

Woman of the Year by the Monmouth County, NJ, Big Sisters/Big Brothers where she has worked for 15 years.

Marlene has often quoted the phrase, "One person can make a difference," and she certainly has proven that in her own career of public and volunteer service. There is probably no more of a difficult undertaking than trying to help young people who come from troubled backgrounds. It takes great patience, determination, and love to set many such children on their Journey to productive, happy lives. Marlene certainly devoted herself to those especially heart-wrenching and complex cases and she has made a great difference in the lives of many, many young people.

It would be easy to expound further, but I think Marlene's career can be summed up by paraphrasing a slogan that was also used in a certain congressional campaign 15 years ago: "She cares about people, it's that simple." It's from that caring that so much good has sprung.

TEAM FROM DEAL JUNIOR HIGH SCHOOL BEATS TONY PRIVATE SCHOOLS IN MATHEMATICS

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA
IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 1995

Ms. NORTON. Mr. Speaker, that's a Washington Post headline about one of DC's much decorated junior high schools. Deal's seventh and eighth grades beat such schools as Sidwell Friends and the National Cathedral School in the 1995 MathCounts Contest. We love our private schools, but with public schools, D.C. has something to prove: That our public schools are brimming with smart youngsters and dedicated teachers and principals. A student from Jefferson Junior High, another public school, had one of the four highest scores in the city in the MathCounts contest.

Deal took the citywide mathematics championship the same way athletes win—through intensive training, advanced levels of competition, and diligent preparation. This D.C. public school also excels in many other areas. This spring Deal won both the citywide Spelling Bee and the Geography Bee.

Today, I join my colleagues in congratulating the Deal students, principal, teachers, and parents for their accomplishments, perseverance, and commitment, even beyond the classroom and the required study.

NO RESPECT FOR HUMAN RIGHTS IN INDIA

HON. DAN BURTON

OF INDIANA
IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 1995

Mr. BURTON of Indiana. Mr. Speaker, I rise today to speak about the human rights situation in India. As we have reached the half-way point in our debate on the foreign aid authorization bill, this is a very appropriate time to raise this issue.

Tuesday night, the House approved my amendment to deny development aid to any

nation that votes against the United States more than 75 percent of the time at the United Nations. One of the countries that votes against us at the U.N. 80 to 90 percent of the time every year is India. It is no coincidence that India is also one of the world's worst human rights abusers. For years, I have criticized the atrocities committed by Indian security forces against Sikhs in Punjab, Muslims in Kashmir, and Christians in Nagaland. My strong feelings about this issue is one of the main reasons I offered my amendment. Any country that consistently votes against us at the U.N. and systematically violates the human rights of innocent civilians should not be receiving foreign aid from us.

Indian security forces in Punjab and Kashmir routinely torture political prisoners, gang rape women, and abduct innocent people to demand ransoms from their families. In Kashmir, the army just this month burned to the ground a centuries old mosque during a Muslim holiday. They routinely burn down entire neighborhoods and villages. In Punjab, torture and murder victims are thrown into canals, usually with their hands and feet still tied. Dozens of bodies are found every time a canal is drained for repairs.

Mr. Speaker, we must demand that India respect the human rights of all people, and grant them freedom, democracy, and basic human rights. Until India stops the abuses and begins to vote with us, even occasionally, at the United Nations, we should not be giving that country our foreign aid.

I ask unanimous consent to insert in the RECORD at this point a summary of human rights abuses in India prepared by my office, and a summary prepared by Dr. Gurmit Singh Aulakh of the Council of Khalistan, who has worked tirelessly on behalf of the Sikh people.

DON'T SUPPORT INDIAN TYRANNY WITH AMERICAN TAX DOLLARS

Here are some relevant facts about India and Indian-occupied Khalistan:

India votes against the United States at the United Nations 84 percent of the time, more than any other U.S. aid recipient.

India is helping Iran build up its military arsenal.

HUMAN RIGHTS VIOLATIONS

Indian newspapers recently reported that 25,000 Sikhs were either cremated as "unclaimed bodies" or thrown in canals and rivers.

The White Paper on State Terrorism in Punjab cites S.S. Ray, Indian Ambassador to the U.S., as the "butcher of Bengal" and the "butcher of Punjab."

