

His accomplishments and memberships are an impressive collection of who's who and where's where. His memberships include President Clinton's National Partnership Council, the Executive Committee of the Internal Revenue Service, the American Arbitration Association board of directors and the Federal Salary Council that advises the President of the United States. He is the co-founder of the Federal Employee Education and Assistance fund and in 1996 was appointed by the President to the Federal Salary Council.

While this is an impressive listing of Mr. Tobias' commitments and involvements, I believe his lasting legacy will be the great contributions he helped achieve on behalf of America's federal employees.

Developing the Federal Employees Retirement System (FERS), restructuring the IRS, protecting the Federal Employee Health Benefits Plan, advocating the closure of the pay gap for federal employees, reforming the Hatch Act, securing the right to initiate mid-term bargaining and to engage in informational picketing are all significant achievements with long lasting effects.

These actions will continue to directly impact America's working people and their families and the people they serve for years and years to come. The impact of these actions cannot be overstated.

Like many of his friends, I will miss Mr. Tobias' visionary leadership, his strong support and his hard work at NTEU. The union, its membership, the vast federal workforce and indeed this Congress are all the better for his stewardship at NTEU.

I thank Robert Tobias for his dedication and his efforts on behalf of America's federal employees and wish him the very best of luck.

NATIONAL MISSILE DEFENSE ACT
OF 1999

HON. CURT WELDON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 30, 1999

Mr. WELDON of Pennsylvania. Mr. Speaker, last week the President signed H.R. 4, the National Missile Defense Act of 1999, into law. This measure unequivocally states that it is the policy of the United States to deploy a national missile defense system as soon as it is technologically feasible. In signing the bill, the President has at long last acknowledged that the missile threat that he has so long denied, and the need to defend against it.

Mr. Speaker, there was no signing ceremony, no fanfare, not even a press conference announcing this significant action. Unfortunately, there is a reason the President chose to downplay this event. In characteristic style, he is already trying to redefine the meaning of this law. The ink on the bill was not dry when the President released a statement noting that the "legislation makes clear that no decision on deployment has been made. . . . Next year, we will, for the first time, determine whether to deploy a limited national missile defense. . . ." This is Orwellian. The President signs a bill that says that it is our policy to deploy a national missile de-

fense, and in the same breath says that a decision to deploy will be made next year. It would be comical if the stakes were not so high.

I guess we should not be surprised anymore. The President has already successfully redefined the word "is," and once again it provides him with a convenient escape hatch. Perhaps we should have reconsidered the use of that word in our policy statement before submitting it to the President, because he has already made it clear that to him, "is" does not always mean "is." But most people understand that when we say it is the policy of the United States to deploy a national missile defense, that the decision to deploy has been made. The question is not whether to deploy, only when. And contrary to the President's interpretation, Congress was clear on this point.

Before the House voted on this measure, both the original bill and the conference report, I called on my colleagues to vote against this bill if they agreed with the President that we should hold off the decision on whether to deploy, and told those who agreed with moving forward with that decision now to vote for it. There was considerable discussion about whether we could deploy a system now. It was repeatedly noted that the bill was not mandating when to deploy, it was simply stating that the decision was being made to do so as soon as it is technologically feasible. Similar debate ensure in the Senate.

This time, the President says that Congress itself has qualified that it "is" the policy to deploy. He argues that the bill language subjecting deployment to the authorizations and appropriations process means that no decision has been made. That argument is a Trojan horse, because all policy decisions are subject to the authorization and appropriations process. He further argues that the bill's language supporting continued reductions in strategic nuclear arms means that the decision must account for arms control and nuclear non-proliferation objectives. Congress said nothing of the sort, and made absolutely no linkage of these objectives.

Mr. Speaker, no amount of tortured linguistics by this President or anyone else can change the legislative record. We were clear that passage of this bill would formalize U.S. policy to deploy a national missile defense system, and it was overwhelmingly adopted in both bodies. It is time for the President to stop rewriting the dictionary, and get down to the business of executing the law and ensuring the security of this nation.

THE RETIREMENT OF DDO JACK
DOWNING

HON. PORTER J. GOSS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 30, 1999

Mr. GOSS. Mr. Speaker, I rise today, Mr. Speaker, to recognize the contributions of Jack Downing, CIA's Deputy Director of Operations, or DDO, to the security and well-being of this Nation. Just this once, on the occasion of Jack's retirement on 31 July, I want to bring this remarkable man, our Nation's "head spy,"

out of the shadows and into the spotlight of this forum.

