

Park carousel was manufactured. With nickels earned by milking cows, Mr. Whittemore escaped the world by riding the carousel.

On March 1, 1943, he joined the City Parks Department staff—a job which became a career spanning 33 years. While working for the City Parks Department, Mr. Whittemore also worked nights, Sundays and holidays as the maintenance man and operator of the City Park carousel. Just as Mr. Whittemore cared about the happiness of children, he also cared about his family. He loved and appreciated his family and shared his light with all.

Mr. Whittemore was a man of kindness and generosity. Through his involvement in the community, he touched the lives of many. His smile, his devotion, and his zest for life will long be remembered and admired. Those who have come to know J.B. Whittemore will miss him greatly. I am confident however, that in spite of this profound loss, the family and friends of Mr. Whittemore can take comfort in the knowledge that he made a significant impact on the quality of life of the citizens of Pueblo.

THE INTERNATIONAL ARBITRATION ENFORCEMENT ACT AND THE NEW YORK CONVENTION COMPLIANCE ACT

**HON. BILL MCCOLLUM**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 24, 1999*

Mr. MCCOLLUM. Mr. Speaker, today I am introducing legislation, the International Arbitration Enforcement Act and the New York Convention Compliance Act, to protect American businesses from foreign backed companies who fail to act in good faith.

In 1991, Ross Manufacturing, a Florida company, filed a claim with the Stockholm Arbitration Institute against a Chinese state-owned corporation for defaulting on a contractual agreement. Even though the arbitration panel found in favor of Ross Manufacturing, the Chinese company refused to pay the settlement. Furthermore, the Chinese courts initially refused to accept the claim. By the time the claim was eventually accepted by the Chinese courts, the Chinese company had been liquidated and the Chinese offered no remedy to enforce the settlement. This was so even though the liquidated company was a state-run industry and it appears may have been liquidated as a pretense just to give cover to avoiding this debt.

There are companies throughout this country that have ventured into business relationships with China and been burned. That is why I am introducing two pieces of legislation to protect U.S. companies and make sure that foreign companies live up to pre-existing trade agreements.

The International Arbitration Enforcement Act, would create a civil remedy against foreign states that either ignore or prohibit arbitral awards entered in favor of United States persons. If the President certifies that a person has been injured and has exhausted every avenue of relief in pursuing enforcement of a foreign arbitral award then that person gets his or her day in Federal Court to pursue a civil action against the foreign state.

The New York Convention Compliance Act, would direct the President to withhold exten-

sion of the WTO Agreement to any country that is not in compliance with its obligations under the New York Convention. This would require foreign countries to meet their outstanding obligations before receiving full consideration for WTO ascension.

While I believe that American companies need to be prudent in their dealings with entities overseas, having a company fully backed by the Chinese government default on a legal and binding contract is unacceptable. I urge my colleagues to support this timely legislation.

ACTIVIST PHYSICIAN NAMED "OUTSTANDING LEADER" BY LEADERSHIP MONTGOMERY

**HON. CONSTANCE A. MORELLA**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 24, 1999*

Mrs. MORELLA. Mr. Speaker, it is my great pleasure to congratulate Dr. Horace W. (Bud) Bernton for receiving the Bell Atlantic Outstanding Leader Award at Leadership Montgomery's graduation ceremonies. Dr. Bernton graduated from Leadership Montgomery in 1994, and quickly thereafter began to recruit other community-minded individuals and organizations to join him in his life-long effort to make medicine more accessible to persons of limited income.

Leadership Montgomery selected Dr. Bernton for its annual award after he was nominated by fellow graduate and county health officer, Dr. Carol Garvey. Dr. Garvey noted that Dr. Bernton's active nature took over when he retired from practicing medicine seven years ago, leading him to join Community Clinic, which offers care to low-income county residents. As a board member he helped launch the Primary Care Coalition, a consortium of local hospitals, the medical society, the health department, and various providers and supporters of indigent care. The coalition is dedicated to enhancing access to primary medical care for the growing numbers of low income county residents, who often face language and cultural differences.

Once Dr. Bernton joined Leadership Montgomery, he tapped its considerable community connections, some of which helped him develop the Primary Care Coalition. He nurtured the coalition through its founding, became its first chair, solicited pro bono legal services to make it a non-profit corporation, and worked aggressively with several coalition members to attract grants to fund Project Access. The initiative now connects low income patients with private physicians who agree to provide care at minimal cost.

Dr. Bernton's advocacy has now come full circle: Project Access has also absorbed PARS, the Patient Advocacy Referral Service for low income patients. Dr. Bernton started PARS back in 1972 to refer patients to physicians building their practices, as long as they agreed to accept uninsured, low income patients. His policy demanded that no one be turned away due to an inability to pay for care, and it is this demonstrated compassion that makes him such a deserving recipient of this year's 'outstanding leader' award.

