

EXTENSIONS OF REMARKS

OPPOSITION TO THE OMNIBUS
CRIME CONTROL ACT

HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 2, 1992

Mr. GINGRICH. Mr. Speaker, I think that as we debate the Omnibus Crime Control Act, we should listen carefully to the views and opinions of those who are on the front line of our war on crime, those whose daily lives will be affected by the legislation which we enact.

Captain Bob Brown, as president of the Peace Officers' Association of Georgia, has recently written to me to express the unanimous opposition of the 11,000 members of his organization to H.R. 3371, the Omnibus Crime Control Act of 1991. It is their strong belief that this bill, as amended in conference, will seriously undermine law enforcement efforts at the local, State, and national levels.

The following is a list of the serious concerns which they have with H.R. 3371 in its present form. I urge my colleagues to take their views into consideration and enact a true crime control bill.

HOW THE CONFERENCE CRIME BILL WEAKENS
EXISTING LAW

Elimination of penalty for attempted assassination or kidnapping of top executive officials. Section 103(a)(9) of the conference bill amends 18 U.S.C. 1751(c) so as to eliminate the penalty authorization for attempting to kill or kidnap the President, the Vice President, and Presidential or Vice-Presidential staff, except in cases involving attempted assassination of the President that comes dangerously close to succeeding.

Increased abuse of habeas corpus. Title II of the conference bill systematically overturns the Supreme Court's habeas corpus decisions that are favorable to law enforcement, including decisions concerning retroactivity, counsel, procedural default, and deference to state court determinations.

Broadening the exclusionary rule. Title III of the conference bill weakens the "good faith" exception for searches under warrants—adopted by the Supreme Court in *United States v. Leon*, 468 U.S. 897 (1984)—by authorizing suppression of evidence in various circumstances despite officers' reasonable reliance on a magistrate's authorization of the search.

Overturing of convictions on the basis of harmless error. Title IV of the conference bill automatically requires reversal of convictions on appeal where the trial court erroneously admitted incriminating statements by the defendant, even if the independent evidence of guilt is overwhelming and it appears beyond a reasonable doubt that the error could not have affected the outcome of the trial. This overturns the Supreme Court's decisions in *Milton v. Wainwright*, 407 U.S. 371 (1972) (holding that Massiah violation was harmless error), and *Arizona v. Fulminante*, 111 S.Ct. 1246 (1991) (applying harmless error analysis to involuntary statement claim).

Repudiation of antiterrorism treaties. Sections 803-05 and 827 of the conference bill undermine international conventions that the United States has signed relating to violence at airports and violence against maritime navigation or platforms. The sections contain drastically weakened "implementing legislation" which does not fulfill the United States' obligations under the conventions.

Narrowing of laws against counterfeiting. Section 829 of the conference bill proposes an extraterritorial counterfeiting offense which is substantially narrower than the existing counterfeiting provisions (18 U.S.C. 471, 473-74) that currently apply both domestically and extraterritorially.

Prohibition of cooperation among federal agencies in administering federal grant programs. Section 1107 of the conference bill would prohibit cooperative arrangements of the Bureau of Justice Assistance (BJA) and other federal agencies in administering grant programs. This would seriously impair the federal justice assistance program by barring utilization by BJA of the expertise and resources of other federal agencies—such as the Bureau of Justice Statistics and the Office of Juvenile Justice and Delinquency Prevention—in administering funding programs within their areas of competence.

Limiting consideration of relevant factors and promotion of prisoner litigation relating to prison assignments. Section 1401 of the conference bill bars consideration of "the social or economic status" of a criminal in deciding what prison to assign him to, though such factors are legitimately relevant to assignment decisions in some cases. For example, a prisoner's social status as leader of a gang may legitimately weigh against sending him to a prison where other gang members are confined, and a prisoner's poverty (economic status) may weigh in favor of an assignment that minimizes travel expenses for his family in visiting him. Section 1401 would bar consideration of such relevant factors. It would also open up new vistas of litigation for prisoners raising allegations that their prison assignments reflected improper consideration of "social or economic status."

Repeal of rules requiring revocation of release for criminals who illegally possess drugs. Under existing rules set out in 18 U.S.C. 3565(a), 3583(g), and 4214(f), offenders on probation, supervised release, or parole who illegally possess drugs must have their release revoked and must be sentenced or returned to prison. Section 1403 of the conference bill repeals these rules in cases where the offender's illegal possession of drugs is discovered through drug testing. It contains a language which presupposes that the offender may not be imprisoned despite a positive test showing that he has possessed and used drugs.

Early release from prison of drug abusing offenders. Section 1404 of the conference bill authorizes release of offenders from prison up to a year prior to completion of the sentence imposed by the court, where the offender is a drug abuser and has gone through drug treatment in prison. This undermines the determinate sentencing system and abolition of parole enacted by the Sentencing Reform Act of 1984, reduces incapacitation

and deterrence, and unfairly gives drug abusing offenders a chance at early release which is denied to other prisoners who have not engaged in drug abuse.

Mandatory reduction of prison terms for drug abusing offenders. The current "boot camps" provision for federal offenders, 18 U.S.C. 4046, authorizes retaining in custody an offender who has completed a "boot camp" program until the end of his prison terms. In contrast, §1406(c) of the conference bill mandates the immediate release of drug abusing federal offenders who are placed in boot camps on completion of a 90 to 120 day program, where the offender would otherwise be subject to incarceration for up to two years or more under the federal sentencing guidelines. (Offense level 15 offenders, who would be eligible for boot camp assignment, are subject to a guideline sentence of 18 to 24 months at the lowest criminal history category.)

Establishment of partisan commission to promote racial politics and de-incarceration policies. Section 1801 of the conference bill would establish a national commission on crime and violence with general responsibility for planning the nation's crime control efforts in the 1990's. A majority of the membership of the commission (12 out of 22) would be chosen by the Democratic leadership in Congress. The commission is directed to give "particular emphasis" to changes in correctional policy relating to the "disproportionate" incarceration of black males and other minority groups, and to consider decreased use of incarceration in favor of alternative sanctions.

Facilitation of trafficking in stolen motor vehicles and motor vehicle parts. Section 2003 of the conference bill (misnumbered 2002) eviscerates the existing law against tampering with identification numbers for motor vehicles and motor vehicle parts, 18 U.S.C. 511, by limiting liability to cases where intent to further the theft of a vehicle can be proven. For example, alteration in a chop shop of the identification numbers of stolen motor vehicles or their parts in order to facilitate fencing of the vehicle or parts would not be an offense, because the intent would not be to further the theft of a vehicle; the theft has already taken place in such a case.

MAJOR FEATURES OF CONFERENCE CRIME BILL
HABEAS CORPUS

The conference bill makes it easier for criminals to upset their convictions by overturning numerous Supreme Court decisions that are favorable to law enforcement. Offenders would be set free on the basis of rules that were initially announced years after their trials and appeals.

DEATH PENALTY

The conference bill provides procedures that would make it extraordinarily difficult to use the federal death penalty. It purports to authorize. Jurors in capital murder cases would be instructed that they are free to disregard the evidence and to refrain from imposing the death penalty no matter how aggravated the crime. There would be no safeguards against the litigation abuse and delay

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

that has made it nearly impossible to carry out death sentence.

EXCLUSIONARY RULE

The conference bill is worse than current law in this area. Reliable evidence of guilt would be excluded in various circumstances even if the officers conducting a search reasonably relied on a warrant issued by a magistrate.

HARMLESS ERROR

The conference bill overturns Supreme Court decisions which upheld convictions if errors in the trial were harmless beyond a reasonable doubt. A criminal conviction would automatically be overturned on appeal if the trial court mistakenly admitted incriminating statements by the defendant, even if the independent evidence of guilt was overwhelming and the error could not have affected the outcome of the trial.

SEXUAL VIOLENCE AND CHILD ABUSE

The conference bill omits most of the anti-rape and anti-child abuse provisions proposed in pending bills. For example, it excludes House bill provisions that would double the maximum penalties for recidivist rapists and child molesters, increase penalties for drug sales to pregnant women, require testing of rapists for the human immunodeficiency virus (HIV) with disclosure of test results to the victim, require government payment of the cost of HIV testing for rape victims, expand restitution for rape victims and other crime victims, and correct jury selection rules that are biased against victims. It also omits a critical proposal of the President's violent crime bill to more regularly admit evidence in rape and child molestation cases that the defendant has committed offenses of the same type on other occasions.

TERRORISM

The conference bill rejects effective implementing legislation for antiterrorism treaties that both the Senate and the House of Representatives have passed. It substitutes inadequate provisions which do not meet the United States' obligations under the treaties.

PUBLIC CORRUPTION

The Senate bill contained critical tools for federal prosecutors to combat public corruption, including drug-related corruption and election fraud. These provisions have disappeared in the conference bill.

VIOLENT FIREARMS OFFENDERS

The conference bill excludes a Senate bill provision strengthening the prohibition of firearms possession by convicted felons. This undermines the Justice Department's efforts through "Project Triggerlock" to prosecute and imprison the most dangerous firearms offenders.

EQUAL JUSTICE

Finally, the House bill contains provisions proposed by the President (the "Equal Justice Act") to strengthen safeguards against racial discrimination against crime victims and defendants in the criminal justice process. These provisions, too, have simply disappeared in the conference bill.

REMEMBERING ALEX HALEY

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, March 2, 1992

Mr. CLAY. Mr. Speaker, I would like to insert for the RECORD an article appearing in

Civil Rights Journal No. 530 published by the United Church of Christ's Commission for Racial Justice. The article written by Benjamin F. Chavis, Jr., pays tribute to writer and historian Alex Haley whose sudden death this month was mourned by all the world.

"ROOTS"—AN ODE TO ALEX HALEY

(By Benjamin F. Chavis, Jr.)

African American History Month 1992 witnessed the passing of a greater writer and historian. Alex Haley's contributions to African and American history were remarkable and the impact of his writings and research will have a long lasting imprint in the history of the United States.

Haley was born in Ithaca, New York in 1921 and was reared in the southern town of Henning, Tennessee. As the author of the Pulitzer Prize-winning book, "Roots: The Saga of an American Family," Alex Haley won the admiration of millions of persons through out the world. This bold African American writer with the stroke of his pen was able to shatter the false stereotypical view about the so-called impossibility of tracing African American genealogies back to Africa.

In fact, "Roots" was so successful that the book and television dramatization helped to inspire the establishment of thousands of community genealogical societies and family reunion clubs among African Americans. "Roots" also made a significant contribution to reminding all persons about the hideous and brutal nature of the American and European slave trade.

