allow local officials to use funds to put more police on the streets, purchase needed equipment, fund youth prevention programs, provide drug court programs, or other urgent needs, according to the priorities determined by 39,000 State and local entities—not Washington. Additionally, H.R. 2076 provides nearly \$500 million for the Byrne Grant Program that has been used very effectively by local law enforcement. In my own district, very successful law enforcement alliances have succeeded because of the availability of Byrne Grant moneys.

Let me shift gears for a moment to address what this bill does with funding for the Commerce Department. I support the restructuring of the Commerce Department. Over the years, this agency has become the dumping ground for every new function of the Federal Government that didn't fit someplace else. While this bill does not dismantle the Commerce Department, it cuts it by nearly 20 percent—a clear signal to Congress to reorder its functions. I will support amendments to this legislation making further cuts in certain areas of Commerce, and will soon introduce with others a version of how dismantling the Department might be accomplished.

I am pleased the committee funded the Small Business Administration's microloan program which has helped create hundreds of jobs in Arizona at little or not cost to the Government. Organizations like Project PPEP help to effectively administer these startup loans in areas where this type of assistance is effectively used and where loan defaults are almost nonexistent.

The bill provides resources for the State Department to continue its vital functions across the globe. While H.R. 2076 does cut funding 9 percent below last year's spending levels,

the cuts are fair and sensible. Contributions to U.N. peacekeeping operations are kept in check while affording the executive branch maximum flexibility and the legislative branch maximum oversight. The bill closely resembles the provisions of the American Overseas Interests Act passed by the House earlier this year.

I encourage all of my colleagues to support this legislation that is both fiscally responsible and attentive to the needs of the American people.

INTRODUCTION OF THE SMALL BUSINESS TRANSFER ACT OF 1995

HON. DAVID DREIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1995

Mr. DREIER. Mr. Speaker, one of the goals of the new Republican majority in Congress is to evaluate the performance and objectives of all federal programs and agencies. In undertaking such evaluations, I believe two fundamental questions need to be answered:

First, what aspects of the program or agency continue to serve a beneficial public policy purpose?

Second, how can we redesign the program or agency to perform the useful functions in a cost-effective manner?

Today, Representative JOEL HEFLEY, vice chairman of the Committee on Small Business, and I have introduced H.R. 2125, the Small Business Administration Transfer Act, which addresses these two questions in a positive way. In conversations with small business owners and their representatives here in Washington about the role of the Small Business Administration, I am told consistently that the two areas where the Federal Government can be helpful are in providing access to capital and a voice at the highest levels of government. The remaining functions of the Small Business Administration have little to do with, or actually hinder, small business growth.

The Small Business Transfer Act strengthens the programs that matter most to small business while saving taxpayers \$3 billion over 5 years. Under the legislation, the present Small Business Administration, with its outdated and heavily bureaucratic regional, district, and field structure, would cease to exist on October 1, 1996. An Office of Small Business Advocacy would be established in the Executive Office of the President. This office, which would function in a manner similar to the SBA's Office of Advocacy, will give small business a voice inside the White House.

The bill also establishes an Office of Small Business Lending in the Department of Treasury. The office would consist of an Under Secretary, Deputy Under Secretary, and no more than 200 auditors who would administer a small business general loan guarantee program. All other SBA credit programs and revolving funds would be transferred to this office for servicing and liquidation.

The guaranteed loan program would function like the current Preferred Lenders Program, whereby the lender would have the complete authority to make close, service and liquidate loans. Maximum loan amounts would remain the same, but the guaranteed portion

may not exceed 75 percent of the financing outstanding at the time the loan is made. No direct or immediate participation loans could be made.

To be eligible for a guaranteed loan, a business must meet:

First, the credit elsewhere test, denied credit by two lending institutions; second the definition of a small business; and third, the requirements of Sec. 7(a)(6) of the Small Business Act that all loans be of such sound value or so secured as reasonably to assure repayment.

For lenders to be eligible to participate in the program, the lender must maintain at least a 6-percent capital-to-asset ratio. The bill contains language explicitly subjecting lender loan portfolios to an annual compliance review conducted OSBL auditors. As an option, this could be done as part of an institution's overall compliance review conducted by the appropriate bank regulator.

The bill also contains language capping taxpayer exposure with excess or above historic average losses on each lender's portfolio. For example, if the lender's portfolio is 10 percent above the industry's historic loss average, the guarantee on loans originated by the lender would fall by 10 percent—from 75 percent to 68.5 percent.

The Treasury Secretary would be required to collect a minimum guarantee fee of 1/2 of 1 percent of the amount of the deferred participation share of any guaranteed loan. The lender would be permitted to finance the guarantee fee as part of the loan. The Treasury Secretary would be required to adjust the guarantee fee, subject to the normal reporting requirements, to ensure a guarantee fund that is self-financing.

The reforms made to the loan guarantee program respond to a December 1992 General Accounting Office study of Housing and Community Development issues. The study made the following observations:

There has been no recent assessment of what sector of small business, if any, would receive financial assistance if SBA did not exist. Nor has there been a recent assessment of the economic impact that has resulted from billions of dollars in Federal guarantees that SBA has provided to small businesses. Yet in fiscal year 1992, SBA almost doubled the value of the business loans that it guaranteed—from \$3.8 billion in fiscal year 1991 to \$6.4 billion in fiscal year 1992. Our work has shown that SBA's loss rate is greater than that of private lenders and that SBA has not adequately overseen the operations of lenders receiving government loan guarantees.

Mr. Speaker, the reason the GAO's assessment of the SBA is so negative is that the agency's mission statement is faulty. In 1985, then OMB Director David Stockman called the SBA a billion-dollar waste—a rathole. Ten years later, the agency has undergone numerous reorganizations and credit reforms that have brought down default rates and improved the operations of credit programs. But the agency is still a failure because of the faulty premise that Government can create private sector jobs. Even if the Government could create private sector jobs, the SBA's programs are inconsistent with that mission.

Instead, what we have is an agency that reallocates credit to the least credit worthy; provides noncompetitive contracts to millionaire minorities at the expense of small business;

plants trees at a cost of up to \$1,200 per tree; and provides \$70 million a year in grants to universities, which is the last place a small business person goes for advice.

In his book "*The Effective Executive*" Peter Drucker, my professor at the Claremont Graduate School, referred to an order by President Johnson that all Government agencies adopt program reviews to weed out obsolete and unproductive work. "This is a good first step, and badly needed," Drucker said. "But it will not produce results as long as we maintain the traditional assumption that all programs last forever unless proven to have outlived their usefulness. The assumption should rather be that all programs outlive their usefulness fast and should be scrapped unless proven productive and necessary. Otherwise, modern Government, while increasingly smothering society under rules, regulations, and forms, will itself be smothered in its own fat."

Mr. Speaker, the Small Business Administration has clearly outlived its usefulness. While I also question whether a guaranteed loan program remains productive and useful, there are legitimate concerns that excessive Government regulation of lending institutions has made it cost-prohibitive to lend to many legitimate small businesses. Until those regulations can be eased, a case can be made for maintaining a loan guarantee program.

The Small Business Transfer Act offers a unique opportunity to make Government more effective by expanding small business capital, reducing taxpayer risk, and giving small business an antitax and antiregulatory voice at the highest level of Government. For these reasons, Mr. Speaker, I urge my colleagues to join us in cosponsoring H.R. 2125.

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1996

SPEECH OF

HON. JOHN J. LaFALCE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 25, 1995

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2076) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1996, and for other purposes:

Mr. LaFALCE. Mr. Chairman, I rise in strong support of this amendment offered by Mrs. MYERS on behalf of the two of us. And I want to commend her for this initiative, although I do want to note that I would have preferred that the amendment not cut as deeply as it proposes to do. I believe a cut of almost 30 percent is more than can be accommodated without damaging the Office of Advocacy. Possibly the conferees on this bill can find another four or five hundred thousand dollars to add to the amount being added by the amendment.

Mr. Chairman, of all of the functions of the Small Business Administration, the Office of Advocacy undoubtedly helps more small businesses for less dollars than does any other office within SBA.

This is the Office whose testimony before the Congress has been requested 200 times.

Why have our committees requested input from Advocacy? Simply because the office tells it like it is even if it puts Advocacy at odds with the administration.

This is the Office to whom this House of Representatives assigned new responsibilities of reviewing proposed regulations by Federal departments and agencies to identify those with anti-small business impact. Why did the House enlarge the duties of the Advocate? Simply because we know how effectively the Office has functioned as an advocate before other Federal offices.

Some critics have charged that Advocacy has been an abysmal failure in reducing the regulatory and paperwork burden.

Tell that to the small businesses which use simplified registration filings with the Security and Exchange Commission.

Tell that to the 4 million firms with less than 10 employees which will be able to use one simplified tax form for all wage and tax reports instead of up to 15 separate forms.

Tell that to the millions of small businesses which have a lesser burden in dealing with the Government.

And, when you tell them of this criticism, small businesses will tell you that the criticism is wrong. These small businesses will tell you that the Office of Advocacy is effective. They will tell you that is why that last month the White House Conference on Small Business as one of the top recommendations said that the Office should be permanently maintained as an independent entity.

I also want to point out that some of the criticism is not simply a difference in opinion. In some cases the facts used to support the criticism are wrong.

Criticism. Advocacy staffers helped created a brochure to lobby for President Clinton's health-care plan;

Fact. GAO reported that this is not true.

Criticism. Advocacy sent a letter to Congress arguing against tax relief for small businesses.

Fact. Advocacy opposed elimination of a special tax incentive to encourage investments in small firms. Advocacy did conclude, however that if the trade-off for the proposed reduction in capital gains tax rates was the elimination of the small business preference, small business would be better off if the rates were not reduced. The Office did support other parts of the tax bill which helped small business, such as increasing expensing, increased estate and gift tax credit and clarification of deductions for an in-home office.

Criticism. Advocacy "spent last Friday * * * faxing a 9-page 'Game Plan' to congressional offices outlining a lobbying strategy" to save the office, an activity characterized as illegal lobbying;

Fact. The document in question was an internal office document which was never used nor authorized for release to any congressional office. As far as we know, it was not sent to anyone, except for the one copy that was surreptitiously made available to a congressional critic of the office; and SBA's Inspector General has determined that the memo was not a violation.

A letter from the inspector general attached a memo from the assistant inspector general for investigations which concluded:

"Because there is no evidence of actual lobbying and no evidence contrary to the stated intent of the preparation of the document by

Mr. * * *, it is my recommendation this case be closed without a referral for prosecutive opinion."

Finally critics have asserted that small business associations are the "real independent voices for small business" and "do a better job of monitoring small business policy than the Office of Advocacy." These small business associations disagree.

Major small business organizations unanimously support continuation of the Office of Advocacy, including the National Association for the Self-Employed, the National Federation of Independent Business, National Small Business United, Small Business Legislative Council and the United States Chamber of Commerce.

The Office of Advocacy has performed as a champion for small business interests when it has been given a chance to do so. This chance, however, was denied when President Bush left the Chief Counsel job vacant for years at a time. When it has received strong presidential support as it did from President Carter, who appointed Milt Stewart as the first Chief Counsel for Advocacy, or from President Reagan, who appointed Frank Swain as Chief Counsel, or from President Clinton, who appointed Jere Glover, the office truly serves as a champion for small business.

I urge adoption of the amendment.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1996

SPEECH OF

HON. GARY A. FRANKS

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 20, 1995

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 1976) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and related agencies programs for the fiscal year ending September 30, 1996, and for other purposes:

Mr. FRANKS of Connecticut. Mr. Chairman, I rise in strong support of the amendments which eliminate the Market Promotion Program in the Agriculture appropriations bill. The Market Promotion Program, a prime example of corporate welfare, gives millions of Federal dollars to multibillion-dollar corporations for the promotion of American products in foreign countries. During a time when so many Americans are asking to us to balance the budget, how can we keep funding corporate welfare in the guise of the Market Protection Program?

Four amendments to the Agriculture appropriations bill would either make cuts or eliminate the Market Protection Program. First, the Zimmer-Schumer amendment prohibits any of the bill's funds from being used to pay the salaries of persons who carry out the Commodity Credit Corporation's market promotion program. Second, the Obey amendment cuts the bill's funds from being used to pay the salaries and expenses of personnel for certain large producers who participate in the MPP. Third, the Kennedy amendment prohibits the CCC from using funds to promote the sale or export

of alcohol. Finally, the Deutsch amendment prohibits funds from being used to promote or provide assistance for mink industry trade associations. The amendments make the cuts in the Market Promotion Program to get the wealthy American corporations off of welfare.

The Federal Government and American taxpayers can no longer afford these corporate handouts. I urge my colleagues to support these amendments and eliminate the MPP.

IT IS TIME WE TRULY TAKE BACK OUR NEIGHBORHOODS

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1995

Mr. FILNER. Mr. Speaker, today I have introduced legislation to bolster our Nation's crime fighting efforts and to encourage citizens to get involved in crime prevention. I am joined in this effort by Congressman STUPAK, cochairman of the Law Enforcement Caucus—of which I am a member.

The Taking Back Our Neighborhoods Crime Fighting Act will give a \$50 tax credit to people actively involved in neighborhood watch groups and other organizations committed to the reduction of local crime.

I am proposing this tax credit because neighborhood watch works. It is the most effective crime reduction program available to our communities. Throughout the country, neighborhood watch groups have made people feel safer and more secure in their homes, parks, and streets.

Neighborhood watch establishes relationships among neighbors—and it establishes partnerships between neighborhoods and their police officers. Citizens are trained how to watch out for their families, monitor their neighborhoods, how to be observant and reliable witnesses, and how to assist their local police. Police chiefs and officers around the country firmly believe in neighborhood watch and have endorsed the idea of encouraging participation through tax credits.

Over the last decade, in my congressional district, we have pioneered the concept of community oriented crime fighting, and we have seen the difference it makes.

Serving on the San Diego Council for 5 years before I came to Congress, I worked hand in hand with residents to attack crime. We helped establish neighborhood watch groups. We went on walking patrols through the streets and created support networks among neighbors. We established drug free zones to keep dealers away from our schools. And we organized a graffiti patrol to clean up our neighborhoods and restore pride in our community.

We also worked directly with local police to create innovative crime fighting strategies. We instituted walking patrols in the streets, in the schools, and in the neighborhoods. Police officers got to know the neighborhoods they protected and the people in them. They talked to residents, and residents knew exactly who to call if they saw someone in trouble.

These efforts have been successful. During the last year in San Diego, we have seen a reduction of at least 10 percent in every major category of crime.

And most importantly, we were empowered, we felt stronger, we fostered a sense of community, and we saw that we could make a difference in peoples lives.

Neighborhood watch groups have proven to be an effective and economical approach to providing a better and more secure society for ourselves and our children.

Giving people in neighborhood watch groups a \$50 tax break will support the many citizens already involved in crime prevention and encourage more community participation.

I ask my colleagues to support this important piece of legislation. Working together—and only by working together—can we truly start to reclaim our streets.

DEPARTMENTS OF COMMERCE,
JUSTICE, AND STATE, THE JUDI-
CIARY, AND RELATED AGENCIES
APPROPRIATIONS ACT, 1996

SPEECH OF

HON. RON PACKARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 25, 1995

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2076) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1996, and for other purposes:

Mr. PACKARD. Mr. Chairman, the 1996 Commerce, Justice, State, and Judiciary Appropriations Act is a clear, non-nonsense declaration of what this Republican Congress stands for. Time and time again the American public tells us that the main concern is crime, and for too long this concern has fallen on deaf ears. In our Contract With America we promised to act on that concern and I am proud to stand here today and say to the American people "We have taken action."

The Commerce, Justice, State, and Judiciary Appropriations Act reflects the priorities of the American public. We have slashed wasteful bureaucracies, we have downsized low priority programs, and we have cut foreign aid and put the money back in America. Why should taxpayers pay for international efforts to stop killing abroad when in their own backyard people are murdering each other? We can't fight a war abroad until we've won the war at home. Make no mistake about it, this is a war. Crime in America has killed millions and ruined the lives of many more. Our anti-crime initiatives represent a major offensive in this war against crime. We recognize that crime cannot be defeated by politicians and bureaucrats in Washington. It is up to the local communities and States to lead the assault and that is why we have given them the means to fight crime directly, in the best way they see fit. This is only the beginning, we have a long fight ahead, but one we are committed to winning.

INTRODUCTION OF THE YELLOW-
STONE BRUCellosIS-FREE MAN-
AGEMENT ACT

HON. PAT WILLIAMS

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1995

Mr. WILLIAMS. Mr. Speaker, today I am introducing the Yellowstone Brucellosis-Free Management Act to provide a comprehensive and practical strategy to address the problems of brucellosis in the Yellowstone.

Yellowstone, our Nation's first national park, represents the true flowering of the idea of public lands set aside for the use and enjoyment and education of all the American people. It is unsurpassed in scenic beauty and natural features and remains today of America's outstanding wildlife sanctuaries, little altered by human settlement.

Yellowstone provides refuge for rare and endangered species such as the threatened grizzly bear, the rare mountain lion and wolverine, bald eagles and trumpeter swans, the Yellowstone cutthroat trout and arctic grayling. The public lands surrounding Yellowstone offer complementary scenic vistas, recreational opportunities and outstanding wildlife habitat.

This greater Yellowstone area represents the largest undeveloped land of wilderness quality in the lower 48 States, and it includes the largest free-ranging herds of elk and bison in the world.

However, it is those herds, and particularly the bison, which have raised concerns about the risks of brucellosis which is carried by some animals in both herds. The dilemma is how do we protect the delicate wildlife interrelationships, the unique genetics of Yellowstone's wildlife and yet address the potential threat of brucellosis in the wildlife population and its possible transmission to livestock outside the park and resulting economic consequences to the livestock industry.

