

EXTENSIONS OF REMARKS

INTRODUCTION OF THE YEAR 2000 READINESS AND RESPONSIBILITY ACT

HON. THOMAS M. DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 1999

Mr. DAVIS of Virginia. Mr. Speaker, I rise today to announce the introduction of the Year 2000 Readiness and Responsibility Act, bipartisan legislation that is critical to our Nation's readiness for the Year 2000 Millennium Bug and critical to the competitiveness of the U.S. economy.

I, along with my distinguished colleagues, Congressman MORAN from Virginia, Congressmen DREIER, COX, and DOOLEY from California, and Congressman CRAMER from Alabama, have crafted a bipartisan bill critical to ensuring that precious resources are used to fix the Year 2000 (Y2K) problem and thus will protect Americans and our economy for the new millennium. As all of us have learned in the past few years, the Year 2000 computer problem is a result of a decision made in the 1960s by computer programmers to design software that recognized only the last two digits rather than the full four digits of dates in order to conserve precious computer memory. When the clock turns from December 31, 1999 to January 1, 2000, some computers will interpret "00" to mean that the date is 1900 rather than 2000. With dates being critical to almost every layer of our economy and across vast numbers of industries, systems that are noncompliant will disrupt the free flow of information that forms the underpinnings of our Nation's economy.

These are indeed unique circumstances that require Congress to tackle the obstacles that are currently discouraging businesses from addressing the Y2K problem and ultimately harming consumers. At the outset, the Year 2000 Readiness and Responsibility Act will continue the efforts which we initiated with the Administration in the 105th Congress through the passage of the Year 2000 Information and Readiness Disclosure Act that furnished the first steps toward facilitating Year 2K remediation and testing.

The Year 2000 Readiness and Responsibility Act has 2 main objectives. The first is to implement a reform framework designed to encourage a fair, fast and predictable mechanism for both plaintiffs and defendants for resolving Y2K disputes, such that litigation will become the avenue of last resort rather than the first option for settling disputes. While it is estimated that American businesses have poured hundreds of billions of dollars into making the transition to the Year 2000, the simple reality is that some problems will go unresolved because of a fear of litigation. A basic premise of the bill is that contracts between suppliers and users will be fully enforceable in a court of law. All economic losses suffered by an individual or business as a result of a Year 2000 failure, provided that their duty to mitigate damages was fulfilled,

will be compensable. Claims brought by individuals or businesses based on personal injury are outside the scope of this legislation.

Further, the Act creates a prefiling notification period intended to encourage potential plaintiffs and defendants to work together to reach a solution before they reach the courtroom. The prefiling notification period requires potential plaintiffs to give written notice identifying their Y2K concerns and provide potential defendants with an opportunity to fix the Y2K problem outside of the courtroom. After receipt of this notice, the potential defendant would have 30 days to respond to the plaintiff, stating what actions will be taken to fix the problem. At that point, the potential defendant has 60 days to remedy the problem. If the defendant fails to take responsibility for the failure at the end of the 30-day period, the potential plaintiff can file a Year 2000 action immediately. If the injured party is not satisfied once the 60 days have passed, he or she still retains the right to file a lawsuit. There are also provisions encouraging alternative dispute resolution. As a result, we expect that there will be more attention given to Y2K remediation and an elimination of many Y2K lawsuits.

Also included are provisions that apply a proportionate liability standard to damages caused by multiple actors, some of whom may not necessarily be parties to a Year 2000 action. A defendant found to be only 5 percent liable in causing a Year 2000 problem would only be responsible for 5 percent of the damages, not 100 percent liable.

We also fulfill our first objective by minimizing the opportunities for those who would exploit the unknown value of potential Y2K failures and pursue litigation as a first resort rather than permit the parties to resolve problems. This bill contains provisions that will make sure that businesses are confident that they can spend their dollars fixing the Y2K problem rather than reserving those dollars for costly lawsuits that will increase costs for consumers, push small innovative businesses into extinction, and endanger and in some instances eliminate many American jobs. The bill grants original jurisdiction to Federal district courts for any Year 2000 class action where certain diversity requirements are met. Punitive damages in a Year 2000 action are capped at \$250,000 or 3 times the amount of actual damages, whichever is greater. For businesses with fewer than 25 employees, including state and local government units, or individuals whose net worth is no greater than \$500,000, punitive damages are capped at the lesser of \$250,000 or 3 times the amount of actual damages. Attorney's fees are also capped at \$1,000 per hour and detailed attorney disclosure requirements are included to ensure that clients are kept informed of the progress and expense of their cases.

Our second principle objective is to provide assistance to small businesses and their employees by allowing them to access up to \$50,000 under the Small Business Administration 7(A) Loan Guaranty Program for Y2K repair and testing expenses. For the many small

companies that want to ensure their Y2K readiness but simply lack the financial resources to undertake remediation, the Year 2000 Readiness and Responsibility Act will give them access to necessary funding. It will also give small businesses limited regulatory relief if they fail to comply with federal regulations as a result of a Y2K, so long as the businesses noncompliance was not done in bad faith.

Since 1996, there have been over 50 bipartisan hearings in the Congress examining a wide-ranging array of issues that are directly related to the Y2K challenge that is facing our global economy. We have listened to consumers and to industry. And what we have consistently heard is that small and large businesses are eager to solve the Y2K problem. Yet many are not doing so, primarily because of the fear of liability and lawsuits. The potential for excessive litigation and the negative impact on targeted industries are already diverting precious resources that could otherwise be used to help fix the Y2K problem. The Year 2000 Readiness and Responsibility Act aims to eliminate those fears and hasten the repair of Y2K problems while we still have time to resolve them.

For this reason, I look forward to working with my colleagues on both sides of the aisle as well as with the Administration to achieve passage of this legislation. I hope that all of my colleagues will join us in cosponsoring this critical measure.

IN HONOR OF RUTGERS LAW MINORITY STUDENT INTERNSHIP PROGRAM

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 1999

Mr. MENENDEZ. Mr. Speaker, I would like to take this opportunity to congratulate the Minority Student Program (MSP) at Rutgers School of Law-Newark for the 15th Anniversary of its Summer Internship Program. Since 1984, the MSP has matched over 200 talented young students with prestigious employers.

The law school historically has attracted students who want to make a difference in the world in which they live. These students represent numerous ethnic groups and nationalities, but are united in their desire to pursue a career in the legal profession.

The MSP's Summer Internship Program has been an essential step in translating a quality education in the law into employment opportunities for students. These internships help students develop skills, make contacts, and earn the money necessary to pay for law school. In addition, the program provides employers access to a pool of promising potential employees. Graduates now make important social and political contributions to their community as judges, presidential appointees, law professors, and prominent members of the bar.

It is an honor and a pleasure to be part of this celebration and to recognize the dedication and commitment of the Minority Student

● 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.

Program at Rutgers School of Law-Newark. I am certain that my colleagues will join me in paying tribute to this remarkable program.

TRIBUTE TO THE LATE TOM
TAKEHARA

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 1999

Mr. MATSUI. Mr. Speaker, I rise today in tribute to Mr. Tom Takehara of Sacramento, California. A memorial service will be held for him in his hometown. I respectfully ask all of my colleagues to join with me in saluting a truly great citizen, father, and friend.

Mr. Takehara founded Takehara Landscape Inc. which grew to become one of the largest businesses of its kind in the Sacramento area. As a landscape contractor, he handled landscape duties at many of Northern California's most prominent public and private buildings.

As the past president of the California Landscape Contractors Association and an active Rotary Club member, Mr. Takehara earned a reputation for civic involvement. His membership in Bocho Doshi Kai and Wakayama Kenjin Kai, two Japanese American heritage organizations, is especially noteworthy.

Having grown up on a farm in Sacramento County, Mr. Takehara was well-versed in the strong work ethic associated with agriculture in Northern California. He was known for always working hard to build a successful business and to provide for his loving family.

During World War II, Mr. Takehara was forcibly interned with thousands of other Japanese Americans. Yet this social and legal injustice never prevented him for excelling in his chosen professional pursuits.

As a successful entrepreneur, he started a variety of enterprises before founding his own landscape construction business in Sacramento. Yet commerce wasn't Mr. Takehara's sole focus.

Family was also a major force in the life of Tom Takehara. He was married to his wife Toshi for 51 years. They had three children: Brian, Walton, and Denise. He is also survived by seven grandchildren.

Mr. Speaker, Tom Takehara led a unique life in Northern California. He will be remembered as a loving family man, successful entrepreneur, and a great citizen of Sacramento. I ask all of my colleagues to join with me in remembering him as he is eulogized today.

RULE 30 OF THE FEDERAL RULES
OF CIVIL PROCEDURE AND RESTORATION
OF THE STENOGRA-
PHIC PREFERENCE

HON. HOWARD COBLE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 1999

Mr. COBLE. Mr. Speaker, I rise to introduce legislation that will restore the stenographic preference for depositions taken in federal court proceedings. This bill is identical to legislation which I sponsored last term; and is similar to a bill authored by Senator GRASSLEY during the 105th Congress.

For 23 years, Rule 30 of the Federal Rules of Civil Procedure permitted the use of non-stenographic means to record depositions, but only pursuant to court order or the written stipulation of the parties. In December of 1993, however, the Chief Justice submitted a recommendation pursuant to the Rules Enabling Act that eliminated the old Rule 30 requirement of a court order or stipulation. The revision also afforded each party the right to arrange for recording of a deposition by non-stenographic means.

When representatives of the Judicial Conference testified on the subject in 1993, they could not provide the Subcommittee on Courts and Intellectual Property with a single justification for their recommendation. As a result, the Subcommittee unanimously approved legislation, H.R. 2814, to prevent implementation of the change. The full House of Representatives followed suit by passing the bill under suspension of the rules on November 3, 1993.

It is my understanding that the Senate Judiciary Subcommittee on Courts and Administrative Practice also held hearings on Rule 30 during the 103rd Congress. I believe the members who participated in those hearings received testimony which generated concerns about the reliability and durability of video or audio tape alternatives to stenographic depositions. Then and since, court reporters have complained of increased difficulty in identifying speakers, deciphering unintelligible passages, and reconstructing accurate testimony from "blank" passages when relying on mechanical recordings. In contrast, information was also submitted at this time which suggested that the stenographic method will become even more cost-effective in the future as a result of improvements in recording technology.

These findings from the 103rd Congress were confirmed in the 104th when the Subcommittee on Courts and Intellectual Property again conducted its own hearing on H.R. 1445, the precursor to the bill I am introducing today; and later, when the Committee on the Judiciary reported H.R. 1445 to the full House.

Mr. Speaker, I have never entirely understood why Rule 30 was changed in the first place. Like many others, I have found that experience is the best teacher; and it has been my experience that no one in my district was displeased with the application of the law prior to 1993. I visit my district frequently and maintain good relations with members of the bench and bar, and not one attorney or judge ever complained about the operation of Rule 30 to me before 1993.

I am pleased to continue my ongoing support for reinstating the pre-1993 law on Rule 30 by sponsoring this bill.

TRIBUTE TO JOEL RUCKER

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 1999

Mr. BERMAN. Mr. Speaker, I rise today to pay tribute to Joel Rucker, a good friend of many years and a man who cares deeply about the future of the Northeast San Fernando Valley. During the time I have known Joel, I have had many opportunities to see firsthand his extraordinary dedication to the causes in which he believes. I can say without

hesitation that I have rarely met anyone as willing to make the time and effort on behalf of his community.

Joel has made a special point of working tirelessly to improve the economy of Pacoima and surrounding areas. For example, he played an invaluable role in helping my office coordinate an international job fair in 1995. It was Joel who first brought to my attention the need to provide local small businesses with tips on selling their products overseas. At that time Joel was President of the Pacoima Chamber of Commerce, a post he held with distinction for several years.

Joel has also served on the Board of Directors of San Fernando Valley Economic Alliance and is a member of the Minority Business Opportunity Commission of Los Angeles International Trade. He has become a forceful advocate for the economic interests of the Northeast San Fernando Valley.

To be sure, Joel is involved in a variety of organizations, including the Northeast Valley Health Corporation, the NAACP and the Valley Interfaith Council. He has somehow managed to combine running a successful business (Rucker's Mortuary) with many extracurricular activities.

I ask my colleagues to join me in saluting Joel Rucker, a deeply spiritual man who has dedicated his life to community service. His selflessness and sense of public duty inspire us all.

IN HONOR OF PETER BERRIO, DISTINGUISHED COLOMBIAN—AMERICAN VETERAN

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 1999

Mr. MENENDEZ. Mr. Speaker, I rise today to recognize Peter Anthony Berrio for his courageous service on behalf of the United States during World War II. Mr. Berrio, the oldest surviving Colombian-American WWII veteran, was honored on November 19 by the governor of Quindo, in the city of Armenia, Colombia, Peter Berrio's place of birth. Unfortunately, I was unable to attend this event, but a representative of the U.S. Embassy in Colombia was there on behalf of all Americans thankful for Mr. Berrio's distinguished service.

Peter Berrio moved to the United States from Colombia in 1929 and served in the U.S. Army Air Force from 1942 to 1946, both in the Far East and in Europe. Mr. Berrio served as a gunner, and he also served as a "military mayor" in Italy after the war. By the time he left the service, he had reached the rank of Sergeant and received the Good Conduct Medal, World War II Victory Medal, and the Asiatic Pacific Campaign Medal. In 1951, Peter Berrio moved back to Colombia where he continues to live today.

It is important for us to remember the sacrifices made by our elders in the fight for freedom during WWII. The war was the defining event of the 20th century. Over 400,000 of our brave soldiers died during their service in WWII and millions more willingly put their lives on the line for their country.

I was both honored and touched to receive a letter from Edison Berrio, Mr. Berrio's son, about his father's accomplishments. I am

proud to be able to honor Peter Berrio's brave service, and I am also proud of Edison Berrio for remembering his roots and recognizing his father's impressive legacy. Edison is President of the New York and New Jersey Chapter of the Colombia National Coalition.

I am sure I speak for the entire Congress when I say we are all deeply indebted to Peter Berrio and the millions of other WWII veterans who fought so that we can enjoy the liberty, freedom, and prosperity we have as a nation today.

INTRODUCTION OF H.R. 768, THE
COPYRIGHT COMPULSORY LI-
CENSE IMPROVEMENT ACT

HON. HOWARD COBLE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 1999

Mr. COBLE. Mr. Speaker, I am pleased to introduce the Copyright Compulsory License Improvement Act. This bill will improve the copyright compulsory license for satellite carriers of copyrighted programming contained on television broadcast signals by applying to such carriers the same opportunities and rules as their cable competitors. This competitive parity will lead to increased exposure of copyrighted programming to consumers who will pay lower prices for cable and satellite services which deliver programming to their homes. These lower prices will result from the choices consumers will have in choosing how they want their television programming delivered. Mr. Speaker, I know I speak for many of the Members in this House when I assert that creating competition in the video delivery market is the key to more choice and lower prices for our constituents.

This is a very dynamic time for the multi-channel video marketplace, particularly for the satellite industry. These satellite compulsory license is set to expire at the end of this year at a time when the industry enjoys a record number of subscribers. In the meantime, a federal court decision threatens to disconnect hundreds of thousands of satellite customers from their distant network signals. Additionally, several other legislative restrictions still prevent the satellite industry from competing with the cable television industry on an even playing field.

The Copyright Act of 1976 bestowed on cable television a permanent compulsory license which enables that industry to rebroadcast network and superstation signals to cable television viewers without requiring cable operators to receive the authorization of thousands of copyright owners who have an exclusive right to authorize the exploitation of their programs. The cable operators pay a set fee for the right to retransmit and the monies collected are paid to the copyright owners through a distribution proceeding conducted under the auspices of the United States Copyright Office.

In 1988, Congress granted a compulsory license to the satellite industry. Although the cable and satellite compulsory licenses have similarities, there are important differences which I believe prevent satellite from becoming a true competitor to cable. Technology has changed significantly since the cable and satellite compulsory licenses were created. In a

very short time, satellite carriers will be able to bring local programming through their services to viewers of that local market. The time has come to take a comprehensive look at the satellite compulsory license as it relates to the long-term viability and competitiveness of the satellite television industry. The satellite compulsory license is set to sunset in December of this year, and the Federal Communications Commission has reported time and again that in areas where there is no competition to cable, consumers are paying higher cable rates. We must act for our constituents to level the playing field in a manner that will allow both industries to flourish to the benefit of consumers.

To that end, the Copyright Compulsory License Improvement Act makes the following changes to the Satellite Home Viewer Act:

It reauthorizes the satellite compulsory license for five years.

It allows new satellite customers who have received a network signal from a cable system within the past three months to sign up for satellite service for those signals. This is not allowed today.

It provides a discount for the copyright fees paid by the satellite carriers.

It allows satellite carriers to retransmit a local television station to households within that station's local market, just like cable does.

It allows satellite carriers to rebroadcast a national signal of the Public Broadcasting Service.

In order to create parity for the above new opportunities for satellite carriers by reforming the license, there must be additional legislation to create corresponding regulatory parity between the satellite and cable industries, including must-carry rules, retransmission consent requirements, network non-duplication protection, syndicated exclusivity protection, and sports blackout protection. I am committed to working with Representative BILLY TAUZIN, Chairman of the Commerce Subcommittee on Telecommunications, Trade and Consumer Protection, and with Representative TOM BLILEY, Chairman of the full Commerce Committee, on legislation complementary to the provisions contained in this bill. Their leadership and partnership has been and will continue to be invaluable and necessary in guaranteeing true competition between the satellite and cable industries.

I also want to recognize the leadership and care that Senator ORRIN HATCH, Chairman of the Senate Committee on the Judiciary, has paid to the development of this important bill. We have worked together closely on its provisions and I know he is committed, as I am, to assuring fair competition through this legislation. I look forward to continuing our work together as our bills move through both bodies of the Congress.

Let me make clear that this bill is a compromise, carefully balanced to ensure competition. I believe it contains the balance necessary to allow this bill to become law this session and I urge all interested parties to join us in a constructive discussion of this very important legislation.

SECTION-BY-SECTION

SECTION 1. TITLE

The title of the bill is the "Copyright Compulsory License Improvement Act."

SECTION 2. LIMITATIONS ON EXCLUSIVE RIGHTS; SECONDARY TRANSMISSIONS BY SATELLITE CARRIERS WITHIN LOCAL MARKETS

Section 2 of the bill creates a new copyright compulsory license, found at Section 122 of Title 17 of the United States Code, for the retransmission of television broadcast programming by satellite carriers to subscribers located within the local markets of those stations. In order to be eligible for this compulsory license, a satellite carrier must be in full compliance with all applicable rules and regulations of the FCC, including any must-carry obligations imposed upon the satellite carrier by the Commission or by law.

Because the copyrighted programming contained on local broadcast programming is already licensed with the expectation that all viewers in the local market will be able to view the programming, the new Section 122 license is a royalty-free license. Satellite carriers must, however, provide local broadcasters with lists of their subscribers receiving local stations so that broadcasters may verify that satellite carriers are making proper use of the license. The subscriber information supplied to broadcasters is for verification purposes only, and may not be used by broadcasters for other reasons.

Satellite carriers are liable for copyright infringement and subject to the full remedies of the Copyright Act if they violate one or more of the following requirements of the Section 122 license.

First, satellite carriers may not in any way willfully alter the programming contained on a local broadcast station. Second, satellite carriers may not use the Section 122 license to retransmit a television broadcast station to a subscriber located outside the local market of the station. If a carrier willfully or repeatedly violates this limitation on a nationwide basis, then the carrier may be enjoined from retransmitting that signal. If the broadcast station involved is a network station, then the carrier could lose the right to retransmit any network stations. If the willful or repeated violation of the restriction is performed on a local or regional basis, then the right to retransmit the station (or, if a network station, then all networks) can be enjoined on a local or regional basis, depending upon the circumstances. In addition to termination of service on a nationwide or local or regional basis, statutory damages are available up to \$250,000 for each six-month period during which the pattern or practice of violations was carried out. Satellite carriers have the burden of proving that they are not improperly making use of the Section 122 license to serve subscribers outside the local markets of the television broadcast stations they are providing.

The Section 122 license is not limited to private home viewing, as is the Section 119 compulsory license, so that satellite carriers may use it to serve commercial establishments as well as homes. The local market of a television broadcast station for purposes of the Section 122 license will be defined by the FCC as part of its broadcast carriage rules for satellite carriers.

SECTION 3. EXTENSION OF EFFECT OF AMENDMENTS TO SECTION 119 OF TITLE 17, UNITED STATES CODE

Section 3 of the bill extends the expiration date of the current Section 119 satellite compulsory license from December 31, 1999 to December 31, 2004.

SECTION 4. COMPUTATION OF ROYALTY FEES FOR SATELLITE CARRIERS

Section 4 of the bill reduces the 27-cent royalty fee adopted last year by the Librarian of Congress for the retransmission of network and superstation signals by satellite

carriers under the Section 119 license. The 27-cent rate for superstations is reduced by 30 percent per subscriber per month, and the 27-cent rate for network stations is reduced by 45 percent per subscriber per month.