Although there were some who argued that "Roots" romanticized the awful pain and misery of slavery in the United States, we believe that Alex Haley should be given credit, praise and respect for getting as much of the slave reality as he did on prime time television for the entire nation to see. It has been reported that more than 130 million viewers tuned in to watch the ABC television broadcasts of "Roots" back in 1977.

Even before the publication of "Roots," Haley had made history with the publication of "The Autobiography of Malcolm X," which also became a best seller. With the renewed interest in the life and struggle of Malcolm X, we are thankful that Haley was able to help document the evolution of Malcolm into an international leader.

Dr. Dorothy Height described Alex Haley as "a modern prophet." We agree. A prophet does more than foretell the future. Haley, in the prophetic tradition of the African American liberation movement spoke and wrote about history by stressing its importance for the present. When millions of persons read and watched "Roots," a better national consciousness emerged concerning the urgency of doing more in the present to challenge the lingering vestiges of slavery, segregation and all forms of racial injustice.

Just about a month before Haley's death, national cable television networks rebroadcast "Roots" to millions of other viewers. One way to pay tribute to the legacy of Alex Haley is to continue his work of researching the "truth" of the magnitude and details of the trade and slavery of African people.

As the nation observes the 500th anniversary of Columbus discovering "that he was lost," it would be a fitting ode to Alex Haley for a national inquiry into the truth of 500 years of exploitation of the peoples of Africa, North and South America, and of the Caribbean.

Alex Haley was 70 years old and died from a heart attack while preparing to lecture in Seattle, Washington. Haley enjoyed his work

and took serious his labor of historical research. We thank God for the life and gifts of Alex Haley. We all understand better, due to the labor of Haley, the common roots of all humanity.

MYTH, REALITY, AND ENDANGERED SPECIES

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 2, 1992

Mr. MILLER of California. Mr. Speaker, as stories of the spotted owl controversy in the Pacific Northwest continue to dominate the Nation's press, attention has been unfairly given to exaggerated instances of conflict between implementation of the Endangered Species Act and societal needs or job security. Not only are cases in which the act has proven to be a success minimized, but conflicts are maximized.

Opponents to the reauthorization of the Endangered Species Act mislead the press with hundreds of instances of job loss based on preferential treatment to species rather than society. Proponents of this myth contend that the act protect species beyond either economics or job security, and lose sight of the provisions within the act to balance the needs of societal and species existence.

John Sawhill, president of The Nature Conservancy, recently wrote an intriguing commentary in the Wall Street Journal which clears up this myth. Contrary to common belief, less than one-tenth of one percent of all projects evaluated by the Fish and Wildlife Service in the last 5 years have actually been halted because of placing a species in jeopardy.

Recent history serves as evidence of the act's success. Habitat conservation plans in many areas have been a successful compromise between industry and species. Furthermore, many species listed on the act have made significant recoveries and have either been removed from the list entirely or upgraded from endangered to threatened status.

Abandoning the Endangered Species Act now disclaims the successes it has manifested. Although I recognize that the act may require some fine-tuning before its reauthorization, it is important to acknowledge its provisions for flexibility and compromise and its successes. Mr. Speaker, I urge my colleagues to take a few moments and read the following valuable article.

[From the Wall Street Journal, Thursday, Feb. 20, 1992]

SAVING ENDANGERED SPECIES DOESN'T ENDANGER ECONOMY (By John C. Sawhill)

In an effort to prevent the reauthorization of the Endangered Species Act, the exploit-at-any-cost crowd has wildly exaggerated the act's impact on growth while consistently underestimating the economic value of a health environment.

Clearly, there have been well-publicized conflicts between the protection of certain species and development, the most prominent being the case of the northern spotted owl. But these kinds of disputes have been the exception, not the rule, since the act was passed in 1973.

In the past five years, some 34,600 development projects were evaluated by the U.S. Fish and Wildlife Service for their impact on endangered species. Only 23—less than one-tenth of one percent—were halted because they put species in jeopardy.

To put this in perspective, in the same period 29 airplanes crashed into commercial or residential buildings in the U.S. That means that a developer faced a greater chance during that time of having an airplane crash into something he built than having a project stopped by the Endangered Species Act.

Contrary to the impression left by a Jan. 15 editorial in this newspaper ("Species Act. Endangered"), most Americans don't seem to be buying the arguments of people who seek to devalue the importance of biological diversity. A new poll conducted by the bipartisan polling team of Tarrance/Greenberg-Lake shows that 66% of registered voters support the Endangered Species Act. Only 11% of voters oppose the act. There is strong support for the act even in regions where the most contentious conflicts have occurred.

Voters came down on the side of species even when presented with a stark choice between saving species or protecting local businesses and jobs—48% to 29%. Nearly a quarter of those polled did not want to make this choice.

Fortunately, we don't have to choose. Critics of the act have tried to frame the debate in "either-or" terms—either you're for jobs or for species, with no middle ground. But in emphasizing those isolated incidents where species protection threatens jobs, they ignore the many success stories associated with the act.

The truth of the matter is that the act works, for people as well as for animals and plants. For example, of the roughly 600 species that have been listed as threatened or endangered over the past two decades, only seven have become extinct. Nine species have recovered sufficiently to be removed from the list, and many others have made remarkable recoveries—animals like the bald eagle, American alligator, California gray whale, and peregrine falcon. The provisions of the act ensured that these magnificent creatures could survive in the wild.

Experience has shown that the conflict-resolution mechanisms already found in the act can succeed. Perhaps the most promising of these mechanisms are Habitat Conservation Plans, or HCPs, which have resolved disputes by accommodating the interests of both business and the environment. For example:

An HCP was approved last summer to protect the endangered desert tortoise in the rapidly growing area around Las Vegas, Nevada. Working together, environmental groups, the development community and government agencies created a plan that set aside 400,000 acres for the tortoise in the outlying desert. Meanwhile, 22,000 valuable acres adjacent to Las Vegas were freed up for commercial and residential development.

In the Coachella Valley near Palm Springs, Calif., development plans with a potential value of \$19 billion threatened the habitat of the endangered fringe-toed lizard. Under the terms of an HCP, a 15,000-acre preserve was set aside for the lizard, paving the way for construction in other parts of the valley. Developers found that property values and tax revenues went up because of the proximity to the lizard preserve.

Planning for an HCP is currently under way near Austin in Travis County, Texas. At risk are two endangered bird species and five other species that live in the Hill Country to

the west of Austin, an area targeted for hundreds of millions of dollars of development projects. Current plans call for the creation of about 60,000 acres of preserves, with the remaining 820,000 acres in the area opened to development. The HCP will also help to safeguard the aquifer that provides the drinking water for three million people.

Of course, not every endangered-species conflict can be so neatly resolved. But even in cases that appear to involve a short-term economic sacrifice, protecting the diversity of species is really a long-term investment in the future.

This point is clearly articulated in the 1990 report of the President's Council on Environmental Quality, which flatly states, "Domestically and world-wide, it is a healthy environment that makes wealth possible."

The decline of species that led to the enactment of endangered-species legislation is an indicator that our environment is not healthy. And we are already feeling the economic consequences.

The spotted owl controversy in the Pacific Northwest provides a classic example. Far from being an impediment to growth, the plight of the owl reflects the destruction of a once-plentiful resource—the old-growth forest. As U.S. Judge William Dwyer wrote in his celebrated opinion last spring, owls are not responsible for the decline of the logging industry; rather, a combination of factors are at work, including overlogging, mechanization and exports.

Then there's the fishing industry. On any given day, a third of this country's shellfish waters are closed because of pollution. Since 1982, commercial landings of fish and shellfish along the southeast Atlantic and the Gulf of Mexico have dropped 42%. The populations of every fish species harvested commercially or recreationally in North American waters are at or near all-time lows.

And in the Everglades watershed, pollution, conversion of land, and the diversion of water for agricultural and residential uses has led to a malfunctioning of the entire ecosystem. Not only could this devastate the balance of life in the Everglades, but it also poses a direct threat to the long-term supply of fresh water for Miami and other rapidly growing cities of south Florida. What do the Journal's editorialists, who portray environmentalism as uneconomic, say on this one?

The depletion of species is an urgent alarm, a signal of the severe stresses on our environment. The Endangered Species Act seeks to answer that alarm. To turn back the clock, and return to the policies that have led us to the brink, would be more than foolhardy—it would violate one of our most basic commitments to our children and theirs.

HI-TECH VERSUS HUMAN SPYING

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 2, 1992

Mr. MICHEL. Mr. Speaker, our colleague, Mr. SHUSTER of Pennsylvania, ranking Republican member of the Permanent Select Committee on Intelligence, has written an incisive and informed article on the subject of HUMINT, that is, "human intelligence," as opposed to the use of high-technology, to gather information.

I commend the article for its reasoned and fair-minded approach to a difficult and important subject.

At this point I want to insert in the RECORD, "Hi-tech vs. Human Spying," by BUD SHUSTER, the Washington Times, February 11, 1992.

[From the Washington Times, Feb. 11, 1992]

HI-TECH VS. HUMAN SPYING

(By Bud Shuster)

Decades ago, pundits highlighted the U.S. love affair with technology. Certainly this has been true in the intelligence realm. We've long witnessed an ever-increasing focus on "technical" means of collection, partly at the expense of age-old "human" intelligence ("HUMINT") gathering via spies and agents.

Results often have been spectacular. But while its contribution will remain extremely important, the heyday of technical intelligence may have passed. During the 1980s, and with the Iraqi war, those advocates of a higher priority for human intelligence collection gained momentum.

Continuance of the overwhelming priority accorded technical collection has been undermined by a number of factors. These include increased awareness and countermeasures within target countries and groups; the pro-HUMINT-orientation of Republican administrations; discovery of sweeping Soviet intelligence coups based on HUMINT; communications innovations that help keep messages secure; congressional advocacy for HUMINT; uncontrolled inflation in the technical system costs; and worldwide political liberalization allowing better access to foreign lands and people.

As Gen. Norman Schwarzkopf noted, intelligence performance in the Iraqi war was outstanding over all. Specifically, he said: "We had very, very good intelligence support. We had terrific people. We had a lot of capabilities. However, gaps in prewar and postdeployment intelligence resulted from Iraq's fear of and countermeasures to communications, electronic and photo intelligence collection methods and from the limited availability of expensive satellite assets, which in turn facilitated deception. The most striking aspect of the Iraq experience may have been its proof that even a Third World country could implement highly successful denial and deception programs to foil technical intelligence collection. Many U.S. intelligence officials had rejected this possibility.