LUIS SABINES, OF CAMACOL, CELEBRATES 20TH HEMISPHERIC CONGRESS IN MIAMI

**HON. ILEANA ROS-LEHTINEN**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 24, 1999*

Ms. ROS-LEHTINEN. Mr. Speaker, I am delighted to congratulate Mr. Luis Sabines, President of the United States Latin American Chamber of Commerce (Camacol), for his devoted labor in establishing the annual Hemispheric Congress and for having been honorably elected to preside as President of the Hemispheric Congress for the year 2000.

Luis Sabines has worked tirelessly and extensively with a variety of trade organizations and businesses in order to promote this year's Hemispheric Congress which, under his leadership and guidance, proved to be a resounding success. Due to his guidance and leadership, he was selected to preside in the upcoming Hemispheric Congress on May 3rd to the 6th of next year, which should prove to be an even bigger success.

This year's recent conference, entitled "Globalization with Integral Development," brought in individuals from 60 different businesses and chambers of commerce, representing 34 countries. It hosted an additional exposition of non-traditional products from overseas that were available for purchase. Contract negotiations among American businesses occurred, promoting both American products abroad, and Latin American products in the United States. Next year's Hemispheric Congress promises to continue the negotiations among American businesses, and to add on to the number of countries taking part in the negotiating, and promotion of trade between Latin American and the United States.

Luis Sabines has done a remarkable job promoting international trade and educating businesses, helping them to foster their growth. Today, I congratulate him on having been elected as President of the 21st Congress. Future Congresses will continue to make important contributions to South Florida's vital role in international trade.

INTRODUCING TO THE RECOVERY IMPLEMENTATION PROGRAM FOR ENDANGERED FISH SPECIES IN THE UPPER COLORADO AND SAN JUAN RIVER BASIN PROGRAMS

**HON. JAMES V. HANSEN**

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 24, 1999*

Mr. HANSEN. Mr. Speaker, it is with pleasure that I am introducing an Act that would authorize the Bureau of Reclamation to provide cost sharing for the endangered fish recovery implementation programs for the Upper Colorado River and San Juan River Basins. This Act is needed so that two cooperative inter-governmental programs can continue working to achieve recovery of four endangered fish in the Upper Colorado River and San Juan River Basins while meeting continuing demands for water in the arid West. To date, requests for

funding for the recovery programs have received considerable support in Congress because the programs serve as a dispute resolution and provide a means to solve a very complex set of problems. However, as the amount of funding required increases because capital construction projects are underway, program participants are seeking clear statutory authority to help ensure that needed funds continue to be appropriated by Congress.

The Recovery Program is a mutually supported program including the states, government agencies, Indian tribes, private organizations, and environmental organizations. Participants in the Upper Colorado River program alone include the state of Colorado, the state of Utah, the state of Wyoming, the U.S. Bureau of Reclamation, the U.S. Fish and Wildlife Service, the Western Area Power Administration, environmental organizations, water development interests, and federal power customers.

This bill would authorize the appropriation of \$46 million to the Bureau of Reclamation and the Bureau of Indian Affairs and ensure the completion of the capital projects and research needed to recover the listed species. Once the bill is enacted, non-federal participants like the states and those who purchase power from federal hydroelectric projects, will also share in the cost of the capital projects.

This bill is a good example of how the recovery of listed species can coincide with existing and future uses of water for states needs. Also, this is an opportunity to set a precedent for other regions of the country who could be impacted by the recovery of a listed species. These implementation programs are running models—showing how cooperation between states, government agencies, and private organizations can achieve results. Participants in these programs are eager to move ahead and willing to share the costs. I urge all my colleagues to support and co-sponsor this Act to authorize the Bureau of Reclamation to provide cost sharing for the endangered fish recovery implementation programs for the Upper Colorado River and San Juan River Basins.

#### D.R.O.P. SPECIES ACT

### HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 24, 1999*

Mr. CALVERT. Mr. Speaker, today I am dropping the fourth in a series of single-issue bills to make common sense corrections to the Endangered Species Act. My bill, the Direct Review of Protected Species Act, would amend the ESA to provide for the review and recommendation by the National Academy of Sciences of species that should be removed from the list of endangered and threatened species.

During ESA's 26 years, over 1,154 animals and plants have been listed as endangered or threatened, yet only 27 species have been removed from the list. 27! That is a recovery rate of 2 percent, which leads me to believe that either the Fish and Wildlife Service is not keeping up with their mandate to review the list every five years and remove recovered species, or their best efforts to conserve habitat at the expense of billions of dollars to tax-

payers are failing. Either conclusion is unacceptable. The DROP Species Act would take the de-listing process out of the hands of politicians and place it in the hands of a well-respected, independent panel of scientists.

I'm unhappy with the Fish and Wildlife Service, Mr. Speaker. So unhappy that I will introduce one ESA reform bill every week until the Resources Committee field hearing in California on July 9. The agency has a responsibility to balance the rights of species with the rights of taxpaying citizens. This is a call to common sense.

