shortage—ultimately resulting in more organ donation.

There is a major undersupply of available and suitable organ donors.

Currently, there are 50,000 individuals waiting for an organ transplant in the United States. The number of people on the list has more than doubled since 1990 and a new name is added to the national patient waiting list approximately every 18 minutes. Despite the numerous problems that organ donation programs have faced and conquered over the years, a major problem still exists.

The demand for organs will continue to grow with the improvement of medical technologies. Without expanded efforts to increase the supply of organ donation, the supply of suitable organs will continue to lag behind the need.

For the many would-be organ recipients, the consequence of shortage is death. It is clear that expanded efforts are necessary in order to increase the number of organ donors.

According to some researchers, it may be possible to increase by 80 percent the number of organ donations in the United States through incentive programs and public education. A congressional medal recognizing donors and their families can play a very important and effective role in our efforts to encourage such donation.

Our proposed Gift of Life Medal Program will be administered by the regional organ procurement organizations [OPO's] and managed by the entity administering the organ procurement and transplantation network. Once the decision to donate an organ has been made, the donor or the family member of the donor will be asked by the regional OPO whether participation in the Gift of Life Medal Program is desired.

The OPO will give each donor or family member the option of receiving a gift of life medal, recognizing that some may not want to participate. If requested, a public presentation will be made to honor the donor. A presentation by a local official, community leader or Member of Congress would be a tremendous opportunity to increase the awareness concerning the desperate need for organ donation.

Every action has been taken to ensure that the issuance of the gift of life medals results in no net cost to the Government. In addition, I am proud to report that the legislation has the strong support of the United Network for Organ Sharing [UNOS] and the Coalition on Donation.

Any one of us, or any member of our families, could need a life saving transplant tomorrow. We would then be placed on a waiting list to await our turn—or our death.

So, I ask that our colleagues help bring an end to waiting lists and recognize the enormous faith and courage displayed by organ donors and their families. Please join us as cosponsors of The Gift of Life Congressional Medal Act of 1997. These donors offer others a second chance by providing the most precious gift imaginable—the gift of life.

The bill is as follows:

H.R.—

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the ''Gift of Life Congressional Medal Act of 1997''.

**SEC. 2. CONGRESSIONAL MEDAL.**

The Secretary of the Treasury shall design and strike a bronze medal with suitable emblems, devices, and inscriptions, to be determined by the Secretary of the Treasury, to commemorate organ donors and their families.

**SEC. 3. ELIGIBILITY REQUIREMENTS.**

(a) IN GENERAL.—Any organ donor, or the family or family member of any organ donor, shall be eligible for a medal described in section 2.

(b) DOCUMENTATION.—The Secretary of Health and Human Services shall direct the entity holding the Organ Procurement and Transplantation Network (hereafter in this Act referred to as ''OPTN'') to contract to—

(1) establish an application procedure requiring the relevant organ procurement organization, as described in section 371(b)(1) of the Public Health Service Act (42 U.S.C. 273(b)(1)), through which an individual or their family made an organ donation, to submit to the OPTN contractor documentation supporting the eligibility of that individual or their family to receive a medal described in section 2; and

(2) determine, through the documentation provided, and, if necessary, independent investigation, whether the individual or family is eligible to receive a medal described in section 2.

**SEC. 4. PRESENTATION.**

(a) DELIVERY TO THE SECRETARY OF HEALTH AND HUMAN SERVICES.—The Secretary of the Treasury shall deliver medals struck pursuant to this Act to the Secretary of Health and Human Services.

(b) DELIVERY TO ELIGIBLE RECIPIENTS.—The Secretary of Health and Human Services shall direct the OPTN contractor to arrange for the presentation to the relevant organ procurement organization all medals struck pursuant to this Act to individuals or families that, in accordance with section 3, the OPTN contractor has determined to be eligible to receive medals under this Act.

(c) LIMITATION.—

(1) IN GENERAL.—Except as provided in paragraph (2), only 1 medal may be presented to a family under subsection (b). Such medal shall be presented to the donating family member, or in the case of a deceased donor, to the family member who signed the consent form authorizing, or who otherwise authorized, the donation of the organ involved.

(2) EXCEPTION.—In the case of a family in which more than 1 member is an organ donor, the OPTN contractor may present an additional medal to each such organ donor or their family.

**SEC. 5. DUPLICATE MEDALS.**

(a) IN GENERAL.—The Secretary of Health and Human Services or the OPTN contractor may provide duplicates of the medal described in section 2 to any recipient of a medal under section 4(b), under such regulations as the Secretary of Health and Human Services may issue.

(b) LIMITATION.—The price of a duplicate medal shall be sufficient to cover the cost of such duplicates.

**SEC. 6. NATIONAL MEDALS.**

The medals struck pursuant to this Act are national medals for purposes of section 5111 of title 31, United States Code.

**SEC. 7. GENERAL WAIVER OF PROCUREMENT REGULATIONS.**

No provision of law governing procurement or public contracts shall be applicable to the procurement of goods or services necessary for carrying out the provisions of this Act.