The allied victors' on-site inspection rights have given us a rare, detailed retrospective on our intelligence failures. There have been eye-opening revelations about assessment problems in areas such as Iraqi Scuds, chemical weapons and, most importantly, the Iraqi nuclear program. These demonstrate the folly of relying too heavily on technical collection. Serious underestimation of the Iraqi nuclear program meant that, had we opted only for an embargo, foregoing offensive action, Iraq might have acquired nuclear weapons allowing it to deter or retaliate against belated military pressure.

The nuclear issue dramatized the advantages of human intelligence. Several postwar defectors tipped off inspectors to previously unknown plant locations, equipment and documents. That provided concrete evidence about the broad scope and advanced status of Iraq's program. Defector-derived information also demonstrated that even when the purpose and location of a large military complex is known, wartime targeting of dispersed buildings can be guesswork if we lack an inside source.

Unfortunately, this bounteous HUMINT was largely unsolicited, provided after the war rather than before, at somebody else's initiative rather than our own. Deficiencies in clandestine HUMINT on Iraq typify those we have experienced with many other "difficult" targets. For example, almost all our recruited Cuban and East German "agents" were found to be "doubles," actually working for the other side. A lack of strong quality control and vigorous counterintelligence scrutiny has often proven the bane of U.S. clandestine human intelligence.

While well-publicized failures have dogged existing human intelligence efforts, in the past year we have begun improving the quality of our activities. Programs have been instituted to test more rigorously our spies and agents, to scrutinize clandestine HUMINT collection operations and hold program managers accountable. Analytical and technical experts are developing strategic targeting and new techniques that, it is hoped, will produce the necessary high-quality intelligence. These improvements have resulted, in part, from increased intelligence funding. Some believe that we could make greater strides by throwing more money at the problem. Many other deserving intelligence programs, however, are competing fiercely for limited funding that likely will decrease considerably in the future.

In sum, despite past fiascos, there has been progress. Continuing efforts to improve clandestine HUMINT collection deserve strong support. The question is how can we most wisely effect needed reforms. Even in tough times, it is much easier for Congress to increase a funding line than successfully demand more elusive qualitative improvements. We should adopt the Missouri slogan: "Show me." Show me that these improvements are part of serious and ongoing effort. Once we are convinced that the money is being well spent, we can justify giving more. It is the means, rather than the end, that now should be debated.

LOWELL HOWARD

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, March 2, 1992

Mr. ROGERS. Mr. Speaker, I rise today to praise Mr. Lowell Howard of Middlesboro, KY. This gentleman has written an eloquent poem praising the Cumberland Gap in honor of the tunnel which will soon run through it. I would like to take a moment to share this poem with you.

CUMBERLAND GAP

To the gap in the Mountain the Pioneers came,

Seeking Adventure and new land to tame.

Like a child longing for his mother's hand,
They came to the Mountain Passage that
lead to the Westward land.

This gap in the Mountain was their gateway
to freedom in a land so vast and far,
It was their Pathway to follow a star.

These men and women with Courage true,
They were following a dream to start life
anew.

They were destined to be builders, to shape
with their hand,

To make possible a great nation of this
American land.

They were to tame its vast wildness and
chart its unexplored stream,

For they were the Pioneers of the American
dream.

Again, I am honored to have men such as
Mr. Lowell Howard in the Fifth District of Ken-
tucky.

HONORING CHARLES CRISAFULLI, WORLD WAR II HERO

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 2, 1992

Mr. HORTON. Mr. Speaker, 50 years ago this month, Seaman Charles Crisafulli was killed while saving the life of his fellow shipmate aboard the U.S.S. *Truxton*. On this fateful day, February 18, 1942, Charles Crisafulli became the first resident of Oswego, NY, which I represent, to die in World War II. He died a hero.

Charles Crisafulli, a tailor in Oswego, was a naval reservist with the 15th Fleet Division when the Japanese bombed Pearl Harbor. Soon thereafter, he found himself serving aboard the U.S.S. *Truxton* on his way to the North Atlantic. Unfortunately, the *Truxton* encountered stormy weather, and gale-forced winds ripped the ship apart, killing 189 sailors. Charles Crisafulli was among those 189. But had it not been for his courageous efforts the number of dead would have been greater. He died while saving the life of one of his shipmates.

I think all of my colleagues will agree with me that Charles Crisafulli is an American hero in every sense. His bravery and valor are the epitome of military service.

Today, Charles Crisafulli's family, friends, and supporters are petitioning the Navy for a posthumous award of the Navy and Marine Corps medal for acts of heroism. It is my sincere hope that our Government will soon give Charles Crisafulli the tribute he so deserves.

Mr. Speaker, I request that the following article from the Syracuse Post Standard be included at the conclusion of my remarks.

[From the Syracuse (NY) Post-Standard,
Feb. 18, 1992]

OSWEGO HONORS WORLD WAR II HERO

(By Andrew Smith)

OSWEGO.—Charles C. Crisafulli was on his way to the North Atlantic Ocean 50 years ago today. He never made it.

Crisafulli, 28, became the first city of Oswego resident to die in World War II. The city will honor him at 10 a.m. today at the park that bears his name at the foot of Ontario Street. Mayor Terry Hammill will read a proclamation in his honor.

"When he was killed, I was 16," said Frederick Crisafulli, one of his younger brothers. "He was one of my idols."

Charles Crisafulli was aboard the U.S.S. *Truxton*, one of two destroyers escorting the cargo ship U.S.S. *Pollux* from Boston. In high seas and fierce winds the night of Feb. 18, 1942, the ships ran aground off the coast of Newfoundland.

Gale-force winds ripped the ships apart and killed 189 sailors. Crisafulli died saving the life of another sailor, something Frederick Crisafulli found out only a year and a half ago, he said.

He was reading a Reader's Digest story about the disaster that named a survivor.

Crisafulli got in touch with him and found out the circumstances of his brother's death.

After the ship ran aground, it was leaning on its side by about 45 degrees. Men were in the water all around it. Crisafulli struggled to get one sailor out of the water, Frederick Crisafulli said, and with the help of two other men managed to put the sailor in the *Truxton's* radio shack.

That was the last anyone saw of Crisafulli. "Evidently, a 40-foot wave washed him over and he was too weak to save himself," Frederick Crisafulli said. Charles Crisafulli's body was never found.

"He not only gave his life for his country, but he gave his life for a sailor," Frederick Crisafulli said.

Crisafulli is trying now to get his brother posthumously awarded the Navy Marine Corps Medal, an award for heroism that others on the *Truxton* received.

Charles Crisafulli was a naval reservist when the war began. He was with the Navy's 15th Fleet Division.

"He was already a second-class gunner's mate at that point," Frederick Crisafulli said.

For 38 years, he said, he didn't know his brother died a hero, but he always knew his brother was someone to respect.

Like his brother, Frederick Crisafulli enlisted in the Navy in 1943. He served in the Pacific and fought at Okinawa. He also was with the Marines in the Korean War, he said.

Before World War II, Charles Crisafulli was involved with the family. There were six brothers and three sisters, Frederick Crisafulli said, so the older siblings often acted as parents for the younger ones.

Charles Crisafulli was a tailor before the war, and he always brought his brothers and sisters gifts. Once he made sailor suits for Frederick and his brother Francis.

Frederick Crisafulli still misses his brother, 50 years later. The fact that his body never came home sometimes contributes to Frederick Crisafulli's wistful yearning.

"I always think I'm going to see him again," he said.

BIOGRAPHY OF SEQUOYA

HON. ENI F.H. FALOMAVAEGA

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 2, 1992

Mr. FALOMAVAEGA. Mr. Speaker, through Public Law 102-188 (S.J. Res 217, H.J. Res 342), Congress and the President designated 1992 as the Year of the American Indian. This law pays tribute to the people who first inhabited the land now known as the continental United States. Although only symbolic, this gesture is important because it shows there is sympathy in the eyes of a majority of both Houses of the Congress for those Indian issues which we as a Congress have been struggling with for over 200 years. In support of the Year of the American Indian, and as part of my on-going series this year, I am providing for the consideration of my colleagues a short biography of Sequoya, a Cherokee known for his abilities as a leader and teacher. This biography was taken from a U.S. Department of the Interior publication entitled "Famous Indians, A Collection of Short Biographies."

SEQUOYA (CHEROKEE)

By the early 1820's, Cherokee Indians of the southeastern United States had reached a re-

markable level of civilization. They were good farmers; owned plows, wagons, and thousands of livestock; they wove their own cloth for clothing; operated sawmills and grist mills, blacksmith shops and ferries; and had built roads, schools, and churches. They governed themselves, with a constitutional system they had patterned after that of the United States.

The tribe's outstanding achievement, in 1821, was the development of a system of writing the Cherokee language. It was the invention of Sequoya, a tribal member sometimes called George Gist.

Sequoya, who had grown up among the Cherokees, had been a hunter and fur trader until permanently crippled in a hunting accident. He had never gone to school, and could neither speak nor understand English. But he was by nature a thoughtful and talented man. Having observed the importance of reading, writing, and printing among whites, he pored over English letters in mission-school primers, and set out to develop a Cherokee alphabet.

Some of his tribesmen, frightened at the strange-looking symbols on which Sequoya was constantly at work, suspected him of witchcraft. His cabin and all his working papers were burned, and Sequoya left Cherokee country for the sake of his great project, settling for a time in Arkansas among those Cherokees who had emigrated west.

Twelve years after he had first dreamed of a Cherokee writing system, Sequoya returned to his people, bringing a written greeting from Cherokees in the west. He had succeeded in inventing an alphabet, made up partly of English characters (but with sounds differing from English) and partly of new ones of his own. The first Indian writing system north of Mexico ever devised without white help, it was a brilliant achievement that revolutionized Cherokee education.

Within a year, thousands of Cherokee Indians of all ages had learned to read and write their language. Parts of the Bible were printed in Cherokee in 1824, and in 1828, having acquired a press of their own, the tribe began publication—in Cherokee and English—a weekly newspaper, *The Cherokee Phoenix*. Sequoya was honored by the Cherokee Legislature with a silver medal and a lifetime pension, the first ever given by an Indian tribe.

Sequoya lived among the Arkansas Cherokees as a leader and teacher until 1842, when his thirst for knowledge led him on another search. This time he hoped to find a "lost" band of Cherokees supposed to have crossed the Mississippi many years before, and to look for similarities of speech and grammar among various tribes. He disappeared into the southwest, and was not heard from again.