In addition, Section 119(c) of Title 17 is amended to clarify that in royalty distribution proceedings conducted under section 802 of the Copyright Act, the Public Broadcasting Service (PBS) may act as agent for all public television copyright claimants and all PBS.

SECTION 5. DEFINITIONS

Section 5 of the bill adds a new definition to the current Section 119 satellite license. The "unserved household" definition is modified to eliminate the 90 day waiting period for satellite subscribers who were previous cable subscribers. In other words, Section 5 would not require an individual who dropped cable to wait 90 days before receiving their network signals via satellite.

SECTION 6. PUBLIC BROADCASTING SERVICE SATELLITE FEED

Section 6 of the bill extends the Section 119 license to cover the copyrighted programming carried upon the PBS national satellite feed. The national satellite feed is treated as a superstation for compulsory license purposes. Also, the bill requires PBS to certify to the Copyright Office on an annual basis that the PBS membership continues to support retransmission of the national satellite feed under the Section 119 license.

SECTION 7. NOTICE TO SUBSCRIBERS

Section 7 of the bill requires a satellite carrier to ensure that each subscriber has been provided a written statement describing and quoting the network territorial restrictions of the Act. The statement should detail the circumstances under which a subscriber may not be eligible for satellite service of a particular network signal. Current subscribers should receive this statement within 60 days of enactment.

The purpose of this provision is to clarify for the customer exactly what the law means pertaining to the eligibility for distant network signals. Time and again customers complain that they were not made aware that there was any prohibition on the reception of distant network signals, or that they were not made aware of restrictions upon receiving notice that their distant network signals were being terminated.

SECTION 8. APPLICATION OF FEDERAL COMMUNICATIONS COMMISSION REGULATIONS

Section 8 of the bill amends the current Section 119 license to make it contingent upon full compliance with all rules and regulations of the FCC. This provision mirrors the requirement imposed upon cable operators under the cable compulsory license.

SECTION 9. EFFECTIVE DATE

The amendments made by this bill become effective on January 1, 1999, with the exception of Section 4 which becomes effective on July 1, 1999.

TRIBUTE TO ART M. INOUE

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 1999

Mr. MATSUI. Mr. Speaker, I am honored to rise in tribute to Mr. Art M. Inouye, Supervising United States Probation Officer in the District Court for the Eastern District of California.

Today, as Mr. Inouye marks his retirement with his many friends and co-workers, I ask all

of my colleagues to join with me in saluting his 25 years of federal service.

A graduate of San Francisco State College in 1965, Mr. Inouye worked as director of the San Francisco Boy's Home from 1963 until 1965 and served in the U.S. Army Reserves from 1966 until 1972.

In 1974 Mr. Inouye began his career as a federal probation officer. By 1979 he had received his law degree from Lincoln University Law School and been promoted to Supervising U.S. Probation Officer.

Mr. Inouye's accomplishments in the Probation Office are numerous. He founded the district's firearms program and safety academy. He was also responsible for guideline sentencing training and implementation, as well as helping to establish a national program on enhanced supervision.

One of the cornerstones of Mr. Inouye's career was his significant contributions working with the Federal Judicial Center, which included teaching, facilitating curriculum development, advising, training, and video production.

As his career progressed, Mr. Inouye was promoted again in 1992 and became involved in the New Officer Orientation program. He also served as a facilitator of the Federal Judicial Center's System Impact Seminars.

In December 1997, Mr. Inouye's many years of exemplary federal service were recognized when he received the Richard F. Doyle Award. This award was established by the Federal Probation and Pretrial Services Officers Association for outstanding work throughout a career.

His award nomination at that time stated, "Art is a national treasure whose hard work, dedication, and unique qualities have touched virtually every employee of Federal Probation and Pretrial Services nationwide. . . ."

Mr. Speaker, I ask all of my colleagues to join with me in saying "thank you" to Art M. Inouye for 25 years of outstanding service to the U.S. Probation Office. I am honored to wish him every success in all of his future endeavors.

TRIBUTE TO DENNIS O'SULLIVAN

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 1999

Mr. BERMAN. Mr. Speaker, I rise today to pay tribute to my good friend Dennis O'Sullivan, who has recently completed a highly successful term as President of the Sun Valley Chamber of Commerce. Throughout his tenure, Dennis has worked tirelessly and with considerable success to promote the economic interests of Sun Valley. Dennis has a warm and winning manner that invariably brings people over to his side. I know I've enjoyed immensely working with him on numerous occasions.

Dennis is that rare person equally at ease working on business and community issues. In addition to his involvement with the Sun Valley Chamber, for the past several years he has served in the position of Program Director for People In Progress, Inc. In that capacity, Dennis has established programs to assist the homeless and indigent who suffer alcohol and drug dependencies. He and his organization

have stepped in where government cannot—or will not—get involved. It's no exaggeration to say that Dennis has provided a lifeline for people who would otherwise have nowhere else to turn.

Dennis has made an invaluable contribution to many more community-based organizations in the Northeast San Fernando Valley. Among others, he has been active with the San Fernando Valley Alcohol Policy Coalition, the San Fernando Valley Homeless Coalition and Providers Collaborative of the San Fernando Valley.

He is also one of the prime movers behind the Hansen Dam Fourth of July Celebration, which in only a few short years has become a major attraction in the Northeast Valley.

Dennis has led a rich and interesting life, which includes raising a daughter, who now teaches school, and two sons who are officers with the Los Angeles Police Department. He also served with the U.S. Army in Vietnam, receiving an honorable discharge, and worked for 15 years as a motion picture camera technician in the film and television industries.

I ask my colleagues to join me in saluting Dennis O'Sullivan, a man who cares deeply about his community. His generosity of spirit and dedication to public service are an inspiration to us all.

IN RECOGNITION OF MRS. GLENNA GOODACRE

HON. LARRY COMBEST

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 1999

Mr. COMBEST. Mr. Speaker, it is my distinct privilege to rise today to honor one of Texas', and our nation's, most accomplished artists, Glenna Goodacre, on her commendation as the 1999 College of Human Sciences Distinguished Leader by Texas Tech University.

A native of Lubbock, Texas, Mrs. Goodacre is perhaps best known for her work as the sculptor of the Vietnam Women's Memorial at the Vietnam "Wall" in Washington, D.C. Since its installation on the Mall in 1993, her bronze depiction of nurses tending a wounded soldier has been appreciated by millions of visitors to our nation's capital. For more than twenty years before creating the women's memorial, she was well known and respected for her sculptural figures, especially her interesting compositions of active children, which continue to be her favorite subjects. Glenna also enjoyed a successful career as a painter for many years before creating her first three dimensional work.

Glenna Goodacre's pieces are in numerous private, corporate, national and international collections. She has more than 40 bronze portraits in public collections, including sculptures of Dwight D. Eisenhower, Barbara Jordan, General Henry "Hap" Arnold, and Katherine Anne Porter. Her bronze sculpture of President Ronald Reagan stands nearly eight feet tall and graces both the Reagan Presidential Library and the National Cowboy Hall of Fame. In 1998, Mrs. Goodacre was selected by the U.S. Mint as one of only a handful of artists to submit designs for a new Sacagawea dollar coin for the year 2000. Her portrayal of Sacagawea with her infant son was chosen,

by popular demand, to be featured on the obverse of the coin. She was also selected as the winning sculptor for the proposed Irish Famine Memorial to be installed in downtown Philadelphia some time after the year 2000.

Her work is widely exhibited and has won awards from both the National Sculpture Society and the National Academy of Design. She was named an American Art Master by American Artist Magazine and has also received an Honorary Doctorate of Humane Letters from her alma mater, Colorado College as well as an Honorary Doctorate of Fine Arts from Texas Tech University.

Knowing Glenna and having visited her studios in Santa Fe, New Mexico, I am certain this latest honor will hold a special place in her heart. It is my great privilege to recognize Glenna Goodacre for this achievement and the outstanding contributions she continues to make through her art.

IN HONOR OF THE GRAND RE-OPENING OF THE NEW JERSEY ARYA SAMAJ MANDIR

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 1999

Mr. MENENDEZ. Mr. Speaker, I rise today in honor of the grand reopening of the New Jersey Arya Samaj Mandir in Jersey City. This vital organization has served the educational, cultural, religious, and social needs of the Hindu community in Hudson and Essex Counties since 1988.

Today's youth face so many more dangers and have so many more opportunities than the children of a generation ago. It is important for our children to have places to learn about their culture, their heritage, and develop their own value systems. Pandit Suresh N. Sugrim, founder of the New Jersey Arya Samaj Mandir, recognizes that in order to be prepared for the next century our children need more than just wage-earning skills, but they also need to learn the value our cultural and religious centers are built upon.

The New Jersey Arya Samaj Mandir provides Hindu immigrants important ties to their heritage, while at the same time helping their community. As a member of the East Cultural Clergy Association, the Samaj has also made great strides in building relationships with many of the other religious and cultural communities in the area. For instance, when Reverend William Barnett was injured by several gunshot wounds, Pandit Suresh N. Sugrim participated in a vigil to show solidarity with the surrounding community.

I will be unable to attend the grand reopening myself, but I am sure I speak for the entire Congress when I say that as a nation we owe a tremendous debt to the work of cultural and religious centers such as the New Jersey Arya Samaj Mandir. So, I congratulate them on their reopening and wish them continued good fortune.

THE DEFENSE JOBS AND TRADE PROMOTION ACT OF 1999

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 1999

Mr. SAM JOHNSON of Texas. Mr. Speaker, today I have introduced legislation, H.R.—, that will eliminate a provision of the tax code, which severely discriminates against United States exporters of defense products. My bill, entitled "The Defense Jobs and Trade Promotion Act of 1999" will help our nation's defense contractors improve their international competitiveness, protect our defense industrial base, and insure that American defense workers—who have already had to adjust to sharply declining defense budgets—do not see their jobs lost to overseas competitors because of a harmful quirk in our own tax law.

The Internal Revenue Code allows U.S. companies to establish Foreign Sales Corporations (FSCs), under which they can exempt from U.S. taxation a portion of their earnings from foreign sales. This provision is designed to help U.S. firms compete against companies in other countries that rely on value-added taxes (VATs) rather than on corporate income taxes. When products are exported from such countries, the VAT is rebated to these foreign companies, effectively lowering their prices. U.S. companies, in contrast, must charge relatively higher prices in order to obtain a reasonable net profit after taxes have been paid. By permitting a share of the profits derived from exports to be excluded from corporate incomes taxes, the FSC allows U.S. companies to compete with our international competitors who pay no taxes.

In 1976, Congress added section 923(a)(5) to the tax code. This provision reduced the FSC tax benefits for defense products to 50 percent, while retaining the full benefits for all other products. The questionable rationale for this discriminatory treatment, that U.S. defense exports faced little competition, clearly no longer exists. Whatever the veracity of that premise 25 years ago, today military exports are subject to fierce international competition in every area. Twenty-five years ago, roughly one-half of all the nations purchasing defense products benefited from U.S. military assistance. Today, U.S. military assistance has been sharply curtailed and is essentially limited to two countries. Moreover, with the sharp decline in the defense budget over the past decade, exports of defense products have become ever more critical to maintaining a viable U.S. defense industrial base. For example, of the three fighter aircraft under production in this country, two are dependent on foreign customers; the same is true for 1MA1 tank, which must compete with several foreign tank manufacturers.

The Department of Defense supports repeal of this provision. In an August 26, 1998 letter, Deputy Secretary of Defense, John Hamre wrote Treasury Secretary Rubin about the FSC. Hamre wrote "The Department of Defense (DoD) supports extending the full benefits of the FSC exemption to defense exporters. . . . I believe, however, that putting de-

fense and non-defense companies on the same footing would encourage defense exports that would promote standardization and interoperability of equipment among our allies. It also could result in a decrease in the cost of defense products to the Department of Defense." My legislation supports the DoD recommendation and calls for the repeal of this counterproductive tax provision.

The recent decision to transfer jurisdiction of commercial satellites from the Commerce Department to the State Department highlights the capriciousness of section 923(a)(5). When the Commerce Department regulated the export of commercial satellites, the satellite manufacturers received the full FSC benefit. When the Congress transferred export control jurisdiction to the State Department, the same satellites, built in the same factory, by the same hard working men and women, no longer received the same tax benefit. Because these satellites are now classified as munitions, they receive 50 percent less of a FSC benefit than before. This absurd result demonstrates that the tax code is not that correct place to implement our foreign policy. The administration has agreed that Congress should take action to correct this inequity as it applies to satellites. My legislation would not only correct the satellite problem, but it would also ensure that all U.S. exports are treated in the same manner under the FSC.

The Department of Defense is not the only entity that has commented publicly about this provision. A December 1998 joint project of the Lexington Institute and The Institute for Policy Innovation entitled "Out of Control: Ten Case Studies in Regulatory Abuse" included an article by Loren B. Thompson about the FSC. The article is aptly titled "26 U.S.C. 923(a)(5): Bad for Trade, Bad for Security, and Fundamentally Unfair" highlights the many problems of this unfair tax provision. I call your attention to one issue the article addresses that I have not yet raised—the real reason the Congress enacted this provision in 1976. The author, Loren B. Thompson, argues that Congress' decision to limit the FSC benefit for military exports was not based on sound analysis of tax law, but on the general anti-military climate that pervaded this country in the mid 1970's. As Mr. Thompson writes, Congress enacted section 923(a)(5), "to punish weapons makers Section 923(a)(5) was simply one of many manifestations of Congressional antimilitarism during that period."

Times have changed since this provision was enacted. This provision makes little sense from a tax policy perspective. No valid economic or policy reason exists for continuing a tax policy that discriminates against a particular class of manufactured products. The legislation I am introducing today is a small step this Congress can take to improve our military and strengthen our defense industrial base.

I urge my colleagues to join me in repealing this part of the tax code in order to provide fair and equal treatment to our defense industry and its workers, and to enable our defense companies to compete more successfully in the increasingly challenging international market.

H.R. 780, THE PASSENGER ENTITLEMENT AND COMPETITION ENHANCEMENT ACT

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 1999

Mr. DINGELL. Mr. Speaker, today I rise to introduce H.R. 780, the "Passenger Entitlement and Competition Enhancement Act of 1999."

This legislation has two purposes. First, it will give airline passengers the rights they deserve and have been calling for. Second, it will protect the American public from harmful, anti-competitive market concentration in the airline industry. With monopolized routes and unprecedented levels of market concentration, airline profits have soared at the expense of consumers' checkbooks, comfort, and convenience.

The first title of my bill is all about passenger protections. Recently, due to complications involving bad weather and a severe lack of planning, thousands of passengers were stranded onboard aircraft at Detroit Metropolitan Airport for intolerable lengths of time. Many of these passengers were detained on the tarmac for seven, eight, or nine hours. They ran out of food and water, and the restroom facilities became unusable. Situations like this can pose major obstacles to emergency medical treatment and cause serious anxiety among the passengers and their families.

This bill would require all airlines to have an emergency plan on record with the Department of Transportation to ensure that, in the event of an emergency, all boarded passengers would have access to all necessary services and conditions. Also, the plan should outline the means to deplane the passengers safely. Failure to have such a plan on file would result in the suspension of the carrier's license. Also, violations of the emergency plan would yield \$10,000 fines.

Additionally, aggrieved passengers should be entitled to compensation for unreasonable delays. My legislation would establish air carrier liability to each passenger on an aircraft for an excessive departure or arrival delay which the carrier could have avoided. If the departure or arrival delay is more than two, but less than three hours, the airline would be required to compensate each passenger in an amount equal to twice the value of the price paid for the passenger's ticket. If the delay is at least three hours in length, then each passenger is entitled to compensation equaling the number of hours (or portion thereof) multiplied by the price paid for their ticket. Also, air carriers would be required to give each passenger sufficient and accurate notice of information it has regarding any potential or actual significant delays in the departure or arrival of any flight segment. Wherever possible, such notice shall be given to the passengers before boarding an aircraft.

Passenger complaints about their mishandled baggage continue to climb and they need to be addressed. Under this bill, air carrier liability would be doubled from the current \$1,250 for lost or damaged baggage to \$2,500 for provable damages that the passenger incurred because of the carrier's improper baggage handling.

Many airlines engage in the business practice of overbooking flights to ensure that as

many seats as possible are sold on their flights. Often, ticket holders do not show and carriers can maximize their revenue by having properly predicted how many seats it can overbook to fill in this gap. While this may be an intelligent practice for an airline, from time to time it can tremendously inconvenience a ticket holder when the airline guesses wrongly. Too many seats are sold, and the passengers are all there to fly to their destinations as promised. In this situation, some cannot fly and must be "bumped."

My legislation would simplify the current bumping regulations. Should a passenger be involuntarily denied boardin, the air carrier would not be absolved of its responsibility to carry the passenger to the passenger's final destination. Further, if the scheduled arrival time of the alternate transportation is not within two hours of the originally scheduled arrival time, then the airline must also provide affected passengers with a voucher or refund equal in value to the original price paid by the passenger for the original flight.

Without this legislation, passengers rights are woefully lacking. Passengers also need to be advised of their rights, and good airlines should endorse this idea. Under the legislation, the Secretary of Transportation would be required to establish a statement that outlines the consumer rights of air passengers, including the rights contained in the bill. Each air carrier would be required to provide the statement to each passenger along with its existing onboard seat-back safety placard and ticketing materials. The statement would also be conspicuously posted at all ticket counters.

The second title of my bill concerns competition in the airline industry. Competition can increase consumer choice, lower price, and improve customer satisfaction. Many will note that there is growing public interest and concern over the issue of predatory conduct by major air carriers. Such practices eliminate competition in the air travel industry and create formidable barriers for entrepreneurs to break into the market. As an example of some suspect conduct, one has only to look back to when Northwest Airlines cut its fare from Detroit to Boston to as low as \$69 from an average of \$259 when Spirit Airlines entered the market in 1996. Coincidentally, once Spirit was pushed out of the market, the average fare went up to \$267, exceeding even the original level. More recently, Northwest ran an upstart, Pro Air, out of the Detroit-Milwaukee market and is engaged in some curious behavior in the Detroit to Baltimore market. To provide a level playing field, vigorous competition must be permitted to take root. Unfair exclusionary practices that eliminate that competition must be rooted out.

When carriers respond to new competitors with severe price drops and capacity expansion in order to run the new carrier out of the market, it ill serves consumers in the long run. After a new entrant is grounded, the major carrier simply retrenches and raises fares higher still in its resumed control.

Congress expressly gave the Department of Transportation authority to stop any "unfair or deceptive practice or unfair method of competition." Further, Congress has directed the Secretary of Transportation by statute to consider "preventing unfair, deceptive, predatory, or anticompetitive practices in air transportation" as being in the "public interest and consistent with public convenience and neces-

sity." The Department of Transportation's action under this authority stands to be improved. The federal government should do its job to expeditiously help the public.

The Secretary of the Department of Transportation should take real action to advance the pro-competition policy objectives of the Congress. That action includes ensuring that the Department of Transportation's guidelines, which it is currently developing to deal with predatory activity, are effective. And the Congress ought not seek to delay the implementation of a reasoned and appropriate rule-making. As proposed, the guidelines would permit the Secretary to impose sanctions if a major carrier should respond to a new entrant into a market in an unfair or exclusionary manner. More tools are needed and this bill provides them.

The bill would permit the Secretary to fine any air carrier deemed to be engaged in an unfair method of competition or unfair exclusionary practice. Such a tool should give a carrier pause for thought before implementing any activity that would unfairly respond to legitimate competition. The bill would increase the monetary penalty for such unfair methods of competition under the U.S. Code from the current \$1,000 to \$10,000 for each day the violation continues or, if applicable, for each flight involving the violation.

Further obstacles to competition arise from the fact that at the four slot-controlled or high-density airports, the vast majority of the scheduled take off and landing slots are controlled by the major carriers at these key hub airports. The airports are: New York's Kennedy and LaGuardia airports; Chicago's O'Hare; and Washington's National airport. For meaningful competition to develop, new entrant carriers must have a real opportunity to provide service in those markets. Of the more than 3,100 domestic air carrier slots at these four airports, fewer than forty-five slots are held by all the new entrant air carriers combined. Moreover, foreign air carriers have more than twice as many slots as domestic new entrant air carriers combined. Most of these slots were grandfathered to the major carriers more than a decade ago. The slots are government property, and it is time that the federal government use them to benefit the taxpaying public rather than just a handful of airlines.

In order to remedy this barrier to competition, the bill would give the Secretary the authority to create and, as a last resort, withdraw and auction slots at each slot-controlled airport for assignment to new entrant air carriers and other carriers with very limited access. The Secretary would be authorized to use pro-consumer criteria to withdraw slots from a carrier who is not using its slots in a competitive fashion. If there is a withdrawal of slots for an auction, the Secretary may not auction more than ten percent of existing slots for the first auction and five percent for each succeeding auction. Auctions may not take place earlier than two years from each preceding auction. Income from any auctions would finance improved airport infrastructure for the American public.