**SEC. 8. SOLICITATION OF DONATIONS.**

(a) IN GENERAL.—The Secretary of the Treasury may enter into an agreement with the OPTN contractor to collect funds to offset expenditures relating to the issuance of medals authorized under this Act.

(b) PAYMENT OF FUNDS.—

(1) IN GENERAL.—Except as provided in paragraph (2), all funds received by the Organ Procurement and Transplantation Network under subsection (a) shall be promptly paid by the Organ Procurement and Transplantation Network to the Secretary of the Treasury.

(2) LIMITATION.—Not more than 5 percent of any funds received under subsection (a) shall be used to pay administrative costs incurred by the OPTN contractor as a result of an agreement established under this section.

(c) NUMISMATIC PUBLIC ENTERPRISE FUND.—Notwithstanding any other provision of law—

(1) all amounts received by the Secretary of the Treasury under subsection (b)(1) shall be deposited in the Numismatic Public Enterprise Fund, as described in section 5134 of title 31, United States Code; and

(2) the Secretary of the Treasury shall charge such fund with all expenditures relating to the issuance of medals authorized under this Act.

(d) START-UP COSTS.—A 1-time amount not to exceed $55,000 shall be provided to the OPTN contractor to cover initial start-up costs. The amount will be paid back in full within 3 years of the date of the enactment of this Act from funds received under subsection (a).

(e) NO NET COST TO THE GOVERNMENT.—The Secretary of the Treasury shall take all actions necessary to ensure that the issuance of medals authorized under section 2 results in no net cost to the Government.

**SEC. 9. DEFINITIONS.**

For purposes of this Act—

(1) the term ''organ'' means the human kidney, liver, heart, lung, pancreas, and any other human organ (other than corneas and eyes) specified by regulation of the Secretary of Health and Human Services or the OPTN contractor; and

(2) the term ''Organ Procurement and Transplantation Network'' means the Organ Procurement and Transplantation Network established under section 372 of the Public Health Service Act (42 U.S.C. 274).

**SEC. 10. SUNSET PROVISION.**

This Act shall be effective during the 2-year period beginning on the date of the enactment of this Act.

## TOWARD A BETTER SYSTEM OF DIPLOMATIC IMMUNITY

**HON. DAVID DREIER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 23, 1997*

Mr. DREIER. Mr. Speaker, earlier this year, here in our Nation's Capital, a young woman was killed in a car accident. This tragedy briefly became the subject of national news because the offending driver was a diplomat of the Republic of Georgia, and the driver was allegedly driving drunk. Thus, a horrible situation for the young woman's family became the focal point for an ad hoc rethinking of the issue of diplomatic immunity, and the reasonable expectation of most Americans that diplomats and their families should not be absolved of all personal responsibility for criminal actions.

Diplomatic immunity unquestionably plays an important role in foreign relations between nations. I firmly believe that American diplomats, their staffs and their families must be shielded from abusive prosecution abroad by strict adherence to the international rule of law

upon which diplomatic immunity is based. In the United States, the same principles must apply to those associated with diplomatic missions here in Washington, at the United Nations in New York City, and at consulates in California and throughout our country.

While the concept of diplomatic immunity remains an important underpinning of peaceful diplomacy, it is time, with the exponential growth of the diplomatic corps, that we reexamine the procedures and policies implicit in the doctrine of diplomatic immunity. In short, while diplomats cannot be held hostage by foreign governments through criminal prosecution of themselves, their families or their staffs, that does not mean that civilized countries cannot agree to hold their own diplomatic personnel accountable in their own judicial systems.

I recently met with a now-retired New York City detective, a highly decorated veteran of street wars, who attempted to arrest a young man, the son of a diplomat, who is a serial rapist. I recently met with one of that young man's victims, whose life has never fully returned to normal. I recently met with representatives of the International Association of Chiefs of Police, the National Organization for Victim's Assistance, the National Association of Crime Victims Compensation Boards, the National Black Police Association, Mothers Against Drunk Drivers, and the National Law Enforcement Council.

These officers, victims, and advocates were assembled by constituents of mine in California who are responsible for an important study of cases of diplomatic immunity abuse. In the book by veteran journalist Chuck Ashman and attorney Pamela Terracott, ''Diplomatic Crime'', they document that the majority of criminal acts which trigger the imposition of diplomatic immunity claims are committed not by Ambassadors or senior ministers, but by their lower ranking staff and family members. They point out that there are cases in which those accused are not only excused but remain in their duty post or are quickly reassigned to another

I commend Chuck and Pamela for their dedicated research. I thank victims and police for their determination to shed light on abuses. I appreciate the concern on the part of so many significant police and victims support groups for this issue.

Mr. Speaker, as I mentioned, the tragic death of a young woman at the hands of a drunk driver forced the issue of diplomatic immunity back to the front pages earlier this year. In that one case, the government of the accused has waived his immunity and allowed American procedures for justice to move ahead. What is most significant about that decision is how unique it is in the field. In fact, the knee jerk reaction of most nations, including the United States, is to recall those accused of crimes before there is any determinations as to the merits of the charges.