Three years later, a Cherokee named Oonoleh, sent to look for Sequoya, wrote from Mexico City (in the Cherokee language) to the tribe that their most honored leader had died there in 1843.

were greatly saddened on February 26 by the death of a truly outstanding educator—Marguerite Ross Barnett, the president of the University of Houston.

Dr. Barnett was named president of the University of Houston in May 1990, becoming the first black person and the first woman to hold that position. Before moving to Houston, she was chancellor of the University of Missouri at St. Louis.

I would like to insert for the RECORD an editorial from the February 27, edition of the St. Louis Post-Dispatch that speaks of the impact she made on the St. Louis community.

MARGUERITE ROSS BARNETT

Though she spent only four years in St. Louis, Marguerite Ross Barnett, who died Wednesday at age 49 of cancer, had a great impact on this area than most people can manage in a lifetime here. If her tenure as chancellor of the University of Missouri-St. Louis could be summed up in a single sentence, this would be it: She got things done.

And she started doing things literally the moment she got off the plane in June 1986 to take over at UMSL—or UM-St. Louis, as she insisted it be called. Ms. Barnett asked a small group of women who welcomed her at Lambert Field to be taken to the marker commemorating the U.S. Supreme Court's historic 1948 decision striking down racially restrictive covenants. She was told that there was no marker. There is now.

Things continued like that pretty much non-stop until Ms. Barnett left in August 1990 to become president of the University of Houston. As chancellor at UMSL—make that UM-St. Louis—Ms. Barnett did the usual bricks and mortar things: a science complex, a computer science building, a library. But what distinguished her was her success in getting the community involved in the university and making the university a participant in the community.

She persuaded corporations to contribute to the building program and to educational programs, too—something almost unheard of before she put her foot in the door of executive offices all over town. She arranged for the university to work with several public high schools in the region to improve students' chances of success at the college level. She increased scholarships by 300 percent.

Marguerite Ross Barnett deserves a marker. The most fitting one would be a resolve to strengthen and enlarge the partnerships she established.

TRIBUTE TO JOHNNY CASH, AN AMERICAN TREASURE

HON. RANDY "DUKE" CUNNINGHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 2, 1992

Mr. CUNNINGHAM. Mr. Speaker, it is fitting that the permanent RECORD of the Congress of the United States include a tribute to a true American treasure, country music legend Johnny Cash.

The "Man in Black" has long distinguished himself among singers and songwriters. Since the beginning of his career in 1954, Johnny Cash has written and sung stories of joy and sadness, of success and despair, of love gained and love lost, of loyalty and broken promises, of cowboys and convicts, of the

compassionate hand of God and the trials of the working man.

They are songs we all know, on themes we are all familiar with, and lyrics we all relate to.

In his trademark deep baritone, Johnny Cash sings those hard luck songs. We listen and understand because we've been there; even more so, we know Johnny Cash has been there.

He was born the fourth of seven children to a poor farming family in backwoods Arkansas, raised on cotton-picking and country gospel churches, and the music of Hank Williams and the Carter Family. Young Johnny's gifts for song emerged early, in high school, he had his own program on Blytheville's KLCN Radio and won the \$5 first prize in a local talent contest.

But instead of pursuing a musical career as his mother Carrie urged, in 1950 he enlisted in the Air Force. He bought his first guitar not in Arkansas, but in Germany where he was stationed. Upon his honorable discharge in 1954, Johnny Cash settled in Memphis, took a job selling appliances, and met guitarist Luther Perkins and bassist Marshall Grant.

They became Johnny Cash and the Tennessee Two and recorded the song "Cry, Cry, Cry" for Sun Records, Elvis Presley's new label. That 1954 song sold well over 100,000 copies, and the rest is country music history.

But by no means did success in country music come easy to him. It is no secret that Johnny Cash struggled with poverty in childhood, and with drugs and alcohol in the 1960's. There is also no doubt that he has conquered both.

In the 28 years since "Cry, Cry, Cry," Johnny Cash has accumulated a long list of hit records and awards, including seven Grammys and inductions into the Country Music Hall of Fame and the Rock and Roll Hall of Fame.

Let the permanent RECORD of the Congress of the United States show that Johnny Cash is indeed an American treasure, a man who has served his nation well, who exemplifies the best in the American tradition and sings the songs that chronicle the perseverance of the American spirit.

SEARCHES, SELF-INCRIMINATION

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 2, 1992

Mr. EDWARDS of California. Mr. Speaker, this fourth editorial in a series of eight that recently appeared in the Atlanta Constitution examines the fourth and fifth amendments of the Bill of Rights. We in Congress must be aware of the threat posed to the fourth amendment as the Supreme Court, and even Congress, cut back on the exclusionary rule. I recommend that you read this editorial, as well as the others, to enlighten yourselves on the status fate of our Bill of Rights.

Article IV: The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, sup-

TRIBUTE TO MARGUERITE ROSS BARNETT, EDUCATOR

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, March 2, 1992

Mr. CLAY. Mr. Speaker, the city of St. Louis, the State of Missouri, as well as all friends and supporters of higher education

ported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Article V: No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation.

[From the Atlanta Constitution, Dec. 11, 1991]

SEARCHES, SELF-INCRIMINATION

(This is the fourth in a series of editorials leading to the 200th anniversary December 15 of the ratification of the Bill of Rights.)

One of the main abuses with which American colonials charged King George III was his government's use of open-ended search warrants to dig up evidence against them. As a result, the Fourth Amendment of the Bill of Rights requires that federal warrants be issued only "upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."

Thirty years ago, the U.S. Supreme Court ruled that this ban on "unreasonable searches and seizures" was so important that it was also binding on state law enforcement officials. Today, by contrast, the court is less and less impressed by the Fourth Amendment's insistence that suspicion be specific and individualized.

In 1989, the court allowed U.S. Customs to test all its employees for drugs, even though there was no evidence that customs officials were prone to drug abuse. The same year, the court found it permissible to search anyone at an airport who fit a "drug courier profile." And last year, the court gave constitutional approval to sobriety checkpoints, where you need only be a driver to be stopped and interrogated.

This same lessening of regard for the rights of individuals in criminal justice can be found in the court's recent handling of the Fifth Amendment, which most famously protects a person from being "compelled in any criminal case to be a witness against himself." The drafters of the Bill of Rights understood that allowing people to be compelled to testify against themselves invited abuse to the point of torture.

This year, the court held that a forced confession is insufficient grounds for having a case dismissed on constitutional grounds. To gain dismissal, it must be proved on appeal that the confession caused a "harmful error"—that the verdict would likely have been "not guilty" without it.

This amounts to an open invitation to law enforcement authorities to force confessions in tough cases. Once the defendant is convicted, there's always a chance the appeals court will decide the "error" was "harmless."

But if personal rights are falling out of favor, property rights may be in for a revival. The court recently agreed to hear a South Carolina case relating to the Fifth Amendment's provision that "private property should not be taken for public use without just compensation." The case involves a beachfront management act prohibiting new buildings close to the shoreline.

The owner of some beachfront property argues that by restricting his use the state has

illegally "taken" his property and owes him compensation. Should he prevail, much legislation critical to protecting the environment might be open to challenge.

This is one of five property-rights cases the court has taken to rule on this year. There's reason to fear it will begin turning the clock back a century, when the individual rights that mattered were not to speak and worship freely and to be protected from law enforcement abuse but to prevent public regulation of what you own.

IN RECOGNITION OF RAYMOND S. VOCCOLA

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, March 2, 1992

Ms. DELAURO. Mr. Speaker, all of us in Congress are here because of our desire to serve the citizens of our States and districts. We feel privileged to have the opportunity to represent the American people. But we also realize that the Federal Government, which we serve, is just one element in the structure of this republic. Equally vital are the institutions, and the men and women, that serve America at the State and local levels. With this in mind, I would like to recognize the public service of a man who exemplifies, in his own community, the traditions of America's participatory democracy.

For years, Raymond S. Voccola has made a significant contribution to his community in Stratford, CT. As he steps down after a decade as the chair of that town's Democratic Committee, he deserves to know of our deep appreciation for his years of service.

During World War II, Ray distinguished himself as a member of the U.S. Army. Subsequently, through years of hard work, he was able to establish his own plumbing and heating business, which he has operated since 1960. Today we recognize this veteran and self-employed craftsman, however, primarily for his service to his town.

Ray has held numerous public posts. He has been a member of Stratford's Ordinance, Public Works, Finance, Airport, and Recreation Committees. He has served with great dedication on the town's pension board and has worked with the Water Pollution Control Authority. In other capacities, he has strongly supported local education and community development projects.

Ray's leadership skills are impressive. He was a town councilman for 18 years, and served as the council's majority leader. He also chaired Stratford's Building Need and School Building Need Committees. Finally, since 1982, he has been the town's Democratic chairman, making excellent use of his wide knowledge of, and deep dedication to, the Stratford community.

Over the course of his career, Ray has not only served the public but has encouraged others to follow his lead. Members of his own family—his wife, Margaret, and two sons—are among the many people who have been drawn into community service, inspired by his example.

Raymond S. Voccola's career has exemplified the American ideals of patriotism, along

with a special combination of individual initiative and commitment to the public good. He has consistently worked to fulfill those ideals. As a veteran of World War II, a successful small businessman, and a local official, he has demonstrated an unwavering belief in the American system. In return, that system owes him a special debt of gratitude. On the occasion of his retirement from the chairmanship of the Stratford Democratic Town Committee, I remind the Congress of Raymond S. Voccola, whose devotion to his fellow citizens is an example and inspiration to all public servants. Such devotion has helped to make the United States the great Nation that it is.

TRIBUTE TO A GRADUATING NURSING CLASS

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 2, 1992

Mr. TRAFICANT. Mr. Speaker, today I rise to pay tribute to the graduating class No. 78 from the Choffin Career Center in Youngstown, OH. These students recently celebrated the completion of their classes in a beautiful ceremony in the commons of the Choffin Career Center on January 31, 1992.

Today's nurses must absorb great amounts of information in dealing with modern medicine's miracle machines. But these same miracle machines would be just bells and whistles without the experience and knowledge of the nurse. These graduates, I know, have mastered the technical aspects of nursing, but also have been instilled with commitment and compassion in their course of study. As anyone who has experienced a long-term hospital stay knows, it is the nurses that one deals with several times a day, not the doctors. It is the nurses who use modern medicine's miracle machines with a human touch, easing the pain of being in the hospital.

Mr. Speaker, the kind of nurses that graduated from Choffin School of Practical Nursing cannot be found just anywhere. I know that these dedicated students will go on successfully to aid in the comforting of others.