My legislation protects livestock producers from that threat and the harm of unfair economic sanctions by establishing a comprehensive framework for the National Park Service to address and manage and control brucellosis in the Yellowstone area.

For far too long, the bison-brucellosis controversy has swirled with hearsay, unsubstantiated claims and fear. This bill replaces fear with facts, rumor with research, supposition with science and, most important, it replaces talk with direct and specific action to remove the threat of brucellosis.

In the short term, this bill sanctions the interim bison management plan signed by the U.S. Forest Service, the State of Montana and Yellowstone National Park. It concurs with the need for a long term environmental impact statement in the form of a bison management plan. It also establishes the Yellowstone Brucellosis-Free Management Area with special regulations to provide economic stability in terms of the brucellosis-free status for the States of Montana, Wyoming, and Idaho as long as the interim plans are in effect within the Yellowstone area.

One of the most important features of the bill is the prohibition on unfair or arbitrary sanctions imposed by APHIS on other States or livestock producers of Montana, Wyoming, and Idaho because of the presence of brucel-

losis in wildlife within the Greater Yellowstone area.

In the long term, the bill directs the Secretaries of the Interior and Agriculture to cooperate with the States of Montana, Idaho, and Wyoming in seeking the elimination of the diseases brucellosis from the Greater Yellowstone ecosystem. To accomplish this goal, the bill provides strong direction and authority for science-based management of the diseases.

The bill provides recognition of the facts that American Indians have long-standing spiritual and cultural ties to the American bison and, as such, have shown an interest in participating in the disposition of surplus bison for subsistence or to restore herds on American Indian lands.

Mister Speaker, this is a good bill for Montana's livestock producers. It protects their legitimate interests at the same time it provides for proper long-term management of Yellowstone's bison. This is a good bill for the bison. This is a good bill for the Yellowstone.

DEPARTMENTS OF COMMERCE,
JUSTICE, AND STATE, THE JUDI-
CIARY, AND RELATED AGENCIES
APPROPRIATIONS ACT, 1996

SPEECH OF

HON. RON WYDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 25, 1995

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2076) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1996, and for other purposes:

Mr. WYDEN. Mr. Chairman, I rise today to thank the 179 Members of this body who signed on to my letter asking Speaker GINGRICH to preserve the Legal Services Corporation [LSC]. Additionally, I would like to thank those Members—AMO HOUGHTON, STEPHEN HORN, DAVID SKAGGS, HOWARD BERMAN, JACK REED, and CONNIE MORELLA, among others—who personally talked to other Members of Congress to help stave off further cuts to the Legal Services Corporation.

Legal services is literally the last line of defense against destitution for many deserving Americans. Last year, LSC-funded programs provided assistance to over 50,000 women seeking protection against abusive spouses, 240,000 elderly seeking help ranging from fraud to Medicare, 2,600 veterans seeking help with veteran's benefits, and 9,000 abused and neglected children. There are many in this country who would find themselves trapped in disastrous often life-threatening situations were it not for legal services attorneys.

I would also like to make several points about the contention that the private bar could somehow replace legal services attorneys. I began my career in public service running the Oregon Legal Services Program for the elderly. I came away from my experience with a strong belief that there is a critical role for the private sector to play in providing legal assistance to the poor.

During the time I worked with Legal Services, I organized hundreds of private attorneys to assist in expanding access to the courts for

the elderly. Today, 250 private attorneys donate time to the senior law centers in Oregon. In Portland last year, these attorneys donated 1,640 hours. More than 1,000 lawyers in Oregon, and 130,000 lawyers nationwide participate in pro bono activities organized by legal services programs.

However, I know most of the attorneys I worked with would agree that in spite of their hard work, they could not even begin to fill the shoes of the legal services attorneys who could give full time attention to the problems of seniors. The American Bar Association estimates that less than 20 percent of the legal needs of the poor are met. Even with current funding and massive involvement by the private sector, LSC-funded programs are forced to turn away 43 percent of eligible clients. Most legal aid programs turn away women in divorce cases unless they are in danger of their lives from an abuser, and they turn away eviction cases unless the family will go homeless.

Second, the legal problems of the poor, and in my experience, particularly the poor elderly, often require a depth of expertise and a time commitment that is rarely available on a pro bono basis by private attorneys.

Cases that legal service lawyers take up for older Americans range from navigating the bureaucratic maze of Medicare, Medicaid, and Social Security to working through problems with consumer fraud, age discrimination, pension income, property assessments, and wills and probate.

The fact of the matter about legal services is that in most communities they are the only knowledgeable advocate for poor people who find themselves up against a convoluted Federal bureaucracy or abusive members of their family or community. For every anecdote about a legal services attorney taking up a questionable case, there are a thousand where they helped a poor person just get a fair shake.

Again, I would like to thank the many Members of Congress who recognized the importance of legal services in ensuring this country provides equal justice for all, and fought to ensure the continuance of this program.

The Members who signed onto my letter are the following: STEPHEN HORN, AMO HOUGHTON, FRANK PALLONE, JIM MORAN, TIM JOHNSTON, MILLER, BARBARA-ROSE COLLINS, SHERROD BROWN, MIKE WARD, JOHN SPRATT, JOSE SERRANO, DICK GEPHARDT, SAM GIBBONS, ROBERT TORICELLI, ROBERT MENENDEZ, LOUIS STOKES, RONALD DELLUMS, CHARLES RANGEL, CHARLES SCHUMER, OWEN PICKETT, HAROLD FORD, NITA LOWEY, LUCILLE ROYBAL-ALLARD, SAM FARR, ANDY JACOBS, ELIZABETH FURSE, HOWARD BERMAN, JOHN BALDACCI, RICK BOUCHER, BOBBY RUSH, BOB CLEMENT, BOBBY SCOTT, JIM FOX, PETER TORKILDSEN, JOHN EDWARD PORTER, GLEN POSHARD, JAMES LEACH, ALAN MOLLOHAN, JERRY COSTELLO, JIM CHAPMAN, KAREN THURMAN, BRUCE VENTO, MARTIN FROST, LINCOLN DIAZ-BALART, NANCY JOHNSON, MAXINE WATERS, MICHAEL FORBES, ALBERT WYNN, CORRINE BROWN, SHERWOOD BOEHLERT, JOHN DINGELL, ROBERT MATSUI, ILEANA ROS-LEHTINEN, CYNTHIA MCKINNEY, JACK QUINN, EARL HILLIARD, SANFORD, BISHOP, RICK LAZIO, MARCY KAPTUR, STEVEN SCHIFF, FLOYD FLAKE, SCOTTY BAESLER, TONY BEILINSON, ANNA ESHOO, EARL POMEROY, GARY ACKERMAN, CAROLYN MALONEY, TIM ROEMER, MARTIN OLAV SABO, JOHN OLVER, WILLIAM CLAY,

ZOE LOFGREN, EVA CLAYTON, CARDISS COLINS, BEN CARDIN, BARNEY FRANK, ROSA DELAURO, BOB BORSKI, SIDNEY YATES, L.F. PAYNE, ELIOT L. ENGEL, LOUISE SLAUGHTER, STENY HOYER, KAREN MCCARTHY, DALE KILDEE, NEIL ABERCROMBIE, BOB FILNER, PETER DEUTSCH, TOM FOGLIETTA, PETER DEFAZIO, RICHARD NEAL, PATSY MINK, LYNN RIVERS, JAMES TRAFICANT, BILL LUTHER, NICK RAHALL, PAUL MCHALE, JANE HARMAN, HENRY GONZALEZ, ELEANOR HOLMES NORTON, CHAKA FATTAH, CARRIE P. MEEK, JOHN LEWIS, PETE PETERSON, WILLIAM COYNE, HARRY JOHNSTON, PETE STARK, NORM DICKS, PAT WILLIAMS, DAVID BONIOR, VIC FAZIO, ROBERT ANDREWS, WILLIAM JEFFERSON, EDDIE BERNICE JOHNSON, PETER VISCLOSKY, BART STUPAK, MAURICE HINCHY, JACK REED, PAUL KANJORSKY, MARTIN MEEHAN, NORMAN MINETA, SHEILA JACKSON-LEE, THOMAS BARRETT, JERROLD NADLER, BILL RICHARDSON, ESTEBAN TORRES, BERNARD SANDERS, LLOYD DOGGETT, THOMAS SAWYER, TONY HALL, KEN BENTSEN, DAVID SKAGGS, HAROLD VOLKMER, GERALD KLECZKA, NORMAN SISISKY, ED PASTOR, SAM GEJDENSON, JAMES CLYBURN, NANCY PELOSI, BOB WISE, LUIS GUTIERREZ, KWEISI MFUME, JIM MCDERMOTT, RON COLEMAN, BARBARA KENNELLY, MELVIN WATT, PATRICK KENNEDY, XAVIER BECERRA, GEORGE BROWN, ALCEE HASTINGS, CHET EDWARDS, LYNN WOOLSEY, ED MARKEY, HENRY WAXMAN, WALTER TUCKER, DICK DURBIN, PAT SCHROEDER, GERRY STUDDS, TOM MANTON, ED TOWNS, MAJOR OWENS, JULIAN DIXON, JOHN BRYANT, LANE EVANS, JIM OBERSTAR, JOE KENNEDY, DAVID MINGE, NYDIA VELAZQUEZ, LEE HAMILTON, CONNIE MORELLA, FRANK RIGGS, SOLOMON ORTIZ, FRANK TEJEDA, RAY THORNTON, DONALD PAYNE, CHRISTOPHER SHAYS, BEN THOMPSON, BLANCHE LINCOLN.

In addition, Representative HAL ROGERS, chairman of the House Appropriations Subcommittee on Commerce, Justice, State, and Judiciary, made clear early on that he would not support the elimination of the Legal Services Corporation and for that, and for his patience and kindness, we are grateful.

SIKHS DESERVE RIGHT TO SELF-DETERMINATION

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1995

Mr. CRANE. Mr. Speaker, I rise today to bring the attention of the House to an extremely sensitive situation in India. In a time when civil rights abuses around the world are being condemned, the treatment of the Sikhs by the Indian Government should not go unnoticed.

This shameful treatment has included documented cases of rapes of young women, the beating of old men, and the murder of young boys. Innocent Sikh people have also been subjected to imprisonment without trial, and this practice has been occurring for more than a decade.

The Sikhs are being persecuted in their own homeland. They live in fear everyday, and the freedoms we take for granted simply do not exist in this part of India. Those Sikhs that have the coverage to speak out against these abuses are often arrested and held for no reason.

The imprisonment of innocent Sikhs is made worse by the unfair treatment they receive once in prison. This despicable treatment all too often leads to the murder of innocent prisoners. Many times these deaths go unreported by police, and the bodies are cremated and, therefore, go unclaimed.

I believe this situation deserves and demands the attention of this body. Just as we have supported democratic reforms and the right to self-determination in Eastern Europe, I believe we should support independent and self-determination for Khalistan. The behavior of the Indian Government should not be tolerated, and their treatment of the Sikh people should be condemned.

PARLIAMENTARY DEBATES

PUNJAB (TREATMENT OF SIKHS)

Mr. Terry Dicks (Hayes and Harlington): I wish to bring to the attention of the House the continuing persecution of the Sikhs living in their homeland, the Punjab—an issue that I have brought before the House on three previous occasions in the 12 years that I have been a Member of Parliament.

I noticed that nearly 30 hon. and right hon. Members were in the Chamber to listen to a debate about Bosnia, about which British people are not really interested because it is not of direct concern. We now have a debate—at least, a statement—about the position in a Commonwealth country, and the 30 people who were in the Chamber at 10 o'clock have almost all left. I find that surprising and disappointing.

Sikhs in my constituency and throughout the world are worried for relatives and friends who continue to live in that part of India. The rape of young women, the beating of old men and the murder of young boys, together with the imprisonment without trial of thousands of innocent people, have been taking place for more than a decade and continue to this day.

Living in fear in part of everyday existence in the Punjab. The freedom that we take for granted in Britain does not exist in that part of India.

Recent evidence obtained from police files shows that bodies of police suspects murdered in police custody have been cremated as "unclaimed" and that that practice has continued since 1984. The documents that I have with me were given by or bought from police authorities in the Punjab. They list names of people relating to the bodies that have been cremated; yet the Indian authorities denied the existence of such records.

The Indian Express carried a front-page story in its edition of 3 February 1995, in which it said that during the three years 1991-93, the Punjab police dumped about 426 bodies for cremation as "unclaimed" on the Patti Municipal Committee. In many cases, the relatives had not been informed even though the bodies had been identified.

In the same region last year, another 17 "unclaimed" bodies were sent by the police for cremation. Why cremation? Because burnt bodies cannot be examined later for evidence of torture or other abuse.

Police sources have disclosed that, although some of those so-called "missing persons" may have died as a result of torture while in police custody, others may have been eliminated because they had some evidence of police brutality—in other words, they had witnessed what was going on and they had to be put away together with those who were murdered as suspects.

A local human rights group brought that position to the attention of the Indian high court, but its action was dismissed on the grounds that only relatives of murdered individuals could be party to any litigation.

That approach is a bit like telling the relatives of Kuwaitis who disappeared during the occupation of Kuwait to apply to the Iraqi high court in Baghdad for an inquiry to be held into their disappearance.

Investigation into allegations of police torture are rare and, even when such allocations have been established, prosecutions have not taken place. According to recent reports by Amnesty International, there is no evidence of a police officer having been convicted of human rights violations in the Punjab. That says it all about the so-called free and democratic nature of that place and the police reaction to law and order.

The British Parliament has refused to condemn the behavior of the Indian Government, no matter how well documented the facts are. The Government refuse, supposedly because India is a powerful Commonwealth country. Indeed, India refers to itself as the "largest democracy in the world". Perhaps the phrase the "largest hypocrisy" is more appropriate; it is one that I use frequently to describe that Government and that country. The Labour party, with its close links with the Congress party and the Gandhi family, prefers to say nothing at all—I suppose that that is par for the course for that party.

Abuses elsewhere, such as in Bosnia and in parts of the Soviet Union, have led to condemnation by our Government. Why have the Indian Government escaped Britain's wrath? If the Indian Government have nothing to hide, what are they attempting to cover up? Why will they not grant me a visa to enter the country? I reiterate my offer to the Indian Government; if my Sikh friends are telling me lies, I will condemn them outright upon my return from the Punjab; on the other hand, if the Indian Government have been misleading the rest of the world, I will shout the facts from the rooftops upon my return to Britain.

With such a reasonable offer available, perhaps the Government and my hon. Friend the Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs will seek to persuade the Indian Government to grant me a visa. I sincerely hope that they will. As the elected representative of some 8,000 Sikhs, it is important that I see the position for myself. I hope that, with the help of the Foreign Office, I shall gain access to that country.

Recognition of the rights of Sikhs who are living in the Punjab is all that Sikhs elsewhere want. That means the right to press for self-determination and to strengthen the call for an independent Kalistan. Sikhs cannot understand how Britain, which is their mother country in some ways, can take such determined action against the Iraqi invasion of Kuwait and yet stand by and do nothing about human rights abuses in India. They wonder why they are treated differently, but they are also aware that the Punjab is not an oil-rich region. Our Government give the impression that they are being selective in their opposition to human rights abuses. If that impression is to change, our Government must condemn outright the behaviour of the Indian Government.

There should be no aid programme to India, particularly because aid is now tied to good human rights practices. If that is the case, how can we give a penny to the Indian Government which use and abuse the Punjabi people in their own country? If that has no effect, I believe that our Government should break off all diplomatic ties with India. Perhaps the "curry club" lunches between hon. Members in the House and the people who represent the Indian Government should also come to an end. There can be no appeasement of a Government who treat one of their ethnic minority groups in that way.

We are now celebrating the end of the second world war—a war that was fought to preserve freedom of expression, freedom from tyranny and freedom of self-determination. In the Punjab there is no freedom of expression, only its restriction. In the Punjab there is no freedom from tyranny, only the fear of tyranny. In the Punjab there is no freedom of self-determination, only the ability to whisper the word "Kalistan" because to do otherwise would put lives at risk.

For Sikhs in the Punjab, we should read Muslims in Kashmir. Who is causing their suffering? It is none other than the Indian Government. The Sikhs in the Punjab and the Muslims of Kashmir turn to us for help. They believe in the democratic principles upon which our Parliament is based. How much longer must they suffer and how many more excuses will be found to justify ignoring their pleas?

As I said earlier, this is the fourth time that I have raised the issue on the Floor of the House Commons. I suspect that, for the fourth time, my hon. Friend will read a Foreign Office brief and that no further action will be taken. I suspect that there will be no effort to help me to secure a visa to visit India. I suspect that the Government will not raise the issue of human rights with the Indian Government and that they will not consider doing away with the aid programme because of the abuse of human rights in India. I shall probably hear—with great respect to my hon. Friend—platitudes and no firm decisions.

There are about 300,000 Sikhs in this country. The 8,000 Sikhs in my constituency will want to know how Parliament can spend hours talking about Bosnia—which is of no concern to this country in any shape or form: the Balkans were never part of the Commonwealth—and yet can debate this very important issue for half an hour four times in 12 years. I know that my hon. Friend the member of Gravesham (Mr. Arnold) has many Sikhs in his constituency, so I now give way to him to say whatever he wants to say.

Mr. Jacques Arnold (Gravesham): I am extremely grateful to my hon. friend the Member for Hayes and Harlington (Mr. Dicks) for raising this very important subject. As he said, many thousands of Sikhs live in Gravesend and Northfleet in my constituency. The are very concerned about their families and friends who remain in the Punjab and many hundreds of my Sikh constituents travel to the Punjab every year to visit them. They find the situation there to be extremely insecure. Constituents travel to the Punjab every year to visit them. They find the situation there to be extremely insecure.