It is my view that the growth in the number of diplomatic personnel, along with media technology that spreads word of crimes across the country in minutes, creates the potential for public outrage that could threaten the entire system of diplomatic immunity sometime in the future. Therefore, I believe that now is the time for Congress to begin an effort to seriously investigate how to improve and protect diplomatic immunity. I recently introduced legislation, H.R. 1236, to get that process underway. I would like to thank Congressman CHRIS SMITH, the chairman of the International Relations Committee's Subcommittee on International Operations and Human Rights for incorporating the provisions of H.R. 1236 into H.R. 1253, the Foreign Relations Authorization Act for fiscal years 1998 and 1999, which was reported out of the subcommittee on April 9.

This legislative effort may be of little comfort to the victims of that serial rapist or to the families of those killed by drunken drivers who have not been called to account in any nation, but I believe it is a step in the right direction. The Congress should know when and where these incidents occur. The Congress and the American people should know the disposition of cases involving American officials overseas accused of crimes. I look forward to the Congress moving forward on this issue, to study the reports we are requesting from the State Department, and to take the lead globally in exploring how to balance the needs of diplomacy and the demands of a changing society.

Again, Mr. Speaker, I commend Chuck Ashman and Pamela Terracott for their dedicated research, and thank the victims and those police who have shown such determination to shed light on abuses.

## PRESIDENT BILL CLINTON SENDS GREETINGS TO THE THIRD WORLD PARLIAMENTARIANS CONVENTION ON TIBET

### HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 23, 1997*

Mr. LANTOS. Mr. Speaker, today here in the Rayburn House Office Building the Third World Parliamentarians Convention on Tibet was held. Among those who spoke during this conference were His Holiness the Dalai Lama and the chairman of the House International Relations Committee, our colleague Congressman BENJAMIN A. GILMAN of New York.

President Bill Clinton sent a message of greeting to the parliamentarians of many countries who were assembled here today. Mr. Speaker, I am inserting the message of President Clinton into the RECORD. Our President's powerful affirmation of the importance of human rights is an important statement that I urge all of my colleagues to read:

THE WHITE HOUSE,
*Washington, April 17, 1997.*

Warm greetings to everyone gathered in Washington, D.C., for the Third World Parliamentarians Convention on Tibet. I am pleased to welcome all the participants, and especially His Holiness the Dalai Lama, whose devotion to the Tibetan people and inspiring advocacy of nonviolence and dialogue have earned the world's lasting admiration.

All Americans cherish the rights guaranteed to us by our founders in the Constitution and the Bill of Rights. We have worked to extend them not only to our own citizens, but also to people everywhere, recognizing that these freedoms are the birthright of all humankind. It is heartening that, with the growth and development of the human rights movement, there has been a greater awareness and appreciation that such rights are universal and not limited by political boundaries.

We must continue to speak out whenever human rights are threatened or denied, and I am grateful for the continuing efforts of leaders like you, who have done so much to advance democracy, human dignity, and religious freedom worldwide.

Best wishes for a successful convention.

BILL CLINTON.

## PRESERVING OUR COUNTRY'S IMPORTANT NATURAL AND RECREATIONAL RESOURCES

### HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 23, 1997*

Mr. SHERMAN. Mr. Speaker, I rise today to voice my deep concern that revenues deposited into the Land and Water Conservation Fund [LWCF] are not being spent as they should. Congress created this fund many years ago to pay for the purchase of critical Federal park and recreation lands, but now only spends a small portion of the fund's annual revenues for this purpose.

The Land and Water Conservation Fund was established in 1965 in order to provide a permanent annual funding source for high priority land investments that would help to conserve our Nation's natural resources and ensure our ability to meet Americans' recreational needs. At first the fund's revenues came from proceeds generated by the sales of surplus Federal real property, motorboat fuel taxes, and fees for recreational use of Federal lands. Then in 1968, Congress decided to substantially increase the LWCF's revenues by directing into the fund money yielded from Outer Continental Shelf mineral leasing receipts. As a result, Federal returns from the exploitation of one key natural resource, namely mineral products removed from the Outer Continental Shelf areas, are designated to conserve other key natural resources, namely public parks, wildlife habitats, and other recreational resources.

The LWCF presently receives $900 million each year, nearly all of which comes from OCS receipts, and until 1981 the vast majority of the fund's holdings were spent on Federal land acquisition. However, over the last decade and a half, Congress has allocated less and less LWCF money for its intended purpose and has, instead, used the fund to offset the Federal deficit. Though in fiscal year 1978 over $800 million was directed from the LWCF to buy land, in fiscal year 1997 only $149 million, or 14 percent, of the LWCF was allocated to buy park and recreational property. Since such small percentages of the fund have been used to buy land in recent years, the unspent revenues have accumulated and now total more than $11 billion.

While we wait to balance the budget, we are losing many opportunities to acquire and protect environmentally sensitive lands and areas that are critical to our present and future recreational needs. Many important lands will soon be lost to real estate development and industrial uses, and unless we purchase them now, we will never have another opportunity to preserve them.

In honor of Earth Day, I would like to call on Congress to allocate this year's LWCF revenues for their intended purpose, to preserve in public ownership our country's most important natural and recreational resources.