Mr. Speaker, it gives me great pleasure to honor these newly graduated nurses as they go forth into the health care field:

CHOFFIN SCHOOL OF PRACTICAL NURSING CLASS NO. 78 GRADUATES

Deborah A. Barber,
Cheryl A. Beckman,
Sherri L. Berenics,
Barbara J. Bigley,
Lori A. Boyd,
Janet K. Bresnahan,
Lisa M. Bukofchan,
Frances L. Burns,
Madeline L. Cage,
Antionette D. Carey,
Lora P. Carter,
Vada L. Click,
Pamela S. Collier,
Linda J. Devine,
Merileen Ellison,
Lonnie J. Everly,
Christy A. Foltz,
Vicki L. Funkhouser,
Rachel M. Fusco,
Julia K. Gribben,

Sherry L. Hilderhoff,
 Carol A. Hinton,
 Ramona L. Humphrey,
 Rochelle L. Jordan,
 Chesta L. Kassinger,
 Linda R. Kimble,
 Dina M. Malloy,
 Georgia A. McGuire,
 Henrietta Peagler,
 Fay E. Roberts,
 Christopher A. Rodgers,
 Theresa R. Rogers,
 Cynthia A. Rosenberger,
 Brenda L. Schell,
 Christina S. Signor,
 Cecile M. Swiskoski,
 Autumn R. Tentler,
 Deborah S. Waltermire,
 Dianna L. Whipple,
 Margaret Williams,
 Terry J. Williams,

THE TAX FAIRNESS AND
 ECONOMIC GROWTH ACT OF 1992

HON. AL SWIFT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, March 2, 1992

Mr. SWIFT. Mr. Speaker, last Thursday, I voted for the Democratic budget package, the Tax Fairness and Economic Growth Act of 1992. I voted "yes" despite some reservations I have about the bill. Let me discuss some of those reservations first.

First of all, I am concerned about the real impact on the deficit in the out years. The revenue projections we have been given in the past have not always been accurate, and we must be careful to spend our limited dollars in the most effective way.

Next, while the bill provides some relief from the current passive loss rules for the real estate industry, it does not include a change in the passive loss regulations nor effective capital gains tax relief for timber growers. If others are favored, but not the tree farmer, for example, the danger is that investment will be directed away from reforestation, and that can have severe economic and environmental consequences.

While I was pleased that the bill repeals the luxury tax on boats, furs, jewelry and airplanes, I was disturbed that the boat user fee was not repealed, despite overwhelming support in the House for repeal of this onerous tax.

And I was disappointed that the bill didn't include raising the exemption for poll workers subject to the Social Security tax. I urge that serious consideration be given to these issues by the conference committee.

Having said that, I would also say that I strongly support the positive features of the bill, provisions that I have cosponsored and am pleased have been included in the bill. We all know that without a strong, stable, and economically healthy middle class, this country cannot survive as a democracy. Over the past 12 years, however, we have witnessed the erosion of the middle class. By adding a new tax rate for wealthy individuals and a surtax on millionaires, this bill will begin to reverse the trend that shifted the burden of taxation to the middle class.

Other provisions that will help strengthen our middle class are waiving the penalty for withdrawal of IRA funds for first-time homebuyers, or for medical or education expenses; and a tax credit for student loan interest.

An important improvement is the inclusion of a taxpayers bill of rights which will give the individual taxpayer a fair shake in dealing with the Internal Revenue Service.

Another measure, the indexing of capital gains, can be of real benefit to middle income taxpayers as well. I have never been philosophically opposed to capital gains tax reduction, but because in the past proposals have usually disproportionately benefited the wealthy, I have always insisted capital gains tax relief be coupled with measures that directly benefit the middle income taxpayer. In this bill, that is the case.

Also included in the bill are a number of useful measures to encourage growth in our economy such as the permanent extension of the Research and Development tax credit, low-income housing tax credit, targeted jobs tax credit, employer-provided educational assistance, the exclusion for employer-provided educational assistance, and mortgage revenue bonds. I have supported all of these because they have proven to be of value and they should be a permanent part of our Tax Code.

I voted for the Democratic tax bill because it represents a serious effort toward a fairer Tax Code. I recognize that there are problems yet to be resolved, and I look forward to the conference process to deal with those issues. But on balance, the positive features outweigh the negative. This bill is a good beginning.

THE REAL CLARENCE THOMAS IS
 REVEALED

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, March 2, 1992

Mr. CLAY. Mr. Speaker, I would like to insert for the RECORD a column written by Ms. Mary McGrory in response to the dissenting opinion of Justice Clarence Thomas in the *Hudson versus McMillian* decision where Thomas argued that there was no violation of a prisoner's eighth amendment rights even though the prisoner was beaten by guards while shackled. This column appeared in the February 27 issue of the *Washington Post*.

THOMAS WALKS IN SCALIA'S SHOES

(By Mary McGrory)

People thought that Clarence Thomas might not be much of a protector of the powerless—he had pretty much erased his past as a poor black and rejected the legal remedies proffered by the government. But he has exceeded dreadful expectations. In a disgusting dissent in the case of the beating of a shackled manacled prisoner he shows he doesn't subscribe even to a bedrock tenet of human decency: Don't kick a man when he's down.

His Senate confirmation hearings cost the country a great deal, due to the explosive allegations by Anita Hill. If he continues to reason the way he did in *Hudson v. McMillian* for the next 30 years or so, his tenure will cost even more. The outstanding mediocrity of his mind was evident in the little we were given about his record. The distortions and

the denials of his personal life and the fatuous declarations of self-reliance boded ill for justice. But the hair-splitting pitilessness of his dissent is a new dimension.

At the confirmation hearings, he had an opportunity to explain why he wanted the job for which George Bush perjuringly claimed he was the best qualified. When Sen. Herbert H. Kohl (D-Wis.) asked him the question, he was ready. From his window at the U.S. Circuit Court of Appeals here, he could see criminal defendants being bused to court. He thought he could have been one of them, he said.

"So you feel you have the same fate, or could have. . . . So I walk in their shoes, and I could bring something different to the court."

But judging from the dissenting opinion in the case of a prisoner being beaten by prison guards—under the observing eye of a supervisor who merely cautioned the perpetrators "not to have too much fun"—he's going to bring the same old constitutional crankiness that is the principal contribution of Justice Antonin Scalia.

Scalia, a brilliant and compelling extremist on the limits of the Constitution, raised most of the points in oral argument that Thomas folded into their joint dissent in the case. The plight of handcuffed, shackled prisoners being kicked and beaten by guards moved such sticklers for the protection of authority as Chief Justice William H. Rehnquist and Justice Byron White to find for the prisoner, Keith J. Hudson, and to find his torturers' conduct a violation of Eighth Amendment sanctions against "cruel and unusual punishment." Justice Sandra Day O'Connor, hardly a radical, wrote the majority opinion.

But rookie Thomas, standing with Scalia, brushed aside individual rights in favor of a handkerchief-sized interpretation of the Constitution. Never mind the rights of the prisoner. The federal Constitution must not be stretched to cover matters that can be handled by the state. The injuries inflicted on Hudson were not "significant" enough to warrant invoking the Constitution, a document that should be wished into the vault when ordinary citizens come seeking redress.

Thomas makes some specious arguments about the uncongenial state of prisons at the time of the Founding Fathers. Prisons are meant to be harsh and unwelcoming. That's part of the punishment. But to go from there and say that the Constitution does not prevent guards from kicking and punching a handcuffed and manacled prisoner is too long a trip for the strictest constructionist. Americans have little sympathy for prisoners—Keith Hudson was doing 15 years for armed robbery—and generally think convicts get what they deserve.

To follow Thomas's reasoning, we would make our prison system a school for sadism, where guards can manhandle a prisoner at will as long as they don't meet the Scalia-Thomas test for "serious injury." With prison population at an all-time high and recidivism at a truly appalling rate, it would seem wiser to emphasize rehabilitation and education in our jails. But that's the kind of soft-headed thinking that conservatives frown on.

Hudson suffered minor bruises and swelling of his face, mouth and lip and a crack in his dental plate, and that just wasn't enough for Scalia and Thomas.

Says Sen. Arlen Specter (R-Pa.), one of Thomas's most vociferous defenders at the awful confirmation hearings, "I think he needs to mature a little."

Alvin J. Bronstein, the American Civil Liberties Union lawyer who was Hudson's court-appointed attorney, says the bad news is that Thomas has come on as Scalia's puppet. Worse news, of course, is that he reached his conclusions on his own.

Either way, it is a distressing debut for a man who was born an underdog and has forgotten all about what it was like. Far from identifying with the poor defendants who were on the bus that he saw from his window, Thomas seems more like the bus driver.

THE CSCE FACT-FINDING MISSION TO NAGORNO-KARABAKH

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, March 2, 1992

Mr. HOYER. Mr. Speaker, last November I introduced a resolution on the situation in Nagorno-Karabakh that called for the U.N. Security Council to consider whether U.N. peacekeeping forces should be sent to the region to maintain order. This week, the tragic conflict has taken a new turn, with the release of a CSCE report based on a mid-February fact-finding mission to Baku, Yerevan, and Nagorno-Karabakh.

The investigators tried to take all sides and viewpoints into account. Their report's brief historical section describes the Soviet and Azerbaijani restraints on the religious and cultural rights of Armenians in Nagorno-Karabakh, which led them to call for unification with Armenia. The rapporteurs then discuss the different principles invoked by the parties in the ensuing conflict: Armenians argue for self-determination, while Azeris appeal to territorial integrity.

The report and its conclusions contain good news and bad news. To begin with the latter, it confirms what we have long known, namely, that Armenians and Azerbaijanis differ fundamentally in their interpretation of the nature of the conflict. Equally clear is that the violence carried out by the contending parties has not lessened after last fall's attempts by Russia and Kazakhstan to broker a cease-fire and negotiations, but has, in fact, intensified.

On the positive side, however, both Azerbaijanis and Armenians appear eager to settle the conflict. The CSCE factfinding mission was invited by the Azerbaijani and Armenian governments. The rapporteurs also came away with the impression that the Armenians of Nagorno-Karabakh, despite insisting on their right to self-determination, want the quickest possible solution to the problem by peaceful means. On the other side, the Azeris indicated a willingness to hold consultations, if not negotiations, with the Armenians of Karabakh. Baku also indicated a readiness to grant a degree of autonomy to the region if earlier resolutions about the incorporation of Nagorno-Karabakh into Armenia were withdrawn. Such autonomy and local self-government would entail cultural autonomy, the freedom to use native languages and to education in those languages, and religious freedom.

