

EUROPEAN COURT OF JUSTICE

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 2001

Mr. BEREUTER. Mr. Speaker, earlier this week the European Court of Justice, the supreme judicial body of the European Union, ruled that a former employee of the European Commission (EC), Mr. Bernard Connolly, was legitimately fired by the Commission after he published a book critical of the European Monetary Union. Although the court, in ruling against Mr. Connolly's appeal of his sacking, attempted to cloak its decision in the right of the EC to take disciplinary action when an employee's behavior undermined the trust and confidence that needs to exist between employee and employer (Connolly had published his book without prior permission from the EC), it went on to ascribe to the EC the right to curb dissent and punish individuals who "damaged the institutions image and reputation." In making this kind of argument, the Court comes disturbingly close to harkening back to the discredited concept of seditious libel.

The European Union is already under fire because of the lack of democracy in the way many of its institutions, particularly the European Commission, has operated. There is a lack of transparency in the manner in which regulations are established and promulgated, there is said to be a significant lack of accountability on the part of certain important categories of senior EU officials, there is said to be too little oversight exercised by institutions representing the citizens of Europe, and the legislative branch, the European Parliament, which under a regular democracy would fulfill such functions, is still in only the initial stages of asserting such prerogatives more than a quarter of a century after its establishment. In the light of this remaining democratic deficit, the European Court of Justice's ruling against Mr. Connolly is not so much surprising as it is alarming.

Mr. Speaker, it has been longstanding policy of the United States to support the creation of first, the European Economic Community, which became the European Community, and then in 1992, the European Union. It made sense from the standpoint of our own interests to have an overarching institution which could serve as a brake upon the possible resurgence of nationalism and conflict on the European continent, and to have our closest trading partners organized as a single market with a single set of regulations for us to do business on the other side of the Atlantic.

Now, however, we are seeing much more ambitious and far reaching efforts aimed at creating, if not a "United States of Europe," then a federated Europe with as many of the attributes of a single state as can be agreed upon by its member nations. The European Security and Defense Policy is one manifestation of these efforts, and it has certainly caused a great deal of concern because of the potential to weaken NATO and undermine the solidarity of the North Atlantic Alliance. Another manifestation is the emergence within the European Commission of much more strident economic and trade policies which have fostered increasingly bitter and divisive disputes between the U.S. and our European trading partners.

The ruling of the European Court of Justice in the Connolly case strikes at the heart of our common traditions and institutions which are pinned upon basic precepts of human rights. None of which is more fundamental than freedom of speech. If the EU truly believes that it can set itself up to be beyond the reach of spoken or written criticism of its policies, then Mr. Connolly's statement, "The Court is acting as the sinister organ of a tyranny in the making" is completely accurate, and those of us who value the trans-Atlantic relationship need vigorously to speak out against it. Our relationship with our friends in Europe will only ensure so long as we continue to hold in common our belief that human rights are fundamental in our society, and our faith in the traditions and institutions that underpin our democratic form of governance.

CERRO GRANDE FIRE ASSISTANCE

HON. HEATHER WILSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 2001

Mrs. WILSON. Mr. Speaker, last year was a difficult one for our country's public lands and the people and communities who live near them. It was dry and hot and firefighters worked long, back-breaking hours to extinguish flames that seemed to go on without end. My colleagues in this House know of the tragedies Americans experienced last year because of forest fires. It was a very hard year.

But some situations were made even worse when the fires weren't natural disasters. Some were started by the very people we trusted to steward the land. The National Park Service started a fire in my home state of New Mexico during a particularly dry and windy week. More than 400 people lost homes and businesses to the Cerro Grande fire, and hundreds of acres of tribal lands were also devastated.

Congress acted quickly, though, and passed The Cerro Grande Fire Assistance Act, S. 2736. It was attached to the Military Construction Appropriations bill and was signed into law on July 13, 2000. This legislation made up to \$455 million available to fire victims so they would be quickly compensated for their losses and could begin rebuilding their lives.

Things seemed to progress well, save for a few kinks that were worked out. But it's tax season, and there are hundreds of people in my home state of New Mexico who are waiting to file their taxes because they need information about how to characterize federal government compensation for the May 2000 Cerro Grande fire.

The Federal Emergency Management Agency (FEMA) has issued and will continue to issue hundreds of payments in response to filed claims for compensation. However, there remain several unresolved questions regarding this compensation. As the April tax-filing deadline quickly approaches, taxpayers need to know what portions of the compensation they receive are taxable and how that will be determined. In spite of repeated requests from the New Mexico congressional delegation, the Internal Revenue Service (IRS) has still not issued a written decision resolving these questions. These Americans deserve answers now.

The Internal Revenue Service is not playing fair. Although very clear about its tax filing

deadlines and penalties for noncompliance, the IRS is not extending the same courtesy it requires. How can taxpayers meet deadlines when they lack information the IRS must provide?

The federal government started this fire and must continue to take responsibility for it. This disaster never should have happened. I am committed to doing everything I can to ensure that the federal government moves quickly, makes the necessary decisions, and allows the victims of this horrendous fire to rebuild their lives.

RECOGNITION OF WOMEN'S HISTORY MONTH, AND A TRIBUTE TO SENATOR CYNTHIA JOHNSTON TORRES

HON. ROBERT A. UNDERWOOD

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 2001

Mr. UNDERWOOD. Mr. Speaker, I rise today in support of March as Women's History Month and March 8 as International Women's Day. I would also like to honor the late Honorable Cynthia Johnston Torres, a distinguished member of the Third Guam Legislature.

Women's History Month is a time to pay tribute to the women of our nation, in appreciation for their contributions to the political, social, economic, and cultural development of our country, in recognition of the many struggles and obstacles that they face, and in honor of the integral role that women have played in American history. Women make up over half of our country's population, or about 139 million in 1999, and have changed our nation in positive ways. Women have made their mark in various fields such as science, business, education, health, the public sector, the arts, entertainment, and the list goes on.

The progress of women today must be considered in conjunction with continuing challenges. Today women affect and are affected by the major issues on our nation's agenda, including health care, Social Security, Medicare, tax reform, etc. Most recently, ergonomics issues are impacting women, who represent 64 percent of repetitive motion injuries that result in lost work time. It is encouraging that six in ten women participate in the labor force, however employment discrimination and unequal pay still exist. The future looks promising as women are demonstrating increased participation in all levels and branches of government. Unfortunately, expectations still exist about their "traditional" roles.

Today, women are marrying at later ages, yet domestic and family violence continues throughout the country. Also across the nation, women's studies and gender studies are on the rise in higher education institutions, however women still need to be acknowledged as critical players in the history of America. Today I would like the opportunity to recognize the achievements of women amidst such challenges, challenges that our entire nation must face from within the fifty states to the five territories.

Women's History Month has its own history that illustrates the gains women have accomplished in the last century. In order to reflect on international connections among women,