Over 41,000 cash bounties were paid to police officers for killing Sikhs, according to the US State Dept.

Over 120,000 Sikhs killed since 1984.

Over 150,000 Christians killed since 1947. Over 43,000 Kashmiri Muslims killed since 1988.

Tens of thousands more languish in Indian prisons without charge or trial.

Amnesty International reports hundreds of Sikhs have disappeared.

Asia Watch reports "virtually everyone detained in Punjab is tortured."

Police operate over 200 torture centers (police stations) in Punjab, Khalistan.

Police routinely pick up Sikh youths and demand ransom of tens of thousands of rupees for their safe release. Otherwise, the youths are tortured and killed.

Sikhs who die of torture are listed as being killed in an "encounter" with the police.

Despite the recent repeal of TADA, the other "Black Laws", giving the regime

sweeping powers to detain anyone for any reason and kill Sikhs without fear of persecution, remain on the books.

India has not allowed Amnesty International to conduct an independent human-rights investigation in Punjab, Khalistan, since 1978.

India recently attacked an ancient mosque in Kashmir which houses the mausoleum of the venerated Sheik Nooruddin Wali. In December 1992, Hindus destroyed the Babri mosque in Ayodhya.

In June 1984, India attacked the Golden Temple in Amritsar, the holiest shrine of the Sikh Nation.

The Chicago Tribune reports that a nun was stabbed 36 times by right-wing Hindu fundamentalists. By these actions, India displays its religious intolerance.

The Indian newspaper Hitavada reported in November that the late Governor of Punjab, Surendra Nath, was paid \$1.5 billion by the Indian regime to foment terrorism in Punjab, Khalistan, and in Kashmir.

The State Department says that the human-rights situation is getting worse.

INDIA'S NUCLEAR THREAT TO WORLD PEACE

India has recently announced successful tests of the Akash antiballistic missile, India's equivalent of the Patriot.

India has deployed Prithvi missiles, which have a range of 250 kilometers, on the Pakistani border and has successfully tested other missiles like Agni, Trishul, etc.

Last year, India launched the Polar Satellite Launch Vehicle, which can be made to carry nuclear warheads.

India spends over 20 percent of its research and development budget on the development of nuclear weapons. Only 2 percent goes to education and health.

KHALISTAN'S RIGHT TO SELF-DETERMINATION

No Sikh has ever signed the Indian constitution.

The Sikh leadership declared Khalistan independent on October 7, 1987.

The movement to liberate Khalistan is peaceful, democratic, and nonviolent.

Former Member of Parliament Simranjit Singh Mann has been held in a windowless cell for four months for the "crime" of speaking out for Khalistan.

The Supreme Court of India ruled that asking for Khalistan is not a crime.

According to India Abroad, 96 percent of the Sikhs in Punjab, Khalistan did not vote in India's February 1992 elections there.

India has 500,000 troops in Punjab, occupied Khalistan, alone—more than Britain had in the entire subcontinent during its rule.

Khalistan, Kashmir, and Nagaland continue to be denied their right to self-determination.

India has 18 official languages. It is a polyglot like the former Soviet Union. It is not one country.

HUMAN RIGHTS IN INDIA AT A GLANCE: DISREGARD FOR RELIGIOUS SITES AND FIGURES

May 1995—Indian troops in Kashmir burn to the ground the centuries-old walnut wood mosque in Charar-e-Sharief, along with hundreds of homes around it.

December 1992—Hindu mobs destroy the historic Babri Mosque in Ayodhya as Indian troops stand by and watch.

December 1992—Gurdev Singh Kaonke, one of the most revered leaders of the Sikh religion, is arrested, tortured and killed in police custody.

June 1984—Indian soldiers launch an all out attack on the Golden Temple in Amritsar, the holiest shrine of the Sikh religion. 38 other temples throughout Punjab are attacked, killing thousands of Sikhs.

WHAT HUMAN RIGHTS GROUPS SAY

Asia Watch: "Virtually everyone detained in Punjab is tortured."

Amnesty International: "Torture (in Punjab and Kashmir) and illtreatment is widespread and in some cases systematic, resulting in scores of deaths in police custody."