None of these developments and positions may be satisfactory to the contending parties. We will have to wait and see whether this con-

flict can be resolved. But in the meantime, it is critical to end the bloodshed. For that reason, I support the recommendations made by the CSCE factfinding mission, which include: an immediate cease-fire, an arms embargo to the region, the provision of humanitarian assistance by voluntary organizations to the inhabitants of Nagorno-Karabakh, the establishment of safe corridors for that purpose, the immediate exchange of all prisoners and hostages, and the return to families of their dead relatives.

I would go beyond the recommendations of the rapporteurs, however, in arguing, as I did in House Resolution 321 last November, that the U.N. Security Council consider whether to send U.N. peacekeeping forces to Nagorno-Karabakh. No negotiations will get off the ground while violence continues. In the interests of saving lives and promoting negotiations, I again urge that the internationalization of the conflict, having now begun with the involvement of the CSCE, broaden to embrace the United Nations and its mechanisms. Both Armenia and Azerbaijan are now members of that body, and its growing prestige and authority would be well engaged in Nagorno-Karabakh.

TRIBUTE TO THE U.S.S.

"LEXINGTON"

HON. E de la GARZA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 2, 1992

Mr. DE LA GARZA. Mr. Speaker, as we today consider a measure to transfer the U.S.S. *Lexington* to Corpus Christi, I want to take this opportunity to say how happy I am she is coming to the bay and to south Texas. She is a carrier warmly welcomed by the community to her new home where she will begin her new life as a floating museum. I also want to add that for future generations she will serve as a reminder of the major role our Nation played during the Second World War as we sought to safeguard democracy, promote freedom, and make the world a safer and more secure place in which to live.

With her comes a significant history and extensive war experience. Launched in September 1942 and commissioned in February 1943, the U.S.S. *Lexington* played a dramatic and determining role in World War II.

She arrived for Pacific action in the summer 1943 making searches and flying sorties in the Marshalls, as well as covering the landings in the Gilberts where she promptly distinguished herself.

In early December the *Lexington* continued her mission. Although the results were impressive she found herself a casualty of conflict having been hit by a torpedo to starboard which knocked out her steering gear. She was reported sunk. This began her reputation as the ship with nine lives.

During subsequent fierce and intense fighting against the major centers of resistance in Japan's outer empire in the spring 1944, the *Lexington* was again announced as sunk although in this instance she remained un-

touched. Torpedo planes sought to sink her in June of that year, but again she emerged unhurt.

Next came the famed Marianas operation which provoked the Battle of the Philippine Sea. The *Lexington* played a major role in this great victory which virtually knocked all Japanese naval aviation out of the war. With the planes went the trained and experienced pilots without whom our enemy could not continue air warfare at sea.

As the war escalated the *Lexington's* planes continued to score important victories particularly in the Battle for Leyte Gulf, our Nation's climactic American naval victory over Japan. It was during this time that the *Lexington* was introduced to the kamikaze. Once again she was declared by the enemy as destroyed, and once again, although damaged, she proved the rumors false.

Throughout World War II the *Lexington* remained a force to be reckoned with, and we all owe her a great debt of thanks.

These, however, are but a few of the highlights of the *Lexington's* illustrious career. After the war her planes continued to fly precautionary patrols over Japan, and dropped supplies to prisoner of war camps. She supported the occupation of Japan until leaving Tokyo Bay with homeward bound veterans.

Subsequent years have seen the *Lexington* continue to play a significant role in the defense of our Nation. It is important to note, however, that the role has not been solely confined to that of an attack carrier. She has also been actively involved in search and rescue missions as well as peacekeeping missions.

Most recently the *Lexington* has operated primarily out of her home port, Pensacola, qualifying student aviators and maintaining the high state of training of both active duty and Reserve naval aviators. Her work preparing the men vital to Navy and Marine Corps operations has been remarkable.

For all her valiant efforts the *Lexington* has received the Presidential Unit Citation and 11 battle stars for World War II services. With her comes quite a record of accomplishment, and again let me say how proud we are to welcome her. Because of the *Lexington's* work and the work of those who served onboard her, America and the world are a safer place. It is indeed an honor to know that south Texas is now her home.

TRIBUTE TO THE 1992 SCHOLAR- ATHLETES

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 2, 1992

Mr. MATSUI. Mr. Speaker, I rise today to pay tribute to 10 high school and 3 college members of the Sacramento community upon their acceptance as this year's National Football Foundation Sacramento Valley Chapter's scholar athletes of the year. These outstanding individuals deserve to be recognized for their dedication to the pursuit of excellence not only in their sport but also in their academic undertakings.

This ceremony will recognize the achievements of a very elite group of outstanding student athletes in the Sacramento Valley area. The three college students: Jason Edwards, University of the Pacific; Eric Palmberg, California State University, Sacramento, Michael Shephard, University of California, Davis, along with the 10 high school students: Eric Belding, Bear River High School; Byron Deeter, El Camino High School; Eric Frostad, Roseville High School; Tim Griffin, Jesuit High School; James Kidd, Elk Grove High School; Brian Marlette, Oak Ridge High School; Joe McKeen, Cordova High School; Zachary Stassi, Jesuit High School; Mike Stathem, Del Campo High School; Joseph Tanner, River City High School; Eric Tension, Roseville High School are to be congratulated for their outstanding achievements. It is through their commitment and skill that these individuals have made significant contributions to the entire Sacramento community.

Mr. Speaker, I commend the 1992 scholar-athletes for their many accomplishments. I am sure that my colleagues join me in saluting these invaluable members of the National Football Foundation and Hall of Fame for their expertise and their sportsmanship. It is through their hard work and sacrifice that these young men have met the challenge of excelling in two different environments head on. I extend my best wishes for their continued success in all their future endeavors.

IN HONOR OF THE WEST PHILADELPHIA CATHOLIC HIGH SCHOOL FOR BOYS 75 YEARS OF ACADEMIC EXCELLENCE

HON. LUCIEN E. BLACKWELL

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 2, 1992

Mr. BLACKWELL. Mr. Speaker, I rise today to pay tribute to a most special academic institution located in the heart of my congressional district. As West Catholic High School celebrates its 75th anniversary this week, I would like to take a moment to reflect on the glorious past of this beloved school.

The plan to establish a Catholic high school in west Philadelphia was pursued with great fervor by Bishop John J. McCort. After enlisting the support of the pastors of west Philadelphia and its outlying districts, Bishop McCort's dream was realized as ground was broken for the new school in 1915. In its first year, the West Philadelphia Catholic High School for Boys enrolled a total of 110 students. Five years later, enrollment had already increased to 450 students, and plans for expansion were underway. In 1926, the Brothers of the Christian Schools assumed the religious direction of the school, and saw the student body increase to nearly 2,900 students in 1952.

The tradition of West Catholic High is deeply rooted in the community of which it serves. Although the school's duration in years is highly impressive, it is the quality of West Catholic's administrators and teachers that render this institution with greatness. Any former student at West Catholic will testify about the personal concern and compassion

shown by former teachers, as well as the overall quality of the education they received. Indeed the spirit of the school owes a great deal of its vitality to the leadership of those educators whose vision and dedication continue to make West Catholic High one of the finest schools in the Delaware valley.

Of course, there could be no school without students, and since 1915, West Catholic High has graduated a countless number of community, city, State, and national leaders. Graduates of West Catholic frequently reminisce about the companionship shared with fellow students in class, on the playing fields or basketball courts, and in extracurricular activities. In my mind, this seems to be the key to endurance for any benevolent institution—the time honored notion of working together.

I ask my colleagues to rise and join me in paying our greatest tributes to West Catholic High School.

A TRIBUTE TO BRENDA SHIELDS WADE AND ELAINE SHIELDS RAINES

HON. KWEISI MFUME

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, March 2, 1992

Mr. MFUME. Mr. Speaker, I rise today to honor two of Maryland's most recent African-American female retirees. Mrs. Brenda Shields Wade and Mrs. Elaine Shields Raines are sisters. On Friday, February 28, 1992, these women will be honored by family, friends, and a host of admirers throughout the greater Baltimore area on the occasion of their retirement from the Chesapeake & Potomac Telephone Co. of Maryland.

Collectively, both Brenda and Elaine have been employed with this major corporation for over 50 years. During which time both were able to overcome the obstacles of sexism and racism to achieve occupational excellence; becoming executive managers for their firm and positive role models for their community. Twenty-seven years later, both women were afforded the opportunity to retire and pursue new goals, and both took advantage of it.

And, as a result of this opportunity, these women have chosen to pursue additional certification in the fields of education and human services. It is with the completion of this latest endeavor that both plan one day to give even more back to the community, by serving the needs of its children and its disadvantaged.

Mr. Speaker, like many who have attained much, both Brenda and Elaine came from humble beginnings. They are two of seven children, born to Bethlehem Steel worker, James C. Shields and his wife, Willeen. As products of this blue collar working family in Baltimore's innercity; they both entered the work force at the early age of 17. Being strong of character and possessing sound interpersonal and communication skills, these women were able to rise to the rank of management at the Chesapeake & Potomac Telephone Co.

They took advantage of company-sponsored educational opportunities as well as enrolling in evening and weekend programs at local col-

leges. These experiences enriched their contributions on their jobs and in their communities. Both women were active members of the board of trustees and the Sunday School at the Brown's Memorial Baptist Church in Baltimore as well as founding members of the Baltimore Washington Investors, Ltd.

While achieving all of the aforementioned accomplishments and more, both women maintained households, raised their children and supported their husbands.

Mr. Speaker, I am honored to pay tribute to these women who have contributed greatly to their employers, their communities, and their families. They are fine examples of the many accomplishments being made by women in corporate America, and African-American women in particular.

TRIBUTE TO MARGARET KOZUCH

HON. GUS YATRON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 2, 1992

Mr. YATRON. Mr. Speaker, I rise today to pay tribute to Mrs. Margaret Kozuch of Summit Hill, PA, who has spent many years as an active and integral part of her community.

Mrs. Kozuch participates extensively in civic affairs, dedicating herself to the causes of her church, town, and the county of Carbon. She is on the Carbon County Parks and Recreation Commission, has served as den mother to the Boy Scouts of Troop No. 546, and has organized fund drives for many worthwhile projects. Mrs. Kozuch has held the position of chairman of the Carbon County Democratic Party and is the current party committee-woman of Summit Hill, a position which she has held for over 45 years. Through her involvement with St. Joseph's Church, Mrs. Kozuch has led the Guild of Catholic Women to assist in the church's functions. Mrs. Kozuch has given of herself to these and many other causes, all while raising her family and working for the department of labor and industry until her retirement. To recognize and honor her dedication to Summit Hill, Mrs. Kozuch will be presented with the prestigious Shamrock Award by the Panther Valley Irish-American Association.