Slot possession at the four key airports where such controls are in place is a major issue, but questions like long-term exclusive gate leases at other airports represent just as nearly insurmountable obstacles to meaningful

competition in the airline industry. For that reason, it makes good sense that such arrangements be reviewed. The bill would direct the Secretary to issue a study on the ability of and proposals for new entrant air carriers and those with limited access at major hub airports to obtain gates and other facilities at airports on terms substantially equivalent to the terms provided to the major carriers already using airport facilities. The airfield must become a level playing field for competition.

It is important that the American public have access to useful information about the market and who in the industry is providing the best consumer value. Various studies by the General Accounting Office and private organizations have shown that concentration in the domestic airline industry is at extraordinarily high levels and continues to grow. Where such concentration exists, fares have increased with a significant impact on residents and businesses in those communities. In order to evaluate consumer value and review potential implications of market concentration at hub airports, the bill would require the Secretary to prepare two quarterly reports for the public. One would rank the top and bottom ten domestic routes with regard to their average cost to the passenger, and the second would rank the large hub airports by market concentration and identify the market share of each airline operating at each of those airports. As has been said, sunlight is the best disinfectant; let's let it shine on the airline industry.

At best, the promised benefits of deregulation have not been fully realized. The traveling public is still captive to monopolized routes and airports. Indeed, since 1978, the Nation has endured unregulated monopoly on many routes and airports. Indeed, since 1978, the Nation has endured unregulated monopoly on many routes. While I fully support the goals of competition, two decades of experience reveal consolidation, diminished choice, and higher prices in many markets. To the extent that deregulation has failed, the Congress should respond and correct its course. Full and fair competition is what consumers demand and deserve. When any carrier dominates a hub, it can lose its edge and the incentive to meet consumer needs. This ought not be the case. The Congress has the opportunity to act now to remedy the defects in the law that permit our constituents to be exposed to undue and intolerable grief.

The American public has been held hostage by the poor service and excessive fares at the hands of the cartels in the air for too long. That is why I am pleased to introduce this bill to generate legitimate competition and secure appropriate protections for the country's airline passengers. To my friends in the airline industry, I want to observe that one airline executive recently told me that a good airline should be doing these things anyway. While the airlines may feel their best option is to fight and hope to block this bill in Congress, I believe it would be vastly preferable to start working to solve these problems on their own. As with any problem, the first step on the road to recovery is to stop denying and start accepting. Today, the major airlines are the guests of honor at my "intervention."

The "Passenger Entitlement and Competition Enhancement Act" is common sense legislation that responds to the call for fair play and substantial justice in the airline industry. I applaud the efforts of my colleagues who are

helping to advance the message of our constituents, which I began to carry last year, and ask that they join me at their earliest opportunity.

TRIBUTE TO ROBERT D. COCHRAN

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 1999

Mr. MATSUI. Mr. Speaker, I am honored to rise in tribute to Mr. Robert D. Cochran who will retire after more than thirty years of public service as a member of the Southgate Recreation and Park District Board of Directors in Sacramento, California.

Mr. Cochran has made an outstanding contribution to the Southgate Recreation and Park District. As a dedicated board member, he has ensured that this special district operates efficiently and has advocated the need for updates to many of its policies and procedures.

From 1971 until 1974 Mr. Cochran served on the Board of Directors of the California Association of Recreation and Park Districts. He has also been active in the Sacramento Council of Recreation and Park Agencies.

In 1995 Mr. Cochran was recognized as a Distinguished Board Member by the California Special Districts Association. He was nominated for that honor by the very employees and board members with whom he serves in the Southgate Recreation and Park District.

As a senior board member of an organization which oversees 35 parks and millions in assessment dollars, Mr. Cochran's contributions to his community have been invaluable. I salute his tireless commitment to public service.

Mr. Cochran's remarkable work has earned him re-election to the Southgate Recreation and Park District Board of Directors every term since 1970. His staying power is a testament to his efficacy as a special district trustee.

Mr. Speaker, I ask all of my colleagues to join me in recognizing Robert D. Cochran every success in all of his future endeavors in Banning, California.

IN RECOGNITION OF MS. MARSHA SHARP

HON. LARRY COMBEST

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 1999

Mr. COMBEST. Mr. Speaker, I am most honored to rise today to extend my sincere congratulations to Ms. Marsha Sharp, head coach of the Texas Tech University Lady Raiders basketball team, for being inducted into the Texas Women's Hall of Fame. Coach Sharp was selected as one of only seven women to receive this prestigious honor, which I know she richly deserves.

Coach Sharp is in her 17th season as head coach of the Texas Tech Lady Raiders. Her professionalism, love of the game, remarkable coaching talents, and winning attitude have left her only five victories short of 400 victories while at Texas Tech, and a record of 395-128. Coach Sharp is widely respected by her players, her colleagues, and Lady Raider fans.

Throughout her career at Texas Tech, Coach Sharp has been recognized for her outstanding coaching abilities by other associations. She was the 1998 Big 12 Coach of the Year in women's basketball. In 1993, the Texas Tech Lady Raiders forged ahead to bring home the coveted NCAA national championship title, and Coach Sharp, the force behind the success, was named the National Coach of the Year in 1993 by the Women's Basketball News Service and the Columbus, Ohio Touchdown Club. She received the same honor in 1994 from the Women's Basketball Coaches Association. While Texas Tech University was still in the Southwest Conference, she was named the women's basketball coach of the year an impressive seven times.

Away from the game, Coach Sharp has served on the WBCA Board of Directors, Converse Coach of the Year Committee, Kodak All-American Selection Committee, NCAA Regional Selection Committee, Southwest Conference Tournament Committee, and Texas Girls Basketball Association Committee. She presently serves as the director for the Lady Raider Basketball Camps, and is actively involved with Special Olympic Celebrity fund raisers and the Jerry Lewis Labor Day Telethon. Coach Sharp is dedicated not only to her team and Texas Tech University, but to the entire Lubbock community.

It is with great pleasure that I recognize and congratulate Ms. Marsha Sharp on her unsurpassed achievements and contributions that have earned her the distinct honor of being inducted into the Texas Women's Hall of Fame.

THE MADRID PROTOCOL IMPLEMENTATION ACT

HON. HOWARD COBLE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 1999

Mr. COBLE. Mr. Speaker, today I am introducing the Madrid Protocol Implementation Act. This implementing legislation for the Protocol related to the Madrid Agreement on the International Registration of Marks was introduced in the past three Congresses. While the Administration has still not forwarded the treaty to the Senate for ratification, the introduction of this legislation is important in that it sends a signal to the international community, U.S. businesses, and trademark owners that the Congress is serious about our Nation becoming part of a low-cost, efficient system for the international registration of trademarks.

The World Intellectual Property Organization (WIPO) administers the Protocol, which in turn operates the international system for the registration of trademarks. This system would assist our businesses in protecting their proprietary names and brand-name goods while saving cost, time, and effort. This is especially important to our small businesses which may only be able to afford world-wide protection for their marks through a low-cost international registration system.

The Madrid Protocol took effect in April 1996 and currently binds 12 countries. Without the participation of the United States, however, the Protocol may never achieve its purpose of providing a one-stop, low-cost shop for trademark applicants who can—by filing

one application in their country and in their language—receive protection by each member country of the Protocol.

There is opposition neither to the legislation, nor to the substantive portions of the treaty. The State Department continues its attempts to resolve differences between the Administration and the European Union regarding the voting rights of intergovernmental members of the Protocol in the Assembly established by the Protocol. More specifically, the European Union receives a separate vote in addition to the votes of its member states. While it may be argued that the existence of a supra-national European trademark issued by the European Trademark Office justifies this extra vote, the State Department views the provision as antithetical to the fundamental democratic concept of one vote per state. The State Department also has raised concerns that this voting structure may constitute a precedent for deviation from the one-state-one-vote principle in future international agreements in other areas.

These differences need to be settled before the Secretary of State will recommend to the President that a ratification package be presented to the Senate. The State Department is working closely with the Subcommittee on Courts and Intellectual Property of the Committee on the Judiciary, which I chair, to formulate a proposal to the European Union, and subsequently to the members of the Protocol, to amend the Assembly voting procedures in a way which would provide for input by the European Union without circumventing the one-member-one-vote principle.

Mr. Speaker, it is important to move this legislation forward at this time to encourage negotiations between the State Department and the European Union; and to assure American trademark holders that the United States stands ready to benefit from the Protocol as soon as it is ratified.

IN HONOR OF FOUR OUTSTANDING JERSEY CITY POLICE OFFICERS

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 1999

Mr. MENENDEZ. Mr. Speaker, I rise today in honor of James Crampton, Paul Pawchak, Jr., Edward Bergin, and John Riggs; four outstanding Jersey City police officers who are retiring from the force after 25 years of service to their community.

Before being appointed to the Jersey City Police Department, Officer James Crampton proudly served our country in the Navy and served as a Patrolman in the Plainfield Police Department. Over his remarkable career, Officer Crampton earned twelve Excellent Police Service Awards, one commendation, and one POBA Valor Award. James Crampton was also recognized by Police Director Michael Moriarty for his excellent work on the Wegman Parkway homicide and was commended by Police Chief William J. Thynne for apprehending a dangerous criminal.

Officer Paul Pawchak Jr. has served with distinction for over twenty five years on patrol, as a Police Academy instructor, on the Narcotics Unit and as a member of the Neighborhood Task Force Unit. His achievements include three commendations, five Excellent Police

Service Awards, and one POBA Valor Award. Officer Pawchak has also earned multiple training certificates from the Department of Justice, the New Jersey State Police, and the Jersey City Police Department.

Officer Edward Bergin has enjoyed great success as a police officer, but he has also been recognized for his community service. In particular, he has been commended by the Jersey City Chief of Police for his work on National Night Out and relief efforts following Hurricane Georges. Officer Bergin has also received two commendations, five Excellent Police Service Awards and one POBA Valor Award.

During Detective John Riggs' successful career he has served on patrol and on the Crimes Against Property and Special Investigations Units. Many of this country's most profitable companies owe a large debt to Detective Riggs for his remarkable efforts to investigate property crime. The companies which have commended his work include Rolex Watch USA, Inc., for enforcing trademark infringements; Bell Atlantic and AT&T for breaking a stolen phone ring; and Twentieth Century Fox, Universal, Walt Disney and Paramount Pictures for the apprehension of individuals associated with motion picture theft. Detective Riggs has also distinguished himself through his work on security detail for both the President and Vice President. John Riggs has earned seventeen Excellent Police Service Awards, five commendations, and one Combat Cross.

These four officers have served Jersey City and my district proudly for 25 years. I am sure I speak for the entire Congress when I say thank them for their work and wish them the best in their retirement.

INTERNATIONAL ENGAGEMENT—WHY WE NEED TO STAY THE COURSE

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 1999

Mr. SKELTON. Mr. Speaker, on January 27, 1999, I had the privilege to address all of America's National Guard Adjutants General here in Washington. I spoke about the need for America to stay engaged in the world. My speech to that group is set forth as follows:

INTERNATIONAL ENGAGEMENT—WHY WE NEED TO STAY THE COURSE

It has been more than ten years since the fall of 1989, when the communist government of Poland agreed, under great popular pressure, to permit free elections—elections which ultimately led to the “velvet revolution” throughout Eastern Europe. It has been nine years since the historic fall of 1989, when the border between Hungary and Western Europe opened, and thousands of East Europeans first swept aside the Iron Curtain and then brought it crashing down. It has been eight years since the two Germanies agreed to reunification, and seven years since the Soviet Union disintegrated.

For the United States, the events of a decade ago were the beginning of the end of long struggle—a struggle that was characterized by terrible sacrifices in Korea and Vietnam; by periods of great national confidence and occasional episodes of uncertainty; by debates in the halls of Congress that were

sometimes historic and solemn and sometimes partisan and shrill; and, above all, by a widely shared sense of national purpose that endured despite occasionally bitter internal divisions.

The constancy with which the United States carried out its global responsibilities over the long course of the Cold War is a great testimony to the character of the American people and to the quality of the leaders who guided the nation through often trying times. In spite of the costs, in the face of great uncertainties, and despite grave distractions, our nation showed the ability to persevere. In doing so, we answered the great question about America that Winston Churchill once famously posed—“Will you stay the course?” he asked, “Will you stay the course?” The answer is, we did.

Today, I think we need to raise a similar question once again, but this time for ourselves and in a somewhat different form. Churchill's question, “Will you stay the course?” implied that there might some day be an end to the struggle, as there was, indeed, to the Cold War, though no one foresaw when and how it would come. Today the key question is perhaps more challenging, because it is more open-ended. It is “Will we stay engaged?”

The term “engagement,” to be sure, has not yet captured as broad a range of support among political leaders and the public as those who coined it, early in the Clinton Administration, evidently hope it would. But neither did the notion of “containment” capture broad public support until several years after it was articulated during the Truman Administration. Indeed, some political leaders who later championed containment as the linchpin of our security initially criticized the notion as too passive and even timid.

“Engagement,” while not yet widely embraced as a characterization of our basic global posture, seems to me to express quite well what we need to be about today—that we need to be engaged in the world, and that we need to be engaged with other nations in building and maintaining a stable international security system.

Engagement will not be easy to sustain. Indeed, as has become clear in recent years, it will be as challenging to the United States to remain fully engaged today as it was to stay the course during the Cold War.

We now know much more about the shape of today's era than we did eight or four or even two years ago.

We know that we have not reached the end of history.

We know that we face challenges to our security that in some ways are more daunting than those we faced during the Cold War.

We know that it will often be difficult to reach domestic agreement on foreign affairs because legitimate, deeply held values will often be hard to reconcile.

We know that we will have to risk grave dangers and pay a price to carry out our responsibilities, and because of the costs, it will sometimes be tempting to think that we would be more secure if we were more insulated from turmoil abroad.

We know that we will have to struggle mightily not to allow domestic travails to divert us from the tasks that we must consistently pursue.

But we also know that our political system, which encourages open debate, and which constantly challenges leaders to rise to the demands of the times, gives us the opportunity, if we are thoughtful and serious about our responsibilities, to see where our interests lie and to pursue our values effectively.

Today I want to say a few things about engagement in the world—why it may sometimes be difficult to sustain; why it is nonetheless necessary; and, finally, how it has succeeded in bolstering our security.

WHY ENGAGEMENT IS DIFFICULT

Engagement is difficult, first of all, because it entails costs and carries risks. Provocations by Saddam Hussein and terrorist attacks in Africa will not be the end of our struggle. In an age of chemical, biological, and nuclear weapons of mass destruction, the United States faces particularly grave dangers in its conflict with these forces. To quail in the face of these risks would, I think, be far more damaging to our security than to confront them—but we should not underestimate the dangers we face.

Engagement is also difficult because it requires us to make policy choices in which values we hold dear are troubling to reconcile. The debates in Congress over policy toward China illustrate this point forcefully. All of us find China's human rights abuses to be abhorrent. For my part, I believe that U.S. security interests are well served when we stand up for human rights. Tyranny has crumbled all over the globe in large part because of our active commitment to human rights and because we hold out an example of freedom that millions all over the world hope to emulate.

On the other hand, a policy of isolating China would be self-defeating. The United States and China have interests in common—stability in Asia; preventing war in Korea; and halting weapons proliferation, to name just a few.

Constructive engagement with China, therefore, requires that we reconcile our deeply held convictions about what is right with our national interests.

Engagement with long-standing allies may also be turbulent at times. Many, if not most, of our allies have not, for example, wholeheartedly supported our efforts to enforce sanctions on nations that we believe guilty of sponsoring international terrorism or that we see as threats to the peace.

A related difficulty of engagement is what might be called the paradox of burdensharing—getting the allies to do more often requires that we do more as well. Engagement is difficult, therefore, because it means that we will sometimes become embroiled in undertakings overseas that, on the face of it, cost us more than our immediate interests appear to justify. The obvious example is Bosnia. The reason we must, nonetheless, be engaged, is that our overarching interest in building effective security cooperation with our allies requires that we exercise leadership.

Engagement is also difficult for domestic political reasons. To be blunt, no one gets elected by promising to devote a great deal of time and attention to foreign affairs. Those in positions of responsibility must make compromises, choose between alternatives that are often bad and less bad, take risks to get things done, and bear the criticism when initiatives fail.

Finally, engagement is difficult because it is financially expensive. In recent years, it has been difficult to find the resources to meet obvious needs in defense and foreign affairs because of pressures to reduce the budget deficit. Now that the deficit has been brought under control, a part of the discussion of budget priorities ought to be how to restore a reasonable level of investment in meeting our international security requirements.

WHY ENGAGEMENT IS NECESSARY

Despite these difficulties, I believe that there is no alternative to continued, active

U.S. engagement in the world. We persevered in the Cold War precisely because we felt it our responsibility as a nation to defend against tyranny. In the name of that moral mission, we may sometimes have asked too much of ourselves, and particularly of our young sons and daughters in the military—but it was nonetheless a goal worthy of our people.

Now we have a very different moral responsibility before us, which may be somewhat more difficult to express, but which I think is equally important. As I see it, our responsibility now is to use our unchallenged position of global leadership in a fashion that will make the universal hope for peace, prosperity, and freedom as much as possible into the norm of international behavior. If the United States were not to try, at least, to use our current position of strength to help construct an era of relative peace and stability, it would be a moral failure of historic magnitude. More than that, to fail to exercise our strength in a fashion that builds global cooperation would also, in the long run, leave us weaker and more vulnerable to dangers from abroad.

We need to be engaged because only the United States can provide the leadership necessary to respond to global and regional challenges to stability and only the United States can foster the growth of regional security structures that will prevent future challenges from arising.

We need to be engaged because our continued presence gives other nations confidence in our power and in our reliability and makes us the ally of choice if and when conflicts arise.

We need to be engaged because only by actively shaping effective regional security systems can we create an environment in which nations that might otherwise challenge stability will instead perceive a community of interests with the United States and with our regional allies.

We need to be engaged because only by recognizing and responding to the security concerns of other nations can we export them to support our security interests and concerns.

We need to be engaged because cooperation from other nations is essential to deter and defeat enemies who want to undermine global order.

Not everyone agrees on the necessity for engagement. Some traditional champions of a strong national defense still complain that the demands of engagement appear to divert attention away from our real national security interests. Engagement, they argue, embroils us in regional conflicts that seem remote. It appears to put too much emphasis on peacekeeping or humanitarian missions that are costly and that are not obviously directly related to the overriding responsibility of U.S. military forces—to prepare for major conflicts.

For others, who believe the world ought to be more peaceful and less militarized since the end of the Cold War, engagement has seemed to require too much U.S. military involvement in distant parts of the globe. It appears to justify military and other ties with regimes that are distasteful or worse. It seems to emphasize security matters at the expense of other interests—such as human rights, fair trade practices, or environmental protection. It appears to some, even, to be a questionable rationale for continued high military spending in a world with no direct, obvious threats.

In my opinion, those who see themselves as proponents of a strong national defense and as advocates of assertive American power should reconsider their position in view of the compelling evidence that engagement is essential to our military security. Similarly, those who believe that conflicts can be pre-

vented by promoting multilateral cooperation should understand that military engagement abroad is essential to build and enforce a more peaceful, cooperative world order in which our other interests and values can flourish.

Two points must be made—first, it is a fact that smaller-scale operations demand more resources than military planners had assumed. The answer is not to forswear such operations, which I don't believe we can do, but rather to acknowledge the resource demands and meet those requirements. Second, it is important to be selective in making commitments and in using the military—above all, we need to ensure a balance between the interests we have at stake and the commitments we are making.

Effective international engagement requires much more active and extensive U.S. military involvement abroad than many expected. In the wake of the Cold War, we decided to maintain a permanent military presence of about 100,000 troops both in Europe and in Asia. These deployments, in retrospect, hardly appear excessive. On the contrary, our forces in Europe, if anything, have been badly overworked. They have been involved in countless joint exercises with old and new allies and with former enemies that have been critically important in building a new, cooperative security order in Europe.

Engagement has also entailed a constant, rotational presence in the Persian Gulf—a commitment which, we now should recognize, is on a par with the commitments we have maintained in Europe and the Far East. It has involved military intervention in Haiti, an ongoing peacekeeping operation in Bosnia, and literally dozens of smaller-scale military operations. One thing should be clear—as long as we are actively engaged abroad, the pace of military operations is likely to be much more demanding than any of us had imagined a few years ago.

As you know better than anyone, engagement on this level would not be possible without our Reserve Component Forces. As part of our "Total Force" concept, the Guard and Reserve are indispensable to U.S. military operations. Just look at the role our Reserve Component Forces have played in Bosnia. Since December 1995, over 16,000 Guard and Reserve personnel have supported Operation Joint Endeavor, Operation Joint Guard, and now Operation Joint Forge from bases in Bosnia, Croatia, the U.S., Hungary, Germany, Italy, and elsewhere in Europe. Reservists have performed combat and combat support missions including artillery fire support, civil affairs, logistics, public affairs, medical support, and other critical functions.

