

## DEATH ON THE HIGH SEAS ACT

• Mr. MCCAIN. Mr. President, most unfortunately it appears unlikely that House and Senate conferees will be able to reach agreement this year on a multi-year bill to reauthorize the Federal Aviation Administration. I am bitterly disappointed at Congress' inability to act on this legislation because of a number of parliamentary budget fights that ignore the dire need to pass this bill. Yet one of my most prominent disappointments is the likelihood that Congress' efforts to amend the Death on the High Seas Act will fall by the wayside in the short term. We will be forced to postpone our efforts to make damage recovery fair for all family members of aviation accident victims who have died.

The Death on the High Seas Act is a 1920's-era law that was put in place to help compensate the wives of sailors who died at sea. The law allows survivors to recover pecuniary damages, or the lost wages of their relatives on whom they depended upon financially. Unlike modern tort law, the Death on the High Seas Act does not allow family members to recover for non-monetary damages, such as for pain and suffering, or to seek punitive damages.

Despite its benevolent inception, the Death on the High Seas Act has been used to limit the recovery of damages among the families of airline passengers whose lives have been lost over international waters. The family members of those who died on TWA Flight 800 and EgyptAir Flight 990, for instance, will not be able to seek the same compensation that they would be entitled to if these accidents had occurred over land. The parents of children killed in these accidents cannot sustain a legal claim for damages, since they did not depend upon their children as the family breadwinners. That is an inequity and an unintended consequence that we need to fix.

As I said earlier, Congress intended to fix these problems in the context of the FAA reauthorization bill, yet negotiations have stalled for unrelated reasons. Consequently, I want to pledge every effort to move Death on the High Seas Act legislation independently, as soon as possible next year.

The Commerce Committee will hold additional hearings on this issue as soon as Congress reconvenes in 2000. I will take the lead in working with my colleagues to ensure that legislation to limit the application of the Death on the High Seas Act to aviation accidents moves as quickly as possible through Congress. I believe it enjoys enormous support within Congress. At the very least, it should not be bogged down in unrelated controversies.

The families of aviation accident victims over international waters have waited far too long for Congress to make sure that their losses are accorded the same respect as those associated with accidents over land. Family members should know that their children have value in the eyes of the

law. The recent aviation tragedies only highlight the need for prompt action. •

## IMMIGRATION ESSAY CONTEST

• Mr. KENNEDY. Mr. President, each year, the American Immigration Law Foundation and the American Immigration Lawyers Association sponsor a national writing contest on immigration. Thousands of fifth grade students across the country participate in the competition, answering the question, "Why I'm Glad America is a Nation of Immigrants."

In fact, "A Nation of Immigrants" was the title of a book that my brother President Kennedy wrote in 1958 at a time when he was a Senator. All his life, he took pride in America's great heritage and history of immigration.

As one of the judges of this year's contest, I was immensely impressed with the quality of the students' writing and the pride of the students in America's immigrant heritage. Many of the students told the story of their own family's immigration to the United States.

The winner of this year's contest is Crystal Uvalle, a fifth grader from Pennsylvania. She wrote about her father's immigrant background and how he came to America 20 years ago. Other students honored for the high quality of their essays were Leif Holmstrand and Eugene Yakubov of Chicago, Samantha Huber of Fredonia, Wisconsin, Alexa Lash of Miami, and Daniel Rocha of Media, Pennsylvania.

Mr. President, I believe these award winning essays from the "Celebrate America" essay contest will be of interest to all of us in the Senate, and I ask that they be printed in the RECORD.

The essays follow:

## WHY I AM GLAD AMERICA IS A NATION OF IMMIGRANTS

(By Crystal Uvalle, Grand Prize Winner)

It was about 20 years ago,  
A man come here from Mexico.  
He sought a better way to live,  
And found he had a lot to give.  
He didn't speak a word of English,  
So he took a job busing dishes.  
To learn his new country's ways,  
He worked and studied everyday.  
He made Dallas his new home,  
And before he knew it he was in the know.  
He worked his way up in that restaurant,  
And a lady there, his eye she caught.  
She was a native of another state,  
And he asked her out on a date.  
She liked pierogies and roast beef,  
He liked tamales and spicy meat.  
It didn't take long, they were in love,  
Then God sent them a baby from heaven above.

I'm so happy for them you see,  
That man and woman and I make three.  
I'm so happy America let him in,  
He's my father and my friend.