I believe my colleagues will agree that Mrs. Kozuch deserves our commendation on the floor of the House for her untiring service to the people of Summit Hill. Mrs. Kozuch's compassion, charity, and devotion to her fellow citizens reminds us of our ability to enrich the lives of others by giving of ourselves.

A CONGRESSIONAL TRIBUTE TO REV. EDWARD BYNUM

HON. MERVYN M. DYMALLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 2, 1992

Mr. DYMALLY. Mr. Speaker, I rise today to honor an unselfish servant of God, who has served the Greater Los Angeles and Watts area not for profit or fame, but because he truly cares for this community.

Rev. Edward Bynum initiated a small food program for his church, the Lighthouse Church of God and Christ, located in the Watts area of Los Angeles, to serve for 1 month. Today, thanks to his dedication and the generosity of his supporters, the Lighthouse Community Outreach project now serves thousands and thousands of families. In these recessionary times, when the needs of our people are greatest, it is outstanding leaders like Reverend Bynum who help offset these economic woes with their outpouring of service to the needy families in our communities.

I would like to share with you a few excerpts from an article written by Ralph Sutton for the Wave Newspaper of Los Angeles:

"This one lady came to get food every day. One Sunday she came and testified, 'I came here every day, got this food and fed my children. I was able to save \$900. I got a nice apartment for my children now, and I quit drugs.' She never came back to church, but we knew her life had been changed," said Bynum.

"We established a small church in Compton called the House of Prayer. We also started holding outdoor services in Watts at Will Rogers Park. We liked the area because we could see how tremendous the needs of the people were," Bynum said. "If Jesus were here today, we believe he would be where the needs are the greatest."

A lot of people think that we're giving away government surplus food and that it's free to us," Bynum said. "But, only the government-issued food is free. Everything else—like vegetables, bread and meat—you pay 10 cents a pound for."

The Outreach Market now serves approximately 200,000 people annually. In addition, church members deliver groceries to shut-ins and they turn no one away.

So, Mr. Speaker, I stand before you to direct your attention to this man who has so humbly served his community. I am honored to have this occasion to make sure that Rev. Edward Bynum is properly recognized for his deeds.

A TRIBUTE TO CAPT. JAMES M.
FOURNIER

HON. C. CHRISTOPHER COX

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 2, 1992

Mr. COX of California. Mr. Speaker, I rise today to pay tribute to an outstanding official of the U.S. Congress, Capt. James M. Fournier has devoted over four decades of his life in service to his country. Jim Fournier has excelled in many fields: as a military officer, a sea captain, an engineer, and a general manager. He has succeeded in both business and Government. He is, I am proud to say, a good and loyal friend who has been with me since the beginning of my congressional career.

As my district representative and the chief of staff in my California office, Jim Fournier has become a beloved figure not only to the people who work for him but also thousands of southern Californians whom he has helped through difficulties with the Federal Government.

Although it would have been equally well-deserved, Jim did not earn the title of "Cap-

tain" by navigating the political waters of Washington, DC, or California. Rather, it was his long and outstanding service in the U.S. Coast Guard which earned him that designation. He began serving our Nation in 1954, when he was commissioned an ensign following graduation from the U.S. Coast Guard Academy. The next 30 years found Jim on Coast Guard cutters sailing to all four corners of the Earth, as well as on the vast network of waterways throughout the United States. Among his varied assignments, Jim captained icebreakers in the Antarctic and in the Arctic Circle; he commanded the Coast Guard's 8th District Field Office in New Orleans; and he managed the Coast Guard's Congressional Liaison Office in Washington, DC.

Jim Fournier's rapid advancement and stellar performance sailing under the flag of the United States earned him several national honors, including one of our Nation's top military service awards, the Legion of Merit. Although he would not be one to mention it, a listing of the other honors awarded to Captain Fournier is nothing short of amazing: Meritorious Service Medal, 2; the Coast Guard Commendation Medal, 2; Letter of Commendation, 2; National Defense Medal, 2; Antarctic Service Medal, 3; Arctic Service Medal, 4; and 11 other awards. In between his seagoing assignments, Jim found time to study engineering at the prestigious Rensselaer Polytechnic Institute and to do postgraduate work at John Carroll University.

Jim has often mentioned that the best import ever to sail to the United States from Canada is Lucille, his wife of nearly 30 years. I have had the pleasure of knowing Lucille for the past 4 years, and I agree with Jim completely. Jim and Lucille have three grown children, and for the past 2 years, Captain Jim has been grandpa Jim to his beautiful granddaughter, Renee.

Following his retirement from the Coast Guard and from private business in the field of engineering, Jim came on board with me right after my first election in 1988. He started from scratch and set up my district office in Orange County, finding office space, hiring the staff, and organizing the workload. He has served Orange County as the first line of assistance for thousands of constituents who have had problems with Federal agencies—from the IRS to the INS, from Santa Ana to our most distant and farflung Embassies around the world.

I well remember one especially poignant success that Jim achieved. Our constituents, Paul and Marci Mast of Laguna Hills, were seeking to adopt Rachel and Juliana, two orphaned Romanian babies. The Masts were devastated at the roadblocks they encountered in the U.S. bureaucracy. They weren't sure when, if ever, they would be allowed to bring their new daughters home to California. That's when they turned to my office for help. In the words of Marci Mast, Jim Fournier "worked on our problem with a passion that approached a vendetta." In less than a month, the Masts had their two beautiful girls at home with them in California. The creative energy that led to our success was typical of Jim Fournier—all day, every day.

Mr. Speaker, as my district representative, Jim Fournier has established an enviable record of caring service to the people of Or-

ange County. His stewardship in that role will long be remembered, and should serve as a model for all of us in congressional service for years to come. As he sets his course for new challenges, I'm sure my colleagues will join me in saluting Jim Fournier, and thanking him for a job well done—for Orange County, for California, and for America.

THE 10TH ANNIVERSARY OF THE
KEENE CAMERATA

HON. JOE BARTON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 2, 1992

Mr. BARTON of Texas. Mr. Speaker, I'd like to share with my colleagues the remarkable story of a small-town orchestra in my district.

Keene, TX—population 3,944—is a small town that is home to the Keene Camerata, a 35-member string orchestra. The Camerata is comprised of community members and students ranging from elementary to college levels. Their repertoire includes religious, classical, and semiclassical works. They perform regularly in the north Texas area. In 1988, the Keene Camerata traveled to Jamaica for a week of performances across the island.

Murgu Doroftei, founder and director of the Keene Camerata, emigrated to the United States from Romania in 1980. He and his family spent a few months in New York City before settling in Keene, TX, in the spring of 1981. A professional musician and composer, Mr. Doroftei was hired by Southwestern Adventist College as a music instructor. Although he was fluent in Russian and French, Mr. Doroftei did not speak much English. He did not let his language problem prevent him from organizing a full orchestra at Southwestern Adventist College. He named the orchestra the Keene Camerata.

The Camerata experienced growing pains in the beginning. Mr. Doroftei had a difficult time finding people who played wind instruments. After 2 years, Mr. Doroftei decided to disband the percussion and wind instrument sections and form the existing chamber string orchestra.

Mr. Doroftei faced another potential problem. He did not have a budget that would accommodate the expense of new music for the fledgling ensemble. As an accomplished composer and arranger himself, he resorted to writing his own arrangements for string orchestra: Concertos, hymns, show tunes, and golden oldies. Today his collection numbers over 400 arrangements. This includes nearly 30 concertos for solo instrument and some 200 hymns and vocal solos.

The Keene Camerata celebrated their 10th anniversary on February 29, 1992, with a performance at 7:30 p.m. in Evans Hall on the campus of Southwestern Adventist College.

INTRODUCTION OF THE FAIRNESS FOR FEDERAL POLICE OFFICERS ACT

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, March 2, 1992

Mr. ANDREWS of New Jersey. Mr. Speaker, I rise today to inform the House of a great injustice that is taking place, and of legislation I have introduced to correct it.

The many Federal buildings, lands, and military bases across the country rely on Federal police officers to enforce the law and protect public safety. Unfortunately, because of U.S. Office of Personnel Management, an entire class of Federal police officers have been denied the pay raise to Federal law enforcement officers that was passed in the Federal Law Enforcement Pay Reform Act of 1990.

OPM uses a very narrow interpretation of the legal definition of Federal law enforcement officers. By OPM's own admission, their interpretation excludes Federal employees who perform general police-type duties including maintaining law and order, protecting life and property, and guarding against or inspecting for violations of law. To me, these duties are the essence of law enforcement, yet OPM has precluded such employees from FLEPRA.

This problem was first brought to my attention by Mr. Michael Petrecz, the president of the Fraternal Order of Police for the GS-083 officers at the Philadelphia Naval Shipyard which borders my district, and where many of my constituents work. Mr. Petrecz showed me in great detail the many varied and dangerous duties of the police officers at PNSY. Those officers are responsible for everything from drug interdiction, to river boat patrols. Every day they are confronted with the same violence and danger that all of our inner city police face, and yet are told by our Government that they are not law enforcement officers.