In this country we take it for granted that human rights will always be preserved, and that if difficulties arise for ourselves and our families, in extremis we can turn to the police for help. Those are freedoms and rights not easily available to residents in the Punjab. Not only are their families vulnerable to the depredations of the police but, if things go wrong and they are the victims of extortion or violence of any sort, they cannot have recourse to the police authorities, as should be their right.

What remains in the Punjab is an extreme uneasiness for the individual, especially as there has been no proper investigation of the considerable number of cases of people who have disappeared over the years. Families throughout the Punjab—and therefore, by extension, families in this country—have seen their members disappear. Justice does not ensue.

Mr. Deputy Speaker: Order. Let us have a little order here. First, I hope that the hon. Member for Gravesham (Mr. Arnold) has the Minister's permission too. This is not some-

thing that can just be done off the cuff, on the spur of the moment. Does the hon. Member have the Minister's permission?

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Tony Baldry): I am perfectly content for the hon. Member for Gravesham to intervene, Mr. Deputy Speaker.

I was saying that many of my constituents are concerned about the lack of follow-up to the disappearances that have occurred in the Punjab, especially when young men from their extended families have disappeared. For instance, there was a ghastly case of a young man disappearing and all the stories were that he was being held in prison in a police station. The family was eventually advised that the young man had died in custody, yet only a few weeks later he was clearly seen at the window of the prison. When the case was pursued with the prison authorities and the place was eventually checked out, the young man had disappeared yet again.

With my Latin American experience, I know about the concerns about those who have disappeared in Argentina. In the last decade of the 20th century such dreadful things are still happening.

It is especially relevant to raise the matter in the House of Commons, because until 1947 the House was responsible for the conduct of affairs in India. In some ways the agreement made by Mountbatten with the successor authorities, especially Nehru and the Congress party, for the creation of India led to the current position. The great Sikh leaders of the day took at his word and at face value the promises that Mr. Nehru made them concerning the autonomy and the governance of greater Punjab, as it then was—promises that he subsequently broke.

As a result of the haste with which we left India and of the lack of care taken at the time to ensure that the legitimate rights of the Sikhs were sustained, we have a responsibility.

The debate is especially relevant this week, because over the past weekend we have celebrated Victory in Europe day. While I was doing so in my borough of Gravesham, I met an elderly Sikh visiting from India, who told me how he had served as a sergeant-major with the British forces in Italy as part of the imperial Indian army under the Raj.

We owe a debt of gratitude to those people. We owe it to them to speak up for human rights in the Punjab, so that they can live in peace in the land of their forefathers.

Here is the true face of Indian "democracy" revealed for all to see. All over the world, their tyranny is being exposed. These strong statements reveal yet again that India is in truth a brutal, repressive tyranny which tortures and murders routinely. This is the truth that will cause India to collapse. Freedom for Khalistan and all the nations living under Indian occupation is inevitable. (Dr. G.S. Aulakh, President, Council of Khalistan.)

FUNDING FOR THE COMMUNITY DEVELOPMENT AND REGULATORY IMPROVEMENT ACT OF 1994

HON. BILL RICHARDSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 1995

Mr. RICHARDSON. Mr. Speaker, it is of great concern to me and other colleagues of

mine who represent poor, rural, or undeveloped communities that, H.R. 2099, the fiscal year 1996 VA, HUD appropriation bill contains zero funding for the community development financial institutions fund. The CDFI fund was established after President Clinton signed into law the Community Development Banking and Regulatory Improvement Act of 1994—Public Law 103-325. The Congress enacted this landmark, bipartisan initiative by unanimous vote in the Senate and a lopsided 410-to-12 vote in the House last year. The CDFI fund is designed to combine innovative approaches to community lending, advocated by both Democratic and Republican Members of Congress, into a comprehensive strategy to empower local communities and increase their access to credit and investment capital. No other Federal program provides the capital support that is so critically needed to increase the leverage and capacity of community development financial institutions, or to provide incentives for traditional banks and thrifts to enhance community lending and investment activities.

Yet, the House Appropriations Committee recommends eliminating fiscal year 1996 funding for the CDFI fund. That recommendation is particularly appalling after the Congress and the Clinton administration worked out a compromise on the fiscal year 1995 rescission package that provides \$50 million for the CDFI fund and consolidates the fund into the Treasury Department to streamline and reduce administrative costs of the program.

It is incredible to me that partisan politics reemerges suddenly to eliminate fiscal year 1996 funding for what is really a Republican-type initiative—a program with limited Federal funding that leverages private funds to galvanize self-help efforts at community and economic development.

What is particularly sad to me is that, by eliminating funding for the CDFI fund, the House would dash the hopes of hundreds of native American communities across the country which looked to the CDFI fund as a way to stimulate public and private investment in native American communities for the first time ever. The CDFI fund is the underpinnings for another landmark and very innovative proposal which I introduced last year as H.R. 5277, the Native American Financial Services Organization Act of 1994. What we call the NAFSO proposal emanated from recommendations for the congressionally chartered Commission on American Indian, Alaska Native, and Native Hawaiian Housing to create a national native American financing organization to address the urgent housing and infrastructure needs of native communities across the community. Through a broad-based national and tribal effort, the proposal evolved into a broader plan addressing housing, infrastructure and economic development needs in native communities.

The NAFSO proposal is a two-tier approach designed to dovetail into the CDFI fund. At the national level, the NAFSO would serve primarily as a technical assistance provider and conduit for CDFI fund assistance to a second tier of primary lender institutions called Native American Financial Institutions, NAFI's. With the infusion of Federal funding through the CDFI fund, NAFI's could develop in native communities around the country to make loans for home mortgages, infrastructure construction and/or improvements, small business development, and consumer loans. A NAFI

would simply be a native American community development financial institution which first; demonstrates a special interest and expertise in serving the primary development and mortgage lending needs of the native American community it serves; and second; demonstrates it has the endorsement of that native American community. As long as the NAFI has that specific focus, it may be any type of financial institution, including a community bank, a savings bank, a mortgage company, or a credit union.

Without any funding for the CDFI fund for fiscal year 1996, native American financial institutions cannot receive infusion of Federal funding to be matched dollar for dollar by local funds raised by the NAFI. Native American communities desperately need this type of Federal-local partnership effort to generate capital in their communities for housing, infrastructure, and economic development purposes.

Native American people endure substandard conditions unmatched by any other population group in the United States: 56 percent of native families live in substandard housing, compared to the national average of 3 percent for non-native families; 28 percent of native households are overcrowded or lack plumbing or kitchen facilities, compared to the average of all U.S. households which is 5.4 percent; 51.4 percent of native Americans on reservations, trust land, or allotted lands own their own home without a mortgage.

The unemployment rate for native Americans generally is 14 percent versus the national average of 6 percent, and in many remote reservations, the unemployment rate is double or triple those rates; 31 percent of native Americans live below the poverty level as opposed to the national poverty rate of about 13 percent. A staggering 51 percent of native Americans living on reservations have incomes below the poverty level.

Only a handful of financial institutions are native-owned, and very few non-native lenders invest in native communities.

It is my fervent hope that the Senate Appropriations Committee will act more wisely and appropriate urgently needed dollars to the CDFI fund for fiscal year 1996. Even with a limited Federal financial contribution to the fund, so many more investment dollars will be generated to help communities across the country, particularly native communities that currently have little or no access to financing for housing, infrastructure or economic development activities. The Senate should make a healthy deposit into the CDFI fund for fiscal year 1996 and I will work to persuade the House Appropriators to accept such a Senate recommendation in conference.

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 1996

SPEECH OF

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1995

The House in Committee of the Whole House on the State of the Union had under

consideration the bill (H.R. 2099) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1996, and for other purposes:

Ms. PELOSI. Mr. Chairman, I rise to oppose the provisions in this VA-HUD appropriations bill which decrease the funding levels for the Environmental Protection Agency. These provisions not only severely limit the agency's ability to protect our lands, air, and water; they also continue the full-scale assault on the environment that began on the first day of the 104th Congress.

Mr. Chairman, this bill's funding cuts directly threaten the quality of America's air and water, the safety of America's food supply, and the health of all Americans. This bill would prohibit the EPA from enforcing or implementing most Clean Water Act programs; end protection for wetlands; prohibit many EPA actions with respect with enforcement of the Clean Air Act; and prohibit the EPA from preventing the use of certain cancer causing pesticides on crops, even if residues from these crops end up in processed foods.

The bill's spending cuts would also freeze all future cleanups of Superfund sites—regardless of the health and environmental risks posed by a site.

While there is agreement that some reforms are necessary to make these Federal programs more responsive, the spending cuts in this bill are nothing more than a blatant attempt to undermine the effectiveness of the EPA and to permanently cripple our Nation's environmental laws.

Poll after poll have indicated that the American people favor strong environmental laws. We should not be willing to sacrifice the health and safety of our constituents on the altar of regulatory reform. For the families, children, and citizens of America, I urge my colleagues to restore full funding for the EPA.

DR. GEORGE WASHINGTON CRANE
III

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 1995

Mr. CRANE. Mr. Speaker, last week my father, who celebrated his 94th birthday last April, passed away in his sleep. Mercifully, he did not undergo the pain and suffering at the end that so many go through before shuffling off this mortal coil.

I missed 2 days of legislative business to attend his funeral which filled me with mixed emotions. The first, of course, was sadness over losing my father, who was an idol to all of us kids in the family. But I take comfort in the conviction that we will all be reunited in time and that a lifetime is but a wink of the eye in eternity.

The second emotion I experienced was joy over the opportunity to visit with family, relatives, and friends, many of whom I had not seen personally in years. It was a touching family reunion. And I'm convinced my father was experiencing joy in heaven through a family reunion there with all who preceded him.

The eulogy for my father was delivered by Dr. E. Duane Hulse, who married a close

cousin of mine when I was in high school. Dr. Hulse is a retired Methodist pastor. Ironically, he delivered the eulogy 39 years ago for my older brother, George IV, a marine pilot who was killed in a mid-air at Glenview, IL.

I would like to share with colleagues and friends the eulogy Dr. Hulse delivered. And I would like to express to colleagues and friends deep appreciation for their thoughtful words of condolence.

MEMORIAL SERVICE FOR DR. GEORGE W. CRANE

(By Dr. E. Duane Hulse)

Today we honor a faithful husband, a loving father, a doting grandfather, and an exceptionally talented applied psychologist and physician, and one of the finest exponents of the basic tenets of Christianity I have ever known.

He was adviser to millions of Americans, who eagerly grabbed their newspapers with their morning coffee to dote on his every word. He was called by Reader's Digest, "the maker of happy marriages."

Pearl and I share with the other members of the Crane family, this great personal loss. For this dear man had more influence on our lives than any other single individual in this world.

The scriptural words which seem appropriate today are those of another Christian veteran, who came to the close of his life and said, "The time of my departure has come, I have fought the fight * * *, I have finished the race, I have kept the faith." (II Timothy 4:6-8)

Yes, this modern Sunday School teacher, who rarely missed church in his life time, kept the faith admirably like the Apostle Paul, who travelled hither and yon about the Mediterranean world.

People today are like Paul. They are on the move. We are a mobile population. The Crane family used to move almost every weekend and all summer from 7457 Coles Ave., Chicago (the relative's Motel) to the Coach in Hillsboro. We are still a mobile society.

Also, we change physically with these moves, with every cell in our body changing every 7 years. This arm I have here is not the same one I had 7 years ago. I know it's not as good on the tennis court as it was 7 years ago.

We change socially and spiritually as well. So, we might well ask, "What are you keeping?" Like the Apostle Paul, Dr. George Crane was exemplary in Keeping and Promulgating the Christian gospel.

I

First, he was brought up in the faith

He went to church and Sunday School every Sunday, whether he wanted to or not. His mother, Jen, saw to that. It was not a debatable issue. He read his Bible repeatedly, learned it well, and applied it's teachings all his life.

He kept faith with his wife, Cora. They met at Epworth League meetings. It was their common faith that first drew them together.

Dr. George never made a major decision in his adult life without consulting Cora first. Sometimes it was just a glance. Other times it was a long conversation late at night, on the way back from making a speech in another state. Cora was his constant companion on his speaking tours. They loved each other, they counselled each other. It was indeed a marriage made in heaven.

Dr. George and Cora were our earliest role models. We idolized them and tried to pattern our lives after them. We often sought their advice around the long table with the checkered table cloth, as we shared a "little caffeine stimulation".

II

Secondly, he kept faith with his children

When parents bring children into the world, that too, is a venture of faith. They cannot know whether they will bring honor or shame to the family. The parents venture on faith.

On the other hand, the children cannot know whether the parents will keep the faith with them. They may disappoint them or forsake them.

The poet Gillilan said of this father:

He was my own until I fully knew
And never could forget how deep and true
A father's love for his own son may be.
It drew me nearer God Himself, for He
Has loved His son. These are but grateful
tears

That he was with me all those happy years.

Dr. George's faith in his progeny never wavered and they never failed him. They never forsook his teachings. He taught them the virtues of life by precept and example. He taught them fortitude by taking moving pictures of them when he gave them their shots, so they would look brave when they were shown at the next family gathering. Then these inventive young rascals turned the tables on their father by insisting they give him a shot with the needle, so he could show his bravery on camera. And these dear children have been honoring him with their lives ever since.

III

Thirdly, he kept faith with his country

He volunteered to serve his country in the armed services in World War II, but he was advised he could do more good as an editorial writer. That he did.

In my humble opinion, he was the greatest single psychological motivator in this century. All over the United States, Americans looked to his newspaper columns for advice on how to solve the problems of every day living.

He was praised highly, but sometimes he was disbelieved, for he was 50 years ahead of his time in his thinking. Consider this, thirty years ago he actually advocated running Clark Gable as a candidate for Vice President. First: he claimed the party would get a million dollars worth of free publicity. Secondly: the party would get a majority of the female votes. But, who ever heard of running a movie star for a national office? I rest his case.

I know, those of us who loved him sometimes called him affectionately "old sea salt", but today in Florida, I often run my boat out into the gulf to satisfy my friends requests for sea water so they get their daily trace minerals.

IV

Fourthly, he kept faith with his Lord and the United Methodist Church

Methodist born and Methodist bred, he stayed a Methodist all his life. He spent over 30 years teaching the Arthur Dixon Bible Class at the Chicago Methodist Temple. He filled pulpits all across America.

He was ever the minister's friend. To a minister who was disheartened and disappointed in his career, he brought new hope. "If you will follow my anecdotal formula, following the example of Jesus, and use three illustrations, name three parishioners in each sermon, I will guarantee that you will be asked to return and get a salary raise next year." To the surprise of the neophyte theologs, it happened just that way.

His charity was mostly unknown, but believe me, not unappreciated. Every Christmas, while Pearl and I were struggling to get through Seminary, that familiar envelope arrived and was pinned on our Christmas

tree—the tuition money for the next semester, a check signed by George and Cora. We couldn't have made it otherwise.

Okan Esset reads a Crane column in Africa on a piece of newspaper used for packing, writes to Dr. Crane for help, and then comes to the U.S.A. to complete his Medical Training—those checks kept coming.

For years it was well known that any money raised for the church Youth Camp Scholarships would be matched by the Cranes.

This man also had a way with the English language. He had a way with words. His vocabulary was fabulous. We all enjoyed his table talk. Listening was like taking a course in elocution. He had many memorable phrases: "it takes a live wire in the pulpit to electrify a congregation. A physician should explain his medicine. I want to feel important." Remember: "A person's interest in anything is in inverse proportion to its distance from his own epidermis."

He could look at any complex interpersonal situation, analyze it, and come up with a diagnosis that would turn your thinking 180 degrees.

I remember visiting Sun City, Florida with Dr. George, when he was campaigning for Phil. At that time, I had envisioned Sun City as the ideal retirement situation, with swimming pools, golf courses, wood working shops, art courses, etc. Dr. George spent a short time with these retired executives and their wives. On the way back, he said to me, "What a waste of trained brains." "What did you say, George?" I asked. "What a waste of trained brains."

He was right! Why should a retired executive spend his later years building wind mills and bird feeders, when he could be helping some young business person by sharing his expertise with SCORE, or some similar organization.

Retirement was one word missing from his vocabulary. It was not psychologically acceptable to him.

George started life with a God fearing mother and he followed her example religiously. When he returned from Church and Sunday School, he was quizzed by his Biblically literate mother on the day's lesson. His interest in Scriptural characters was fired up early in life, and he continued in that bent all his life.

Yes, he kept the faith until the end. It was a realization that a greater power was behind his life that gave him courage, that kept a song in his heart, a light in his eyes, and made him expendable for the kingdom of God.

That was the great conviction that kept him going for 94 years, but his great humanitarian life is not over. His influence will last for many years to come, through his writing and those lives he has touched.

Dr. George loved family reunions. He gloried in them. He loved socializing, verbalizing compliments, eating home cooked food, and telling anecdotes. So, let me tell you something which I firmly believe.

There is a great reunion taking place today in heaven. Cora Ellen and George IV are waiting at heaven's gate to welcome home the great applied psychologist.

Aunt Bess has been cooking for hours in anticipation of his arrival. I can smell the fried chicken in the old black cast iron skillet. In the oven is her famous, made from scratch, chocolate cake with carmel icing. No one has been able to match it since she died. I can still taste it.

Jamie is dancing with joy, Uncle George has been out all morning gathering sponge mushrooms on cloud nine, Uncle Vick is laboring over the treasurer's book wondering if they are spending too much of the Lord's money on this homecoming and Aunt Jen is orchestrating the whole affair.

I almost wish I were there, but I can wait my turn. I can wait, because there is something I know for sure. I want to share it with you today:

The Christian never says "good bye" for the last time. I believe this is the most meaningful and heart warming thought I can leave with you today.

I know it is a sad day for all of us.

Yes, I remember when we said, "So Long George IV".

So today, we say "So Long Dr. George". But, my Christian friends, "The chariot's a'commin'".

So, no last "good byes", not for Christians. As Lowell Thomas used to say, "So long until tomorrow."