Since the end of the Cold War, significant reductions in the size of U.S. Active Forces has resulted in an increased reliance on Reserve Component Forces. Today, 54 percent of the U.S. Army is in the Reserve Component. Our Guard and Reserve are essential to the success of nearly every military operation during peace and war. Changing a stereotype is sometimes difficult, but let me try: You are no longer the "Weekend Warriors", you are the "Seven-Day-a-Week, 365-Day-a-Year Warriors". I, for one, appreciate what you do for our nation. You, and those who serve under you, have my respect and admiration.

ENGAGEMENT HAS SUCCEEDED

The final point I want to make—and perhaps the most important thing we need to keep in mind—is that the U.S. policy of engagement has been a success. Yes, we have suffered some failures. No, we have not accomplished everything we might have hoped. Yes, we have made some mistakes. But failures, shortcomings, and mistakes are inevitable in international affairs—there has

never been a government in history that has not run into such difficulties.

Engagement is as centrally important to our security—and to the prospects for peace in the world—as containment was during the Cold War. Perhaps above all, the key issue is whether we will persist despite the fact that the struggle to maintain relative international peace will never be concluded. This is not a struggle we can see through to the end—it is, nonetheless, an effort that we as a nation must continue to make.

BAKER SCHOOL OF GOVERNMENT

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 1999

Mr. DUNCAN. Mr. Speaker, today, I have introduced legislation that would create four new schools of government across the Country. These schools would be dedicated to the study of public policy and government. This bill has a number of original cosponsors from both sides of the aisle.

In the last Congress, this legislation passed the Senate by unanimous consent. Unfortunately, the House Calendar did not allow for the legislation to be brought to the floor. Each of these schools will be named after great Americans, members of both sides of the aisle, who have served the public in the United States Senate.

While I admire and respect all of these gentlemen, I would like to primarily speak about one of them—Senator Howard Baker.

Specifically, this legislation would create the Howard Baker School of Government at the University of Tennessee in Knoxville.

I believe this legislation is a fitting tribute to Senator Baker's extraordinary career and public service.

Senator Baker was a Member of the U.S. Senate for 18 years where he served as Minority Leader as well as the Majority Leader. He also served as President Reagan's Chief of Staff.

The White House Chief of Staff has to be the person who tells others "no" for the President. As a result, many people have left this job with unpopular reputations.

However, Senator Baker left this job more popular than when he began it. I believe this is a real testament to the type of person he is.

In fact, Senator Baker has often been called the Greatest Living Tennessean. I concur with these remarks. I would also add that he is one of the greatest statesmen in the history of the State of Tennessee.

In addition, he has been recognized a great deal here in Washington. In fact, the Senate Majority Leader's office in the U.S. Capitol Building is named the Howard H. Baker, Jr. Room. This is a very fitting tribute to one of our Nation's greatest public servants.

Mr. Speaker, I am honored to have introduced legislation to name a federal courthouse in Knoxville, Tennessee, after Senator Baker. This will serve as a reminder to Tennesseans of the great work of Howard H. Baker, Jr.

Senator Baker has a wonderful, loving wife—Senator Nancy Kassebaum. I think they make a great team, and they both continue to work to ensure that this Country is a better place for our children to live.

In spite of all the success Senator Baker achieved in the White House, the Senate, and now his private law practice, he has not lost his humility.

He now lives in Tennessee where he can be close to the people he represented for so many years. He continues to work to help others. Despite his national recognition he speaks at very, very small events if it is a worthwhile cause.

As I stated earlier, I have great admiration for all of the gentlemen honored in this bill. However, I think this is an especially fitting tribute to the Greatest Living Tennessean—Senator Howard Baker.

I urge my Colleagues to support this legislation which will honor four great Americans and at the same time provide additional learning opportunities for our young people.

HONORING THE CORAM NOBIS LEGAL TEAM

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 1999

Mr. MATSUI. Mr. Speaker, I rise today in recognition of the National Japanese American Historical Society's Day of Remembrance dinner honoring the Coram Nobis Legal Team.

In the 1940s, three Americans of Japanese ancestry challenged the United States Government's order of a racially selective curfew and incarceration of Japanese Americans in internment camps. At that time, these three men were all convicted and their sentences upheld by the U.S. Supreme Court.

Decades later, the Coram Nobis Legal Team challenged these convictions citing previously suppressed evidence. This team of young lawyers, led by Dale Minami, Peggy Nagae, and Rod Kawakami, worked hard on behalf of Fred Korematsu, Minoru Yasui, and Gordon Hirabayashi.

All three convictions were vacated some 40 years after World War II thanks to the intellect and legal acumen of this fine judicial team. Their work has become an important part of the history of Japanese Americans in this country.

I salute the courage and commitment of the young attorneys that helped to close such a dark chapter in our Nation's history. At the same time, their tireless efforts opened the door to Redress and Reparations for all those Americans of Japanese ancestry falsely interned in the 1940s.

Together, these lawyers and their clients became eternal symbols of justice and freedom in the United States of America. They ultimately fulfilled our common destiny as a nation of equal justice under law.

They will be honored by the National Japanese American Historical Society based in San Francisco, California, as part of its Day of Remembrance activities. Founded in 1981, this organization is dedicated to the preservation, promotion, and dissemination of educational materials relating to the history and culture of Japanese Americans. I strongly support its important mission.

Mr. Speaker, I ask all of my colleagues to join with me in not only recognizing the National Japanese American Historical Society and the Day of Remembrance, but also in

commending the attorneys who helped to successfully exonerate the wartime internees. Together, they upheld the very highest standards of justice in the American legal system.

HONORING THE NAVAL SURFACE WARFARE CENTER—INDIAN HEAD DIVISION

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 1999

Mr. HOYER. Mr. Speaker, I rise today to honor the Naval Surface Warfare Center, Indian Head Division, for their large contribution to the Combined Federal Campaign. In particular, I want to thank Captain John Walsh, Commander Michael Donch and Chris Adams for their leadership, enthusiasm, dedication and ingenuity. the Naval Surface Warfare Center, Indian Head Division, raised over \$116,000, a 31-percent increase over last year. They were also able to motivate 1,120 people to participate in the campaign.

Your contribution to enriching the Navy's culture of giving by planning and implementing a highly successful plan of action is most appreciated. Individuals will have better health, quality of life, education or a safety net because you took the time to care. Thousands will benefit due to your hard work. Your efforts are a positive reflection on yourself, the Navy and the Department of Defense. You demonstrate the military not only serves and protects but also is a positive force in the community, the Nation and the world. Congratulations on your fine success.

IN HONOR OF THE FIFTIETH ANNIVERSARY OF THE MARTYRDOM OF MAHATMA GANDHI

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 1999

Mr. MENENDEZ. Mr. Speaker, I rise today in honor of the Fiftieth Anniversary of the martyrdom of Mahatma Gandhi, one of the most influential political, religious and cultural leaders of the Twentieth Century.

In my district a service will be held at the Mahatma Gandhi Elementary School in Jersey City, which may be the first school in the United States renamed in his honor. I thank Mr. Hardyal Singh, President of the International Mahatma Gandhi Association, for putting together this important event.

Politically, Mr. Gandhi was of tremendous importance in India's struggle for independence from Great Britain. After practicing law and becoming an advocate for Indian rights in South Africa, Gandhi returned to India to become a leader in the nationalist movement. Once there he perfected the use of passive resistance to gain political power. He suffered through many periods of imprisonment and through many fasts with the sole purpose of gaining independence for his people. Due in no small part to his efforts, India finally gained independence from British rule in 1947.

Beyond his tremendous contributions to Indian politics, Gandhi was also a dominant religious and cultural figure. He asserted the unity

of all people under one God and preached Christian and Muslim ethics along with Hindu. Gandhi also led the fight to rid the country of the caste system and defend the rights of the untouchables. Once independence was gained, Gandhi focused his energies on spreading his message of religious tolerance. His hunger strikes and prayer vigils were no longer in protest of colonial rule, but in protest of violence between Hindus and Muslims. He was on one such vigil in New Delhi when he was fatally shot by an extremist who objected to Gandhi's message of tolerance.

In conclusion, I would like to say that we all owe a great debt to Mahatma Gandhi and his teachings, and I hope that by taking this day to remember his contributions and his struggles we can again benefit from his wisdom.

HONORING BISHOP THEODORE BROOKS FOR OUTSTANDING COMMUNITY LEADERSHIP

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 1999

Ms. DeLAURO. Mr. Speaker, on Sunday, February 21, Bishop Theodore Brooks celebrated the Confirmation of his Doctrine of Ministry. As pastor of Beulah Heights First Pentecostal Church, Bishop Brooks has proven an outstanding member of the New Haven Community, as he and his congregation have unfailingly worked to resolve social problems faced by residents of the Greater New Haven area. His commitment to social justice and his leadership in these communities has never wavered.

Bishop Brooks' work on behalf of numerous New Haven community organizations has earned him our respect and admiration. His efforts have contributed tremendously to the city and its residents. As Chief Executive Officer of the Beulah Land Development Corporation since 1990, Bishop Brooks successfully pursued the renovation and rehabilitation of the Orchard Street Town Homes, a project that will enhance our community with new, affordable family housing. This project would not have become a reality without the hard work and leadership of Bishop Brooks.

As a member of several Boards and Committees in various community-based organizations, Bishop Brooks has worked tirelessly to strengthen families and help residents in the community develop a more positive self-image. His work reflects his dedication to helping society's least privileged develop the cognitive skills they need to remain productive members of the community.

Among his many accolades, Bishop Brooks was recognized by the White House for his leadership in building community empowerment zones.

Bishop Brooks' work embodies the spirit and vitality of the New Haven Community he so tirelessly represents. I look forward to working with him in the future as we have in the past, to further advance social justice and promote sound economic growth.

It gives me great pleasure to join his many friends and family in thanking him for his leadership over the years. I congratulate Bishop Theodore L. Brooks on yet another great achievement—the Confirmation of his Doctrine of Ministry.

THE FEDERAL PROTECTIVE SERVICE REFORM ACT

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 1999

Mr. TRAFICANT. Mr. Speaker, today I am introducing the "Federal Protective Service Reform Act of 1999." This legislation makes much needed reforms to the Federal Protective Service (FPS). These reforms will allow FPS to better meet the growing threat posed by terrorism to federal buildings and the people who work in and visit federal buildings. The legislation is similar to legislation I introduced in the last Congress.

On April 19, 1995, a truck bomb destroyed the Alfred P. Murrah federal building in Oklahoma City, Oklahoma. That tragic and despicable act killed 168 people and wounded hundreds of others. The Oklahoma City bombing served as a sober reminder that the United States is not immune to acts of terror. The bombing also revealed that we were woefully unprepared for such an act.

I was deeply disturbed to learn that there was only one contract security guard on duty in Oklahoma City on April 19, 1995. That contract guard was responsible for providing security at the Murrah building and two other federal buildings in Oklahoma City. There is evidence that those responsible for bombing the Murrah building cased the building in the days and weeks leading up to the bombing. The fact that the Murrah building in the days and weeks leading up to the bombing. The fact that the Murrah building was, for the most part, unprotected, could have played a role in the decision of the terrorists to bomb that building.

In the wake of the Oklahoma City bombing, the Public Building Service (PBS) of the General Services Administration (GSA) has made great strides in improving the physical security of the 8,300 federal buildings under its control. But, at hearings held last year by the Transportation and Infrastructure Subcommittee on Public Buildings and Economic Development revealed, the security upgrade program initiated in the wake of the Oklahoma City bombing has been hindered by mismanagement and a reduction in staffing. In addition, structural and personal problems within the Federal Protective Service are also hindering GSA's ability to upgrade and improve security.

At the present time the FPS is a unit within PBS. The head of FPS reports to the PBS commissioner. The PBS commissioner does not have a law enforcement background and his main responsibility is real estate management—not law enforcement. While we do have a very able and talented PBS commissioner, I do not believe that security is best served by having FPS as a sub-entity within PBS.

While I recognize that the use of contract guards is necessary, I am concerned that the use of contract guards may not be appropriate at certain federal buildings. I am also concerned over the fact that contract guards do not undergo the same type of background checks as FPS officers. All FPS officers undergo a full and detailed background investigation, including a review by the Federal Bureau of Investigation. Contract guards, on the other hand, only undergo a cursory background check. At the present time there are

only 668 uniformed FPS officers, as opposed to more than 5,000 contract guards. The best deterrent to a terrorist bombing or attack on a federal building is a highly trained, professional and fully staffed FPS.

I have great admiration for the men and women who serve so ably on the FPS. That's why I am deeply troubled that FPS officers are paid significantly less than other federal law enforcement officers that perform the same function. This is not fair. Equally as disturbing, the low level of compensation combined with poor communication between management and the rank and file is causing a morale and turnover problem that could further compromise security. Morale plays a key role in the effectiveness of any law enforcement agency. The Federal Protective Service Reform Act will make the changes needed to boost morale, improve management and make FPS better also to respond to terrorist threats to federal buildings.

Quite simply, Mr. Speaker, the goal of my legislation is to remake the FPS into an elite federal law enforcement agency with a well trained, professionally led, highly motivated and appropriately compensated cadre of officers. Another goal is to ensure that decisions to how best to ensure the security of federal buildings are based on sound law enforcement and intelligence analysis—not on budgetary considerations. The main features of the Federal Protective Service Reform Act will:

Establish, by statute, the Federal Protective Service as a freestanding service within GSA, with the responsibility of serving as the principal law enforcement and security agency in the United States with respect to the protection of federal officers and employees in buildings and areas under GSA's control (under the Public Buildings Act, the GSA Administrator has the authority to appoint special police officers and investigators, but the Act does not require GSA to establish a FPS).

Make FPS a service within GSA, separate from PBS. Under the bill, the FPS would have its own commissioner who will report directly to the GSA Administrator (currently the head of FPS has the title of Assistant Commissioner within PBS).

Clarify the responsibilities and authority of FPS officers, including giving them the ability to carry firearms to and from work, providing officers with a "buffer zone" of responsibility extending to property adjacent to a federal building, and clearly delineating the circumstances under which FPS officers can make arrests.

Establish a pay scale and benefit package for FPS officers similar to that of the Uniformed Division of the Secret Service.

Require GSA to hire at least 730 full-time FPS officers within one year of enactment of the bill into law, and bar GSA from reducing the number of full-time FPS officers unless specifically authorized by Congress (the PBS commissioner stated last year in Congressional testimony that GSA's long-term goal is to have 724 full-time FPS officers).

Require contract guards to undergo the same background checks as FPS officers, and require GSA to prescribe adequate training standards for contract guards.

Direct a General Accounting Office study of the feasibility of merging all federal building security services under FPS.

Require that the FPS Commissioner be a career civil servant with extensive law enforcement experience.

Direct FPS to work closely with other federal agencies in gathering and analyzing intelligence.

Direct the FPS commissioner to provide assistance, upon request, to other federal, state and local law enforcement agencies.

Mr. Speaker, the Federal Protective Service Reform Act of 1999 is an urgently needed piece of legislation that will allow this country to better protect itself from a terrorist attack. This legislation should be an integral part of our counter-terrorism strategy. I urge all Members to support this bill.

TRIBUTE TO BROTHER GEORGE SYNAN

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 1999

Mr. BONIOR. Mr. Speaker, I would like to pay tribute to someone I have known for over 40 years—a man who has been an inspiration to the many people he has taught and nurtured through the years. Brother George Synan, who is celebrating his 70th anniversary as a Christian Brother, has left an indelible mark on the metropolitan Detroit community and, in particular, DeLaSalle Collegiate High School in Warren, Michigan, where he has served as a teacher, coach, administrator, and mentor. Although Brother George semi-retired in 1974, he still taught occasionally at DeLaSalle into the early 1990's. Today, he resides at the Christian Brothers retirement home in Lincroft, New Jersey.

I first met Brother George when I was eleven years old. I used to play basketball at the old DeLaSalle Collegiate which was across the street from the Detroit City Airport. A few years later, as a member of the Notre Dame High School Basketball Team, I used to visit Brother George when my school played DeLaSalle Collegiate. In the last few years, I have had the good fortune to see Brother George occasionally when he returns to Michigan.

Born in New York City in 1911 of Irish parents, Brother George, who celebrates his 88th birthday on April 5th, took his first vows as a religious brother in 1929. A member of the Class of 1932 from the Catholic University in Washington, D.C., he was sent to DeLaSalle in Detroit in 1936. Immediately, Brother George was an innovator. He started an intramural program that involved more than half of the student body. Sunday open gym at DeLaSalle attracted so many students that commando basketball was invented, something like today's team handball, with fifty players on a team. He even began a midget basketball program for boys weighing less than 105 pounds. He was assistant athletic director and coached baseball, football and basketball in his first assignment at DeLaSalle which lasted for eight years.

In 1944, with first hand knowledge of the operations of the Detroit Catholic League, Brother George returned to New York City and eventually became president of the New York Catholic Schools Athletic Association. In time, the New York league began to play its baseball playoffs at Ebbets Field and the Polo Grounds and also started football playoffs. I can't say for sure who started the New York

Catholic League, but what they are today is because of a Christian Brother from Detroit. His nine years in New York were at Bishop Loughlin High School where Brother George began a track meet known as the Bishop Loughlin Games, which to this day is the largest indoor track meet in the United States.

In 1957, Brother George returned to DeLaSalle Collegiate. He was sub-director of the DeLaSalle Christian Brother's community, taught five classes, was vice principal and athletic director until 1964 and then continued to teach full time for the next ten years. He was a member of the Catholic League's Executive Board for several terms during the 50's and 60's. It was in 1961 that Brother George became moderator of the Christian Brother's Auxiliary, a post he held with great pride for over thirty years. When St. Joseph High School, the first Christian Brothers High School in Detroit, closed its doors in 1964, he became moderator of their Alumni Association, a post he continues to hold to this day. Later, he also became moderator of the St. Joe's Dad's Club. He firmly believes that keeping the memory of St. Joe's alive at DeLaSalle Collegiate, the school the St. Joe Alumni founded, is very important.

It was in the early 1970's when the teacher, coach, and former administrator at DeLaSalle saw the football field named after him. Throughout the Catholic League, it was known no longer as DeLaSalle Field, not even needing a last name, it was simply and quickly accepted across the Catholic League as the Brother George Field. He touched more lives than just those individuals who came to play or watch a game at the field. His interests went way beyond athletics, and it was first and foremost young people, both boys and girls, and their futures.

He is known for a remarkable memory of DeLaSalle and St. Joe Alumni, their families and their lives. His rapport with alumni and friends is itself legendary in the Christian Brother schools. Countless families benefited from regular visits to those in the hospital or in need of comfort. Brother George never drove a car and had to rely a great deal on public transportation when the weather or distance prohibited walking. So regular were his walking rounds throughout the Metropolitan Detroit area, that he was constantly picked up by alumni or friends, or even strangers who recognized his familiar stature and walk.

People who work in the field of athletics and education get great satisfaction from teaching and coaching young men and women who make their mark in society. They get an even greater thrill when a young person they taught or coached enters their profession. Brother George can be proud to say he taught teachers, coached coaches, and was an administrator of many administrators. Brother George has left each of them a strong legacy to follow.

For 70 years, Brother George Synan has touched the lives of thousands of our citizens. On behalf of each and every one of them, I rise to publicly thank Brother George for living a life of untiring and unselfish dedication to the Christian principle of serving others. Well done good and faithful servant!

NEW JERSEY'S 11TH DISTRICT—PRIME RECRUITING GROUND FOR ACADEMIES

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 1999

Mr. FRELINGHUYSEN. Mr. Speaker, every year, more high school seniors from the 11th Congressional District trade in varsity jackets for Navy peacoats, Air Force flight suits, and Army brass buckles than any other district in the country. But this is nothing new—our area has repeatedly sent an above-average proportion of its sons and daughters to the Nation's military academies for decades.

This shouldn't come as a surprise. The educational excellence of our area is well known and has long been a magnet for families looking for the best environment in which to raise their children. Our graduates are skilled not only in mathematics, science, and social studies, but also have solid backgrounds in sports, debate teams, and other extracurricular activities. This diverse upbringing makes military academy recruiters sit up and take note—indeed, many recruiters know our towns and schools by name.

Since the 1830's, Members of Congress have enjoyed meeting, talking with, and nominating these superb young people to our military academies. But how did this process evolve?

In 1843, when West Point was the sole academy, Congress ratified the nominating process and became directly involved in the makeup of our military's leadership. This was not an act of an imperial Congress bent on controlling every aspect of the Government. Rather, the procedure still used today was, and is, one further check and balance in our democracy. It was originally designed to weaken and divide political coloration in the officer corps, provide geographical balance to our armed services, and to make the officer corps more resilient to unfettered nepotism that handicapped European armies.

In 1854, Representative Gerrit Smith of New York added a new component to the academy nomination process—the academy review board. This was the first time a Member of Congress appointed prominent citizens from his district to screen applicants and assist with the serious duty of nominating candidates for academy admission. Today, I am honored to continue this wise tradition in my service to the 11th Congressional District.

The Academy Review Board is composed of nine local citizens who have shown exemplary service to New Jersey, to their communities, and to the continued excellence of education in our area—many are veterans. Though from diverse backgrounds and professions, they all share a common dedication to seeing that the best qualified and motivated graduates attend our academies. And, as is true for most volunteer panels, their service goes largely unnoticed.