For this reason, today I introducing the Fairness for Federal Police Officers Act. This legislation amends FLEPRA to provide that Federal GS-083 police series officers be treated as Federal law enforcement officers for the purposes of the 1990 pay raise. I believe that fairness dictates the passage of this legislation, and I would invite my colleagues to join me in sponsoring this legislation.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily

Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, March 3, 1992, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MARCH 4

9:30 a.m.
Banking, Housing, and Urban Affairs
To hold joint hearings with the Joint Economic Committee's Subcommittee on Technology and National Security on the overall competitiveness of the U.S. economy.
SD-538

Joint Economic Technology and National Security Subcommittee
To hold joint hearings with the Committee on Banking, Housing, and Urban Affairs on the overall competitiveness of the U.S. economy.
SD-538

10:00 a.m.
Environment and Public Works
Water Resources, Transportation, and Infrastructure Subcommittee
To hold hearings to examine water resources infrastructure needs and impacts.
SD-406

Foreign Relations
Business meeting, to mark up S. Con. Res. 70, to express U.S. support for the protection of the African elephant, S. Con. Res. 80, concerning democratic changes in Zaire, S. Con. Res. 89, concerning the United Nations Conference on Environment and Development, to consider the International Covenant on Civil and Political Rights (Ex. E, 95th Congress, 2nd Session), and pending nominations.
SD-419

Governmental Affairs
Business meeting, to mark up pending legislation.
SD-342

Labor and Human Resources
To hold hearings to examine comprehensive health reform proposals.
SD-430

Joint Economic
To hold hearings to examine the long-term outlook for agricultural trade.
B-352 Rayburn Building

Joint Economic
Economic Goals and Intergovernmental Policy Subcommittee
To hold hearings to examine United States agricultural competitiveness and how current trade talks might affect the farm industry.
B-352 Rayburn Building

10:30 a.m.
Judiciary
Juvenile Justice Subcommittee
To hold hearings on proposed legislation authorizing funds for programs of the Juvenile Justice Act, focusing on problems of overcrowding in youth detention centers and access to justice in the court system.
SR-385

2:00 p.m.
Armed Services
To hold hearings on proposed legislation authorizing funds for fiscal year 1993

for the Department of Defense and the future year defense plan, focusing on the unified commands military strategy and operational requirements.
SR-222

Foreign Relations
European Affairs Subcommittee
To hold hearings to examine U.S. policy toward Yugoslavia.
SD-419

Judiciary
To hold hearings on pending nominations.
SD-G50

Select on Intelligence
To resume hearings on S. 2198, to reorganize the United States intelligence community to provide for the improved management and execution of United States intelligence activities.
SH-216

MARCH 5

9:00 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1993 for the Department of Defense, focusing on Army posture.
SD-192

9:30 a.m.
Select on Intelligence
To resume hearings on S. 2198, to reorganize the United States intelligence community to provide for the improved management and execution of United States intelligence activities.
SH-216

Environment and Public Works
Environmental Protection Subcommittee
To hold hearings on proposed legislation authorizing funds for the Resource Conservation and Recovery Act, focusing on recycling provisions.
SD-406

Governmental Affairs
Federal Services, Post Office, and Civil Service Subcommittee
To hold hearings on S. 316, to provide for treatment of Federal pay in the same manner as non-Federal pay with respect to garnishment and similar legal process.
SD-342

Labor and Human Resources
Children, Family, Drugs, and Alcoholism Subcommittee
To hold hearings to examine solutions for a new economy, focusing on jobs and families.
SD-430

Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs to review the legislative recommendations of the Paralyzed Veterans of America, the Blinded Veterans of America, WWI Veterans, Military Order of the Purple Heart, Association of the United States Army, Retired Officers Association, and Vietnam Veterans of America.
345 Cannon Building

10:00 a.m.
Appropriations
Commerce, Justice, State, and Judiciary Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1993 for the Department of State.
S-146, Capitol

Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1993 for the Interstate Commerce Commission, and the Office of Inspector General. SD-138

Banking, Housing, and Urban Affairs
To hold hearings to examine Resolution Trust Corporation (RTC) operations, focusing on its affordable housing program. SD-538

Foreign Relations
To resume hearings on strategic nuclear reduction in a post-cold war world, focusing on arms control. SD-419

Joint Economic
To hold hearings to examine new approaches to restructure the public sector to deliver more for less. SD-419
2200 Rayburn Building

2:00 p.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1993 for the Consumer Product Safety Commission, the Office of Consumer Affairs, and the Consumer Information Center. SD-116

Energy and Natural Resources
Public Lands, National Parks and Forests Subcommittee
To resume hearings on S. 1755, to reform the concessions policies of the National Park Service. SD-366

MARCH 6

9:30 a.m.
Agriculture, Nutrition, and Forestry
Agricultural Research and General Legislation Subcommittee
To hold hearings on the alternative uses of agricultural commodities, focusing on impediments to commercialization. SR-332

Joint Economic
To hold hearings on the employment-unemployment situation for February. SD-628

10:00 a.m.
Finance
International Trade Subcommittee
To hold hearings on intellectual property rights protection and the "Special 301" provisions of the 1988 Trade Act. SD-215

MARCH 10

10:00 a.m.
Foreign Relations
To resume hearings on strategic nuclear reduction in a post-cold war world, focusing on succession issues. SD-419

MARCH 11

11:00 a.m.
Commerce, Science, and Transportation
Communications Subcommittee
To hold hearings on S. 1101, to require the Federal Communications Commission (FCC) to prescribe standards for AM stereo radio broadcasting, an FCC rulemaking proposal relating to radio ownership rules, and other related issues. SR-253

MARCH 12

9:30 a.m.
Rules and Administration
To hold hearings on S. 523, to establish the National African-American Memorial Museum within the Smithsonian Institution. SR-301

10:30 a.m.
Rules and Administration
To hold hearings on S.J. Res. 259, providing for the appointment of Barber B. Conable, Jr. as a citizen regent of the Board of Regents of the Smithsonian Institution. SR-301

11:00 a.m.
Rules and Administration
To hold hearings on proposed legislation authorizing funds for fiscal years 1993 through 1997 for the American Folklife Center of the Library of Congress. SR-301

MARCH 17

9:30 a.m.
Commerce, Science, and Transportation
Science, Technology, and Space Subcommittee
To hold hearings to examine an overview of NASA's budget for fiscal year 1993. SR-253

10:00 a.m.
Appropriations
Agriculture and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1993 for the Department of Agriculture, focusing on the Food and Nutrition Service, and the Human Nutrition Information Service. SD-138

MARCH 18

9:30 a.m.
Commerce, Science, and Transportation
Science, Technology, and Space Subcommittee
To hold hearings to examine NASA's space station and launch issues. SR-253

Select on Indian Affairs
To resume oversight hearings on the implementation of the Indian Gaming Regulatory Act (IGRA). SH-216

MARCH 19

9:30 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1993 for the National Science Foundation, and the Office of Science Technology Policy. SD-124

Energy and Natural Resources
Public Lands, National Parks and Forests Subcommittee
To hold hearings on S. 684, to strengthen the preservation of the Nation's historic heritage and resources. SD-366

10:00 a.m.
Appropriations
Commerce, Justice, State, and Judiciary Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1993 for the Department of Justice. S-146, Capitol

Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1993 for the Federal Highway Administration, Department of Transportation. SD-138

MARCH 20

10:00 a.m.
Appropriations
Agriculture and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1993 for the Department of Agriculture, focusing on the Farmers Home Administration, the Federal Crop Insurance Corporation, the Rural Electrification Administration, and the Rural Development Administration. SD-138

MARCH 25

9:30 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1993 for the Neighborhood Reinvestment Corporation, and the National Credit Union Administration. SD-116

Select on Indian Affairs
To hold hearings on S. 1752, to provide for the development, enhancement, and recognition of Indian tribal courts. SR-485

10:00 a.m.
Appropriations
Commerce, Justice, State, and Judiciary Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1993 for the Federal Communications Commission, and the Securities and Exchange Commission. S-146, Capitol

Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1992 for the National Highway Traffic Safety Administration, and the Research and Special Programs Administration, both of the Department of Transportation. SD-138

MARCH 26

9:30 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1993 for the Environmental Protection Agency, and the Council on Environmental Quality. SD-G50

Commerce, Science, and Transportation
Consumer Subcommittee
To hold hearings on S. 664, to require that health warnings be included in alcoholic beverage advertisements. SR-253

MARCH 27

10:00 a.m.
Appropriations
Agriculture and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1993 for the De-

partment of Agriculture, focusing on the Animal and Plant Inspection Service, the Food Safety and Inspection Service, and the Agricultural Marketing Service.

SD-138

APRIL 1

9:30 a.m.
Select on Indian Affairs
To hold hearings on proposed legislation to authorize funds for programs of the Indian Health Care Improvement Act.

SR-485

10:00 a.m.
Appropriations
Commerce, Justice, State, and Judiciary Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1993 for the Department of Commerce.

S-146, Capitol

APRIL 2

9:30 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1993 for the Federal Deposit Insurance Corporation, and the Resolution Trust Corporation.

SD-116

10:00 a.m.
Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1993 for the National Transportation Safety Board.

SD-138

APRIL 3

10:00 a.m.
Appropriations
Agriculture and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1993 for the Department of Agriculture, focusing on the Agricultural Stabilization and Conservation Service, the Foreign Agricultural Service, the General Sales Manager, and the Soil Conservation Service.

SD-138

APRIL 7

10:00 a.m.
Appropriations
Agriculture and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1993 for the Department of Agriculture, focusing on the Commodity Futures Trading Commission, the Food and Drug Administration, the Farm Credit Administration, and the Farm Credit System Assistance Board.

SD-138

Appropriations
Commerce, Justice, State, and Judiciary Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1993 for the Federal Bureau of Investigation, and the Drug Enforcement Administration, Department of Justice.

S-146, Capitol

APRIL 8

9:30 a.m.
Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs to review the legislative recommendations of the AMVETS, American Ex-POWs, Jewish War Veterans, Non-Commissioned Officers Association, National Association for Uniformed Services, and Society of Military Widows.

SD-106

APRIL 9

9:30 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1993 for the National Aeronautics and Space Administration.

SD-G50

10:00 a.m.
Appropriations
Commerce, Justice, State, and Judiciary Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1993 for the National Oceanic and Atmospheric Administration, and the Small Business Administration.

S-146, Capitol

Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1993 for Amtrak, and the Federal Railroad Administration, Department of Transportation.

SD-138

APRIL 29

10:00 a.m.
Appropriations
Commerce, Justice, State, and Judiciary Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1993 for the U.S. Information Agency, and the Board for International Broadcasting.

S-146, Capitol

APRIL 30

9:30 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1993 for the Department of Housing and Urban Development.

SD-G50

10:00 a.m.
Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1993 for the Federal Transit Agency, and the Washington Metropolitan Area Transit Authority.

SD-138

MAY 7

9:30 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1993 for the Department of Veterans Affairs, and the Court of Veterans Affairs.

SD-124

10:00 a.m.
Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1993 for the U.S. Coast Guard, Department of Transportation.

SD-138

MAY 14

9:30 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1993 for the Federal Emergency Management Agency.

SD-124

10:00 a.m.
Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1993 for the Federal Aviation Administration, Department of Transportation.

SD-138

MAY 21

9:30 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1993 for the National Community Service, and the Points of Light Foundation.

SD-116

10:00 a.m.
Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1993 for the General Accounting Office.

SD-138

MAY 22

9:30 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1993 for the Department of Housing and Urban Development and certain related agencies.

SD-138

CANCELLATIONS

MARCH 5

2:00 p.m.
Select on Intelligence
To hold hearings on the nomination of Vice Adm. William O. Studeman, U.S. Navy, to be Deputy Director of Central Intelligence, and to have the rank of Admiral while so serving.

SH-216