I love you Daddy!

## AMERICA, AMERICA—THEY CAME TO BE FREE

(By Leif Holmstrand, Chicago, Illinois)

I dedicate this song to my Farfar (father's father), who came to America from Sweden in 1920. His boat arrived in New York, at Ellis Island, where he spent some time. He

told my father stories about his trip: friends dying of tuberculosis, lice, over crowding. He went to Nebraska to try farming, but finally settled in Chicago, where he was a fine painter and woodworker.

America, the land of the free;  
The immigrants made it strong with their diversity

First, from England, came the Pilgrims, to worship as they pleased,

Next came the Germans, Irish, the French, the Swedes.

The Finns, the Danes, the Polish and Portuguese,

The Welsh, the Dutch, the Scots and the Chinese

America, America, they came to be free,  
The immigrants made it strong with their diversity

As indentured servants looking for opportunity,

Stolen from West Africa as slaves without liberty,

They came for land, they came for gold.  
From tyranny,

War and famine, they fled to this country.

America, America, they came to be free;  
The immigrants made it strong with their diversity.

A dangerous, relentless journey across the sea,

The immigrants landed at Ellis Island wanting to be free.

They worked in mines and factories, on farm and railroad,

Men, women, children, they carried a heavy America, America the land of the free,

The immigrants made it strong with diversity.

The IMMIGRANTS made it what it's come to be:

The U.S.A.—proud and free

America, America, the land of the free,  
The immigrants made it strong with their diversity.

Mexico, Korea, Bosnia, the Sudan

From Haiti, the Honduras, Afghanistan.

They're still coming from many other lands,  
They come to America, they want this country:

America, America, from sea to shining sea,  
America, America, the immigrants' country.  
America, America, the land of the free.

## WHY I AM GLAD AMERICA IS A NATION OF IMMIGRANTS

(By Samantha Huber, Fredonia, Wisconsin)

Africans, coming to America on slave ships  
Whipped and beaten

No choice

French, looking for gold and other treasures

Claiming land that was not up for sale

Indentured servants, looking for a new life

Finding it

America

A nation of immigrants

Spain, France, Mexico, England, Africa condensed into one

Freedom, education, equality, and justice for all

Diversity, teaching us tolerance

Variety

Differences in customs, holidays, foods, games, language, and clothing

Even ideas and thoughts differ

Everyone with a different life story

Giving us a taste of the rest of the world

I'm proud of my country

Glad to live in a nation of immigrants

Accepting and welcoming people of the world.

## WHY I'M GLAD AMERICA IS A NATION OF IMMIGRANTS

(By Alexa Lash, Miami, Florida)

I am alone

Unprotected by the evil that stands before  
me  
I am alone  
Without home or a road to freedom  
I am afraid  
Walking through the blackened street of fear  
I am afraid  
Going to a new world where my language is  
not spoken  
I am transparent  
I am seeking a place with no one to be my  
guide  
I am transparent  
People see an ugly girl  
I am new  
Seeing new people who can help  
I am new  
Going to be free  
I am loved  
By my friends who I will trust  
I am loved  
By the family I will miss  
I am leaving  
I am going on the ship to freedom  
I am leaving  
Going to a street of gold  
I am crying  
Saying my good byes  
I am crying  
From tear to dangling tear  
I am forming  
I am becoming a woman on my own  
I am forming  
I am looking to see who I really am  
I am reaching  
Hearing the call of an eagle  
I am reaching  
Getting closer to the destination I have  
longed for  
I am observing  
Seeing the ocean bloom into waves along the  
shore  
I am observing  
Seeing the sun rise and the birds chirp  
I have arrived  
Feeling the warmth of the sand  
I have arrived  
In America.

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AMERICA

(By Daniel Rocha, Media, Pennsylvania)

America a land of differences  
different races;  
different faces,  
America a land of differences.  
America a land of freedom,  
Immigrants come from far and near,  
To taste the freedom we have here.  
They come for freedom of religion,  
freedom of speech,  
freedom of press,  
they come for freedom from dictators and  
laws  
America a land of freedom  
America a land of family,  
people come from different lands,  
to see their family that lives here,  
America a land of family.  
America a land of hope,  
Immigrants who come here,  
hope for freedom from unfair rules,  
hope to escape their fears,  
hope to stop their endless tears,  
America a land of hope  
America a land of people,  
many people,  
some have similarities,  
some have differences  
some have both  
America a land of people.  
America a land of different languages  
Spanish, English,  
Portuguese, Scottish

Chinese, Japanese,  
many languages,  
America a land of different languages  
America a land of all,  
America a land of difference,  
America a land of freedom,  
America a land of family,  
America a land of hope,  
America a land of people,  
America a land of different languages,  
America a land for all.