I would like to take a moment to recognize these men and women and to thank them publicly for participating in this important panel. Being on this board requires hard work and an objective mind. Members have the responsibility of interviewing upwards of 50 outstanding high school seniors every year in the academy review process.

The nomination process follows a general timetable. High school seniors mail personal information directly to the Military Academy, the Naval Academy, the Air Force Academy, and the Merchant Marine Academy once they become interested in attending. Information includes academic achievement, college entry test scores, and other activities. At this time, they also inform their Representative of their desire to be nominated.

The academies then assess the applicants, rank them based on the data supplied, and return the files to my office with their notations. In mid-December, our Academy Review Board interviews all of the applicants over the course of 2 days. They assess a student's qualifications and analyze character, desire to serve, and other talents that may be hidden on paper.

Last year, the board interviewed over 30 applicants. Nominations included 12 to the Naval Academy, 11 to the Military Academy, 5 to the Air Force Academy, and 2 to the Merchant Marine Academy—the Coast Guard Academy does not use the congressional nomination process. The Board then forwards their recommendations to the academies by January 31, where recruiters review files and notify applicants and my office of their final decisions on admission.

It is both reassuring and rewarding to know that many of our military officers hail from our hometowns or close by. When we consider the role of these officers in peace or war, we can rest easier knowing that the best and brightest are in command. Wherever they are sent, be that Bosnia, Somalia, Haiti or Vietnam, many of these officers have academy training.

And while a few people may question the motivations and ambitions of some young people, the academy review process shows that the large majority of our graduates are just as highly motivated as the generation before them. They still seek guidance from loving parents, dedicated teachers and schools, and from trusted clergy and rabbis. Indeed, every time I visit a school, speak at a college, or meet a young academy nominee, I am constantly reminded that we as a nation are blessed with fine young men and women.

Their willingness and desire to serve their country is perhaps the most persuasive evidence of all.

ACADEMY NOMINEES FOR 1999—11TH CONGRESSIONAL DISTRICT NEW JERSEY
AIR FORCE

Donald Cardell, Sparta, Sparta High School; Eric Dekelbaum, Basking Ridge, Ridge High School; Corrie Morris, Landing, Roxbury High School; Matthew Steenman, Mendham, St. Charles Prep; Sarah Willson, Rockaway, Morris Catholic High School.

MERCHANT MARINES

Patricia Larkin, Long Valley, West Morris Central High School; Matthew Slootmaker, Lincoln Park, Mountain Lakes High School.

MILITARY ACADEMY

Joseph Barchetto, Rockaway, Morris Knolls High School; Jonathan Cozens, Basking Ridge, Ridge High School; Brandon Devlin, Livingston, Livingston High School; Radford Fagan, Basking Ridge, Ridge High School; Bryan Gallagher, Rockaway, Morris Knolls High School; Janet Howson, Madison, Madison High School; Michael Kay, North Caldwell, Newark Academy; Charles Larsen, Hopatcong, Hopatcong High School; Christopher MacDonald, Sterling, Watchung Hills

High School; Peter Steciuk, Convent Station, Oratory Prep; John Jiger, Basking Ridge, Immaculata High School.

NAVAL ACADEMY

John Ascione, Whippany, Whippany Park High School; Guy Budinsak, Jr., Bridgewater, Bridgewater/Raritan High School; Katherine Comer, Basking Ridge, Academy of Saint Elizabeth; Monica Haba, North Caldwell, West Essex High School; Damien Harder, Sparta, Sparta High School; Thomas Kennedy, Pompton Plains, Pequannock High School; Edana Kleinhans, Long Valley, West Morris Central High School; Thomas Mancinelli, Pompton Plains, Pequannock High School; Erin Marshall, Kinnelon, Kinnelon High School; Christopher McFadden, Chatham, Chatham High School; James Poggio, Long Valley, West Morris Central High School; Brian Ritter, Florham Park, Bayley-Ellard.

IN HONOR OF ZULIMA FARBER AND JOAN VERPLANCK, WINNERS OF THE BARBARA BOGGS SIGMUND AWARDS

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 1999

Mr. MENENDEZ. Mr. Speaker, I rise today to recognize and congratulate Zulima Farber and Joan Verplanck for being awarded the Women's Political Caucus of New Jersey's Barbara Boggs Sigmund Award for their outstanding contributions to New Jersey and their trailblazing efforts on behalf of women.

For over 20 years Zulima Farber has faithfully defended and been an advocate for New Jersey's neediest citizens. From 1992 to 1994, Ms. Farber was appointed Public Advocate and Public Defender for the State of New Jersey. As a member of Governor Florio's cabinet, she faithfully advocated the interests of the public in all policy matters. Specifically, she led efforts to regulate utility rates and protect the developmentally disabled, consumers of mental health services, and abused children. She also oversaw a major overhaul of the management of Public Defender Offices.

Being New Jersey's Public Advocate was Ms. Farber's most public position, but many are not aware of the other aspects of her remarkable career. As a young woman, her family fled Castro-controlled Cuba and settled in New Jersey. In order to support her family and fund her college education, Ms. Farber got a job as a secretary in a law firm of my hometown of Union City, New Jersey. After completing an undergraduate and masters degree from Montclair State, Ms. Farber received her JD degree from Rutgers Law School in Newark. At Rutgers Law she became a founding member of and vice-president of the Association of Latin American Law Students.

After law school Ms. Farber pursued a successful career as a prosecutor in Bergen County, was named Assistant Counsel to Governor Byrne and then became the first female partner of the renowned firm Lowenstein, Sandler.

Zulima Farber is a member of the State Court Advisory Committee on Ethics, the Fairleigh Dickinson University Board of Trustees, the Meadowlands Hospital Board of Trustees and the State Advisory Committee to the U.S. Commission on Civil Rights.

Joan Verplanck was elected the first ever female president of the New Jersey Chamber of Commerce in December, 1994. In this position she has served as a powerful advocate for our state's business interests and through her leadership, local and regional chambers of commerce have coordinated their efforts to form a grass-roots network in support of business issues.

Ms. Verplanck was also instrumental in the creation of the State Chamber Education Foundation which is facilitating science and technology training for New Jersey's schools. Prior to her election as president of the New Jersey Chamber of Commerce, she accumulated 18 years of experience managing local chambers of commerce, including 8 years as the president of the Morris County Chamber of Commerce. Ms. Verplanck is also a member of the board of directors of the U.S. Chamber of Commerce.

In addition to her outstanding service through the Chamber of Commerce, Joan Verplanck also twice chaired the State's conference on women and she currently serves on the Board of Advisors for Management Education at Rutgers University, the New Jersey Employment Security Council and the Dredging Project Facilitation Task Force.

These women, Zulima Farber and Joan Verplanck, exemplify the principles which Barbara Boggs Sigmund stood for as a Mayor, a freeholder and a public servant. For these tremendous contributions to New Jersey and their incredible example as public servants, I cannot think of two people more deserving of the Women's Political Caucus of New Jersey's Barbara Boggs Sigmund Award. I salute them and congratulate them on this accomplishment.

IN HONOR OF MAYOR KARL KUBB

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 1999

Mr. KUCINICH. Mr. Speaker, today I rise in honor of Mayor Karl Kubb for his dedication and commitment to the people of Fairview Park, Ohio.

Karl Kubb has dedicated his life to helping people. He served as Ward 4 Councilman for four years and Council President for six years. Mayor Kubb has also served on various political and civil committees during his career. He has served as Community Council President and initiated and became the first president of the Chamber of Commerce in Fairview Park. Mayor Kubb was the President and Vice President of the Democratic Club and an Executive Commander of the American Legion.

Mayor Karl Kubb is a proven public servant. He has dedicated his life to improving the lives of the citizens of Fairview Park. He is a man of enormous talent and vision. His contributions to the citizens of Fairview Park have been noteworthy.

My fellow colleagues, join me in saluting a man who has dedicated his life to improving the lives of the people of Fairview Park.

HONORING MR. DON S. MCCLURE FOR HIS PROMOTION OF BLACK HISTORY MONTH WITH THE 28 DAYS OF FEBRUARY PROGRAM

HON. BOB CLEMENT

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 1999

Mr. CLEMENT. Mr. Speaker, I rise today in honor of Mr. Don S. McClure of Memphis, Tennessee, for his continual promotion of Black History Month with the 28 Days of February Program, Calendar and Black History Awards Ceremony.

Mr. McClure's consulting and marketing company has successfully developed and implemented the 28 Days of February Program in honor of Black History Month. The program and calendar are now used across the nation to educate young people about the vital role of African Americans throughout history. The program has also been used by Professors at the International University in Tokyo, Japan, and other sites around the world.

Mr. McClure's vision included launching the 28 Days of February Program from Memphis, Tennessee, and eventually reaching the entire world with his message of courage and strength from the African American community. He works each year to change the way individuals view African Americans in our society, and provides valuable information which broadens our knowledge of history.

Don McClure concludes Black History Month each year with a special awards banquet to honor outstanding individuals in Memphis. The Black History Awards Banquet culminates the annual Black History Month celebration. For these contributions, today I honor Mr. McClure and wish him continued success in all of his endeavors.

CONGRATULATING THE STATE OF QATAR ON THE OCCASION OF THEIR HISTORIC ELECTIONS

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 1999

Mr. GILMAN. Mr. Speaker, I am pleased to sponsor a concurrent resolution congratulating the State of Qatar and its citizens for their commitment to democratic ideals and women's suffrage on the occasion of Qatar's historic elections of a Central Municipal Council scheduled for March 8, 1999. Particularly, I thank the co-chairs of the Congressional Women's Caucus, Rep. CAROLYN MALONEY and Rep. SUE KELLY, for their support and co-sponsorship of this resolution.

His Highness, Sheikh Hamad Bin Khalifa al-Thani, the Emir of Qatar, issued a decree a number of years ago creating the Central Municipal Council. In the past year additional decisions about the elections were made, and Qatari women were granted the right to vote in this historic first municipal election and to run for office.

Our colleagues agree that the United States highly values democracy and women's rights. Accordingly, the resolution applauds the Emir of Qatar, for his leadership, and commends the citizens of Qatar for participating in this im-

portant civic function. Clearly, this election will demonstrate the strength and diversity of the State of Qatar's commitment to democratic expression.

The resolution also reaffirms that the United States is strongly committed to encouraging the suffrage of women, democratic ideals, and peaceful development throughout the Middle East. I request that the text of the resolution be printed at this point in the CONGRESSIONAL RECORD for our colleagues' review, and I urge their support for this initiative.

H. CON. RES. 35

Whereas His Highness, Sheikh Hamad bin Khalifa al-Thani, the Emir of Qatar, issued a decree creating a central municipal council, the first of its kind in Qatar;

Whereas on March 8, 1999, the people of the State of Qatar will hold direct elections for a central municipal council;

Whereas the central municipal council has been structured to have members from 29 election districts serving 4-year terms;

Whereas Qatari women were granted the right to participate in this historic first municipal election, both as candidates and voters;

Whereas this election demonstrates the strength and diversity of the State of Qatar's commitment to democratic expression;

Whereas the United States highly values democracy and women's rights;

Whereas March 8 is recognized as International Women's Day, and is an occasion to assess the progress of the advancement of women and girls throughout the world; and

Whereas this historic event of democratic elections and women's suffrage in the State of Qatar should be honored: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) commends His Highness, Sheikh Hamad bin Khalifa al-Thani, the Emir of Qatar, for his leadership and commitment to suffrage and the principles of democracy;

(2) congratulates the citizens of the State of Qatar as they celebrate the historic election for a central municipal council on March 8, 1999; and

(3) reaffirms that the United States is strongly committed to encouraging the suffrage of women, democratic ideals, and peaceful development throughout the middle East.

PERMANENT PROTECTION FOR AMERICA'S RESOURCES 2000

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 1999

Mr. GEORGE MILLER of California. Mr. Speaker, together with 33 House co-sponsors and our colleagues Senator BARBARA BOXER and Senator ROBERT TORRICELLI in the other body, I am introducing today the Permanent Protection for America's Resources 2000 Act, historic and sweeping legislation to restore our national commitment to America's resources.

Resources 2000 is designed to redeem the solemn pledge made over 30 years ago to reinvest the profits from offshore energy production in our public resources. Billions of dollars have been produced from those offshore lands; and yet Congress and past Administrations have failed to live up to the initial bargain that pledged a sizable portion of those dollars to resource protection for future generations.

Not surprisingly, those resources have deteriorated over the years.

The bill we introduce today—with the enthusiastic support of our nation's leading environmental, wildlife and historic preservation organizations—fulfills that promise of steady, certain and adequate funding.

Resources 2000 will provide permanent, annual allocations for high priority resource preservation goals; acquisition and sound management of public lands, parks and open space, marine and coastal resources, historic preservation, fish and wildlife, and urban recreation facilities. Our bill provides states, local communities, farmers and others with the resources they need to plan and manage our irreplaceable assets.

Funding for our legislation is taken from part of the over \$4 billion currently provided annually to federal taxpayers in revenues from offshore oil and gas drilling. The legislation does not increase revenues from oil and gas drilling and does not impose any new taxes or royalties. And unlike the other OCS revenue bills under consideration, Resources 2000 creates no incentives for additional leasing or development of offshore oil and gas: not in current areas, and certainly not in areas covered by legislative moratorium.

Our bill also contains a far more equitable distribution of revenues than other bills which lavish more than half percent of the public's money on a half dozen states and short-change the rest of America.

I am delighted that we are joined in introducing this bill not only by over 20 members of Congress, but also by many of the most broad-based, grassroots environmental, parks, and wildlife organizations throughout this country, including The Sierra Club, The Wilderness Society, Natural Resources Defense Council, Defenders of Wildlife, National Conference of State Historic Preservation Officers, National Parks & Conservation Association, Preservation Action, National Audubon Society, Center for Marine Conservation, US PIRG, National Recreation & Park Association, Police Athletic/Activities League (P.A.L.), National Alliance of Preservation Commissions, and Scenic America.

The effort to provide these funds on a permanent basis in an idea whose time has come. Five years ago, I called for permanent, full funding for the Land and Water Conservation Fund to preserve our parks and public lands for generations to come. If we can do it with Social Security and with the Highway Trust Fund, we should be able to do the same with the fund the American people were promised to protect our national environmental treasures.

I particularly commend the Clinton Administration for recognizing the importance of this initiative in its budget request for the fiscal year 2000. We are committed to working with the Administration and with the sponsors of other congressional initiatives—Senators MARY LANDRIEU (D-LA) and FRANK MURKOWSKI (R-AK), and my own chairman Congressman DON YOUNG (R-AK) and his co-sponsors—to craft legislation that restores our resources' legacy, preserves our national environmental heritage, protects our coasts, and is enacted on behalf of the American people during the 106th Congress.

PERMANENT PROTECTION FOR AMERICA'S RESOURCES 2000

(Authors: Congressman George Miller/
Senator Barbara Boxer)

Permanent Protection For America's Resources 2000 is a bold initiative to provide long-promised funding from offshore oil resources for the acquisition, improvement and maintenance of public resources throughout the United States: public lands, parks and open space, marine and coastal resources, historic preservation, fish and wildlife. Resources 2000 will provide permanent, annual funding for high priority resource preservation goals:

LAND AND WATER CONSERVATION FUND (FEDERAL): \$450 MILLION

One-half of the annual \$900 million allocation of the LWCF would be dedicated to Federal land acquisition purposes. These funds would be used to acquire lands or interests in lands as authorized by Congress for our national parks, national forests, national wildlife refuges, and public lands.

LAND AND WATER CONSERVATION FUND (STATESIDE): \$450 MILLION

One-half of the annual \$900 million allocation of the LWCF would go for matching grants to the States for the acquisition of lands or interests, planning, and development of outdoor recreation facilities. Two-thirds of the funds shall be allocated by formula of which 30% shall be distributed equally among the States, and 70% apportioned on the basis of the population each State bears to the total population of all States. One-third would be awarded on the basis of competitive grants. Modifies the requirements of the State Plan in order to be more flexible in meeting the purposes of the Act.

URBAN PARKS RECREATION AND RECOVERY PROGRAM (UPARR): \$100 MILLION

Matching grants to local governments to rehabilitate recreation areas and facilities, provide for the development of improved recreation programs, and to acquire, develop, or construct new recreation sites and facilities.

HISTORIC PRESERVATION FUND: \$150 MILLION

Funding for the programs of the Historic Preservation Act, including grants to the States, maintaining the National Register of Historic Places, and administer numerous historic preservation programs. Allows up to one-third of the funds for priority preservation projects of public and private entities, including preserving historic structures and sites, as well as, significant documents, photographs, works of art, etc.

LANDS RESTORATION: \$250 MILLION

Provides funds to undertake a coordinated program on Federal and Indian lands to restore degraded lands, protect resources that are threatened with degradation, and protect public health and safety.

ENDANGERED AND THREATENED SPECIES RECOVERY FUND: \$100 MILLION

Creates a dedicated source of funding to the Fish and Wildlife Service and the National Marine Fisheries Service for the purpose of implementing a private landowners incentive program for the recovery of endangered and threatened species and the habitat that they depend on. Monies would be used by the Secretaries to enter into "endangered and threatened species recovery agreements" with private landowners, providing grants to (1) carry out activities and protect habitat (not otherwise required by law) that would contribute to the recovery of a threatened or endangered species or (2) to refrain from carrying out otherwise lawful activities that would inhibit the recovery of such species. Priority will be given to small land-

owners who would otherwise not have the resources to participate in such programs.

LIVING MARINE RESOURCES: \$300 MILLION

Funding for the conservation, restoration and management of ocean fish and wildlife of the United States. Two-thirds of the total would be available to coastal states (including Great Lakes States, territories, and possessions of the U.S.) for the development, revision, and implementation of comprehensive ocean fish and wildlife conservation plans. Funds would be allocated to the states by a formula that gives two-thirds weight to a state's coastal population and one-third weight to the length of a state's shoreline. Minimum and maximum grants sizes will be utilized to ensure equitable funding among the states. To be approved, a state ocean fish and wildlife conservation plan must provide for: an inventory of ocean fish and wildlife and their habitat; identification and prioritization of conservation actions; monitoring of plan species and the effectiveness of conservation actions; public input; and periodic plan review and revision.

The remaining one-third of funds would be awarded by the Secretary of Commerce as competitive, peer-reviewed grants for living marine resource conservation. High priority would be given to proposals involving public/private conservation partnerships, but any person would be eligible to apply for a grant under this provision. A maximum grant size will be established to ensure that a small number of large projects do not consume the bulk of the funding in a given fiscal year.

NATIVE FISH/WILDLIFE CONSERVATION, RESTORATION, MANAGEMENT: \$350 MILLION

Permanent appropriation for the conservation of native fish, wildlife and plants. It amends the Fish and Wildlife Conservation Act of 1980 (FWCA, 16 U.S.C. 2901 et seq.) to make funding available to the states for the development and implementation of comprehensive native wildlife conservation plans. To be approved, a state's plan must provide for: an inventory of wildlife and its habitat on a state-wide basis; identification and prioritization of conservation actions; monitoring of plan species and the effectiveness of conservation actions; public input; and periodic plan review and revision. Funds are to be allocated on a formula based one-third on the area of a state relative to the total area of all the states and two-thirds on the relative population of a state.

States are eligible for reimbursement of 75 percent of the cost of developing and implementing state wildlife conservation plans. Federal funds are only available for plan development costs for the first 10 years. As an additional incentive, federal funds will pay for up to 90 percent of plan development costs during the first three years; and conservation actions undertaken by two or more states. In addition, in the absence of an approved plan, the Secretary may reimburse a state for certain on-the-ground conservation actions during the first five years of the program.

FARM AND RANGE LAND, OPEN SPACE AND FOREST CONSERVATION GRANTS: \$150 MILLION

Matching, competitive grants to state, local and tribal governments for purchase of conservation easements to protect privately owned farm and range land, open space and forests from encroaching development. To help communities grow in ways that maintain open space and viable agricultural sectors of their economies. Grants could be used to match state or local long term bond bond initiatives approved by voters to preserve green spaces for conservation, recreation and other environmental goals.

TRIBUTE TO COLONEL JAMES W. KELLEY, JR.

HON. BARBARA CUBIN

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 1999

Mrs. CUBIN. Mr. Speaker, I would like to recognize the outstanding service and dedication to this country by one of Wyoming's native sons. Colonel James W. Kelley, Jr., originally from Sheridan, Wyoming, is retiring from the United States Air Force this month after 30 years of service.

Colonel Kelley has received numerous awards during his successful career in the Air Force. Although all of the awards are impressive, I am most impressed by such things as the Meritorious Service Medal for being directly involved in five serious Pararescue helicopter missions that were credited with savings six lives. Through his work in health and rescue, it is impossible to know how many people are alive today because of Colonel Kelley's bravery and dedication. An even greater number were afforded vital assistance and comfort in times of need.