TRIBUTE TO DOUG BANKS AND
WGCI-AM/FM RADIO FOR ILLI-
NOIS' FIRST CONGRESSIONAL
DISTRICT

HON. BOBBY L. RUSH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 1995

Mr. RUSH. Mr. Speaker, I rise today to applaud the efforts of Chicago radio personality Doug Banks and WGCI AM and FM radio for their efforts in conducting the "Beat the Heat" program on July 22 to aid those residents in need of relief from the scorching summer heat.

As many of you know, much of our country has been gripped in record breaking heat for the past 2 weeks. The Chicago area was hit the hardest two weekend's ago with the heat claiming at least 529 lives. Most of those who died as a result of the heat were the young and the elderly, many of whom could not afford to purchase fans or air-conditioners or who had no electricity.

Last Saturday Doug Banks and WGCI radio in Chicago held a "Beat the Heat" campaign at Operation PUSH headquarters in my district to encourage businesses and citizens to donate fans and air-conditioners to be distributed to those residents who needed them most. Mr. Banks' efforts were of tremendous success in helping those who needed relief the most.

I ask my colleagues to join me in thanking Mr. Banks, WGCI radio, Operation PUSH, and all the businesses and volunteers who made the selfless effort to help others beat the heat and in the process save lives.

I am pleased to enter these words of commendation into the RECORD.

A GOOD DEAL FOR UNITED
STATES MEAT SALES TO KOREA

HON. E de la GARZA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 1995

Mr. DE LA GARZA. Mr. Speaker, it was a pleasure to welcome President Kim Yong-Sam of Korea to this Chamber, particularly as we observe the 50th anniversary of the end of the war in Korea.

I am also very pleased that Korea, our good friend and ally, has just agreed to significant trade liberalization that will benefit both of our countries.

On July 20, our two governments announced new import policies that will allow for

the added sale of millions of dollars of United States meats and other food products to Korea. This improved trading relationship is appropriate to the strong friendship between our two countries.

I wish to commend the negotiators of this new agreement—the U.S. Trade Representative, the U.S. Department of Agriculture, and President Kim's team. The documents were signed in a formal ceremony in Ambassador Kantor's office last Thursday. Two long-standing trade issues regarding Korea's shelf-life policies are now resolved.

This is an important breakthrough. Through long and sometimes frustrating trade negotiations between our governments, Korea has grown to a \$2.5 billion market for United States agriculture.

Korea is now the United States' fourth largest agricultural market, after Japan, Canada, and Mexico. Feedgrains, cotton, and cattle hides are our major exports, and U.S. red meats are growing in importance. American value-added, consumer-oriented food exports to Korea increased by 36 percent in the first half of 1995. Total United States agricultural sales to Korea are headed for a new record.

Korea is now our No. 3 market for American red meat with purchases of \$254 million last year. The U.S. meat industry estimates that this agreement will add \$240 million in sales in the first year, and add \$1 billion annually by the year 1999. The agreement will also benefit many other types of food products and allow growth to accelerate.

This agreement resolves both the section 301 investigation and the standards case brought to the World Trade Organization against Korea's shelf-life policy. Korea will now accept manufacturers' "Use by . . . date" for labels and will allow an adequate shelf-life to enable the United States to ship and market products profitably. The agreement includes chilled beef and pork, as well as all frozen foods including processed meat and poultry products.

Our trade dispute resolution mechanisms are working. This was the first standards case brought by the United States to the new World Trade Organization [WTO] dispute settlement panel. Korea also has agreed to work to resolve a second WTO case against its unscientific residue testing and import inspection procedures affecting grapefruit and other food products.

Beef and pork are currently sold in Korea under quotas negotiated in previous United States-Korea beef agreements and scheduled for phase-out in the Uruguay Round Agreement. The last year of quotas will be the year 2000. The United States is very competitive in the Korean market with Australia and New Zealand for beef and with Europe for pork. United States market share in Korea is now 58 percent for beef and 50 percent for pork.

USDA export promotion funding through the Foreign Market Development Program—co-operator program—and the Market Promotion Program [MPP] have been critical to developing the Korean market for United States meat. The supermarket taste tests, restaurant promotions, and industry trade teams sponsored through partnership with USDA serve to introduce American beef, pork, and poultry to Korean consumers and wholesalers. These programs will be critical in the months ahead to helping U.S. companies to capitalize on the new trade opportunities and compete with foreign competition.

IN MEMORY OF DEPUTY SHERIFF
JEFFERY ALLAN HILL

HON. GEORGE E. BROWN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 1995

Mr. BROWN of California. Mr. Speaker, I rise today to pay tribute to the memory of Deputy Sheriff Jeffery Allan Hill who founded the SELF Youth Center [Self-Education Law Enforcement Family].

On December 18, 1994, while driving to work, Jeff Hill's 32 years on this Earth ended. He was the victim of a head-on collision with a drunk driver.

Deputy Hill understood that crime prevention starts by addressing social and economic problems, and developing the moral character of youth. He developed a unique program to help African-American boys become important contributors and role models in their communities. Subsequently, he created the nonprofit SELF organization.

The SELF program is a rite of passage for African-American boys that focuses on prevention, intervention, and redirection of unacceptable behaviors. The goal is to prepare African-American boys to become responsible men.

The rite of passage is a 22-week program conducted by African-American law enforcement officers. The program theory is based on Dr. Maulana Karenga's Kawaida theory utilizing the seven principles of the Nguzo Saba.

First, Umoja (Unity).

Second, Kujichagulia (Self determination).

Third, Ujima (Collective work and responsibility).

Fourth, Ujamaa (Cooperative economics).

Fifth, Kuumba (Creativity).

Seventh, Imani (Faith).

SELF is nationally recognized and adopted by the National Black Police Association—western region. Jeff developed the idea of the SELF program in 1990, and the first SELF class began in January 1993. Since then 150 African-American male youths aged 8 to 14 have completed the program that now exists throughout California and Arizona.

Although he is no longer with us physically, Deputy Hill's fervor and dedication to youth continues. His legacy of the SELF program will serve youth for many years to come.

CELEBRATION OF THE PERUVIAN
INDEPENDENCE DAY

HON. WILLIAM J. MARTINI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 1995

Mr. MARTINI. Mr. Speaker, I rise today in celebration of the Peruvian Independence Day Parade. As the grandson of immigrants, I am honored to be the International Godfather of this illustrious parade.

The Peruvian community has every reason to celebrate their notable accomplishments. Their citizens are some of the most productive and valued members of the Eighth Congressional District of New Jersey. In fact, they boast the most educated second generation Peruvian-Americans ever in the United States. In colleges and universities across America,

Peruvian-Americans graduate every year with degrees in law, medicine, engineering, and accounting.

The Peruvian-Americans have been so successful in their educational endeavors because they believe in hard work, sometimes attending classes at night while working full time during the day. In fact, the number of Peruvians on the rolls of social services is almost nonexistent. They have demonstrated that a fair chance to prove their value coupled with the dedication to hard work are the ingredients to a prosperous life.

Furthermore, the Peruvians believe dedication to the family is the essential element in building strong community relationships where parents can care for their children and ensure that they have the best opportunities available to advance in life. For instance, when faced with financial difficulties Peruvian-Americans have displayed their self reliance. Instead of turning to the Federal Government, the Peruvians have established a network of community organizations including volunteers, civic associations, and churches which offer medical care and other forms of assistance to the residents. They provide the strength, reassurance, and tangible advantages that are necessary to succeed. In short, it is the community where Peruvians go when in need of assistance.

Finally, Mr. Speaker, the success of the Peruvian community has had a positive impact on the lives of the people of my congressional district. They provide brilliant examples of the same values that propelled my parents—and millions of other immigrants—to succeed in America. I believe it is all of these qualities that make the Peruvian community such an asset to the people I represent. I am proud to join them on this day of celebration.

THE REAL ESTATE INVESTMENT
TRUST SIMPLIFICATION ACT OF
1995

HON. E. CLAY SHAW, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 1995

Mr. SHAW. Mr. Speaker, I rise today to draw my colleagues' attention to an important piece of legislation, H.R. 2121, the Real Estate Investment Trust Simplification Act of 1995 [REITSA], a bill to amend portions of the Internal Revenue Code dealing with real estate investment trusts, or REIT's. The legislation responds to the need for simplification in the regulation of the day-to-day operation of REIT's. REITSA is cosponsored by Mr. MATSUI, Mr. CRANE, Mr. THOMAS, Mrs. JOHNSON, of Connecticut, Mr. ZIMMER, Mr. PORTMAN, Mr. STARK, Mr. JACOBS, Mr. LEVIN, Mr. CARDIN, Mr. DUNN, and Mr. SAM JOHNSON of Texas.

In 1960, Congress created REIT's to function as the real estate equivalent of the regulated investment company, or mutual fund. As such, they permit small investors to participate in real estate projects that the investors could not undertake individually and with the assistance of experienced management. Over time, the REIT industry has matured into its intended role with the greatest stride made in this decade.

This development of the REIT industry is a result of a number of factors. As important as

any other were the changes Congress enacted in 1986 to the REIT rules themselves and the tax landscape in general. With respect to the general provisions, throughout the 1980's limited partnerships used the offer of multiple dollars of tax paper losses for each invested dollar to attract investors away from solid investments like REITs, which seek to provide investors with consistent distributions from economically feasible real estate investments but provide no opportunity to receive a pass-through of tax motivated losses. Accordingly, the elimination of those tax loss loopholes led investors to look for income-producing investment opportunities.

Also included in the 1986 tax legislation were important modifications to the REIT provisions of the Code. Among the changes made as part of that modernization of the REIT tax laws, the first in a decade and most recent comprehensive revision of the REIT laws, the most significant was the change allowing REIT's to directly provide to tenants those services customary in the leasing of real estate as had been permitted to pension plans and other tax-exempt entities engaged in the leasing of real property. Prior to that change, a REIT was required to use an independent contractor to provide those services.

These legislative changes and the lack of credit to recapitalize America's real estate produced a suitable environment for the substantial growth in the REIT industry and the fulfillment of Congress' original hopes for the REIT vehicle.

From 1990 to present, the industry has grown from a market capitalization of approximately \$9 billion to nearly \$50 billion. Fueling that growth has been the introduction of some of America's leading real estate companies to the family of long existing, viable REIT's. As a result, the majority of today's REIT's are owners of quality, income-producing real estate. Thus, hundreds of thousands of individuals that own REIT shares through direct investment, plus the many more who are interest holders in the growing number of mutual funds or pension funds investing in REIT's, have become participants in the recapitalization of tens of billions of dollars of America's best real estate investments. Likewise, investors in mortgage REIT's have the opportunity to participate in the ever growing market for securitized mortgages, further contributing to the recapitalization of quality real estate.

The benefits of the growth in the REIT industry were addressed in a recent Urban Land Institute White Paper titled "The REIT Renaissance." That white paper concluded that "[f]rom an overall economic standpoint, the real estate industry and the economy should be well served by the expansion of the REIT industry—the broadening of participation in real estate ownership, the investment in market information and research that the public market will bring, and the more timely responsiveness to market signals that will result from better information and market analysis."

To assist the continued growth of this important industry, was developed to address areas in the existing tax regime that present significant, yet unnecessary, barriers to the use of the REIT vehicle. The proposals represent a modernization of the most complex parts of the regulatory structure under which REIT's operate, while leaving intact the basic underlying ownership, income, asset, and distribution

tests introduced in the original REIT legislation.

SUMMARY OF KEY PROVISIONS

A. Title I contains three proposals to remove unnecessary "traps for the unwary." These proposals would address current requirements that are not necessary to satisfy Congressional objectives, that carry a disproportionate penalty for even unintentional oversights, or that are impracticable in today's environment. Title I's overriding intention is not to penalize a REIT's many small investors by stripping the REIT of its tax status as a result of an act that does not violate Congress' underlying intent in creating the REIT vehicle.

Section 101. Shareholder Demand Letter. The potential disqualification for a REIT's failure to send shareholder demand letters should be replaced with a reporting penalty. Under present law, regulations require that a REIT send letters to certain shareholders within 30 days of the close of the REIT's taxable year. The letters demand from its shareholders of record, a written statement identifying the "actual owner" of the stock. A REIT's failure to comply with the notification requirement may result in a loss of REIT status.

The failure to send-so-called demand letters may result in the disqualification of a REIT with thousands of shareholders that easily satisfies the substantive test because of a purely technical violation. As a result of disqualification, a REIT would be compelled to pay taxes for all open years, thereby depriving their shareholders of income generated in compliance with all of the REIT rules. Fortunately, the Internal Revenue Service has not enforced any such technical disqualifications and instead has entered into closing agreements with several REITs. The proposal would alleviate the need to enter into such closing agreements on a prospective basis.

H.R. 2121 provides that a REIT's failure to comply with the demand letter regulations would not, by itself, disqualify a REIT if it otherwise establishes that it satisfies the substantive ownership rules. But under these circumstances, a \$25,000 penalty (\$50,000 for intentional violations) would be imposed for any year in which the REIT did not comply with the shareholder demand regulations and the REIT would be required, when requested by the IRS, to send curative demand letters or face an additional penalty equal to the amounts related above. In addition, to protect a REIT that meets the regulations, but is otherwise unable to discover the actual ownership of its shares, the bill provides that a REIT would be deemed to satisfy the share ownership rules if it complies with the demand letter regulations and does not know, or have reason to know, of an actual violation of the ownership rules.

Section 102. De Minimis Rule for Tenant Services Income. The uncertainty related to qualifying services for a REIT should be addressed by a reasonable de minimis test. In 1986, Congress modernized the REITs' independent contractor rules to allow them to directly furnish to tenants those services customary in the management of rental property. However, certain problems persist. Under existing law, a REIT's receipt of any amount of revenue as a result of providing an impermissible service to tenants with respect to a property may disqualify all rents received with respect to that property. For example, if a REIT's employee assists a tenant in moving in or out of an apartment complex (a potentially impermissible service), technically the IRS could contend that all the income from the apartment complex is disqualified, even though the REIT received no direct revenue for the provided

service. Similar concerns might arise if a REIT provided wheelchairs at a mall on a no-cost basis. The disqualifications of a large property's rent could seriously threaten, or even terminate, the REIT's qualified status.

Interestingly, at the same time a REIT could be severely punished for providing services to tenants or their visitors, the REIT rules properly provide that up to 5 percent of a REIT's gross income may come from providing services to non-tenants. Thus, under present law a REIT is better off providing services to non-tenants than providing the same services to tenants.

In addition to the potential disqualification of rents, the absence of a de minimus rule requires the REIT to spend significant time and energy in monitoring every action of its employees, and significant dollars in attorney fees to determine whether each potential action is an impermissible service. The uncertainty regarding the permissibility of services also requires that the IRS to expend considerable resources in responding to private ruling requests.

To lessen the burden of monitoring each REIT employee's every action and to eliminate unnecessary disqualification of tenant rents, this bill provides for a de minimus exception. The exception would treat small amounts of revenue resulting from an impermissible service in a manner similar to revenue received from providing services to non-tenants, and protect the classification of rents from the affected property as qualifying REIT income. The de minimus exception is equal to 1 percent of the gross income from the affected property. The de minimus exception is based on gross income to be consistent with the REIT's income tests, and is set at 1 percent to reflect an amount large enough to provide the requisite safe harbor (note that it is 1 percent of the income from an affected property, regardless how small, and not all properties owned by the REIT), yet small enough not to encourage disregard of the independent contractor rule. Because many of the services in question will not result in a direct receipt of gross income, the bill provides a mechanism for establishing the gross income received relative to an impermissible service. The gross income is deemed at least equal to the direct costs of the service (i.e. labor, cost of goods) multiplied by 150 percent.

For example, in the case of a REIT providing wheelchairs at a mall, the cost of the wheelchairs would be multiplied by 150 percent to achieve the gross income realized from the impermissible service. If that and any other gross income related to impermissible services provided to tenants of that mall does not exceed 1 percent of the mall's gross income for the year, the impermissible service income would be classified as non-qualifying income. However, rents received from tenants of the mall would not be disqualified.

A REIT's actions are still policed under this change. First, if a REIT's gross income from impermissible services exceed 1 percent of the gross income from the affected property, that income and the rents from that property would be disqualified as under current law. Second, as previously noted, a REIT's gross income from non-qualifying sources is limited to 5 percent of total gross income. Accordingly, gross income from impermissible sources that does not exceed the 1 percent threshold would be included in that small basket, thereby placing a second check on the REIT's activities.

Section 103. Attribution Rules Applicable To Tenant Ownership. Unintended double attribution under section 318 should be minimized, while preserving the intended purpose of the attribution rule. The attribution rules of section 318 are interjected to ensure that

a REIT does not receive rents from a 10 percent or more related party, in which case the rents are deemed disqualified income for the REIT gross income tests. While the intention of that rule is proper, a quirk in the application of section 318 to REITs as called for under section 856(d)(2) may result in the disqualification of a REIT's rent when no actual direct or indirect relationship exists between the REIT and tenant.

Under section 318(a)(3)(A), stock owned directly or indirectly, by a partner is considered owned by the partnership. In addition, under section 318(a)(3)(C), a corporation is considered as owning stock that is owned, directly or indirectly, by or for a person who also owns more than 10 percent (in the case of REITs) of the stock in such corporation. Those attribution rules may create an unintended result when several persons who collectively own 10 percent of a REIT's tenant, also own collectively 10 percent of the REIT. So long as those persons are unrelated, because their individual interests in both the REIT and tenant do not equal 10 percent the REIT is not deemed to own 10 percent of the tenant. However, if those persons obtain interests, regardless of how small, in the same partnership the REIT will be deemed to own 10 percent of the tenant. This results from the partnership's deemed ownership of the partners' stock in both tenant and the REIT. Further, because the partnership becomes a deemed 10 percent owner of the REIT under section 318(a)(3)(A), REIT is deemed the 10 percent owner of tenant under section 318(a)(3)(C).