#### EXPOSING RACISM

### HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 24, 1999*

Mr. THOMPSON of Mississippi. Mr. Speaker, in my continuing efforts to document and expose racism in America, I submit the following articles into the CONGRESSIONAL RECORD.

HARRISBURG, Pa. (AP)—The question of whether ex-cons should be able to vote is becoming an issue in Pennsylvania and nationally.

Human-rights groups and prison-rights advocates plan to challenge the law because of its "racial implications," said Pennsylvania Prison Society director William DiMascio said.

In addition, there is legislation in Harrisburg seeking to overturn the law. And the chairman of the state Senate Judiciary Committee, Sen. Stewart Greenleaf, R-Montgomery County, a former prosecutor, said he is "willing to look at" a reconsideration of the law.

State Rep. Jerry Birmelin, R-Wayne County, chairman of the House Subcommittee on Crime and Corrections, said that while he opposes inmates voting, he'd consider extending the vote to ex-cons.

Pennsylvania's law, which passed virtually unnoticed as part of the 1995 "motor voter" legislation, bans felony ex-cons from registering to vote for five years after release from prison. Before 1995, ex-cons could register as soon as they got out of prison.

The law's supporters, including state Attorney General Mike Fisher, say criminals should pay for their crimes, and that losing the vote is part of the price.

"Since the Legislature has determined a convicted felon does not enjoy the same rights as people who are not convicted felons, I have no problem with that," Philadelphia District Attorney Lynne M. Abraham said through spokeswoman Cathie Abookire.

The effort to eliminate the ban comes as the prison inmate population rises to record levels nationally and in the face of a new Justice Department report that says blacks are six times more likely to be jailed than whites, and 2 times more likely than Hispanics.

It also comes as some Pennsylvania politicians become more concerned about losing 100,000 potential voters because of the ban.

A state-by-state study by Human Rights Watch, an international research group, estimates that 3.9 million Americans currently are banned from the ballot box. About 13 percent of black men, more than 1.3 million men nationally, cannot vote, according to the study.

While the ban applies to anyone convicted of a felony, it does not apply to people convicted or jailed on misdemeanor charges.

The only problem is that many minor criminals think they also are forbidden from voting, critics say.

"We find ex-offenders and other non-felony folks under the impression they can't vote," said Leodus Jones, director of Community Assistance for Prisoners, a nonprofit advocacy group. "I really believe there are thousands in Philadelphia alone."

Only four states—Maine, Vermont, Massachusetts and New Hampshire—allow inmates to vote.

Estimating exactly how many Pennsylvanians are affected is difficult due to recidivism and because no one adequately tracks state, local and federal releases. The Pennsylvania Commission on Crime and Delinquency offered "rough numbers," saying there are about 86,000 to 101,000 inmates and ex-cons who currently cannot vote.

The irony for those who believe the law is discriminatory is that in the 1995 "motor voter" law the ban is a part of what was designed to increase minority voting by making registration easier. However, many lawmakers say they were unaware of the felony provision, which was inserted at a time the Legislature was being hurried, under a federal court order, to pass a motor voter bill.

"We call it 'the mickey bill,' because they caught everybody asleep when they passed it," Jones said.

State Rep. Harold James, D-Philadelphia, a former Philadelphia police officer, said, "When we voted on 'motor voter,' we didn't even know that was in there."

[From the Washington Post, Apr. 20, 1999]

WORKER BIAS LAWSUITS FLOOD AGRICULTURE DEPT—MINORITIES, WOMEN ALLEGE DISCRIMINATION

(By Michael A. Fletcher)

The U.S. Department of Agriculture is grappling with a flood of discrimination complaints from minority and female employees who describe the agency as a hotbed of racial bias and harassment, where women assigned to remote work crews are physically threatened by male colleagues and minorities are routinely passed over for promotions.

Minority and women employees have long complained about what they call a deeply entrenched culture of discrimination at the sprawling federal agency, which is often derided as "the last plantation." The problems have intensified in recent months as more employees have stepped forward with formal complaints, even as top USDA officials have acknowledged longstanding civil rights problems. Earlier this year, the agency agreed to a huge court settlement that could result in hundreds of millions of dollars being paid to thousands of black farmers for past discrimination.

With a work force of 89,000 and a sweeping mandate that includes administering farm aid programs, managing national forests and running the food stamp program, USDA is one of the federal government's largest departments. With many of its workers deployed in rural outposts, critics charge that USDA's rank-and-file often seems impervious to the civil rights edicts that flow from the agency's Washington headquarters.

The agency is facing at least five class action or proposed class action complaints, either in federal court or before the Equal Employment Opportunity Commission, where groups of female and minority employees allege that they have been the victims of blatant racial bias or repeated sexual discrimination and harassment. In addition, more