I salute Colonel Kelley for his years of service to this country. Although we have come to expect people of high caliber and dedication in our Armed Forces, Colonel Kelley will be missed by the Air Force after his retirement. As an American, I am proud of Colonel Kelley's service. Coming from Wyoming, I am proud that one of our native sons has made such a vital contribution to the defense of this great country. I'm sure I speak for every citizen of Wyoming in thanking Colonel Kelley for his years of service, and in wishing him every success in his endeavors when he retires from the Air Force.

IN HONOR OF MAYOR NORM MUSIAL

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 1999

Mr. KUCINICH. Mr. Speaker, today I rise in honor of Mayor Norm Musial for his many years of service and countless contributions to the citizens of North Olmsted, Ohio.

Norm Musial is a man of enormous talent and vision. His leadership and commitment to his fellow citizens have made a difference in his community. A diplomat and statesman, his contributions to the citizens of North Olmsted have been noteworthy.

Norm Musial has been an active member of the North Olmsted community since he and his wife Pat moved there in 1963. Mr. Musial is a past president of the North Olmsted Jaycees and also has served as president of the North Olmsted Republican Club. In 1967, Mayor Musial was selected as one of "Five Outstanding Young Men of Ohio", and in 1969 he was selected as "North Olmsted Citizen of the Year".

Norm Musial's sense of vision for the future, combined with his strategic planning background, sensitivity to residents' needs, and administrative experience has helped him provide uncompromised leadership to the people of North Olmsted.

My fellow colleagues, join me in saluting the leadership and dedication of Mayor Musial.

THE AIRLINE PASSENGER FAIRNESS ACT OF 1999

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 1999

Mr. TOWNS. Mr. Speaker, I rise today to support and acknowledge every airline passenger's right to a certain minimum of service. For this reason, I have joined my Senate colleagues Senator RON WYDEN and Senator JOHN McCAIN in introducing the Airline Passenger Fairness Act of 1999, H.R. 752.

This bill requires airlines to give passengers, their customers, decent and quality service. Once upon a time, customers could count on industry and businesses to provide quality customer service as the price of doing business. Yet, lately, this industry seems to be operating under the philosophy that their customers need them more than they need their customers. The abuses have been plentiful and varied, passengers have suffered from a shortage of seating, late or canceled flights without explanation, nonrefundable tickets, and failure to disclose information that would enable them to make informed decisions about various airline rates.

The facts bare me out on this position. The 1998 Department of Transportation report stated that large United States air carriers charge twice as much as their large hub airports, where there is no low fare competition as they charge at a hub airport where a low fare competitor is present. Incredibly, the General Accounting Office discovered that fares range from 12 to 17 percent higher at hubs dominated by one carrier or a consortium. Also, the Department of Transportation's Domestic Airline Fares Consumer Report for the Third Quarter of 1997 listed seventy-five major city pairs where fares increased by 30 percent or more year-by-year, while total traffic in these cities pairs decreased by 863,500 passengers, or more than 20 percent.

This Congress should be about the work of reaffirming citizens rights in all aspects of their life. We have introduced the, "Patient's Bill of Rights" for those individuals who seek medical assistance, and we must support "The Flight Bill of Rights" for the 600 million people who use this mode of transportation per year and are increasingly dissatisfied and endangered by substandard service and treatment.

THE INTRODUCTION OF THE CHIPPEWA CREE TRIBE OF THE ROCKY BOY'S RESERVATION INDIAN RESERVED WATER RIGHTS SETTLEMENT ACT OF 1999

HON. RICK HILL

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 1999

Mr. HILL of Montana. Mr. Speaker, I am pleased to introduce a bill to settle the water rights claims of the Chippewa Cree Tribe of the Rocky Boy's Reservation in the State of Montana. This bill is the culmination of many

years of technical and legal work and many years of negotiations involving the Chippewa Cree Tribe, the State of Montana, and representatives of the United States Departments of the Interior and Justice. The bill will ratify a settlement quantifying the water rights of the Tribe and providing for their development in a manner that avoids harm to their neighbors. It provides Federal funds necessary for water supply facilities and Tribal economic development, and defines the Federal role in implementing the settlement. This Settlement bill has the full support of the Tribe, the State of Montana, the Administration, and the water users who farm and ranch on streams shared with the Reservation. The bill will effectuate a settlement that is a textbook example of how State, Tribal, and Federal governments can work together to resolve differences in a way that meets the concerns of all. It is also a settlement that reflects the effectiveness of Tribal and non-Tribal water users in working together in good will and good faith and with respect for each other's needs and concerns.

The Compact quantifies the Tribe's on-reservation water rights and establishes a water administration system carefully designed to have minimal adverse impacts on downstream non-Tribal water users, and indeed, to benefit downstream users wherever possible. This is quite an accomplishment in an area of Montana with a scarce water supply. The Rocky Boy's Reservation is located in an arid area with an average annual precipitation of 12 inches on the portion of the Reservation suitable for growing hay. Fortunately, an average annual snowpack of 30 inches in the Bearpaw Mountains within the Reservation contributes to a significant spring runoff. Effective utilization of that runoff through enlarged or new storage facilities on the Reservation is a critical part of the settlement package which this bill represents. Accordingly, \$25 million in the budget of the Bureau of Reclamation is earmarked for specified on-reservation water development projects. To meet the future water and economic needs of the Reservation, the bill contains an allocation of 10,000 acre feet of storage water to the Tribe in Tiber Reservoir, a Federal storage facility.

In addition, the bill authorizes the initial steps of a more extensive process of obtaining a long-term drinking water supply for the Chippewa Cree Tribe—a process that is vital to the survival of the Tribe. Toward that end, the bill authorizes the following: (1) seed money (\$15 million) toward the cost of a future project to import drinking water to the Reservation; and (2) funds (\$1 million) for the Secretary of the Interior to conduct a feasibility study to identify water resources available to meet the Tribe's future drinking water needs, to evaluate alternatives for the importation of drinking water to the Rocky Boy's Reservation, and to assess on-reservation water needs. The bill also authorizes funds for a regional feasibility study (\$3 million) to evaluate water resources over a broader area of North Central Montana that contains two other Indian reservations with unquantified and undeveloped water rights.

In closing, I believe it is not an overstatement to say that the Chippewa Cree Tribe of the Rocky Boy's Reservation Indian Reserved Water Rights Settlement Act is a historic agreement. It is a tribute to the Governor of Montana, Marc Racicot, represented by the Reserved Water Rights Compact Commission; the chairman of the Tribe, Bert Corcoran and

the Tribal negotiating team; David Hayes, Counselor to Secretary Babbitt and the Federal negotiating team; and the water users on Big Sandy and Beaver Creeks in the Milk River Valley of Montana, that this Compact represents a truly local solution that takes into account the needs and sovereign rights of each party. Although numerous Indian water right settlements have been approved by Congress, none have come before us in recent years. In approving the Chippewa Cree Settlement Act, this Congress has the opportunity to send the message to western States that we endorse negotiation as the preferred method of Indian water right quantification, and that we will defer to States and Tribes to fashion their own approach to the allocation of water. I intend to work closely with Members of Congress to ensure passage of this vitally important bill this year.

HONORING MR. JACK VAUGHN, CHAIRMAN, OPRYLAND LODGING GROUP, FOR HIS VISION AND LEADERSHIP

HON. BOB CLEMENT

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 1999

Mr. CLEMENT. Mr. Speaker, I rise today in honor of Mr. Jack Vaughn, Chairman, Opryland Lodging Group of Nashville, Tennessee, for his vision and leadership in creating the internationally renowned Opryland Hotel and his outstanding community service.

Mr. Vaughn will officially retire from his duties at the Opryland Hotel this month but plans to continue working in a part-time capacity for the next two years. After a lengthy career in the hotel business which began at the Westin Benson Hotel in Portland, Oregon, in 1959, Jack Vaughn joined the Opryland Hotel Group as General Manager in 1975, before construction on the original 600 room Opryland Hotel had even begun. Now in his 24th year with the company, Jack has risen to Chairman of the Opryland Lodging Group.

Today, Jack Vaughn's beloved Opryland Hotel boasts 2,883 rooms and 600,000 square feet of meeting and exhibit space, making it the largest hotel and convention center under one roof. His promotion of convention space inside of hotels earned him a spot in the Convention Liaison Council's Hall of Leaders in 1988. The Opryland Hotel is one of the most successful in the world, and generated revenues in excess of 225 million in 1997.

Jack Vaughn's peers have recognized him many times. In 1990, Hotels Magazine named him "Independent Hotelier of the World," and later that year he was named "Resort Executive of the Year." These numerous awards also include the Arthur Landstreet Award from the Educational Institute, and the Lawson Odde Award from the American Hotel and Motel Association.

Mr. Vaughn's achievements extend into the community through his involvement in a number of civic organizations. In 1995, he was awarded the American Heart Association's Heart of the Community Award. He is a past president of the Middle Tennessee Council of the Boy Scouts of America, a board member for the Nashville Area Chamber of Commerce, an executive committee member of the Nashville Rotary Club, past chairman of the Metropolitan Convention Center Commission, and

previously served as president, chairman, and director of the Tennessee Hotel and Motel Association. He has also served the Legal Aid Society of Nashville, the Easter Seals Society of Tennessee, the YMCA Black Achievers Program, the Tennessee Police Athletic League, the Nashville Chapter of the American Cancer Society, the United Way of Tennessee, and other organizations.

On the national level, Mr. Vaughn is a member of the Congressional Travel and Tourism Caucus Advisory Council and a past member of the White House Conference on Travel and Tourism Issues Task Force, serving in 1995.

Jack Vaughn is a community leader and a personal friend whose leadership and selfless contributions have greatly benefited residents of the Fifth Congressional District of Tennessee. I wish him much success in the years ahead and the very best in his retirement.

A TRIBUTE TO MINNESOTA SENATE'S RALPH GRAHAM: A DEDICATED PUBLIC SERVANT

HON. JIM RAMSTAD

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 1999

Mr. RAMSTAD. Mr. Speaker, I rise today to pay tribute to a great Minnesotan who represented the very best in public service for more than three decades as Assistant Sergeant-at-Arms for the Minnesota Senate.

Ralph Graham passed away January 28 and leaves a loyal legion of friends at the Capitol in St. Paul, friends and former State Senators like me, who benefited so greatly from his wit, wisdom and key assistance.

Mr. Speaker, when I was first elected to the Minnesota Senate, Ralph Graham was one of the first people I met. His dedication to the Minnesota Senate and the law-making process was truly impressive. He quickly became a trusted friend and I was often blessed to be the recipient of his pragmatic, bipartisan insights on the important issues facing our state and the Legislature.

He was very proud of his job, and that's why he excelled at it. He kept watch over the Senate like a father over a child, the pride evident in his face and every gesture. The commitment he brought to his job each and every day was inspiring.

Mr. Speaker, Ralph's heart, energy and dedication made coming to the Senate a special pleasure. He guarded the Senate chamber's doors and decorum with a patient yet relentless zeal, plainly revealing a love for his job and deep respect for the integrity of the Minnesota Senate.

Ralph's sense of history and duty to his state and country was most remarkable. His father, Charles, also worked at the Capitol. And for nearly 40 years, Ralph helped our nation's brave veterans by working as an X-ray technician at the Minneapolis Veterans Medical Center and, before that, as a messenger in the veterans hospital's administration department.

Mr. Speaker, Ralph Graham's pride and performance set a tremendous example for generations of Senators and their staffs. His values, devotion to Senate traditions and the dignity he brought to the chamber will be sorely missed.

Mr. Speaker, on behalf of all the people of our great state and nation, I want to express my heartfelt sympathy to his family, and my thanks for all he did to make our democracy stronger in so many ways. The Minnesota Senate has lost a valued officer and treasured friend.

PERSONAL EXPLANATION

HON. HERBERT H. BATEMAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 1999

Mr. BATEMAN. Mr. Speaker, along with two of my colleagues, I attended the funeral of former governor Mills Godwin of Virginia on Tuesday, February 2, 1999. As a result, I was absent for two recorded votes. Both votes were under suspension of the rules.

Had I been present, I would have voted as follows:

H.R. 68, Vote No. 7, "yea."
H.R. 432, Vote No. 8, "yea."

A TRIBUTE TO ELI AND MARILYN HERTZ

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 1999

Mrs. LOWEY. Mr. Speaker, I rise today to express my great admiration for Eli and Marilyn Hertz, two outstanding individuals who will be honored by Camp Ramah in the Berkshires on March 13, 1999.

Eli Hertz, the founder and President of the Hertz Technology Group, is a towering figure in the personal computer industry. His computers have won numerous awards and are widely recognized among industry professionals and observers as the gold standard in quality, performance, and affordability. Marketing Computers lauded Hertz's vision, noting that he is "able to shift with industry changes * * * a barometer of the future."

Eli Hertz's devotion to public service is as strong as his commitment to professional excellence. His efforts to build a strong Jewish community and a healthy relationship between the United States and Israel are especially notable.

Among the important organizations benefiting from Eli Hertz's leadership are the Joint High Level Advisory Panel to the U.S. Israel Science & Technology Commission, the Advisory Board for the New York-Israel Economic Development Partnership, the America-Israel Chamber of Commerce and Industry, and the American-Israel Public Affairs Committee. Mr. Hertz sponsored and authored portions of Partners for Change: How U.S.-Israel Cooperation Can Benefit America, a highly-respected blueprint for a new Middle-east.

Marilyn Hertz is herself an expert in computer programming, with extensive experience as a lecturer, as well as a co-founder and principal officer of the Hertz Technology Group. Now responsible for human resources and general management, Mrs. Hertz has been invaluable to the company's success and growth.

Marilyn Hertz is also active in a wide range of civic and charitable organizations, most es-

pecially the PTA and Camp Ramah, where her passion for the Jewish community and its children is given full expression every day.

Together, Eli and Marilyn Hertz represent the very best in our country—a personal devotion to service, a professional commitment to excellence, and a visionary grasp of the opportunities open to all Americans in the future.

I am delighted that the Hertz's many friends and admirers are joining to recognize their accomplishments, and I am proud to add my accolades to this well-deserved tribute.

IN HONOR OF JAMES LOUIS BIVINS

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 1999

Mr. KUCINICH. Mr. Speaker, I rise today in honor of James Louis Bivins on his induction into the International Boxing Hall of Fame.

James Louis Bivins has led an admirable life. He overcame extreme hardships and disappointment, to become a role model to many. In his stellar professional boxing career from 1940 to 1955 James Louis Bivins went 85-25-1 with 31 knockouts. During his career he fought and defeated eight future world champions. From June 22, 1942 until February 25, 1946, during Boxing's Golden Age, Jimmy Bivins was undefeated going 28 bouts without a loss.

Since his retirement from professional boxing James Louis Bivins has given back to the city of Cleveland. As a world-class hall-of-fame athlete, Mr. Bivins has served as a mentor to hundreds of young boxers in his thirty years as a trainer on the west side of Cleveland.

My fellow colleagues, please join me in honoring Mr. Bivins for his induction into boxing's most hallowed club.

KAZAKSTAN'S PRESIDENTIAL ELECTION

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 1999

Mr. SMITH of New Jersey. Mr. Speaker, I rise today to bring to the attention of my colleagues disturbing news about the presidential elections in Kazakstan last month, and the general prospects for democratization in that country. On January 10, 1999, Kazakstan held presidential elections, almost two years ahead of schedule. Incumbent President Nursultan Nazarbaev ran against three contenders, in the country's first nominally contested election. According to official results, Nazarbaev retained his office, garnering 81.7 percent of the vote. Communist Party leader Serokbolsyn Abdildin won 12 percent, Gani Kasymov 4.7 percent and Engels Gabbasov 0.7 percent. The Central Election Commission reported that over 86 percent of eligible voters turned out to cast ballots.

Behind these facts—and by the way, none of the officially announced figures should be taken at face value—is a sobering story. Nazarbaev's victory was no surprise: the entire election was carefully orchestrated and the

only real issue was whether his official vote tally would be in the 90s—typical for post-Soviet Central Asian dictatorships—or the 80s, which would have signaled a bit of sensitivity to Western and OSCE sensibilities. Any suspense the election might have offered vanished when the Supreme Court upheld a lower court ruling barring the candidacy of Nazarbaev's sole plausible challenger, former Prime Minister Akezhan Kazhegeldin, on whom many opposition activists have focused their hopes. The formal reason for his exclusion was both trivial and symptomatic: in October, Kazhegeldin had spoken at a meeting of an unregistered organization called "For Free Elections." Addressing an unregistered organization is illegal in Kazakhstan, and a presidential decree of May 1998 stipulated that individuals convicted of any crime or fined for administrative transgressions could not run for office for a year.

Of course, the snap election and the presidential decree deprived any real or potential challengers of the opportunity to organize a campaign. More important, most observers saw the decision as an indication of Nazarbaev's concerns about Kazakhstan's economic decline and fears of running for reelection in 2000, when the situation will presumably be even much worse. Another reason to hold elections now was anxiety about the uncertainties in Russia, where a new president, with whom Nazarbaev does not have long-established relations, will be elected in 2000 and may adopt a more aggressive attitude towards Kazakhstan than has Boris Yeltsin.

The exclusion of would-be candidates, along with the snap nature of the election, intimidation of voters, the ongoing attack on independent media and restrictions on freedom of assembly, moved the OSCE's Office for Democratic Institutions and Human Rights (ODIHR) to call in December for the election's postponement, as conditions for holding free and fair elections did not exist. Ultimately, ODIHR refused to send a full-fledged observer delegation, as it generally does, to monitor an election. Instead, ODIHR dispatched to Kazakhstan a small mission to follow and report on the process. The mission's assessment concluded that Kazakhstan's "election process fell far short of the standards to which the Republic of Kazakhstan has committed itself as an OSCE participating State." That is an unusually strong statement for ODIHR.

Until the mid-1990s, even though President Nazarbaev dissolved two parliaments, tailored constitutions to his liking and was singlemindedly accumulating power, Kazakhstan still seemed a relatively reformist country, where various political parties could function and the media enjoyed some freedom. Moreover, considering the even more authoritarian regimes of Uzbekistan and Turkmenistan and the war and chaos in Tajikistan, Kazakhstan benefited by comparison.

In the last few years, however, the nature of Nazarbaev's regime has become ever more apparent. He has over the last decade concentrated all power in his hands, subordinating to himself all other branches and institutions of government. His apparent determination to remain in office indefinitely, which could have been inferred by his actions, became explicit during the campaign, when he told a crowd, "I would like to remain your president for the rest of my life." Not coincidentally, a constitutional amendment passed in early October conven-

tently removed the age limit of 65 years. Moreover, since 1996–97, Kazakhstan's authorities have co-opted, bought or crushed any independent media, effectively restoring censorship in the country. A crackdown on political parties and movements has accompanied the assault on the media, bringing Kazakhstan's overall level of repression closer to that of Uzbekistan and severely damaging Nazarbaev's reputation.

Despite significant U.S. strategic and economic interests in Kazakhstan, especially oil and pipeline issues, the State Department has issued a series of critical statements since the announcement last October of pre-term elections. These statements have not had any apparent effect. In fact, on November 23, Vice President Gore called President Nazarbaev to voice U.S. concerns about the election. Nazarbaev responded the next day, when the Supreme Court—which he controls completely—finally excluded Kazhegeldin. On January 12, the State Department echoed the ODIHR's harsh assessment of the election, adding that it had "cast a shadow on bilateral relations."

What's ahead? Probably more of the same. Parliamentary elections are slated for October 1999, although there are indications that they, too, may be held before schedule or put off another year. A new political party is emerging, which presumably will be President Nazarbaev's vehicle for controlling the legislature and monopolizing the political process. The Ministry of Justice on February 3 effectively turned down the request for registration by the Republican People's Party, headed by Akezhan Kazhegeldin, signaling Nazarbaev's resolve to bar his rival from legal political activity in Kazakhstan. Other opposition parties which have applied for registration have not received any response from the Ministry.

Mr. Speaker, the relative liberalism in Kazakhstan had induced Central Asia watchers to hope that Uzbek and Turkmen-style repression was not inevitable for all countries in the region. Alas, all the trends in Kazakhstan point the other way: Nursultan Nazarbaev is heading in the direction of his dictatorial counterparts in Tashkent and Ashgabat. He is clearly resolved to be president for life, to prevent any institutions or individuals from challenging his grip on power and to make sure that the trappings of democracy he has permitted remain just that. The Helsinki Commission, which I co-chair, plans to hold hearings on the situation in Kazakhstan and Central Asia to discuss what options the United States has to convey the Congress's disappointment and to encourage developments in Kazakhstan and the region towards genuine democratization.

**"FOUR POINTS OF THE COMPASS":
BALINT VAZSONYI'S DIRECTION
FOR AMERICA—PART TWO**

HON. GEORGE RADANOVICH
OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 1999

Mr. RADANOVICH. Mr. Speaker, I rise today to enter into the RECORD the second major speech by my friend Balint Vazsonyi at the Heritage Foundation. This speech follows up on themes which Balint developed two years ago in "Four Points of the Compass:

"Restoring America's Sense of Direction" (CONGRESSIONAL RECORD, Feb. 13, 1997) and is aptly titled "Following the Wrong Compass: The True State of the Union."