In essence, the REIT becomes the deemed 10 percent owner of its tenant as a result of a variation of the partner-to-partner attribution that section 318(a)(5)(C) specifically was enacted to prevent. It is only through the combination of the partners' various interests in the REIT and tenant that a disqualification of the rents occurs. This is true regardless of the purpose for the partnership's existence. The partners may have no knowledge of the other's existence and may be partners in a huge limited partnership completely unrelated to the REIT.

H.R. 2121 addresses this problem by modifying the application of section 318(a)(3)(A) (attribution to the partnership) only for purposes of section 856(d)(2), so that attribution would occur only when a partner holds a 25 percent or greater interest in the partnership. This threshold presumes that such a partner will have knowledge of the other persons holding interest in the partnership, and will have an opportunity to determine if those persons hold an interest in the REIT. By not suspending the double attribution entirely, the bill prevents the potentially abusive practice of placing a "dummy" partnership between the REIT and those persons holding interests in the tenant.

B. Title II of REITSA contains two proposals that would assist in carrying out Congress' original intent to create a real estate vehicle analogous to regulated investment companies.

Section 201. Credit For Tax Paid by REIT On Retained Capital Gains. Current law taxes a REIT that retains capital gains, and imposes a second level of tax on the REIT shareholders when later they receive the capital gain distribution. REITSA reform provides for the REIT rules to be modified to correspond with the mutual fund rules governing the taxation of retained capital gains by passing through a credit to shareholders for capital gains taxes paid at the corporate (REIT) level. This modification is necessary to prevent the unintended depletion of a REIT's capital base when it sells property at a taxable gain. Accordingly, the REIT could acquire a replacement property without in-

curred costly charges associated with a stock offering or debt.

Section 202. Repeal of the 30 Percent Gross Income Requirement. H.R. 2121 calls for the repeal of the 30 percent gross income test because the effective management of a REIT's portfolio and is not needed to ensure that a REIT remains a long-term investor in real property. RICs have a similar anti-churning provision known as the "short-short" rule. The Tax Simplification and Technical Corrections Act of 1994 (H.R. 3419), as passed by the House of Representatives on May 17, 1994, would have repealed that rule for RICs.

Unlike RICs, REITs also face the imposition of a 100 percent tax on property held for sale in the ordinary course of business (dealer property). Thus, repeal of the REIT 30 percent test would not open the playing field for REITs to become speculators in real property. Instead, the repeal helps to ensure that a REIT will not lose its status if a REIT sells non-dealer property when market conditions are most favorable.

C. Title III of REITSA would simplify several technical problems that REITs face in their organization and day-to-day operations. Many of these proposals would build on simplifications that Congress has adopted over the years.

Section 301. Modification Of Earnings And Profits Rules For Determining Whether REIT Has Earnings And Profits From Non-REIT Year. Only for purposes of the requirement that a REIT distribute all pre-REIT earnings and profits ("E&P") within its first taxable year as a REIT, a REIT's distributions should be deemed to carry out all pre-REIT earnings before shareholders are considered to be receiving REIT E&P. Under existing law, a REIT must not only distribute 95 percent of its REIT taxable income to shareholders but it must in its first year distribute all pre-REIT year E&P. If the company mistakenly underestimates the amount of E&P generated while operating as a REIT it may fail to satisfy those requirements because the ordering rules controlling the distribution of E&P currently provide that distributions first carry out the most recently accumulated E&P. Thus, if a REIT distributes the pre-REIT E&P and the expected REIT E&P in its first REIT taxable year, the year-end receipt of any unanticipated income would result in the reclassification of a portion of the distribution intended to pass out the pre-REIT E&P.

While REITs have methods available to make distributions after the close of their taxable year that relate back to assure satisfaction of the 95 percent income distribution requirement, those methods can not be used to cure a failure to distribute pre-REIT E&P after the close of the REIT's taxable year. Accordingly, by allowing the REIT's distributions to first carry out the pre-REIT E&P, the REIT could satisfy both distribution requirements by using one of the deferred distribution methods to distributed the unanticipated income discussed in the example.

Section 302. Treatment Of Foreclosure Property. Rules related to foreclosure property should be modernized. For property acquired through foreclosure on a loan or default on a lease, under present law a REIT can elect foreclosure property treatment. That election provides the REIT with 3 special conditions to assist it in taking over the property and seeking its re-leasing or sale. First, a REIT is permitted to conduct a trade or business using property acquired through foreclosure for 90 days after it acquires such property, provided the REIT makes a foreclosure property election. After the 90-day period, the REIT must use an independent contractor to conduct the trade or business

(a party from whom the REIT does not receive income). Second, a REIT may hold foreclosure property for resale to customers without being subject to the 100 percent prohibited transaction tax (although subject to the highest corporate taxes). Third, non-qualifying income from foreclosure property (from activities conducted by the REIT or independent contractor after 90 days) is not considered for purposes of the REIT gross income tests, but generally is subject to the highest corporate tax rate. The foreclosure property election is valid for 2 years, but may be extended for 2 additional terms (a total of 6 years) with IRS consent.

Under H.R. 2121, the election procedure would be modified in the following ways: (1) the initial election and one renewal period would last for 3 years; (2) the initial election would remain effective until the last day of the third taxable year following the election (instead of exactly two years from the date of election; and (3) a one-time election out of foreclosure property status would be made available to accommodate situations when a REIT desires to discontinue foreclosure property status.

In addition, the independent contractor rule under the election would be modernized so that it worked in the same manner as the general independent contractor rule. Currently a REIT may provide to tenants of non-foreclosure property services customary in the leasing of real property. However, this previous modernization of the independent contractor rule was not made to the rules governing the required use of independent contractors for foreclosure property.

Section 303. Special Foreclosure Rules For Health Care Properties. In the case of health care REITs, H.R. 2121 provides that a REIT would not violate the independent contractor requirement if the REIT receives rents from a lease to that independent contractor as a tenant at a second health care facility. This change recognizes the limited number of health care providers available to serve as an independent contractor on a property acquired by the REIT in foreclosure, and the REIT's likely inability to simply close the facility due to the nature of the facilities inhabitants. In addition, the health care rules would extend the foreclosure property rules to expirations or terminations of health care REIT leases, since similar issues arise in those circumstances.

Section 304. Payments Under Hedging Instruments. H.R. 2121 would extend the REIT variable interest hedging rule to permit a REIT to treat as qualifying any income from the hedge of any REIT liability secured by real property or used to acquire or improve real property. This provision would apply to hedging a REIT's unsecured corporate debt.

Section 305. Excess Noncash Income. H.R. 2121 would expand the use of the excess noncash income exclusion currently provided under the REIT distribution rules. The bill would (1) extend the exclusion to include most forms of phantom income and (2) make the exclusion available accrual basis REITs. Under the exclusion, listed forms of phantom income would be excluded from the REIT 95 percent distribution requirement. However, the income would be taxed at the REIT level if the REIT did not make sufficient distributions.

Section 306. Prohibited Transaction Safe Harbor. H.R. 2121 would correct a problem in the wording of Congress' past liberalization of the safe harbor from the 100 percent excise tax on prohibited transactions, i.e., sales of property in the ordinary course of business. The adverse effect of accumulated depreciation on the availability of the safe harbor, which punishes REITs that hold their properties for longer terms, would be mitigated,

In addition, involuntary conversions of property no longer would count against the permitted 7 sales of property under the safe harbor.

Section 307. Shared Appreciation Mortgages ("SAM"). In general, section 856(j) provides that a REIT may receive income based on a borrower's sale of the underlying property. However, the character of that income is determined by the borrower's actions. The SAM provision would be modified and clarified so that a REIT lender would not be penalized by a borrower's bankruptcy (an event beyond its control) and would clarify that a SAM could be based on appreciation in value as well as gain.

Section 308. Wholly Owned Subsidiaries. In 1986, Congress realized the usefulness of a REIT holding properties in subsidiaries to limit its liability exposure. H.R. 2121 would codify a recent IRS private letter ruling position providing that a REIT may treat a wholly-owned subsidiary as a qualified REIT subsidiary even if the subsidiary previously had been owned by a non-REIT entity. For example, this bill would allow a REIT to treat a corporation as a qualified REIT subsidiary when it purchases for cash and/or stock all the stock of a non-REIT C corporation.

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 1996

SPEECH OF

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1995

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2099) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1996, and for other purposes:

Ms. PELOSI. Mr. Chairman, I rise today in support of the amendment offered by Congressmen DEFAZIO, ROHRBACHER, STARK, and METCALF to reduce the funding for the Selective Service by \$17 million in fiscal year 1996. This \$17 million savings would then be transferred to the Veterans' Administration medical care account.

Mr. Speaker, not only would this amendment save millions of dollars annually; it would also streamline Government, reduce paperwork, and reduce the regulatory burden on U.S. citizens. Indeed, if a national security threat to the United States were serious enough to require a draft, the Department of Defense would have a recruit pool of hundreds of thousands of young men and women from the Reserve component and delayed entry, as well as hundreds of thousands of patriotic volunteers.

The savings that this important amendment will realize will instead be applied to the VA medical care account where the need is far greater. Our Nation's veterans have suffered greatly during the 104th Congress and this amendment addresses their most basic need: quality medical care.

Mr. Speaker, throughout the history of our Republic, we have continually asked the men

and women of our Armed Forces to make tremendous sacrifices on our behalf. It is critically important that we repay them for their sacrifice and uphold the promises we made to these veterans to care for them as they grow older.

In the context of a \$1.6 trillion Federal budget, the savings gained by this amendment may seem small. But they stand for the continued commitment we have toward caring for our veterans.

My colleagues, the DeFazio-Rohrabacher-Stark amendment represents the realization that the cold war has ended and so too the need for draft registration activities. More importantly, it signals our continued budgetary commitment to the medical care account at the VA and to our veterans.

I urge my colleagues to vote "Yes" on this amendment.

TRIBUTE TO MABLE WATKINS-CASS

HON. BOBBY L. RUSH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 1995

Mr. RUSH. Mr. Speaker, I rise today to pay tribute to Mrs. Mable Watkins-Cass, who on Sunday, June 30, 1995, will celebrate the occasion of her 60th birthday.

Mrs. Cass is a longtime resident of the city of Chicago. Born in Holly Springs, MS to the union of Mr. Windom Jones and the late Mrs. Ann Speights-Anderson, she came to Chicago in her formative years with her parents. Mrs. Cass is the proud mother of four children and the grandmother of five.

Mrs. Cass attended the Chicago public schools where she graduated from the Lucy Flowers Vocational High School. Additionally, she worked dutifully as an employee of the public school system, until her retirement in 1982.

A deeply devoted Christian woman, Mrs. Cass has served faithfully for the past 25 years as a member of the Gospel Temple Missionary Baptist Church on the southside of Chicago, under the leadership of the late Rev. Dr. Jethro Gayles and the Rev. Bishop Smith. She has also been an active member of the National Baptist Convention and the Illinois Baptist State Convention.

Over the years, Mrs. Cass has been very active in civic and community affairs. Many of these activities include work with her block club organizations and the local electoral process.

Mr. Speaker, Mrs. Mable Watkins-Cass has dedicated her life to helping others. Her commitment and contributions to people have made her both, admired and respected. I am privileged that in my lifetime our paths have crossed. I am honored to call her a friend and I am proud to enter these words into the RECORD.

DEPARTMENTS OF COMMERCE,
JUSTICE, AND STATE, THE JUDI-
CIARY, AND RELATED AGENCIES
APPROPRIATIONS ACT, 1996

SPEECH OF

HON. TIM JOHNSON

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1995

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2076) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1996, and for other purposes:

Mr. JOHNSON of South Dakota. Mr. Chairman, I must express my serious concern with a provision included in the fiscal year 1996 Commerce, Justice, State appropriations bill which eliminates line-item funding for Native American populations within the Legal Services Corporation. In the bill, the Appropriations Committee has not only reduced funding of the Legal Services Corporation by 30 percent—from \$400 million to \$278 million, but the committee also eliminated the separate line item for native American population funding, which last year provided \$10 million for native American programs nationwide. The elimination of this line-item funding will lead to the termination of legal services for some of America's most underserved population, our low-income native Americans.

Because our Nation's Founders made the establishment of justice the first specific function of the new government, justice is the historic mandate of a free society. The Legal Services Corporation provides justice to people who could otherwise not afford it, ensuring equal access to justice. On countless Indian reservations across the nation, Indian legal services are the only source of legal aid to the poor and underrepresented.

Presently there are 33 Indian legal services programs in existence. The \$10 million in fiscal year 1995 funding made possible the work of approximately 150 attorneys, paralegals, and tribal court advocates serving clients on over 175 Indian reservations as well as 220 Alaska Native villages. The work of these attorneys has helped tribes develop tribal courts, and create programs for the prevention of domestic abuse and violence. On remote reservations with unique cultures and needs, legal services attorneys are the first line of contact and counseling for families in crisis. They enforce child support, and help ensure the delivery of health care services to the poor, elderly, and disabled.

In my State of South Dakota, there are nine federally recognized tribes whose members collectively make up one of the largest Native American populations in any State. At the same time, South Dakota has 3 of the 10 poorest counties in the Nation, all of which are within reservation boundaries. Dakota Plains Legal Services, serving North and South Dakota, employs 10 attorneys, 8 paralegals, and roughly 10 support staff in 7 offices, all but 1 on reservations. Dakota Plains helps low-income Indians in tribal as well as Federal courts with civil and criminal disputes. If the line-item for Native American populations is not restored, Dakota Plains Legal Services would lose 70 percent of their operating bud-

et—virtually shutting down services to Indians in my State.

Additionally devastating is the bill's requirement that Indian legal services programs compete for the remaining LSC funding under a census-based formula—a scheme that will result in even further cuts to Native American programs. The current legal services line-item funds Indian legal services programs at a level that is three to four times greater than the actual number of reservation-based individuals listed in the 1990 census. Since the inception of the Legal Services Corporation in 1974, it has been conceded by both Democrats and Republicans that effective legal services for Indians cannot be provided strictly on census-based numbers because: First, many tribes are not large enough to justify the funding of even one lawyer; and second, actual operating costs for Indian legal services attorneys are much higher than for other legal services programs because of geographic remoteness, and the availability and high costs of goods and services on reservations. Increased funding on a non-census basis helps overcome these and other factors, such as language and cultural barriers. Past studies have justified the need for increased funding for Indian legal services by as much as seven times the numbers that a straight Census-based formula would yield.

For the past 30 years, Indian legal services have become an integral part of this Nation's promise of equal access to justice. The elimination of the line item for Native American populations will deny justice to Native Americans in my State and across the country. I urge my colleagues in the eventual conference on this measure, and on the appropriate authorizing committees to closely consider the ramifications of this poorly thought out provision.

MY VISION FOR AMERICA

HON. WILLIAM M. "MAC" THORNBERRY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 1995

Mr. THORNBERRY. Mr. Speaker, Each year the Veterans of Foreign Wars of the United States and its Ladies Auxiliary conduct the Voice of Democracy broadcast scriptwriting contest. This past year more than 126,000 secondary school students participated in the contest competing for the 54 national scholarships totaling more than \$109,000, which was distributed among the winners. The contest theme this year was "My Vision For America."

Ms. Erin Kenyon of my district was the State winner for Texas. The following is her winning script:

MY VISION FOR AMERICA

We all have a vision of America. Thomas Jefferson saw independence. Abraham Lincoln envisioned unity. Susan B. Anthony pictured women voting. Martin Luther King, Jr. foresaw a land of equality for all races. My vision for American isn't too different from theirs—I see a diverse nation, unified by a people with a generous spirit, who are willing to be a beacon of hope and democracy to the whole world.

Throughout history, Americans have faced and met the demands of life in the frontier with a patriotic zeal. Early in America, pioneers were faced with the challenge of build-

ing their homes and barns quickly to avoid the ravages of winter. Instead of each man taking on this incredible task by himself, people decided that by working together more could be accomplished. In much the same way, my vision of America has citizens working together for the betterment of our country.

The rallying cry of the American revolution, "United we stand, divided we fall," can be a guide for us in solving the problems which now plague American society. A man in California who was tired of the gang graffiti sprawled on walls across his neighborhood formed a group to paint over it. Volunteers help with youth programs such as boy's and girl's clubs and scouting which provide interests to keep kids off the streets. Volunteers across the country devote their time to teaching the illiterate how to read. These are just a few examples of how ordinary Americans can make an extraordinary difference in the lives of their fellow countrymen. In my vision, every person would see citizenship as a shared responsibility. We must not only be a United States, but a United people.

Webster's dictionary defines patriotism as love, support, and defense of one's country. It seems sometimes as if Americans become so torn with their difference that they lose sight of what really matters. That diversity doesn't have to divide us; it can be the glue that binds us to our goals and dreams.

The same is true for our government. Our representatives should realize that the national interest comes before political partisanship. Political campaigns should be based on constructive ideas, not destructive mudslinging.

In my vision racial and political differences aren't inevitable obstacles, but solvable problems. Conquering them will lead us to a more perfect union.

Finally, my vision is for America to be a world leader. Now is not the time to be isolationists. We must maintain our military superiority in order not to use it. For with that very strength, we have the power to promote world peace—economically and diplomatically. Like President Woodrow Wilson said, "America cannot be an ostrich with its head in the sand." Shrinking from our responsibility leaves the rest of the world with nowhere to turn. We should be a role model for countries throughout the world to follow.

