EXTENSIONS OF REMARKS

The Diamond Dealers Club is a trade association of diamond merchants and manufacturers. Founded in 1931, we have since our beginning been located in New York City. Our members come from more than 30 countries and import or export over half of all diamonds that enter the United States. Pursuant to our By-Laws, we early recognized that a key goal of our organization is to cooperate with governmental agencies." This statement is presented with that goal in mind.

The tragic consequences of the use of diamonds to finance civil wars in Africa, particularly Angola, have in recent months received considerable public and private attention both in the United States and worldwide. The focus of the articles, discussions and meetings on this subject is that diamonds have been used by rebels to pay for weapons. Angola, Sierra Leone and Congo, where that has led to the deaths and amputations of limbs of tens of thousands of innocent victims of these conflicts.

Two years ago the United Nations Security Council prohibited the purchase of diamonds from UNITA forces in Angola. It is today, however, that UN sanctions prohibit the purchase of diamonds from UNITA forces. Angola, as mandated by the sanctions, have not been adhered to by the latter. To successfully keep conflict diamonds out of the world diamond trade. The resolution's basic objective was that UN sanctions are frequently violated.

According to the UN report, UNITA's military activities are sustained by its "ability to sell rough diamonds for cash and to exchange rough diamonds for weapons." The investigation of UNITA's diamond sales led by the former Swedish ambassador to Angola, Werner Roos and Vice-Admiral of the Swedish Navy, Birgitta Persson and Mr. Savimbi's forces. It also concluded that Bulgarians were shipping diamonds to rebels for cash. Furthermore, the diamond industry played a role in the illegal trade.

Several months before the March report, it was reported that the government of Angola had sold diamonds for cash to the rebels. While there is some discussion of the development of a technology to come up with identifying marks or fingerprints to determine particular countries of origin of diamonds, no such technology is currently available. Indeed, even those involved in this research and development report that at best success is years away. Furthermore, even if country of origin was determinable, it would still not indicate whether a diamond comes from mines in government-held territory or from rebel-held mines.

In fact, the proposed legislation would penalize and have a harmful impact on legitimate and responsible companies. Setting up systems to prevent the purchase of conflict diamonds is a complex task for the industry worldwide and has serious negative implications for stable and developing countries in the world.

In South Africa, former President Nelson Mandela has expressed concern that his nation's vital diamond industry is not damaged by "an international campaign." Surely, the U.S. Congress does not wish to retard economic development in friendly developing countries because it is fueled by diamonds. In fact, this "unintended consequence" would follow from this legislation.

The American diamond and jewelry industry is unified in both its abhorrence of terrorism in the Congo, Sierra Leone and Angola and in support of the UN sanctions regarding the latter. To successfully keep conflict diamonds out of the world diamond supply chain, I believe the problem must be attacked at the source. We feel that the efforts of the international community should be concentrated on the small number of firms and individuals who are involved in helping illicit diamonds enter the mainstream of the legitimate diamond commerce. The international community has already made significant progress in its efforts to cast light on firms, individuals and countries involved in trading with the rebel
June 20, 2000

EXTENSIONS OF REMARKS

HON. EDOLPHUS TOWNS
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 20, 2000

Mr. TOWNS. Mr. Speaker, I rise today to raise an issue of great importance to society’s guarantee of due process and fairness to all of our citizens. As you all know we are less than two days away from executing a potentially innocent man. Gary Graham is a great weight of evidence, still unheard by a Texas court, that could establish his innocence. The evidence that he had an adequate lawyer is so overwhelming that to put this man to death, without consideration of the evidence that could exonerate him, would be a travesty of justice.

Last week, 34 of my colleagues in the Congressional Black Caucus sent a letter to the Texas Governor, appealing to him to grant Mr. Graham a conditional pardon and the right to a new trial. Mr. Speaker, I insert a copy of this letter into the RECORD at this point. Were the relief we requested granted, Mr. Speaker, the Texas Court would be able to consider this important evidence that could exonerate Mr. Graham.

In a new trial, Mr. Graham’s counsel would be able to effectively challenge the only evidence that was used to convict Mr. Graham—the testimony of a single witness. With the assistance of effective counsel, the court would hear that the witness initially failed to identify Mr. Graham at a photo spread the night before she picked him out of a lineup of four people. The witness then identified three men with 22 caliber guns on Mr. Graham at the time of his arrest which was determined by the Police Crime Lab not to be the weapon used in the murder. Further, the Court would hear from four other eyewitnesses mentioned in the police report who said that Mr. Graham was not the shooter.

In addition to this evidence available in the first trial that defense counsel failed to present, the Court would also benefit from “new” evidence obtained after the first trial concluded. The court would need to hear this evidence, consisting of statements from at least six eyewitnesses to the incident who affirmed under oath that Mr. Graham did not commit the crime for which he may soon pay the ultimate price. Because prior Texas court rules give persons convicted of a crime only 30 days after their trial to present “new” evidence, these exonerating testimonies could not be presented to the Appellate Court for consideration.

Mr. Graham may not be innocent, but as we stand here today we know that he has not even proven guilty beyond a reasonable doubt. We are talking about a man’s life, one that cannot be brought back once we have taken it away. If we execute this man without a fair trial it will be an obvious contradiction to everything this country stands for and a dark day in our history.

Mr. Speaker, I ask my colleagues to join me in paying tribute to the “The Puerto Rican Family of the Millennium,” the Del Valle Family. Telesforo del Valle Sr., Rafaela Leon del Valle and Telesforo del Valle Jr., were honored with the “Valores Humanos” award.

TRIBUTE TO THE DEL VALLE FAMILY

HON. JOSE E. SERRANO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 20, 2000

Mr. SERRANO. Mr. Speaker, today I pay tribute to the “The Puerto Rican Family of the Millennium,” the Del Valle Family. Telesforo del Valle Sr., Rafaela Leon del Valle and Telesforo del Valle Jr., were honored with the “Valores Humanos” award.

While the above is important in preventing the sale of unlicensed diamonds, to be truly effective we believe it is necessary to initiate a proactive approach, one that will encourage stability, accountability and transparency. More specifically, we must establish a direct relationship between the African diamond nations and the American diamond cutting industry. This means that the American diamond industry should be able to deal directly on a business-to-business basis with African diamond producing nations to purchase stones that have been licensed for export by legitimate governments. In doing so we would pay the world market price, a price which is substantially above the payments received for diamonds that are now being used to contribute to the internal conflicts.

Another advantage of this proposal is that the transparency and accountability which is the hallmark of the American industry’s style of operation surely would lead to a decline in corruption and other illegal activities. This would result in fewer stones sold through either “leakage” or other unauthorized sources as well as reduce the corruption that is often associated with diamond commerce in several producing nations.

The benefit to African diamond producing nations is clear. With U.S. government involvement, the American diamond industry would also benefit since the establishment of a direct pipeline would play a significant role in overcoming the current shortage of rough diamonds. In turn, this would revitalize our cutting and polishing industry.

Ultimately, we believe that our proposal represents a solution for the American diamond industry and the diamond producing nations of Africa. Instead of diamonds being used to finance internal conflicts and the death and destruction of innocent civilians, they would become—as is already the case in the other African nations—a major opportunity for gainful employment for tens of thousands of people and a major source for economic development in the diamond producing nations of Africa. At the same time, diamonds would strengthen the American industry, thereby providing new opportunities for employment, and tax revenues.

NEW TRIAL FOR GARY GRAHAM

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OF NEW YORK
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Tuesday, June 20, 2000

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