In his first presentation, Balint discussed the four principles which form the basis of the American system of governance as adopted by the Founders—the founding principles of the rule of law, individual rights, the guarantee of property, and a common American identity for all of us. In this latest effort, Balint contrasts these founding principles with the current social agenda of the left—social justice, group rights, entitlement and multiculturalism. Balint shows how this alternative agenda is not only contrary to America's founding principles, but is in direct conflict with those principles.

Mr. Speaker, I recommend to you and my colleagues that we read and consider the important thoughts contained in Balint Vazsonyi's speech, "Following the Wrong Compass: The True State of the Union."

[Given at the Heritage Foundation,
Washington, DC, Jan. 20, 1999]

**FOLLOWING THE WRONG COMPASS: THE TRUE
STATE OF THE UNION**

About two years ago, I gave a speech here with the title "Four Points of the Compass: Restoring America's Sense of Direction." I would like to begin with a review of America's response to that compass. As some of you recall, the attempt was to condense the most essential, most indispensable aspects of America's founding principles into a practical tool—easy to remember, easy to apply. Much is said about the ways America was meant to be, and what the Founders had in mind. But usually it is couched in very loose terms, partly because fewer and fewer people these days take the trouble to actually reading what the Founders have written. Most disappointingly, members of Congress who actually take an oath upon the Constitution of the United States give us speeches day after day, and television interviews night after night, revealing in the process that if they ever read the Constitution, it was a long, long time ago. Of course, they might simply have a different edition.

In any event, trying to sum up the most essential principles in a manageable number, gave me the idea two years ago of choosing four—because a compass has four points and, like a compass, these principles have provided America's bearings. And so, I proposed the rule of law—always point North—individual rights, the guarantee of property, and a common American identity of all of us.

In these two years, the "Four Points" have been made part of the Congressional Record and printed in many places: as a Heritage Lecture, in *Imprimis*, in many newspapers and periodicals, as well as in Representative American Speeches. The Republican National Committee decided to publish a version of it as the cover story in *Rising Tide* and it became the foundation of the book "America's 30 Years War: Who is Winning?" We have held panel discussions on Capitol Hill, and town meetings around the country. There seems to be general agreement about their validity, and opposition comes only from those who have a bone to pick both with America's Founders and with the U.S. Constitution itself.

Town meetings, and the ongoing conversation with the American people via radio and television talk shows in the last two years, have persuaded us that is a good path to follow. People find it helpful as a tool, not only in debates, but also for evaluating public policy.

Here is how it works. Every time somebody proposes a new law, a new statute, or an executive order, you ask whether it passes

muster when held against the standard of the "Four Points." The answers are easy because they either do or they don't. If they don't, then they have no place in the United States of America. Without that compass, what would make us American?

Taking the points one by one; Everybody seems to agree that the rule of law is a good thing. Alas, most people don't quite know what that means. One must read Article VI of the Constitution which says "This Constitution . . . shall be the supreme law of the land." Then, the proposition becomes clear. Individual rights are more problematic because one of the developments during the last 30 years was the proliferation of all sorts of "rights" which masquerade as individuals rights even though they are, in truth, group rights. In other words, these rights are claimed by certain people because of their membership in a particular group. Of course, the Constitution does not permit any such thing. Advocates of group rights learned how to dress up their demands as individual rights, and it is alarming how often they get away with it.

Yet the most troubling for all critics of the Founding is the third one, the guarantee of property. It is amazing how strong an emotional reaction it draws, which really proves what the English already knew when they wrote the Magna Carta in the year 1215: That the guarantee of property and the guarantee of liberty are joined at the hip. You either have both or neither. The absolute ownership of property is such a troubling idea for the other side that even the most benevolent among them is unable to stomach it.

The common American identity is something to which, again, many pay lip service, while making the greatest effort to do away with it. One person who, to my surprise, recently paid lip service to it, was the President last night, toward the end of his State of the Union speech. And, of course, one wished for an opportunity to ask him when he was going to issue the next executive order to set women against men, black against white, children against their parents, and South Americans against Europeans. Because that is certainly what his administration has been doing in spades ever since 1993.

By now, it must be clear that there is another compass in our midst, and perhaps the time has come to look at what that other compass is. It, too, has four points. Its North Star is the pursuit of social justice; instead of individual rights, it promotes group rights; instead of the guarantee of property, it advocates redistribution through entitlements; and in place of our common American identity, it favors what it calls multiculturalism. I think we need to examine these four points and try to understand what they mean. We need to, because of something the president said in his second Inaugural Address.

On January 20, 1997, Mr. Clinton called for a new government for the new century. Given that in the entire history of our nation the only previous call for a new government was issued in the Declaration of Independence and not since, I thought then and I certainly think now that, on this occasion, we must take the President seriously. There is also every reason that such a new government would be guided by that "other" compass.

What of its four points? First, social justice. The phrase sounds good, always has, always will. Social justice, after all, is justice isn't it? Well, the Preamble of the Constitution speaks about the establishment of justice. Does "social" add anything to that? If you look up F.A. Hayek, you find that he lists about 168 nouns that have acquired the qualifier "social" to the detriment of each

and every one of them. But let's take social justice at face value, just for the moment. Is anyone willing to define what it actually means? To date, I have not been able to find a single person who can do that, because it means something different every day. (I have been offering a reward of \$1,000 to anyone who can propose a lasting definition.) The Constitution, on the other hand, is the same—day in day out. There is nothing ambiguous about phrases like "Congress shall make no law . . ." or: "The right of the People to . . . shall not be abridged," or: "All legislative powers are hereby vested in a Congress of the United States." These are finite statements. For social justice to be a plausible replacement for the rule of law, it would have to offer comparable consistency, but of course it can not. It is almost painful to watch critics of the Constitution wrestling with this problem, desperately trying to claim that the rule of law and the pursuit of social justice can indeed live side by side. I submit they cannot and intend to demonstrate it.

Group rights of course do not require too much explanation. Again, the Constitution of the United States offers absolutely no foundation for any kind of group right. In fact, it knows nothing about groups, only about individual citizens, or "The People." There is nothing in between. Thus, every group right is in fact illegitimate. The tragedy is that not only judges and the executive branch, but Congress, too, participated in the enactment of various statutes that confirm rights upon groups. Worse yet, a Republican Presidential Candidate, Senator Bob Dole takes great pride in having engineered the Americans with Disabilities Act—one of the more recent creations of group rights. I suppose, some of you may say, "don't disabled Americans have rights?" Of course they do: exactly the same rights as every other American. They don't have rights because they are disabled, they have rights because they are Americans. And you can substitute anything else for "disabled" and come to the same conclusion. There is all the difference between pointing to certain people and saying: these Americans have not been given their full constitutional due. That's one thing. It is quite another to isolate a group and say, "we must give these people their own, special rights."

And what could be more different than the guarantee of property on one side and redistribution on the other? Property is everything we own—the shoes you wear, the salary you make. The other compass calls for its redistribution, because certain people are "entitled" to it. Here is another word: entitlement. Is there anything in the Constitution of the United States that entitles anybody to the fruits of the labor of another person? For that is what entitlement means, nothing less. The only way a person may be entitled to another person's possessions is if we disregard the Constitution.

And so we come to the last point, multiculturalism. If the suggestion is that we should look beyond our own borders and not merely read American literature or look at solely American paintings, then I would say every decent school for a very, very long time has taught World History, and World Literature, and World everything. We really didn't need a multicultural movement for that. If on the other hand the idea is that everything has the same value, and that those who have not produced literature should be given literature, and the rest of us be required to study it in order to give the appearance that every nation has literature worth reading—that's something entirely different.

Multiculturalism claims to celebrate our diversity, so here is another question: "What

is there to celebrate?" We didn't celebrate that we have arms and fingers, or other things we are born with. If you look around just this room, we have a lot to celebrate right here, because we are all different. It is just one of those nonsensical things, except that—while it is easy to make fun of it all—for many, it is deadly serious. It is serious for us, too, because this compass is likely to guide the 70% of Americans who give the President that approval rating. And if that compass is something to be taken seriously, we have to give it a name.

Why not call the original one—the rule of law, individual rights, the guarantee of property and common American identity—the "American way"? That is a fair designation because these are the essentials which define America. How do we find a name for the other compass? Let us work backwards. Multiculturalism is really another form of redistribution, only it is cultural goods being redistributed. Redistribution grows out of group rights, because certain groups are entitled to the fruits of redistribution, whereas others are not. And, of course, the whole idea of group rights grows out of the search for, and the pursuit of, social justice—whatever that means.

So, here we are, looking for a name. How should one call this doctrine, this compass? "Multi" does not suggest an all-purpose label, and "entitlement compass" just doesn't sound good. "Good compass"? It does not make much sense. How about going back to its North Star: social justice. Of course, justice is something that the English already contemplated in the Magna Carta and, certainly, the Framers have established in the Constitution. We need to focus on the first word in this two-word construct. Perchance we could make a noun of the adjective? Words ending in "-ism" are often used for political programs. If we add this to the adjective, SOCIALISM comes out as the logical designation for this compass.

Are we in trouble? We will be advised immediately that this is not going anywhere—just look at where Joe McCarthy ended! But what if he didn't go about it the right way, because socialism was hurled at people as an accusation, as a pejorative, derogatory term? In any event, as an inflammatory word? Of course, then we were engaged in a war—cold most of the time, hot some of the time—against the Soviet Union, and we saw the Soviet Union as the representative of socialism. Even so, McCarthy came to grief. And now, when the Soviet Union is gone, most would think it ridiculous to invoke socialism. But what if the problem is the way we think of the word, and the way we look at what socialism is.

That is really where I would like to get your ear today, and your active help in the future.

Socialism, I believe, is the appropriate, scholarly, utterly unemotional designation of a grand philosophical idea in Western Civilization. Ever since Descartes started thinking about thinking, and other French philosophers followed in the 18th Century, then Germans picked it up where the French had left off, socialism has been in the making. For a long time, then, socialism has been with us as "the other grand idea" of Western Civilization, and will remain with us as long as there is an "us." There is nothing derogatory about it, and there is nothing "red" about it. Socialism is an idea about interpreting the world, and charting the future, that has had the benefit of some of the best minds in the history of the planet, and has held—and continues to hold—tremendous appeal to vast numbers of people. It deserves to be taken seriously, and it needs to be engaged on philosophical grounds. In every sense of the word, it holds the opposite view of everything this country was built on.

The "Four Points of the Compass," presented to you two years ago, represented a set of principles. Our American way is built on principles. These principles were laid down to create a set of conditions within which the citizens of this country can pursue their individual happiness—not social justice—their individual happiness, least hindered, with the fewest possible obstacles in their path. Thus, principles create conditions which are simply there as a tent under which people are safe and secure in their lives—their livelihoods, their possessions—and are able to do their best.

Socialism, as the four points of its compass demonstrates, has no principles. It has an agenda. The pursuit of social justice is an agenda. The creation of group rights is a continuation of that agenda. Redistributing the fruits of society's combined labors is an agenda. This is extremely important to realize because we have become very, very imprecise in our use of words. We ought not to speak of the legislative goals of the American side as an "agenda" because voters can say: "well, he has this agenda, and she has that agenda and it's my right to choose which agenda I like." I don't believe that the American way calls for an agenda. There may be specific legislative initiatives, there may be needs of the nation to be met, but I don't believe that the Framers gave us an agenda. They gave us specific principles, articulated as laws, within which we are free to pursue to our benefit—and to no one else's detriment—whatever is our life's dream. So first of all, we have to realize that there are principles on one side, and an agenda on the other. Principles provide the floor under your feet. An agenda pulls you in a certain direction. One is *guided* by principles, one is *driven* by an agenda. I am just trying to say this in as many ways as I possibly can.

Socialism cannot coexist with the rule of law because the most important aspect of the rule of law is its consistency. Yes, the Constitution may be amended through a very specific process and that's an important aspect of it. But its fundamental tenets—lets make no mistake about that—will never change because, if we amend those, the result will no longer bear any resemblance to the Constitution of the United States.

Thus, the rule of a law functions as a constant, whereas the pursuit of social justice demands that we change the law everyday in order to accomplish the agenda—which also changes everyday.

I submit that the label "socialism" is the one tool we possess that we have not used, and that could be our salvation. Not only because truth in labeling always helps. Let us not think of it as labeling, but as truth. The truth always helps, especially against an adversary that always runs from the truth. To use the word effectively, we have to understand what socialism is, and what it is not. Socialism is not red, or any other single color. The Soviet Union was but an episode in Socialism's three-hundred-year history. It was a long one, a troublesome one. But goodness knows, Nazi Germany was most troublesome, even though that lasted only 12 years. Eventually, it passed, the Soviet Union passed, Mao Tse Tung passed away, and even Castro won't live forever. All these have been episodes. These are not our true adversaries. Our adversary is The Idea, this intoxicating idea that is able to dress up in local colors and plug into the deepest yearnings of any nation.

In America, it did so in spades about 30 years ago. It found all the hot buttons of Americans, so there are millions of decent Americans today who honestly believe that the socialist agenda they have signed on to has American roots.

Back to colors. Socialism may have been red in the Soviet Union, but it was black in

Italy where it was called the Fascist Party of Mussolini, Mussolini's personal version of the Italian Socialist Party from which he had been expelled. It was brown in Germany under the National Socialists, but currently, in the same Germany, it is green. It wears blue at the United Nations. Want more colors? If you really want a Rainbow Coalition, look at socialism around the world. So, first let us not get stuck on color. Second, please let us not get stuck on a particular regime. There is all this confusion about socialism, communism, fascism. But we will know how to make head or tail of them once we realize that they all study the same books.

Fascism was simply Mussolini's version for Italy, having nothing whatever to do with the National Socialist German Workers party—Hitler's party—which ruled Germany during the years of the Third Reich. It was Stalin who thought it might be just a little uncomfortable and embarrassing for the Soviet Union—the Union of Soviet Socialist Republics—to have Hitler, too, designated as a socialist. So he ordered everyone, including his American agents—you remember, the ones that McCarthy was so dastardly to expose?—to start referring to Hitler's Germany as "fascist." It never was. It was a national socialist regime. And to point to minute differences between it and the Soviet Union doesn't make practical sense because the Soviet Union had 70-plus years to develop its ways. Hitler's Germany existed only for six years in peace time. After that it was engaged in a world war. Even during those six years, it was preparing the war, and so the various deviations from orthodox socialism really should not cloud the issue. We have to remember, also, that Karl Marx, already in the communist manifesto of 1848 differentiates among no fewer than seven versions of socialism, all of which he rejects in favor of his own, which he calls Communism.

Communism is nothing other than the castle at the end of the climb for all socialists. And please believe me there is no difference between this socialist and that socialist, and social democrat, and democratic socialist, and progressive, and liberal, and "people for the third way"—we are given different labels all the time. It is all socialism, and all of it leads to communism—yes, communism, and let us not be afraid of that word any longer. It will be a glorious time, we are told, for humanity when communism is established, and when social justice will have come to every man, woman and child in the world, for that's what communism is: One World, in which social justice has been accomplished.

Other issues tend to be confusing as well. Generically, the American way can also be called the Anglo-American way of interpreting the world and charting the future. By the same token, the opposite view may be called "Franco-Germanic." To begin with, only these four countries engaged in systematic thinking about these matters over the centuries. Individuals from other countries have made contributions, but only in these four countries—England, France, America, and Germany—have there been schools of political philosophy. The four schools resulted in two conflicting ideas. They are in conflict with regard to morality, law, and economic principles—in conflict all the way.

Thus, the divider has always been the English Channel and not the Iron Curtain. Of course, the English Channel has been there all the time, whereas the Iron Curtain was a very temporary fixture—thank goodness. But if that is true, how is it possible that France and England were allies in both world wars? Not difficult. Philosophically, as the books in our libraries confirm, the permanent alliance is between France and Germany. But naturally, when France is attacked and is unable to defend itself—as it

happened throughout this century—they reach for the people who are willing to die for them. And those were the British and the Americans. The alliance lasted as long as the French were in need. Read French philosophers, listen to French socialists and communists who are daily guests on our college campuses today. Like the Germans, they preach the socialist gospel. Exception: Voltaire. He admired the British political system and, when he openly said so in France, the authorities issued a warrant for his arrest.

Let us, then, rid ourselves of these confusing images and understand that these two gigantic ideas have been, are, and will be fighting it out to the end.

How does this affect the state of our nation?

Last night, the President would have you believe that it was just wonderful. It might be a matter of your vantage point, I think. Certainly, the Dow Jones has never been higher, but don't let that fool you. Having lost the university decades ago, we then lost the high schools, and now we have lost the entire educational establishment, all the way down to the day care center. Our children are being brought up to be socialists. Nothing else. Our media is manned and womaned mostly by socialists. If you doubt that, just remember that last week not a single network carried the charges against the president on the Senate floor, but yesterday when the president's case was to be presented, all network programs were preempted. Congress accommodates a growing number of representatives and senators who think nothing of inventing entire new passages for the Constitution, or reveal themselves as nothing more than members of the phalanx that surrounds the executive branch. United States Senators have taken to announcing their verdict before, or right after, taking an oath upon being impartial jurors.

If we really mean business, we have to use our chief asset. Yes, socialism is a great asset. We tend to engage in lengthy discussions about esoteric matters, like high taxes, low taxes, big governments, small governments. I say esoteric, because they are not tangible. What is high? What is low? What is big? What is small? Instead of interminable debates, which our side loses almost all the time, let us look Senator Kennedy, Senator Wellstone, Senator Boxer—the list goes on—in the eye and say: "What you are advocating Senator (or Mr. President, or Mrs. President) is covered by a very simple word, and the word is socialism. If you think it's great, why don't you tell us more about it?" And: "Why don't you tell us why you believe in it?"

"Are you calling me a socialist, sir? I demand an apology." "No, sir, I am not calling you anything. You are proposing a socialist agenda." Isn't that a great deal simpler than trying to explain why it is not mean-spirited to oppose the next federal education program? Isn't it a great opportunity to say: "My position on the issue derives from America's founding principles; would you tell the country where your position derives from?" Unless we will find it in our hearts to engage in this type of dialogue, unless we find the courage to fight the elections in 2000—possibly our last chance to divert a long-term disaster—by calling the compass of the other side what it really is, I don't think we should blame others, least of all the American people, for losing that election.

Millions of ordinary Americans appear to have accepted, and be promoting, the socialist agenda. There is every reason to believe that many minds would be changed if they were brought fact-to-face with socialism as

the doctrine they are following and advocating. We must explain that this is not "hate speech," but simply the appropriate designation. If we de-demonize and re-legitimize the word socialism, and reintroduce it to its appropriate place, I guarantee the outcome is going to be different. So we at the Center for the American Founding are going to issue a call to all good people, especially those who care deeply, such as yourselves, to engage in retreats, and seminars, and discussions, so that our own side can understand anew what socialism is, and what it is not.

And once we do that, we shall never look back.

MEETING THE NEEDS OF OUR NATION'S SENIOR CITIZENS

HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 1999

Mr. GOODLING. Mr. Speaker, today, I would like to associate myself with the remarks of Mr. McKEON regarding the Older Americans Act Amendments of 1999. For far too long—since 1995—the Older Americans Act has been left unauthorized. It is time we remedied this situation by working across party lines to fashion a bipartisan solution.

I have seen firsthand in my district how the Area Agencies on Aging work together with senior citizens to ensure that their lives are filled with dignity and self-respect. Without the essential programs of the Older Americans Act millions of seniors would be relegated to a world of almost complete isolation.

I applaud the work of Mr. BARRETT—who has volunteered to take a lead on this issue—along with Subcommittee Chairman McKEON, Mr. MARTINEZ and Mr. CLAY. And, I pledge my support in working to pass an Older Americans Act Amendments of 1999, which both parties can take pride in, and one which, more than anything, benefits all seniors across the country.

WORKING TOGETHER TO HELP OUR NATION'S SENIOR CITIZENS

HON. HOWARD P. "BUCK" McKEON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 1999

Mr. McKEON. Mr. Speaker, today, Mr. BARRETT of Nebraska, Mr. MARTINEZ, Mr. CLAY, Chairman GOODLING and I are introducing the Older Americans Act Amendments of 1999. Our hope is that this bill will be the first step in an ongoing bipartisan effort to reauthorize the Older Americans Act. Nonetheless, it is important to remember that there is much work to be done when it comes to reforming and streamlining the provisions of the Older Americans Act.

Today's version of the Older Americans Act Amendments of 1999 represents a good-faith effort on the part of both parties to work together in this important venture. Over the course of the next several months, we are committed to having an open dialogue with all those who are involved in administering the Act's many programs. However, it is absolutely imperative that we keep those who we are trying to help—the frail and elderly—foremost in our minds.

INTRODUCTION OF THE GENERIC DRUGS ACCESS ACT OF 1999

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 1999

Mr. PALLONE. Mr. Speaker, the high cost of prescription drugs is one of the most pressing health care issues confronting the country's senior citizens, employers, managed care plans, state and federal drug programs. Controlling drug costs will be no easy task. One time-tested method, however, is timely access and availability of generic medicines once the patent on brand name drugs expires.