In my vision of America, hope and opportunity exist for each and every one of us. We owe much to those whose visions of America have changed our lives—Thomas Jefferson, Abraham Lincoln, Susan B. Anthony, Martin Luther King, Jr. and many other patriots. My vision is for America to be a country of patriotic people, united in being a model of democracy and hope to the world with the courage to look unafraid towards the future.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES, APPROPRIATIONS ACT, 1996

SPEECH OF

HON. ELEANOR HOLMES NORTON

OF DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 1995

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 1976) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and related agencies programs for the fiscal year

ending September 30, 1996, and for other purposes:

Ms. NORTON. Mr. Chairman, I rise in strong support of the Kennedy amendment to H.R. 1976, the Agriculture appropriation. I cannot imagine what national interest the Congress is forwarding by subsidizing the export and promotion of American alcohol overseas. We should adopt the Kennedy amendment, and end this insanity. Surely the companies who benefit from this subsidy can get by just fine without it. Can you imagine the outcry if we were using taxpayer money inside the United States to help the liquor companies introduce drinking to young people?

Do we not have enough problems at home brought about by alcohol abuse? In the District of Columbia alone, alcohol abuse costs the city \$1.8 billion annually. The Center for Science in the Public Interest has said that no serious discussion on the economic recovery of the Nation's Capital is possible without factoring in the economic burden of alcohol consumption. It is not moralizing to point out that the \$35 million the city collects each year in alcohol taxes barely touches the massively calamitous consequences of alcohol consumption. The human toll cannot even be calculated.

This is indeed a moral issue. What is immoral is that corporate giants like Jim Beam, Miller, Coor's, and Stroh's have the U.S. Government's blessing and an expense account to enter into foreign markets. Are we subsidizing comparable efforts to provide education about alcohol abuse, alcohol's role in infant mortality, and efforts to combat drunk driving?

The liquor companies need to pay their fair share, not get a subsidy to develop new markets. I urge my colleagues to adopt the Kennedy amendment.

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 1996

SPEECH OF

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1995

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2099) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1996, and for other purposes:

Mr. FRANK of Massachusetts. Mr. Chairman, these two documents are very relevant to our discussions on the HUD budget.

The article by Keith Regan from the New Bedford Standard Times documents the need for housing, and demonstrate how ill-advised the cuts in this budget are for HUD.

The statements from Judge Adams and former Secretary Pierce remind us that HUD is not inherently flawed, but rather harmed from the corrupt, incompetent administration it received during the Reagan years, and is in fact improving greatly under Secretary Cisneros.

OFFICE OF INDEPENDENT COUNSEL, JANUARY 11, 1995

Independent Counsel Arlin M. Adams announced today that former HUD Secretary Samuel R. Pierce, Jr., has admitted that his "own conduct contributed to an environment" at the Department of Housing and Urban Development in the 1980s in which his subordinates could engage in "improper and even criminal conduct." In a statement provided to Independent Counsel Adams, which is attached to this release, Secretary Pierce "fully accept[s] responsibility for [his] role" in the mismanagement and abuse at HUD in the 1980s, and acknowledges that his meetings with former Secretary of the Interior James G. Watt and other personal friends who were seeking HUD funds were inconsistent with "the HUD Standards of Conduct prohibiting actual or apparent undue or improper favoritism." Secretary Pierce also accepts responsibility "for the necessity for the Independent Counsel's investigation," and states that he "deeply regret[s] the loss of public confidence in HUD that these events may have entailed."

Adams also announced today the completion of the major investigative phase of his probe of HUD in the 1980s, which to date has resulted in sixteen criminal convictions of former high-ranking officials and others, and has obtained more than \$2 million in criminal fines. Adams stated that "Secretary Pierce's admissions comport with the proof that the government would have introduced at trial, and inform the public of these events without the uncertainty and great expenditure of time and money inherent in such a trial." "In light of these admissions," Adams further stated, "and in consideration of other factors—including Secretary Pierce's age and multiple health problems, the conflicting evidence regarding the intent with which he acted, and the absence of any evidence that he or his family profited from his actions at HUD—this Office has declined to seek a criminal indictment of Secretary Pierce." "These factors," Adams noted, "distinguish this case from those previously prosecuted by this Office."

Adams stated that while further details of Secretary Pierce's actions at HUD would be addressed in the Office of Independent Counsel's final report, "Secretary Pierce's statement acknowledges what was demonstrated by both the Lantos Committee's hearings and this Office's prosecutions: that by his abdication of responsibility, and by his own conduct, Secretary Pierce made it possible for his subordinates to commit crimes and to profit from their betrayal of the public trust."

The Independent Counsel's investigation and prosecutions have revealed, and Secretary Pierce's statement acknowledges, that HUD was an agency corrupted by the activities of many of its own officials. These high-ranking political appointees took control of HUD's increasingly scarce federal housing funds and then awarded those funds to benefit their friends, their families, and themselves, without regard to the actual housing needs of this nation or its low-income families. "The HUD scandal," Adams stated, "is the story of high-ranking political appointees who put their own interests ahead of the underprivileged persons whose interests they were charged to protect. The consequences of that scandal continue to be felt today, both in increased cynicism about our government in general and HUD in particular, and in the everyday lives of the poor."

Secretary Pierce permitted the conditions to exist that allowed the corruption of HUD. He did so in two ways. First, he failed adequately to supervise the appointees who

served under him. As Secretary Pierce admits, during the 1980s, a group of high-ranking political appointees at HUD whom he "trusted with authority clearly were not deserving of either the powers of office or [his] trust." In particular, he "failed to monitor and control the Moderate Rehabilitation Program, commonly referred to as the 'mod rehab' program, when it was being operated, at least in part, to benefit certain consultants, developers, and ex-HUD officials." As a result, many HUD political appointees, "including Deborah Dean and certain other members of [Pierce's] staff, used the program to see that their friends or political allies received mod rehab projects." Secretary Pierce admits that he has "no doubt that the manner in which the mod rehab program was administered was flawed, and was not consistent with how the program was portrayed to Congress and the public."

Second, Secretary Pierce acknowledges that his "own conduct failed to set the proper standard." On a number of occasions, he "met or spoke privately with personal friends who were paid to obtain funding for mod rehab projects," including former Secretary of the Interior James G. Watt, former Ambassador Gerald Carmen, and others. These meetings and conversations, and Secretary Pierce's follow-up discussions with his staff members, "created the appearance that [he] endorsed [his] friends' efforts and sent signals to [his] staff that such persons should receive assistance." Secretary Pierce acknowledges that these contacts with his friends were not only inconsistent with "the HUD Standards of Conduct prohibiting actual or apparent undue or improper favoritism," but also with Pierce's own instructions to his staff. Secretary Pierce also acknowledges that his answers during the congressional hearings before the Lantos Committee "did not always accurately reflect the events occurring at HUD several years earlier."

Adams stated that while this concludes the major investigative phase of the probe, "Secretary Pierce's statement, coupled with other evidence recently made available to this Office, raises the issue whether certain individuals may have committed perjury or obstructed justice during the course of this investigation." Noting that the Office already has secured numerous perjury and obstruction convictions, Adams stated that "[t]he length of this investigation is attributable to the efforts of those who attempted to obstruct it. But, as previously pledged, such obstruction, when uncovered, shall be dealt with appropriately."

To date, the Office of Independent Counsel's investigation has resulted in sixteen convictions following trials or guilty pleas, and has secured more than \$2 million in criminal fines.

STATEMENT BY THE HONORABLE SAMUEL R. PIERCE, JR., DECEMBER 15, 1994

From January 1981 through January 1989, I served as the Secretary of the Department of Housing and Urban Development. I was responsible for the overall administration of the Department, which employed thousands of people in numerous divisions. During the time I served as Secretary, a number of HUD staff members engaged in improper and even criminal conduct. I realize that my own conduct contributed to an environment in which these events could occur.

Many people I trusted with authority clearly were not deserving of either the powers of office or my trust. My management style, developed after years of working in a law firm and other legal environments, was to delegate details. This style exacerbated the problems at HUD because I did not exert sufficient control over the individuals who

reported to me. In particular, I failed to monitor and control the Moderate Rehabilitation Program, commonly referred to as the "mod rehab" program, when it was being operated, at least in part, to benefit certain consultants, developers, and ex-HUD officials. As a result, a number of political appointees, including Deborah Dean and certain other members of my staff, used the program to see that their friends or political allies received mod rehab projects.

In addition, my own conduct failed to set the proper standard. On a number of occasions, I met or spoke privately with personal friends who were paid to obtain funding for mod rehab projects, including, among others, James Watt, Gerald Carmen, and Robert Rhone. These meetings and conversations, and my following discussions with staff members, created the appearance that I endorsed my friends' efforts and sent signals to my staff that such persons should receive assistance. While I never financially benefited in any way from these projects, these meetings and contacts were inconsistent with the HUD Standards of Conduct prohibiting actual or apparent undue or improper favoritism, and my related instructions to my staff.

I was the person entrusted with the duties of Secretary and I was the person responsible for the Department. If I am to take credit for its successes, I must also take the blame for its problems. I have no doubt that the manner in which the mod rehab program was administered was flawed, and was not consistent with how the program was portrayed to Congress and the public. Despite certain warning signs, and my own meetings and conduct, as described above, I failed to ensure that the mod rehab program operated properly.

I have come to some of these conclusions as a result of facts revealed by the investigation and the prosecutions conducted by the Office of Independent Counsel. Prior to that investigation, I had testified before Congress. I was ill-prepared for the congressional hearing and appeared without counsel. Reviewing my exchanges with Members of the Lantos Subcommittee, I see that I answered certain questions with broad responses that did not always accurately reflect the events occurring at HUD several years earlier. Similarly, one of my answers to inquiries made by the Public Integrity Section of the Department of Justice was not completely responsive.

These last five years have been difficult ones for me, but my parents taught me that I must not shrink from my duties. I was the guardian of the HUD gates, and I rested on my post when vigilance was most needed. In light of my conduct and that of others at HUD, I fully understand and accept responsibility for the necessity for the Independent Counsel's investigation. However, in my fourth years of public service I never received a single improper benefit for my actions—no money, no tickets, no trips, nothing. Nonetheless, I fully accept responsibility for my role in what occurred at HUD, and deeply regret the loss of public confidence in HUD that these events may have entailed.

[From the Standard Times, July 25, 1995]

HOUSING CRUNCH HITS POOR MOST—WAITING LISTS FOR AFFORDABLE UNITS IN AREA KEEP GROWING

(By Keith Regan)

NEW BEDFORD.—A drop in the number of affordable apartments is sending record numbers of low-income families to area housing authorities for help. But housing officials say budget cuts are forcing them to turn people away or add them to already lengthy waiting lists.

As many as 1,000 individuals and families are waiting for spaces in the city's 3,900 units

of public or subsidized housing, according to Joseph Finnerty, executive director of the New Bedford Housing Authority.

Mr. Finnerty said the fact that few new units of affordable housing have been built by private developers in recent years has contributed to the influx of applicants.

"The apartment buildings you see built on the edge of town aren't aimed at low-income residents," he said. Meanwhile, as those buildings went up, many older apartment buildings that once housed affordable housing were being demolished in New Bedford and other large cities.

"There's a decrease in the number of affordable apartments at the same time economic conditions mean more people need them," said Mr. Finnerty.

The problem is not limited to the city, however.

In Wareham, the wait for one of the town's 32 units of public housing ranges from six to 12 months, according to Housing Authority Executive Director Pamela Sequeira.

"We don't have the funds to offer any new housing programs," Ms. Sequeira said. "And these families can't find affordable apartments on their own."

A report issued Monday by the Center on Budget and Policy Priorities finds the national shortage of public housing reached record levels in 1993, with low-income families out-numbering affordable housing units by a two-to-one margin.

Based on census data, the report found 11.2 million low-income renters and just 6.5 million units of low-income housing. Affordable housing is defined as taking up less than 30 percent of a resident's income, low-income is defined as any family or individual earning \$12,000 a year or less.

The report cites a decrease in the number of low-rent homes due to the gentrification of some urban areas and the abandonment of run-down housing in others.

Mr. Finnerty said he has witnessed the decline of affordable housing units over the last decade since Congress eliminated a tax break in 1965 that encouraged private developers to build low-income housing.

"They took away the incentive for developers to include low-income housing in their buildings," he said.

Fairhaven resident Joaquin "Jack" Custodio said public housing programs have long fallen short of their goal of providing families a way out of poverty.

"It's the strong versus the weak," Mr. Custodio said. Residents of housing projects "aren't given any power" to improve their lives, he added.

Housing, unlike other public assistance is not an entitlement program, meaning families who do not receive public housing or federal subsidies must fend for themselves, Mr. Finnerty said.

Still, he said, the need for public housing is tied to other programs, such as Aid to Families with Dependent Children, with cuts in those forms of assistance making it even more difficult for families to afford housing.

Ms. Sequeira cited the report's finding that most families who do not receive public housing assistance spend more than half of their income on housing. Many, especially elderly families on fixed incomes, can "end up in a deficit in their first month," she said.

"Something else has to give," said Mr. Finnerty. "An elderly person might spend less on medicine or a family might not eat as well as they should to make up the difference."

Mr. Finnerty also said the study's timing is crucial. Congress is currently considering a \$7 billion reduction in the Department of Housing and Urban Development's budget for next year.

The New Bedford Housing Authority is already facing a 14 percent cut in this year's

budget and a 28 percent cut for the next fiscal year, which begins in October.

"It's only going to get worse," Mr. Finnerty said.

MEDICARE CUTS

HON. BOBBY L. RUSH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 1995

Mr. RUSH. Mr. Speaker, I rise today as the voice of hundreds of senior citizens in the First Congressional District of Illinois and none of them wants cuts of any kind in their Medicare Program.

These older Americans were angry. They were scared. And they are not going to stand for these draconian cuts.

They know that the Republicans have committed themselves to squeezing \$270 billion out of the Medicare budget over the next 7 years.

The budget resolution sets out a gradual path of Medicare reductions, and most of the impact will not be felt until after November 1996, safely clearing the way for many Republicans up for reelection.

So make no mistake about it. This is not about policy making.

This is about politics—plain and simple.

The seniors want a clear mandate delivered to the Republican Party. They want them to know that seniors are not old or forgetful. Seniors are not "very pack-oriented and very susceptible to being led," as a leaked GOP strategy memo indicates. On the contrary, they will remember, a year from this November, who it was that slashed their Medicare Program and left them out in the cold to fend for themselves.

CELEBRATING MEDICARE'S 30TH BIRTHDAY

HON. BILL RICHARDSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 1995

Mr. RICHARDSON. Mr. Speaker, this week marks the 30th anniversary of Medicare, one of the Nation's most successful undertakings. Because of Medicare, America's seniors no longer choose between medicine and food or rent, and consequently their health has improved dramatically. Ironically, one of the reasons we are currently considering Medicare reform is due in large measure to its profound success. Americans are living longer, and many more reach an age where greater health problems emerge. This is a fortunate turn of events, and we must not use it to ransack a system that has served the Nation well.

Medicare is a remarkable testament to the good that can come from deliberative, open, bipartisan efforts to solve an oncoming health crisis. The Medicare concept was debated in Washington for 13 years before finally being signed into law in 1965. Many skeptics predicted that it would bankrupt the United States, that the contributions seniors made prior to retirement would evaporate, and that our health care system would become substandard. In fact, none of these events occurred. Medicare has been overwhelmingly successful.

Currently, there are 37 million Americans enrolled in Medicare, and 205,000 of them are New Mexicans. Today, 99.1 percent of all Americans over the age of 65 have health insurance coverage, primarily due to Medicare. The poverty rate for aged Americans has fallen by nearly 50 percent since Medicare's inception, and this is largely attributable to the fact that seniors receive effective preventive and acute health care at reasonable costs.

We must accomplish the difficult task of extending the life of Medicare, and it should not interfere with our commitment to balance the budget. But we also must examine the effects of current proposals carefully. In our rush to achieve ambitious goals, we cannot overlook the economic and social importance of adequate health care for seniors and the continued viability of local hospitals.

I commend to you the following article, written by Dr. Lyle Hagan of my district, which outlines the serious impacts current proposals will bring about.

STORM LOOMING FOR MEDICARE

(By Dr. R. Lyle Hagan)

On July 28, 1995 Medicare will celebrate its 30th birthday. As we all know, Medicare is a U.S. Government program that provides medical care for the nation's elderly. In addition Medicaid—a government administered program, provides medical services to the poor; financed jointly by Federal and State governments.

During the past several weeks, Congress has been deeply involved in cutting costs in all areas of government administration. Congress has established a Budget resolution for the fiscal year 1996 (FY 96).

The American Association of Retired Persons (AARP) fully supports deficit reduction, but it also believes that deficit reduction should be fair and balanced. The (FY 96) Budget Resolution proposes to take nearly half of the deficit reduction in the next seven years out of Medicare and Medicaid. In both programs these are the largest cuts ever proposed.

In 1995, the average older beneficiary will spend about \$2,750 out-of-pocket to cover the cost of medicare premiums, deductibles, coinsurance and the cost of services not covered by Medicare.

Under the Budget Resolution (FY 96), an average beneficiary would end up spending a total of about \$29,000 over seven years—an increase of about \$3,400. To achieve the medicare spending reductions in these proposals, costs that are currently paid by the Medicare program would probably be shifted to Medicare beneficiaries in the form of higher premiums, deductibles and coinsurance.

These could include: a higher medicare Part B premium; an increase in the annual Part B deductible to \$150, indexed to program growth; a new 20 percent home health insurance; a new 20 percent coinsurance for skilled nursing facility care; a new 20 percent lab coinsurance and a new income-related premium for higher-income beneficiaries.

All of these options have been under review in the Congress this year. Currently, the Part B premium intended to approximate 25 percent of Part B costs. In 1995, the premium is \$46.10 per month, \$553.20 annually. It is estimated to grow to \$60.80 per month, \$729.60 annually by 2002. The premium is deducted from most beneficiaries' social security checks. The remaining 75 percent of Part B costs are paid from general revenues.