Barely 2 years ago, Jack was pulled out of an earlier retirement from CIA to take over its directorate of operations, or DO, at a time when the morale, sense of mission, and strength of the DO had been sapped by careerism, corridor politics, and lack of leadership. At that time, I knew only two things about Jack: first, he couldn't be a careerist because he had already retired once. Second, he couldn't be a "corridor cowboy" back in Washington because he had spend almost all of his legendary career in the field where case officers belong. Jack, in fact, was our chief of station on the very front lines of the cold war.

What I did not know at the time, and what now causes me to offer this tribute, is the leadership that Jack would bring to the DO and to its officers. In two short years, Jack has refocused the DO on its core capability: the clandestine collection of intelligence. Under Jack, DO officers have found ways to penetrate terrorist cells, to get inside the cabinet rooms of rogue states, and to detect and disrupt the movement of narcotics. Under Jack, the DO has been put in a position to collect intelligence on whatever threats and challenges come our way in the next century.

Jack's leadership, however, is more than these accomplishments. In the unique, often peculiar, business of espionage, the DDO is more than someone who directs the operations of the DO; for young officers, particularly, the DDO is a role model in the clandestine service. And the DO, in my opinion, has never had a better role model than Jack Downing.

As chairman of the House Intelligence Committee, I visit stations overseas and talk with the young officers who hop fences, slip down alleys, and take real risks to collect the intelligence we need back here in Washington.

Over the past 2 years, the change I have seen in these young officers overseas has been extraordinary. Where there used to be malaise is now a sense of mission. Where there used to be risk aversion is now a feeling of confidence. Perhaps the most telling change under Jack Downing, and most central to the character of this former marine, is that his troops at risk in the field know that he will stand behind them when things go wrong.

I can offer no higher tribute than what Jack's own troops think of him. I commend this man for what he is and what he has done. Our country is and will be a better place because of him.

Godspeed, to Jack Downing, you are "the right stuff" and have served us well.

DISAPPROVING EXTENSION OF
NONDISCRIMINATORY TREATMENT
TO PRODUCTS OF PEOPLE'S
REPUBLIC OF CHINA

SPEECH OF

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 27, 1999

Mr. RANGEL. Mr. Speaker, I rise in support of extending normal trade relations status to

China for another year. I oppose this resolution and call upon my colleagues to vote against it.

As events over the past week have shown, the human rights situation in China needs to improve. Increased respect for human rights must be accompanied by political and democratic reforms. But let us not forget that our own country's record on certain human rights issues is less than perfect, as has been noted by such organizations as Amnesty International. Over 1.8 million Americans are in jail, most of them for non-violent crimes and many of them—and this is not an accident—coming from our country's worst schools. Given our own record, we should avoid hypocrisy in our insistent demands for reform in China.

Rather, we should be pragmatic in our efforts and pursue a productive engagement with Chinese society. The only way we can convey our values to other countries is to have a presence there, and to let them see who we are and how we succeed in having a better life. That means that along the way we must also raise our own country's standards and expectations so that we can show by example.

Entering the next century, the United States is experiencing a remarkable economic boom. However, as we work to maintain our technological leadership and the growth of 21st century jobs, we should also keep in mind the jobs lost to many of those at the lowest end of the economic spectrum. We must do much more to assist those who need skills and training in order to get new, better-paying jobs, and we must ensure full and real opportunities for all the children in our country. That is central to our task so that we can be a beacon to China and the world and use our policy of engagement to its fullest.

The question before us today is what are the best and most appropriate means to achieve our goals. The most effective way to bring about improvements in human rights and political and religious freedoms in China is through continued engagement with the Chinese government and increased contacts with the Chinese people about our way of life. Withdrawal and ceasing to do business with China by removal of NTR status will harm, not improve, the situation.

We must also remember that history has shown that using trade as a weapon can work only if there is a consensus among our trading partners that we will work collectively and apply similar policies. I led the fight on trade with South Africa, but the effectiveness of that effort depended on the participation of numerous other countries. By contrast, in the case of our embargo against Cuba, we stand alone. The failure of this outdated and misguided policy has proven that our unilateral trade sanctions do nothing to advance our objectives and only give our foreign competitors an advantage.

Too many other countries are ready and willing to fill the vacuum we would leave in the huge Chinese market as a consequence of withdrawal of NTR status. We would merely lose exports and the jobs they create. As also shown by our experience with Cuba, punishing a country through trade does not help the cause of democracy or promote fundamental freedoms. Isolationist policies do not promote

the free exchange of ideas. Isolationist policies do not bring leaders to the negotiating table. What isolationist policies do is further separate people.