Generic competition has a dramatic impact on pharmaceutical costs. When a generic drug first comes onto the market, it typically costs 30 percent less than the brand name version. After two years on the market, the prices drop further to 60 or 70 percent of the brand name drug. The price of some generic drugs drop by as much as even 90 percent.

While these competitively priced alternatives are good for consumers, employers and government purchasers, they are not good for the brand name producer trying to maintain and protect monopolistic pricing. If there is no generic alternative available, consumers who need medicine have no choice but to buy the available brand drug and pay whatever it costs. It is for this reason that brand name drug companies launch aggressive campaigns to block or delay generic competition.

One tactic used by the brand industry to prevent generics from reaching the consumer is to convince state legislatures to pass unnecessary restrictions to the substitution of generic versions of brand name drugs. These restrictive laws are being advanced despite a scientific finding by the Food and Drug Administration (FDA) that the generic drug is equivalent and substitutable to the brand name product. The state campaign is nothing more than an attempt by the brand name companies to protect market share.

If these tactics are successful with the states, generic manufacturers could end up having to comply with 50 different sets of state laws before their products could ever reach the consumer. It would render the FDA stamp of approval meaningless. And it will only add extraordinary hoops for doctors and pharmacists to jump through before a generic medicine is dispensed. The ultimate losers are the senior citizens and other prescription drug purchasers who will be denied the access to equivalent generics and are forced to continue paying excessive brand prices for their medicines.

The bill I am introducing today, the Generic Drugs Access Act, would prevent drug companies from gaming the system. Very simply, this bill prohibits states from passing laws keeping generic drugs off the market once the FDA has determined that a generic drug is "therapeutically equivalent" to a brand name product. Most importantly, it will ensure that generic drugs get to the market in a timely fashion and provide consumers with access to low cost alternatives at the earliest possible time.

I urge my colleagues to lend their support to the effort to ensure low cost alternatives to brand name drugs are readily available to consumers and cosponsor the Generic Drugs Access Act of 1999.

RETURN THE FORESTS BACK TO THE PEOPLE

HON. MARY BONO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 1999

Ms. BONO. Mr. Speaker, I rise to announce the introduction of the Forest Tax Relief Act (H.R.—), an important bill to let all our citizens enjoy the forests free from burdensome taxes. I am proud to announce that I have co-authored this bi-partisan bill with my dear colleague, Representative LOIS CAPPS (D-CA). Our original co-sponsors include Congressman MERRILL COOK (R-UT), Congressman PETER DEFAZIO (D-CA) and Congresswoman JO ANN EMERSON (R-MO).

Due to enabling legislation passed by a previous Congress, the United States Forest Service has implemented a new pilot project charging day users a per car fee to park on public lands. Dubbed the "Adventure Pass" by the US Forest Service, this is nothing but a new tax on using public lands. Many of my constituents question the fairness and merits of this tax, and I share their concern. This tax goes against the concept of experiencing our free and open land making it a hardship on locals and visitors alike.

Within the forests of the 44th Congressional district, the per car fee for an Adventure Pass is \$5. To residents in the communities of Idyllwild, Anza, Hemet and San Jacinto and tourists who come to enjoy these precious lands, this fee is a source of much controversy. We have come to expect the freedom to enjoy this area without the inconvenience and tax imposed on us today.

To tax the Great Outdoors is offensive to the very concept of the national forest system. The forests are for the entire nation and therefore should be supported through the traditional funding process. Under this plan, Congress taxes Americans twice. It is now time to remedy this situation.

Mr. Speaker, I believe we are deterring individuals from discovering the wonder and beauty of our National Forests. We must encourage people to visit, not discourage them from doing so. When tourists go elsewhere, it hurts small businesses and it hurts our efforts to educate individuals on the importance of protecting this precious national resource. This tax serves as a barrier to working families, hikers, nature lovers and all those desiring access to our national forests.

I hope my colleagues will join me in supporting this effort to return the forests back to the people.

PERSONAL EXPLANATION

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 1999

Mr. UDALL of Colorado. Mr. Speaker, on February 2, while I was meeting in my office with some constituents, an apparent problem with the bell system led to my inadvertently missing the vote on rollcall No. 7, passage of H.R. 68—the Small Business Investment Company Technical Corrections Act. Had I been present, I would have voted "yes."

TRIBUTE TO MRS. GERTRUDE S. PARIS

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 1999

Mr. CLYBURN. Mr. Speaker, I ask my colleagues to join me in paying tribute to a loving mother, grandmother and great-grandmother, Mrs. Gertrude S. Paris.

Mrs. Paris was born in Rochester, New York, on February 27, 1899, to Charles and Elizabeth Steul. In November 1938 she married Earl A. Paris (deceased). They had two children, John Walter Paris and Beverly Paris Dox. Mrs. Paris has seven grandchildren and six great-grandchildren who affectionately address her as "Gramma."

Mrs. Paris has led an extremely active life. She maintained her home in Rochester until her early 90's, mowing her own lawn and tending her garden. She was a founding member of the Rochester Garden Club, and an avid bridge player. Her favorite pastime was "a pound of chocolate and a good book." Mrs. Paris became a constituent of mine at the age of 94 when she moved to Columbia, SC, to be closer to her family.

Mr. Speaker, on Saturday, February 27, 1999 Ms. Gertrude A. Paris will celebrate her 100th birthday. Please join me in wishing her the happiest of birthdays and Godspeed.

TRIBUTE TO PATRICK CAMPBELL

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 1999

Mr. PAYNE. Mr. Speaker, as we know, the work of a busy person is never done. This Friday, February 26, such a man is being recognized for his work in the labor community. Patrick Campbell will be acknowledged and paid tribute to for his leadership role within New Jersey's labor movement.

Patrick Campbell has been a member of Local 825, International Union of Operating Engineers since July, 1946. He has worked as an Apprentice/Engineer, Dirt and Crane Equipment Operator, Plant and Shop Engineer, Shop Steward and Lead Engineer. In 1971 he was elected to the Executive Board and appointed as a Business Representative. In 1976 he was chosen Business Manager and was appointed Trustee of Local 825's Pension/Welfare Fund Service Facilities. He has been re-elected Business Manager seven times. In addition to his functions as Business Manager of Local 825, he is a Vice President of the New Jersey State AFL-CIO. He has served as Vice President of the New Jersey State Building and Construction Trades Council.

Mr. Campbell is also Second General Vice President of the International Union of Operating Engineers. He also serves on joint committees of the Engineers/Teamsters, Engineers/Laborers and Engineers/Iron Workers. Additionally, he is President of the Northeastern Conference of Operating Engineers.

Pat Campbell has served on the Port Authority Development Advisory Committee of New York and New Jersey and on a committee of the Research Advisory Council for Pub-

lic Service Electric and Gas Co. He is Chairman of Local 825's Political Action and Education Committee and one of the founders of Local 825's Registered Indentured Apprenticeship Program.

When it comes to service, Patrick Campbell shares his time and expertise with community organizations, as well. He has served as Scoutmaster for the Boy Scouts of America, has coached Little League girls' softball, and has been Vice President of the Parents' Guild of Roselle Catholic High School. He served as a Navy Seabee in the South Pacific during World War II and has been a member of the Catholic War Veterans, the Veterans of Foreign Wars and the Knights of Columbus. He is currently a member of the Council of Regents of Felician College of Lodi, NJ and the Housing Commission of the Archdiocese of Newark.

Mr. Speaker, I am sure our colleagues will join me as I extend my best wishes and thanks to Patrick Campbell and family; his wife Adele, his four children and ten grandchildren.

THE TEXAS LEGISLATIVE BLACK CAUCUS AND ITS UPCOMING CONFERENCE

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 1999

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to pay tribute to the Texas Legislative Black Caucus and its groundbreaking efforts to advance public policy objectives in my home State of Texas.

As a former Member of the Texas House of Representatives and Texas Senate, I know first-hand of the Caucus's strong commitment in promoting education, economic development and public safety to ensure positive change. The Caucus's accomplishments include the passage of legislation to provide scholarships for low-income students, securing funding for the Lone Star State's black colleges and universities as well as provisions to ensure minority participation in the state's procurement program.

To kick off its legislative agenda for 1999, the Caucus will be hosting a statewide conference in Austin on March 10th-12th. Thousands of Texans from across the state are expected to attend the conference aptly entitled, Preparing for the Millennium. The State's 14 African-American House Members and its two Senators will be hosting the conference. They will be honoring the achievements of outstanding Texans in the fields of education, business, public services, entertainment, professions, and public safety. Governor George Bush is expected to attend the conference as well.

Delegates to the conference will be holding an "Education Summit" whose purpose is to identify problems and propose solutions to enhance the state's black colleges and universities. "Break-out" sessions will be held to discuss elementary, secondary and higher education issues. Other workshops will be conducted on health care, child care, economic development, electricity restructuring and environmental racism.

Mr. Speaker, please join me in congratulating the Caucus on its past accomplishments

and in sending best wishes for a successful conference this year in Austin.

THE INTRODUCTION OF THE NATIONAL RIGHT TO WORK ACT OF 1999

HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 1999

Mr. GOODLATTE. Mr. Speaker, I am pleased today to introduce the National Right to Work Act of 1999 along with 86 original co-sponsors.

This Act will reduce federal power over the American workplace by removing those provisions of Federal law authorizing the collection of forced-union dues as part of a collective bargaining contract.

Since the Wagner Act of 1935 made forced-union dues a keystone of Federal labor law, millions of American workers have been forced to pay for union "representation" that they neither choose nor desire.

The primary beneficiaries of Right to Work are America's workers—even those who voluntarily choose to pay union dues, because when union officials are deprived of the forced-dues power granted them under current federal law they'll be more responsive to the workers' needs and concerns.

Mr. Speaker, this act is pro-worker, pro-economic growth, and pro-freedom.

The 21 states with Right to Work laws, including my own state of Virginia, have a nearly three-to-one advantage over non-Right to Work states in terms of job creation.

And, according to U.S. News and World Report, seven of the strongest 10 state economies in the Nation have Right to Work laws.

Workers who have the freedom to choose whether or not to join a union have a higher standard of living than their counterparts in non-Right to Work states. According to Dr. James Bennett, an economist with the highly-respected Economics Department at George Mason University, on average, urban families in Right to Work states have approximately \$2,852 more annual purchasing power than urban families in non-Right to Work states when the lower taxes, housing and food costs of Right to Work states are taken into consideration.

The National Right to Work Act would make the economic benefits of voluntary unionism a reality for all Americans.

But this bill is about more than economics, it's about freedom.

Compelling a man or woman to pay fees to a union in order to work violates the very principle of individual liberty upon which this nation was founded.

Oftentimes forced dues are used to support causes the worker does not wish to support with his or her hard-earned wages.

Thomas Jefferson said it best, ". . . to compel a man to furnish contributions of money for the propagation of opinions which he disbelieves is sinful and tyrannical."

By passing the National Right to Work Act, this Congress will take a major step towards restoring the freedom of America's workers to choose the form of workplace representation that best suits their needs.

In a free society, the decision of whether or not to join or support a union should be made

by a worker, not a union official, not an employer, and certainly not the U.S. Congress.

The National Right to Work Act reduces federal power over America's labor markets, promotes economic growth and a higher standard of living, and enhances freedom.

No wonder, according to a poll by the respected Marketing Research Institute, 77 percent of Americans support Right to Work, and over 50 percent of union households believe workers should have the right to choose whether or not to join or pay dues to a labor union.

No other piece of legislation before this Congress will benefit this Nation as much as the National Right of Work Act.

I urge my colleagues to quickly pass the National Right to Work Act and free millions of Americans from forced-dues tyranny.

THE INTRODUCTION OF THE EDUCATION FLEXIBILITY PARTNERSHIP ACT OF 1999

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 1999

Mr. CASTLE. Mr. Speaker, I am pleased to introduce the Education Flexibility Partnership Act of 1999. Teaching children to master skills and knowledge is the key to our nation's future success and economic growth and the surest ticket to a better life for our Nation's citizens. As the House Education Subcommittee Chairman on Early Childhood, Youth, and Families, I offer this legislation—which I began work on in the 105th Congress—as the first item on the Subcommittee's agenda in pursuit of attaining educational excellence for children across the Nation.

The Education Flexibility Partnership Act of 1999, also known as Ed-Flex, will bring much needed relief to our schools, while boosting the productivity and the academic achievement of students. There is nothing more important to the future of our country than ensuring our students receive a challenging and enriching education. In talking to teachers about our schools, one of the complaints I hear repeatedly is that the Federal Government often weighs in on local school matters in a counterproductive and burdensome way. Often times, regulations put in place at the Federal level—intended to assist local schools in attaining educational excellence—actually have the opposite effect. Instead of strengthening teachers' time in the classroom, some regulations end up taking talented teachers away from students so they can fill out paperwork or assess program spending. Again, the intention of these regulations are good. Everyone wants students to achieve at higher rates and schools to provide better educational opportunities. However, because each school district is structured differently and because each student body has diverse needs, regulations sometimes actually interfere with the schools main focus of educating children. In these instances, we have actually added to the barriers of attaining educational excellence, instead of breaking them down. A 'one size fits all solution' rarely works for everyone, and though they provide a framework for schools, they do not cross every 'T' or dot every 'I'. We can help fill in this gap, however, by supporting education flexibility.

Under current law, 12 states are authorized to participate in an enormously popular pilot program known as Ed-Flex. My proposal extends that authority to all states. Under Ed-Flex, states can grant schools waivers of certain federal requirements that, while intending to assist, actually inhibit the school's ability to improve educational opportunities for its students. For example, in Ohio, the program was used to significantly reduce paperwork for schools, school districts, and the state education agency. In addition, the state granted two statewide waivers. Each of these required school districts to describe the specific regulatory barrier, show how the removal of the barrier will benefit students, and describe a plan to evaluate the waiver's effect on teaching and learning. The time saved on completing applications frees up staff time to address more substantive and crucial needs of the students.

Texas has successfully used Ed-Flex waiver authority to improve student performance through more than 4,000 programmatic and administrative waivers, such as permitting schools to offer school-wide Title I programs, changing the priorities for professional development activities under the Eisenhower Professional Development program, and reducing paperwork for schools. After only two years of implementation, preliminary statewide results on the Texas Assessment of Academic Skills show that districts with waivers outperformed districts without waivers 87 percent to 84 percent in reading and 82.6 percent to 80.2 percent in math. For African-American students, the gains were even bigger. For example, at Westlawn Elementary School in La Marque, Texas, African-American students improved almost 23 percent over their 1996 math test scores with 82 percent of students passing. The statewide average was 64 percent.

Maryland, another Ed-Flex state, used its waiver authority to reduce student-teacher ratios for students with the greatest need in math and science from 25 to 1 to 12 to 1. Under the Howard County waiver, the school will provide additional instruction time in reading and math and increase each student's time on task. The State holds schools accountable through performance on the Maryland School Performance Assessment Program. Ed-Flex allows schools to tailor waivers to meet their individual needs. I believe all States should have the opportunity to obtain similar improvements in their regulatory process and, more importantly, in academic achievement.

In response to a report released by the General Accounting Office on the Ed-Flex demonstration project, my proposal strengthens accountability in the program by ensuring that states demonstrate that student performance improves through the use of waivers and adds to the list of programs eligible for waiver under Ed-Flex. My proposal also ensures that states do not issue waivers to allow schools to participate in Title I that are more than 5 percent below the average poverty rate—thereby maintaining targeted funding for disadvantaged children.

Ed-Flex facilitates a seamless system of services for students because the federal and state programs can be well coordinated. In testimony and reports submitted to Congress by the U.S. Department of Education, states gave examples of how Ed-Flex has given them not only greater flexibility, but also the

ability to set even higher expectations for student performance—by asking for a higher level of accountability in exchange for Ed-Flex waivers. In addition, by enacting this legislation now, the immediate experiences of the States can help Congress identify the areas of federal regulatory burden for school districts. We can then address these problems during the reauthorization of the Elementary and Secondary Education Act. Ed-Flex will allow our schools to work more creatively in meeting student needs while ensuring that important Federal education priorities remain in effect.

THE LINE-ITEM VETO
CONSTITUTIONAL AMENDMENT

HON. BILL ARCHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 1999

Mr. ARCHER. Mr. Speaker, today I am introducing a joint resolution to amend the Constitution in order to give the President line-item veto authority on appropriations approved by Congress. I first introduced this resolution during the 99th Congress. As the Supreme Court confirmed on June 25, 1998 in ruling that the 1996 Line Item Veto Act was unconstitutional, a constitutional amendment is indeed necessary.

During this era of "as far as the eye can see" surpluses, I am deeply concerned that our commitment to fiscal discipline will be eaten away. The "desire" to cut spending may no longer be enough to fight the Washington spending machine. Last year's 40-pound, 4000-page, \$520 billion "omnibus" spending bill is compelling evidence of this point.

President Clinton's FY2000 budget was an even further retreat from his earlier claim that the "era of big government is over." Without any thought of giving back some of the surplus to the people who put it there, President Clinton called for more than \$200 billion in new domestic spending over 5 years, including nearly 40 new mandatory programs and almost 80 new discretionary programs. How does he propose to pay for this spending spree? \$108 billion in new taxes and fees!

Obviously, a fixed mechanism to fight unnecessary and abusive spending must be put in place. A constitutional line-item veto amendment must be adopted—to restore fiscal discipline to the Federal Government and to save the well-being of our Nation. I want American Presidents to have the tools they need (just like the governors of 43 States) to resist the inevitable pressures to spend our Nation's assets.

A TRIBUTE TO BRIGADIER GENERAL ROGER W. SCEARCE, USA

HON. BILL McCOLLUM

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 1999

Mr. McCOLLUM. Mr. Speaker, I rise today in tribute to a great General, a great leader, a great soldier and citizen from my home state of Florida, Brigadier General Roger W. Scearce, on the occasion of his retirement from the United States Army. On this day, he

deserves our gratitude and our respect for his 28 years of dedicated and honorable service to his country.

General Scearce represents the finest attributes of United States military service—he is a true example for all to emulate. He progressed through the ranks to achieve the most senior position in the Army Finance Corps. He has seen the battlefield of Desert Storm, and served in every clime and place throughout the globe.

For some people, democracy is simple arithmetic; their citizenship is a matter of addition and subtraction. They are experts at taking from others but strangers to giving to others. By contrast, General Scearce has selflessly give his time and talents to the United States. He has worn the badge of citizen-soldier, and by his act of patriotism, made that a badge of honor.

I am personally grateful for what General Scearce and his family have sacrificed over the years, a sacrifice so many of us take for granted. To support and defend the Constitution of the United States is sometimes a thankless deed, but it is the glue that holds our country together. Service to this great nation is a time-honored tradition that few of our citizens will ever undertake or understand. So from the bottom of my heart, thank you, General Scearce.

I am happy and proud to join Roger's family, friends, and colleagues, indeed all of America, when I say congratulations to you and your

family upon your retirement from the U.S. Army after 28 years of dedicated service.

INTRODUCTION OF RESOLUTION
ON GREEK SOVEREIGNTY OVER
THE ISLETS OF IMIA

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 1999

Mr. PALLONE. Mr. Speaker, on December 25, 1995 a Turkish bulk carrier ran ashore on the islets of Imia, one of two uninhabited islets which are part of the Dodecanese islands group in the Aegean Sea. This incident nearly escalated into armed conflict between NATO allies Turkey and Greece due to Turkey's belligerent claim that the islets, which are sovereign Greek territory, belonged to Turkey.

Hostilities were avoided after the Greek government refused to attack a detachment of Turkish commandos who had been dispatched to the islets and President Clinton personally intervened to help defuse the crisis.

Despite Turkey's continued insistence that the islets are Turkish territories, the historical record on this issue is clear. The Dodecanese islands group was ceded by Turkey to Italy in the Lausanne Treaty of 1923. The boundaries delineating the exact sovereignty between Tur-

key and the islands group were finalized in a December 1932 protocol between Turkey and Italy. That protocol, which was annexed to the Convention Between Italy and Turkey for the Delimitation of Anatolia and the Island of Castellorizio, placed the islets of Imia under the sovereignty of Italy. In the 1947 Paris Treaty of Peace with Italy, Italy ceded the Dodecanese islands group to Greece.

The legal status of the Dodecanese islands group remained unchallenged by Turkey until its bulk carrier ran aground in late 1995 and Ankara began making its unfounded claims in 1996. Today, Turkey continues to promote instability in the region by ignoring the historical record with its claim of sovereignty over the islets of Imia.

This unfounded claim should not go unnoticed by Congress. To that end, today I am introducing a resolution that documents the historical record establishing Greek sovereignty over the Dodecanese islands group and expresses the sense of the Congress that: the islets of Imia in the Aegean sea are sovereign territory of Greece under international law; and Turkey should agree to bring this matter before the International Court of Justice at The Hague, Netherlands, for a resolution.

I encourage all Members to join me in reaffirming Greek sovereignty over the islets, protecting the rule of international law, and advocating a peaceful settlement to this matter.