Under the proposal by FY 96, the Budget resolution could substantially increase the Part B premium paid by medicare beneficiaries thereby shifting higher health care costs to medicare beneficiaries. Under the

proposal, the premium is estimated to jump to \$97.70 per month, or \$1,172.40 annually by 2002. That is \$442.80 more than the beneficiary would pay under current law. Over the next seven years, most medicare beneficiaries would pay an estimated additional \$1,590 for the Part B premium alone.

The FY Budget resolution includes the largest Medicaid reductions in the history of the program—\$182 billion in savings over the next seven years. In the year 2002 alone, the budget proposal would reduce projected federal medicaid spending by \$54 billion, a reduction of about 30 percent below what the government estimates it will cost to run the program delivering the same services and benefits that it does today.

Medicaid is the health and long-term care safety net for vulnerable children, older and disabled Americans. More than four million older Americans depend on medicaid for coverage of preventive care, prescription drugs, nursing home and home community-based long-term care. In addition, more than 15 million low-income children are covered by Medicaid.

How individual states would respond to the proposed cuts would vary by state, but some things are clear. It is unlikely that states would raise taxes or shift money to make up for the federal reductions. According to estimates by the urban institute, in the year 2002, more than eight million Americans could lose their medicaid coverage as a result of these proposed reductions.

Senior citizens may ask their Senator or Representative in Congress about Medicare and Medicaid cuts and how they will affect their future health and medical care.

INTRODUCTION OF THE ERISA CHILD ABUSE ACCOUNTABILITY ACT

HON. PATRICIA SCHROEDER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 1995

Mrs. SCHROEDER. Mr. Speaker, I am introducing the ERISA Child Abuse Accountability Act. This bill is a natural extension of legislation that I introduced last session, the Child Abuse Accountability Act, which Congress passed and President Clinton signed into law, Public Law 103-358.

The ERISA Child Abuse Accountability Act amends the Employment Retirement Income Security Act [ERISA] to allow victims to collect monetary awards from their abuser's pension. As a result of last year's legislation, victims of child abuse can now collect from an abuser's pension if it is a Federal pension. The ERISA Child Abuse Accountability Act allows victims to collect from private sector pensions as well.

It is vital that we, as a nation, dedicate ourselves to protect the welfare of our children and guarantee that anyone who commits a crime against them is held accountable. That is what The ERISA Child Abuse Accountability Act does.

The children who survive abuse face a lifetime of scars, both physical and mental. Some of these survivors turn to our court system to hold their abusers civilly accountable for their crimes. They endure traumatic trials, reliving the years of torment in order to hold their abusers responsible. Tragically, vindication by a court is only the beginning of the struggle for countless victims. Even after a court finds the abuser guilty and awards the survivor com-

ensation, our laws prevent satisfying a court order with money from a pension.

This bill ends this injustice by creating a right to payment to satisfy a child abuse judgment. Under current law, private pensions are already accessible for child support and for spousal payments. This bill adds child abuse compensation as an obligation that must be met.

We hear a lot of talk in this body about protecting children and victims. But the fact is, there are laws that Congress has passed that protect abusers and prevent justice for victims. If we do not change those laws, our words ring hollow. I urge Members to support this bill.

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 1996

SPEECH OF

HON. JACK REED

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1995

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2099) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1996, and for other purposes:

Mr. REED. Mr. Chairman, it is with great concern for veterans, seniors, the poor and our environment that I rise in opposition to the VA, HUD and Independent Agencies Appropriation bill for fiscal year 1996.

This bill before us is an ill-conceived, mean-spirited attack on the most vulnerable citizens in America. While those may sound like harsh words, here are the harsh figures; a 50-percent reduction in funding to fight homelessness, \$400 million less for section 8 operating costs and a \$1.2 billion cut in modernization funds for public housing. For veterans, there is \$250 million less than what the VA said is necessary to maintain the current service level and quality for medical care and \$500 million less in administrative and construction costs. The EPA budget is cut by a third, resulting in no new cleanups and no funding for the safe drinking water loan fund.

Under this bill, Rhode Island would lose \$7.7 million in rehabilitation and repair funds and \$2 million that maintains 10,401 public housing units. In addition, our State, which last year assisted 4,910 people who came to emergency and domestic violence shelters, will lose nearly \$2.6 million needed to assist these people. Ironically, if this bill passes, more people will be homeless and need this type of help.

I am also afraid that the news for Rhode Island's veterans is equally discouraging. While some programs nationwide have been increased, veterans in southeastern Rhode Island will again wait for needed improvements. In 1990 the VA bought a building to consolidate VA services in Rhode Island. Now, that building is unoccupied and our vets are waiting for the promised consolidation. Unfortunately, because this consolidation is not funded, the Government will continue to pay rent

in downtown Providence, instead of cutting costs and consolidating the VA offices as planned.

Lastly, I am disappointed with what this bill does to our environment. This bill contains language that would limit the EPA's authority to enforce major environmental laws such as the Clean Air Act, the Clean Water Act, and the Safe Drinking Act. With the inclusion of this language, the Republican leadership has essentially gutted the last 25 years of environmental progress.

It will become harder for organizations in my State to continue the job of cleaning up our environment and protecting our health when virtually all funding to do so will be diminished. In fact, Rhode Island would lose \$2.4 million compared to the President's proposal to finance wastewater projects, \$9 million for loans to provide safe drinking water, and \$674,000 to address polluted runoff. The loss of crucial funding to financing clean water infrastructure threatens both the protection of public health in Rhode Island and industries like shellfishing, boating, and tourism that are dependent on clean water.

While I understand the need to reduce the deficit, I do not believe we should place a disproportionate share on the backs of those who can least afford it. Unfortunately, that is what the Republicans have done in this bill. And this is not the first time. Just 4 months ago, the rescission bill attacked low income and elderly people by cutting money for section 8, rental assistance and homeownership initiatives. H.R. 2009 marks the second time this year that our poor, elderly, and disabled have been asked to make sacrifices in the name of deficit reduction. These sacrifices seem much higher than what other people have been asked to contribute.

I would like my colleagues to ask themselves why these cuts are so severe. Why have we decided to continue to invest less and less for those who have no roof over their head? Well, my colleagues, one answer is the space station. Some may argue that housing programs need reform, and therefore, they should be cut. But Mr. Chairman, if the same logic holds, why should we spend billions on a space station with innumerable design changes, cost increases, and failures?

Mr. Speaker, this bill's priorities are wrong and I see no reason to support it. I ask my colleagues to join me in opposing this misguided legislation.

TRIBUTE TO REV. W.L.
PATTERSON

HON. VERNON J. EHLERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 1995

Mr. EHLERS. Mr. Speaker, it is with great pleasure that I take this opportunity to recognize the efforts and achievements of an outstanding man from my hometown of Grand Rapids, MI. Rev. W.L. Patterson of the True Light Baptist Church has given 41 years of unselfish civic and spiritual service to the residents of our community.

Reverend Patterson was born and raised in Arkansas, and in 1954 was called to the pastorate of the True Light Baptist Church. He is known throughout our community as a man of

great integrity, ambition, and leadership. His work and dedication have helped improve the quality of life for a countless number of people.

Since being ordained 56 years ago, Reverend Patterson has continually served as a church pastor, and dedicated the last 41 years to the True Light Baptist Church. He has accomplished many outstanding services for the church such as building a new church, purchasing two parsonages, and purchasing property for the church, in addition to serving the spiritual needs of his parishioners.

Reverend Patterson has conducted daily commentaries and has appealed to those in need of prayer and counseling over the airwaves of WKWM radio. Reverend Patterson has used the power of the radio medium to deliver prayers and worship for those who are unable to attend services in person. His radio worship services have given him the distinction of being one of the first pastors to use this form of communication to deliver his message.

His involvement with the community extends beyond the pulpit of the church. He was instrumental in forming the Ambassadors Club, an organized Bible study class that later became a community service group. He also founded the Kennedy Day Care Center which served the youth of our community for more than 20 years. People with substance abuse problems have also benefited from Patterson's caring ways. His Operation Faith program was established to help those with substance abuse problems deal with their dilemmas through alternatives other than drugs and alcohol.

His skills and leadership have also been tapped by numerous organizations in the community. He has served as a member of the Kent Skills Committee on Relocation and he has also been involved as a board member of the Salvation Army's Genesis House. He has also held membership in the Grand Rapids chapters of the Urban League and the NAACP.

Not only has Reverend Patterson blessed the lives of many during his years of service, he has also been blessed himself by a wonderful family. Providing loving support for this dedicated man have been his wife Ruth White Patterson and his children Willie Patterson, Jr., Allena Ruth Cross, Rev. Irma Jean Jones, Ralph Patterson, Rev. H. Calvin Patterson, Barbara Brazil, Thedosa Baker, and his deceased son, Walter Patterson.

Mr. Speaker, I have summed up just a sampling of the many accomplishments and achievements of this remarkable and dedicated man. It is with great pleasure and privilege that I take this time to honor Reverend Patterson for all of his work in helping provide a better way of life for those he has come in contact with.

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 1996

SPEECH OF

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 25, 1995

The House in Committee of the Whole House on the State of the Union had under

consideration the bill (H.R. 2002) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1996, and for other purposes:

Mrs. MALONEY. Mr. Chairman, I rise to articulate my objections to the Transportation appropriations bill.

In my view, H.R. 2002, next year's funding bill, takes our Nation in the wrong direction on transportation policy. This is particularly true for New York City, because the bill imposes devastating cuts on the mass transit budget.

The bill passed by the House increases funding for our highway system by over \$800 million while at the same time decreasing funding for mass transit by \$500 million—a 20 percent reduction over last year's budget.

The impact of these cuts on New York City will be dramatic. Currently, the city receives \$87.5 million in mass transit operating assistance funding. This will be slashed by over \$38 million—an incredible 44 percent cut. The city estimates that it will lose another \$40.7 million in Federal capital assistance funding.

In addition to these general budget cuts, I'm particularly displeased that the appropriators removed \$40 million in funding to renovate Penn Station that was in the President's budget. Without this funding, we will be unable to continue with our efforts to replace the aging central train station in New York with the refurbished station that our city and the millions of passengers so desperately need.

In addition, over \$30 million in cuts to Amtrak will reduce the ability of our citizens to travel up and down the heavily used east coast routes between Washington, New York, and Boston.

For those of us who represent urban and suburban communities, it is clear that mass transit must be a priority, and that we should be investing in services and technologies which will make our buses and trains run more efficiently and more safely. Mass transit moves millions of Americans to and from their jobs each day. It is also the only transportation alternative available to seniors on fixed incomes and students getting to school. Under the bill, subway and bus fares would most likely increase dramatically, effectively putting travel out of the reach of those who most need it.

Finally, Mr. Speaker, I want to express my support for the objectives of my colleagues from the Philadelphia area, Mr. FOGLIETTA and Mr. FOX, who sought to offer amendments to restore mass transit operating subsidies. In the end, however, I could not vote for their amendment because, rather than shifting money from the highway fund, it took money from the Federal aviation authority. With New York's airports in dire need of assistance, I could not in good conscience vote to help one important element of our infrastructure by harming another.

As this bill moves on to the Senate and then to the President's desk, I will fight hard to restore as much funding for mass transit as possible.

THE 1996 COMMERCE, JUSTICE, STATE AND THE JUDICIARY APPROPRIATIONS ACT

HON. RON PACKARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 1995

Mr. PACKARD. Mr. Speaker, President Clinton has declared his intention to veto the 1996 commerce, Justice, State, and the Judiciary Appropriations Act. May I say how saddened I am that the President has chosen to act in this way. By vetoing this bill President Clinton is putting the interests of his party above the interests of the Nation.

Such an action, while not out of character, is nevertheless surprising considering the overwhelming benefits of this bill. The bill gives more money toward law enforcement, including the INS, who receive a 20 percent increase in desperately needed funds, than any bill ever passed in Congress. How can the President be willing to jeopardize the safety of every American citizen just because his own anti-crime program has been scraped in favor of new initiatives that allow States and local Communities greater flexibility in tackling crime on their streets? Stalling over Medicare and thus endangering the health of our senior citizens is bad enough, but now, by threatening to veto the Commerce, Justice, State, and Judiciary appropriations bill, President Clinton is risking the lives of all Americans. What we the Republicans have always feared is true; the President is more concerned with his own agenda than the fate of the American people.

The 1996 Commerce, Justice, State, and Judiciary Appropriations Act represents a major new initiative in fighting crime. It rejects the old tried and failed attempts to impose solutions from above, solutions that do not, and cannot, take the specific needs and difficulties of local communities into account. By providing States with Block grants, States can still use the money to hire more police if they want, but they can also choose to buy equipment, start prevention programs, improve training—whatever they think will be most effective. This bill takes money out of the hands of Government bureaucrats and puts it into the hands of those who are fighting the war against crime on the front lines. It recognizes that the Federal Government does not always know best. When will President Clinton realize the same and how many more will have to suffer until he does?

FREDDIE MAC'S 25TH ANNIVERSARY—JULY 24, 1970—JULY 24, 1995

HON. THOMAS M. DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 1995

Mr. DAVIS. Mr. Speaker, 25 years ago this week, Congress created the Federal Home Loan Mortgage Corporation in an effort to relieve an ailing mortgage finance system. By utilizing what works best in the private and public sectors, Congress established Freddie Mac and revolutionized the home finance industry. Since then, Americans across the Nation have shared in the success, as housing funds have become more affordable and more

available. Freddie Mac has continuously expanded into new and diverse markets, financing one in every six homes nationwide. They have housed over 16 million families since their inception in 1970. In my own Commonwealth of Virginia, Freddie Mac has purchased over 444,000 loans worth more than \$36 billion in its 25 years.

As my colleagues are well aware, Freddie Mac keeps the supply of low cost money for housing widely available by linking mortgage lenders with security investors. It accomplishes its task by purchasing investment quality loans from primary lenders, packaging these loans as mortgage backed securities, and selling these securities to investors. Money is then available to purchase more loans from the lenders, and the cycle continues. It is important to point out that Freddie Mac accomplishes this without any Federal funding. In fact, it has been a major Federal taxpayer. In the past 5 years alone, it has paid over \$2 billion in Federal taxes.

Today, I would like to commend Freddie Mac for another role it plays. As a corporate citizen, Freddie Mac strives to give even more to the communities it serves through its Freddie Mac Foundation. The Freddie Mac Foundation is dedicated to brightening the future of children, youth, and families at risk. Created with an endowment from Freddie Mac in 1990, the Foundation has invested more than \$8 million in nonprofit organizations serving the Washington, DC, area.

Healthy families help foster healthy communities. Freddie Mac understands this and we in Congress should recognize and commend them for not only fulfilling their mission, but for taking this mission a step further. As their Chairman and CEO, Leland Brendsel, likes to say, while Freddie Mac's mission is to make the American dream of decent, accessible housing a reality, its foundation and its employees work to turn houses into healthy homes for children. They do this throughout the country, but we in Virginia, Maryland, and the District of Columbia have been particularly blessed by their presence.

In Virginia, one example of particular note is their long-standing partnership with Hunters Woods Elementary School in Reston where the Foundation has committed almost \$200,000 and the employees have committed thousands of hours of time working with the kids on their special needs. The entire area will benefit from a recent Freddie Mac commitment of \$1 million to help establish a Child Protection Center for area battered and abused children and their families at Children's Hospital. Finally, Freddie Mac's commitment to support our communities is probably best exemplified by a Washington Post article, which I submit for the RECORD, highlighting their work to help the District's foster care program. This is the kind of public/private partnership Freddie Mac brings not only to the community but to its public mission.

I believe Freddie Mac deserves not only congratulations on its 25th anniversary and thanks for doing a good job in meeting its mission, but also for its support for children, youth and families at risk in communities throughout the country.

TRIBUTE TO CHRIS GROSS

HON. ANDREA H. SEASTRAND

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 1995

Mrs. SEASTRAND. Mr. Speaker, I am pleased to rise to share the inspiring story of an ordinary citizen who is accomplishing extraordinary things. From the moment we mounted the stage of America, the family of Americans who called this continent home have come together in adverse and tragic times and demonstrated the best elements of free man. From the first winters at Jamestown there have been countless demonstrations of what Lincoln called the better angels of our nature. Some of these stories will be preserved in our history books, films, and folklore. It is my wish that one such example of an American helping those in need and inspiring others to do the same be recorded in the CONGRESSIONAL RECORD.

Like most Americans, Mr. Chris Gross watched in horror the tragic scenes that followed the Oklahoma City bombing. Not content to just sit and watch, he committed himself to an ambitious goal—help the 137 children who lost a parent in the Oklahoma City bombing by raising 1 million dollars for a college fund. He began by donating a year of his own salary. This extraordinary display of generosity by this 26-year-old from Fremont, CA, has inspired others from all over the country to give to this admirable cause. As Mr. Gross holds a fundraiser in the 22d Congressional District of California on August 9, he will have already raised more than \$500,000.

When Mr. Gross reaches his goal, he will have done more than help financially provide for 137 children's education. He will have also inspired all those who have heard of his commitment and remind us that Americans are the most generous and charitable people on Earth.

TRIBUTE TO COL. WALTER L. MAYO, JR. (USA-RET.) KOREAN WAR VETERAN

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 1995

Mr. MORAN. Mr. Speaker, this week we gather as a nation to honor the soldiers and sailors, marines and airmen, and all those who served, fought, and died in our Armed Forces in the Korean war. The Korean War Veterans Memorial, which we dedicate 42 years after the signing of the armistice of July 27, 1953, occupies a place of prominence and remembrance on the Washington Mall. This location among the grand monuments of our country is a fitting tribute to the veterans of a forgotten war that for too long has dwelt in the shadows of our history.

Among the ranks of those who served in the Korean war, one group has received scant attention and recognition even to this day—the more than 7,000 prisoners of war and 8,000 still listed as missing in action. I would like to tell the story of one man, Col. Walter L. Mayo, Jr. (USA-Ret.) of McLean, VA, and Centerville, MA, who fought from the Pusan perimeter to

the banks of the Yalu River and who spent 3 years as a prisoner of war. His story stands as testimony to the thousands of others whose heroism and sacrifice went unrecognized for too long.