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WHY I AM GLAD AMERICA IS A NATION OF  
IMMIGRANTS

(By Eugene Yakubov, Chicago, Illinois)

My family came to the United States in 1996 because life in Ukraine was getting worse and was getting worse. There were no jobs, no food, and no money.

My friends' parents didn't have jobs for two years. In America his father got a job right away. Many people left their countries even though they had to change their professions.

In Ukraine my father was a tinsmith. Now he repairs air conditioners. My mom went to "Beauty School."

It is great that America is a nation of immigrants because when new immigrants arrive they meet people just like them. No one laughs at their English or their misery.

On my first day of school I was afraid I didn't know English. In class I saw children from all around the world. A Russian boy helped me a lot.

In America people have to work hard because life is not easy. This is the country that is built with hard labor.

New immigrants are like new-borns in the family. They bring happiness and joy.

I am grateful to America because my parents could find a job, and I may go to school where teachers don't faint because they are hungry.

Once President Kennedy addressed his fellow Americans. I address my fellow immigrants. Don't ask what America can do for you ask what you can do for America, a Promised Land for many of us.

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EXECUTIVE CALENDAR

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EXECUTIVE SESSION

Mr. SESSIONS. Mr. President, on behalf of the majority leader, I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nominations on the Executive Calendar: No. 271 and No. 274. Further, I ask unanimous consent that the nominations be confirmed, the motions to reconsider be laid upon the table, that any statements relating to the nominations be printed in the RECORD, the President be immediately notified of the Senate's action, and the Senate then return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations were considered and confirmed as follows:

THE JUDICIARY

Ronald M. Gould, of Washington, to be United States Circuit Judge for the Ninth Circuit.

THE JUDICIARY

Barbara M. Lynn, of Texas, to be United States District Judge for the Northern District of Texas.

Mr. GORTON. Mr. President, I am pleased to support the confirmation of

Ronald Gould to the Ninth Circuit Court of Appeals.

Since 1975, Ron has practiced law at the Seattle law firm of Perkins Coie, specializing in commercial litigation, and the numerous letters of support and recommendation that I have received throughout this long process attest to the high regard in which he is held by the legal community in Washington state.

Ron's admirable professional and academic record, however, while alone enough to qualify him for the federal bench, is only a small part of what will make him an asset to the Ninth Circuit. While distinguishing himself professionally, Ron has actively participated in volunteer legal, civic, and community organizations and projects too numerous to recite in full.

In addition to being a former President of the Washington State Bar Association, Ron Gould has served on the historical societies for the Supreme Court and the Ninth Circuit Court of Appeals, has co-chaired, with Washington state Attorney General Christine Gregoire, a project to develop mediation in high schools, and has been a member of Washington Women Lawyers, and the Washington Association of Lawyers with Disabilities.

Among the many non-legal, civic organizations in which Ron has been involved is the Boy Scouts of America, for which Ron has served on the Executive Board of the Chief Seattle Council since 1984.

Ron's legal and life experience has been extraordinary. So extraordinary that I am pleased to vote to confirm him to one of the positions of highest honor and responsibility in this country.

Mrs. MURRAY. Mr. President, I rise this evening in very strong support of my friend Ronald Gould's confirmation to the U.S. Court of Appeals for the Ninth Circuit. This has been a long hard-fought battle and I commend him for his patience, perseverance, and persistence. We made it, Ron. Congratulations!

Let me share with my colleagues some of the special things about Ronald Gould that make him a person I was proud to recommend to the President for a seat on the Federal bench. He has personally supported me in my political career and helped others to believe in me. Ron is an excellent lawyer, a strong advocate for the legal profession, a community booster, a dedicated family man, a Distinguished Eagle Scout, and a man who has overcome much in his personal life to continue to be all of these things. I am honored to have been a part of his journey to the Federal bench.

I would like to highlight some of Mr. Gould's personal history. He married his wife Suzanne more than 30 years ago, and they have two children. their 23-year-old son Daniel, who is also an Eagle Scout, is a jazz saxophone performer and technology student who recently graduated from Stanford University and founded his own Internet