We should also not forget that the benefits of trade—of engaging fully in the global marketplace, including through trade with China—are considerable for our country. Jobs supported by exports pay 13 percent more than the average U.S. job, and the number of export-related jobs in the U.S. grew four times faster than overall private job growth from 1986–1994. U.S. exports to China have almost tripled since 1990, increasing steadily in nearly every year, and trade with China supports over 200,000 export-related jobs. Market access provisions in a WTO accession agreement with China would further open Chinese markets to U.S. products and services.

The United States must not withdraw from the world economy of the next century—a world economy that will be built increasingly on trade, trade and more trade. Our country's economic future will largely rest on educating and training our young people for the world economy of the 21st century—not by turning away from the reality of trade's benefits.

Mr. Speaker, I urge my colleagues to vote no to this resolution. Continuing dialogue and interchange with China, I truly believe, is the more rationale and better course of action than terminating the discussion.

INTRODUCTION OF LAW ENFORCEMENT TRUST AND INTEGRITY ACT OF 1999

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, July 30, 1999

Mr. CONYERS. Mr. Speaker, I am pleased to introduce the Law Enforcement Trust and Integrity Act of 1999, along with additional co-sponsors. This legislation adopts a new approach to the dilemma of police misconduct. Rather than focusing on episodic incidents, this legislation targets hiring and management protocols much farther up the chain of causation that can stop incidents of misconduct long before they occur. Moreover, this bill focuses on the long-term improvement of the law enforcement profession. Further, it strengthens our federal prosecutorial tools with demonstrated effectiveness at sanctioning misconduct. This bill seizes upon the opportunity to initiate reforms that would restore public trust and accountability to law enforcement.

This legislation provides a direct contrast to other proposals that merely provide, without any selection criteria or performance benchmarks, a select number of police organizations more money—proposals which have been widely criticized by the Administration, civil rights group and even law enforcement organizations.

Our bill makes seven concrete steps toward improving law enforcement management and misconduct prosecution tools and has the support of a broad range of groups, from the NAACP to the Southern States Police Benevolent Association:

1. Accreditation of Law Enforcement Agencies—The bill requires the Justice Department

to recommend additional areas for the development of national standards for accreditation of law enforcement agencies in conjunction with professional law enforcement accreditation organizations, principally the Commission on Accreditation for Law Enforcement Agencies ("CALEA"). The bill further authorizes the Attorney General to make grants to law enforcement agencies for the purpose of obtaining accreditation from CALEA.

2. Law Enforcement Agency Development Programs—The bill authorizes the Attorney General to make grants to States, units of local government, Indian Tribal Governments, or other public and private entities, and multi-jurisdictional or regional consortia to study law enforcement agency operations and to develop pilot programs focused on effective training, recruitment, hiring, management and oversight of law enforcement officers which would provide focused data for the CALEA standards promulgation process.

3. Administrative Due Process Procedures—The bill requires the Attorney General to study the prevalence and impact of any law, rule or procedure that allows a law enforcement officer to delay for an unreasonable or arbitrary period of time the answer to questions posed by a local internal affairs officer, prosecutor, or review board on the investigative integrity and prosecution of law enforcement misconduct.

4. Enhanced Funding of Civil Rights Division—The bill authorizes appropriations for expenses related to the enforcement against pattern and practice discrimination described in section 20401 of the Violent Crime Control and Law Enforcement Act of 1968 (42 U.S.C. 14141) and authorizes appropriations for expenses related to programs managed by the Community Relations Service.

5. Enhanced Authority in Pattern and Practice Investigations—The bill amends section 21041 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C.A. 14141) to create a private cause of action for declaratory and injunctive relief relating to police pattern and practice discrimination.

6. Deprivation of Rights Under Color of Law—The bill amends section 242 of Title 18 of the United States Code to expressly define excessive use of force and non-consensual sexual conduct as deprivations of rights under color of law.

7. Study of Deaths in Custody—The bill amends section 20101(b) of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C.A. 13701) to require assurances that States will follow guidelines established by the Attorney General for reporting deaths in custody.

Given the litany of incidents—Rodney King, Amadou Diallo, Abner Louima—it should now be clear to all members, and the nation at large, that this issue must be addressed in a bipartisan manner. Faced with such compelling evidence, we cannot recommend yet another study of problems that we all know to exist. The energies of Congress should be focused on the adoption of legislative priorities that address the substance of law enforcement management and strengthen the current battery of tools available to sanction misconduct.

As a Congress we have been enthusiastic about supporting programs designed to get officers on the street. We must be just as willing