Walt Mayo was no stranger to combat when he arrived in Korea in 1950. A World War II veteran, he had served as a rifleman during the Battle of the Bulge and was captured by the Germans. After his release, he went to Boston College on the GI Bill, joined the ROTC program, and received a Regular Army commission on January 1, 1950. He landed in Korea on August 10 as a field artillery forward observer in the 99th Field Artillery, attached to the 3d Battalion, 8th Cavalry Regiment, 1st Cavalry Division, just weeks after the June 25, North Korean invasion of the Republic of Korea [ROK]. There he joined the thin line of American and ROK forces that held the Pusan perimeter against 14 North Korean divisions and several tank regiments. The toll was high. By the end of his first week in combat, Lieutenant Mayo was the only survivor among the three original forward observers in his unit.

By mid-September, MacArthur's landing at Inchon had combined with a breakout from the Pusan perimeter led by the 1st Cavalry to shift the tide of the war. The 8th Army pushed north to the Yalu River, crushing the remnants of the North Korean army. On Halloween, the 8th Cavalry Regiment was at the leading edge of the American forces, at the town of Unsan only miles from the Chinese border. The men did not know it, but they had reached the high-water mark of the American advance for the entire war.

The Chinese Communist forces struck American units in force for the first time of the war on November 1. Lieutenant Mayo's unit, the 3d Battalion, had established a perimeter near an odd-shaped bend of the Nammyon and Kuryong rivers. The unit had received orders to withdraw, but in the morning darkness of November 2 the Chinese attacked on three sides. Scores of Chinese poured into the American position near the battalion command post, and the fighting quickly became hand-to-hand. The men regrouped around three tanks and held off enemy attacks until daylight. They dug in during the day of November 2, protected by fighter-bomber strikes. Six officers, including Lieutenant Mayo, and 200 men were left to fight. Some 170 wounded were brought inside the small perimeter.

The fate of the 3d Battalion was sealed when the rest of the 1st Cavalry Division was ordered to withdraw on the evening of November 2. Completely cut off, the 3d Battalion had no further hope of rescue. But the men continued to fight, fending off wave after wave of Chinese attacks—at least six separate attacks each during the nights of November 2–3 and 3–4. As the American soldiers exhausted their ammunition, they crept out at night to collect weapons and ammunition from the dead Chinese soldiers that littered the ground around them. One soldier described Lt. Mayo during this time as "the finest combat officer I have ever seen."

The situation on the morning of November 4 was grim. More than 250 men lay wounded. They had almost no ammunition and the tanks had long since been destroyed. The officers decided to attempt a break-out. The battalion surgeon, Captain Anderson, and the chaplain, Father Emil Kapaun, volunteered to stay behind with the wounded.

That afternoon, Lt. Mayo and three others crawled across the bodies of the dead Chinese to scout a way out of the encirclement. He found a hole in the lines and sent word back for the rest of the group to follow. The survivors broke out just as the Chinese fired a massive artillery barrage in preparation for a final attack on the perimeter. The official Army history records the 3d Battalion's fight as the "Ordeal Nuclear Camel's Head Bend."

The group evaded the Chinese for 2 days. The official account states simply that,

The next day, within sight of bursting American artillery shells, Chinese forces surrounded them and the battalion group, on the decision of the officers, broke up into small parties in the hope that some of them would escape. At approximately 1600 on the afternoon of 6 November the action of the 3d Battalion, 8th Cavalry, as an organized force came to an end. Most of these men were either killed or captured that day . . .

The entire 8th Cavalry Regiment had lost some 600 men—a 45-percent casualty rate that meant the unit effectively ceased to exist.

Walt Mayo was captured by the Chinese on November 7 and marched north for 2 weeks to Pyoktong near the Chinese border. By the end of the march, the column of American POW's had grown to almost 600 men. Walt Mayo's parents were told he was missing in action.

Camp 5 at Pyoktong consisted initially of these 600 men housed 15 or 20 to a room in partially destroyed sheds and houses. The men had no way to clean themselves, little fuel, and no blankets to ward off the sub-zero temperatures. They had not received winter issue clothes before they were captured, so they only had light field jackets. The men were filthy and soon became covered with lice. Wounds became infected and sores began to break out and fester. The meager diet of cracked corn and millet took its toll, as limbs began to swell from beri-beri, night blindness struck and the men felt the effects of pellagra and other nutritional diseases. Pneumonia, hepatitis, and dysentery afflicted the weakened soldiers. The men began to die.

In February, 1951, 800 more POW's, including members of the Turkish Brigade, joined the original group at Pyoktong. Members of the Royal Ulster Rifles followed in April. But the death toll among the weakened men who had been in the camp through the freezing winter of 1950–51 continued to climb. By the late spring, more than two dozen men a day were dying. The death toll did not begin to drop until August, 1951.

The period from November 1950 until October 1951 was the darkest and deadliest chapter for American POW's. The Chinese did not feel they would have to account for the men, so they gave them almost nothing and sought to do little more than exploit and punish them. Some Americans gave up under the pressure of disease, deprivation, and despair. The vast majority of the 2,700 American POW deaths took place in these first 11 months, with almost 1,500 dying in Camp 2 alone.

Most men held on to their dignity and a few even reached deep inside themselves to find reservoirs of great courage and strength. Father Emil Kapaun was one such man. Walt had known Father Kapaun since the Pusan perimeter, when Father Kapaun had his pipe shot out of his mouth by a sniper. He had shown incredible bravery during the "Ordeal

Near Camel's Bend," constantly risking his life to tend to the wounded.

Father Kapaun served as constant source of cheer and inspiration in Camp 5. He ministered to the sick and dying, and emulated St. Dismas, the good thief, in stealing food from the Chinese for the men. The Chinese feared Father Kapaun and the strength of his faith. When he developed a blood clot in his leg in April, 1951, the Chinese took him away to die. Walt joined with others after the Korean war ended to dedicate a high school in Wichita, KS, in honor of Father Kapaun. They gave the school a crucifix, with a crown of barbed wire, that a Jewish officer, Jerry Fink, had painstakingly carved in the camp in honor of Father Kapaun.

After Father Kapaun's death, Walt tried secretly to document the horror of the camp with a movie camera that he had received from an intermediary, Corporal Buckley of the Royal Ulster Rifles, from a Private First Class Magelski. But an informant turned all three of them in to the Chinese. Their refusal to break under interrogation kept the punishment relatively light—just over 2 months in solitary confinement. Walt was thrown into a hole in the ground so small he could neither stand up nor lie down. He kept his sanity by scratching out the lessons of the Jesuits in the dirt and on scraps of paper—math equations, Latin conjugations, and anything else to resist the isolation.

In November 1991, Walt and the other officers were moved to Pingchong-ni some 8 miles northeast of Pyoktong. The conditions improved slightly and the resolve, discipline, and camaraderie rose. The British officers in the camp felt a particular kinship with Walt because of his broad New England accent and dubbed him the "boy Lieutenant." The men became more imaginative in their resistance to the Chinese. They had a "crazy week" complete with operations from an aircraft carrier sketched in the dirt. Helicopter pilot Johnny "Roterhead" Thornton rode an imaginary motorcycle everywhere he went. Another shaved his head, wore a feather, and told the Chinese he was a blood brother of the Mohawk Indian tribe celebrating national tom-tom week. The bonds forged there with Hank Pedicone, Bart DeLashmet, Harry Hedlund, Sid Esensten, and others have lasted to this day. Most of all, the men helped each other to survive for almost 2 more years.

Under the terms of the Armistice signed on July 27, 1953, the Chinese had 60 days to return POW's. They used that as the last opportunity to punish the resisters. The ones who had caused the most problems were held to the last. Walt Mayo crossed Freedom Bridge on September 5, 1953, on the 58th day of the prisoner exchange.

Of the 7,140 American POW's in the Korean war, more than 3,000 died or were never heard from again. The total number who died as prisoners was probably much higher, given that many of the 8,000 missing in action were certainly taken by the Chinese. But we know that at least two out of every five men died in captivity, a toll matched only by the POW's held by the Japanese in World War II.

Walt Mayo said that he lived because of three weapons his captors could never take from him: faith in God, faith in his country, and faith in himself. He, like so many other Americans who fought in Korea, used these common values to achieve uncommon courage,

strength, and discipline. The memorial's stark, moving depictions of weary fighting men seem to somehow capture this inner quality. It is right and proper that we at long last give this due honor to Walt Mayo and the POW's who survived; to Father Kapaun and those thousands of Americans who lie buried along the banks of the Yalu; and to all of the veterans of the Korean war.

THE SPIRIT OF VERMONT AND
THE NEW KOREAN WAR MEMO-
RIAL

HON. BERNARD SANDERS

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 1995

Mr. SANDERS. Mr. Speaker, this week the new memorial on The Mall to the brave Americans who fought in the Korean war was dedicated. It is long overdue that we have lasting tribute in our Nation's Capital to the near 1.5 million Americans from Vermont and all across our Nation who answered the call to stop North Korean aggression in the 1950's.

I hope there will be many occasions when Vermonters will be able to visit this powerful work of art and to honor those who fought and those who died in the Korean conflict.

I also want to call to the attention of my colleagues that Frank Gaylord of Barre, VT, who saw extensive combat action in World War II as a member of the 17th Airborne Division, 513th Parachute Infantry Regiment, is the sculptor of the column of 19 poncho-swathed soldiers featured in the Korean War Memorial.

Frank Gaylord has been a professional sculptor for 44 years, having received his bachelor of fine arts degree from Temple University in 1950. He returned to Vermont where he has worked in his own sculpture studio in Barre, VT for 38 years.

He has been chosen to create sculpture for municipalities, States, and educational institutions throughout the United States and Canada, including statues of Pope John Paul II, U.S. President Calvin Coolidge from Vermont, and Martin Luther King, Jr. He is equally comfortable designing sculpture using granite, marble, resin, or metal as a medium.

Frank Gaylord's latest composition at the Korean War Memorial is a moving reminder to all of us of the power of art. The Washington Post, in applauding his work, affirms that Gaylord's soldiers stand unpretentiously for the common soldiers of all wars.

I am proud that one of Vermont's native sons has bestowed this gift upon all of us, especially our Nation's deserving Korean war veterans.

I also ask that the text of a feature article about the Korean War Memorial that appeared on July 22, 1995, in the Washington Post be reprinted in the CONGRESSIONAL RECORD following this statement.

[From the Washington Post, July 22, 1995]

A MARCH TO REMEMBER—MOVING MONUMENT TO KOREA VETERANS SURPASSES THE TORTURED HISTORY OF ITS DESIGN

(By Benjamin Forgey)

When the Korean War Veterans Memorial is dedicated next Thursday—the 42nd anniversary of the armistice ending the war—veterans and their families will be celebrating an honor long overdue.

They can also celebrate a work of beauty and power. Given the tortured history of the memorial's design, this seems almost a miracle. But there it is. Situated on proud symbolic turf southeast of the monument to Lincoln, in equipoise with the Vietnam Veterans Memorial to Lincoln's north, the Korean memorial is a worthy addition to the national Mall.

Despite some big flaws, our newest memorial is incredibly moving. And what could have been its most glaring weakness—a column of realistically sculpted soldiers in combat formation—turned out to be its major strength. Unheralded sculptor Frank Gaylord of Barre, Vt., created 19 figures that are convincing individually and as a group.

It is a case of art rendering argument superfluous. There were obvious dangers in the concept of a memorial featuring a column of battle-ready soldiers. If excessively realistic, they could be off-putting. If strung out in too orderly a row, they could be deadeningly static. And yet, if inordinately animated, they could be seen as glorifying war. Indeed, in one of Gaylord's early versions, they came perilously close to doing just that.

But in the end, none of this happened. Placed dynamically on a triangular field of low juniper shrubs and cast in stainless steel at a scale slightly larger than life, these gray, wary troopers unself-consciously invite the empathy of all viewers, veteran and non-veteran alike.

The sculptures and triangular "field of service" are one of three major elements in the memorial. With an American flag at its point, the field gently ascends to a shallow, circular "pool of remembrance" framed by a double row of braided linden trees. There also is a memorial wall. Made of huge slabs of polished black granite, each etched with shadowy faces of support troops—nurses, chaplains, supply clerks, truck drivers and so on—the 164-foot wall forms a subtly dramatic background for the statues. High on the eastern end of the wall, where it juts into the pool of water, is a terse inscription. Freedom is not free.

The memorial was designed by Cooper Lecky Architects of Washington—although, in an important sense, the firm acted like the leader of a collaborative team. Important contributions were made by Gaylord and Louis Nelson, the New York graphic designer of the memorial wall, and also by the Korean War Veterans Memorial Advisory Board and the reviewing agencies, especially the Commission of Fine Arts.

Not to be forgotten are the four architects from Pennsylvania State University who won the design competition back in the spring of 1989—John Paul Lucas, Veronica Burns Lucas, Don Alvaro Leon and Eliza Pennypacker Oberholtzer. This team dropped out after it became apparent that its original design would have to be altered significantly to pass muster with the advisory board, reviewing agencies and others. The team sued, and lost, in federal court.

Key elements of the competition design remain in the final product—particularly the central idea of a column of soldiers moving toward a goal. But the finished product is a big improvement over the initial scheme. It's smaller and more accommodating—not only was the number of soldiers cut in half (the original called for 38 figures), but also a vast open plaza was eliminated in favor of the contemplative, shaded pool. It's easier to get into and out of—the clarity of its circulation pattern is outstanding. Its landscaping is more natural—among other things, the original called for a grove of plane trees to be clipped "torturously," as a symbol of war. The symbolism of the memorial is now simple and clear.

Still, Cooper-Lecky and the advisory board went through many versions, and many

heartbreaks, on the way to getting a design approved—and the finished memorial shows the strain of the long, contentious process. It cannot be said that this memorial possesses the artistic grandeur and solemnity of the Lincoln Memorial. It does not have the aesthetic unity of Maya Lin's Vietnam Veterans wall. It is not quite so compelling a combination of the noble and the everyday as Henry Merwin Shady's Grant Memorial at the other end of the Mall. But this is to put the new memorial in elevated company—together with the Washington Monument, these are our finest expressions of memorial art. To say that the Korean War memorial even comes close is a tribute.

Without question, its worst feature is a sequence of parallel strips of polished black granite in the "field of service." Unattractive and unneeded, they threaten to reduce the soldiers' advance to the metaphorical level of a football game. And on one side of the field, they end in obtrusive, triangular blocks of granite, put there to discourage visitors from walking onto the granite ribbons. The junipers may in time cover the strips—at least, one can hope—but these bumps, unfortunately, will remain bumps.

The wall gets a mixed review. A clever if somewhat shameless adaptation of Maya Lin's idea—with faces rather than names etched in—it honors support troops, who always outnumber those on the front lines. It is beautifully made. The heads are real ones from photographs in Korean War archives, digitally altered so that the light source is always coming from the direction of the flag. The etching is wonderfully subtle: The faces seem to float in a reflective gray mist. The wall tugs the heartstrings, for sure, but it's also a bit obvious, a bit much. It has the feel of a superfluous theatrical trick.

Fortunately, the wall does not interfere too much with the sculpture, which from the beginning has been the primary focus of this memorial. It was an extraordinary challenge, one of the great figurative commissions of the late 20th century, and Gaylord came through. To walk down from the Lincoln Memorial and catch a first, appositional glimpse of the soldiers, as they stalk from under the tree cover, is quite a thrill. Even from a distance and from the back, the gray figures are compelling.

And, as choreographed on that field, they become more compelling the closer you get until, with a certain shock, you find yourself standing almost within touching distance of the first figure: a soldier who involves you in the movement of the patrol by turning his head sharply and signaling—Beware!—with the palm of his left hand. He is a startling, daring figure and, with his taut face and that universal gesture of caution, he announces the beginning of a tense drama.

It is an old device, familiar in baroque painting and sculpture, to involve the viewer directly in the action by posture, gesture, facial expression. Gaylord adapted it masterfully here: The figures look through you or over your shoulders, enveloping the space beyond the memorial with their eyes. The air fairly crackles with the vitality of danger. The soldiers communicate tersely among themselves, too—in shouted commands or gestures and glances.

The most critical contact, though, may be that first one, between the visitor and that initial soldier. His mouth is open—you can almost hear him hissing an urgent command. You slow down, and then you behold the field before you. There is fatigue and alertness everywhere you look. Each figure and each face is as charged as the next. Appropriately, the gray metal surfaces are not polished and shined. Gaylord's rough treatment of the matte surfaces adds to the nervous intensity of the piece

It is quite a feat to give such figures such a feeling of movement—they're only walking, after all, and they're carrying heavy burdens. But Gaylord performed that feat, 19 times—he proved himself a master of *contrapposto*, another time-honored sculptural technique. Underneath the gray ponchos and the weight of the stuff on their backs, these figures twist from hip to shoulder and neck. Some shift dramatically, some just enough, so that the ensemble takes on

an extraordinary animation. Every gesture seems perfectly calculated to reinforce the irony. These ghostly soldiers in their wind-blown ponchos seem intensely real.

Dedicated to the concepts of service, duty and patriotism, the new memorial stands in sharp contrast to its companion across the Reflecting Pool. But the Korean and Vietnam memorials make a complementary, not a contradictory, pair. In honoring the sacrifices of soldiers in Vietnam, Lin's great V-

shaped wall invokes a cycle of life and death, and physically reaches out to the Mall's symbols of union and democracy.

The Korean War Veterans Memorial is more straightforward, and speaks directly of a specific time and place. Yet it attains an unmistakable universality of its own. Gaylord's soldiers (and Marines and airmen) served in Korea, yes. But they also stand unpretentiously for the common soldiers of all wars.