State Department Human Rights Report (1994): Over 41,000 cash bounties were paid to police in Punjab for extrajudicial killings of Sikhs between 1991 and 1993.

GRAPHIC EXAMPLES OF TORTURE AND MURDER,
PUNJAB AND KASHMIR

Extrajudicial murders of Sikh youth are a common occurrence. Between 1986 and 1994, 6,017 unidentified Sikh victims of Indian police were cremated in the District of Amritsar alone. There are 13 districts in Punjab. It has been estimated that security forces have had over 25,000 unidentified Sikhs cremated or dumped in rivers during this period.

In January 1995, the water level of the Sirhind Canal was lowered for repair work. One dozen bodies of young Sikh torture victims were found at the bottom of just one shore section of the canal with the hands and feet bound. There are hundreds of miles of the canals through the province.

In January 1993, Indian paramilitary forces in Kashmir burnt to death at least 65 Kashmiri civilians in the town of Sopore. Soldiers deliberately set fire to five separate areas of the town. They also dragged shopkeepers out of their shops and shot them in the streets. The torching of entire Kashmiri villages by Indian forces is a common tactic.

In 1994, Sikh activist Kanwar Singh Dhami was imprisoned along with his pregnant wife and son. He and his wife were tortured in front of each other. When the police were unable to extract an untrue confession from Mr. Dhami, they hung his wife up by her heels (she was six months pregnant) forcing her to have a miscarriage.

In Amritsar district in 1993, Indian police brought a Sikh youth they had tortured and thought was dead to the hospital for an autopsy. After the police left, the doctors discovered that the young man was miraculously still alive and revived him. The police returned several hours later after hearing that the man was alive. They took him out of the hospital, killed him again, and brought him back to the same hospital for his autopsy.

KILDEE HONORS DR. NATHIEL
BURLLEY

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 1995

Mr. KILDEE. Mr. Speaker, I rise today to urge my colleagues in the U.S. House of Representatives to join me in paying tribute to a great educator and a great man, Dr. Nathiel Burtley upon his retirement from his outstanding service as Superintendent of the Flint Community Schools.

Since 1988, Dr. Burtley has led the Flint Community Schools as superintendent. Prior to accepting the superintendency, Dr. Burtley served as deputy superintendent in Flint from 1981 through 1988. Before coming to Flint, Dr. Burtley served the Ypsilanti Public Schools for 5 years in both the capacities of assistant superintendent for curriculum and instruction, and as interim superintendent. Dr. Burtley preceded his time in Ypsilanti in the Grand Rapids Public Schools where he was an elementary school principal for 4 years, briefly served as assistant high school principal, and as a speech pathologist. Dr. Burtley has served over 31 years in the field of public education.

A native of Cairo, IL, Dr. Burtley earned a bachelor's degree in 1962 and a master's degree in 1964 from Southern Illinois University. Dr. Burtley then went on to his beloved Michigan state University where he earned a doctorate in educational administration.

Dr. Burtley is truly one of those individuals who has made a difference. Upon taking over the reins of leadership of the Flint Community Schools, he proceeded to work with the community and all employees of the district to review and completely remake the direction of the school system. This was a system that has been a world leader in the arena of community education; but was also a district, like many others, that needed to experience changes in the way it had done things in the past in order to insure the students who graduated were prepared for the world they were about to enter. Throughout the time that change was occurring in the system, Dr. Burtley continuously asked the question "Is it in the best interest of kids?"

Dr. Burtley will truly be missed by all throughout the Flint Community School system. I know his heart will remain with the school district and the future of each of its students.

Mr. Speaker, it is indeed an honor and pleasure for me to rise today to pay tribute to a great American educational leader. I know all throughout the State of Michigan and the city of Flint who know Dr. Burtley, and the entire U.S. House of Representatives, will join me today in honoring a great educator, Nathiel Burtley.

INTRODUCTION OF LEGISLATION
TO OVERRULE THE U.S. SUPREME COURT'S ADAMS FRUIT
DECISION

HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 1995

Mr. GOODLING. Mr. Speaker, today, I am introducing legislation along with several of my colleagues, Mr. FAZIO, Mr. BALLENGER, Mr. ANDREWS, Mr. FAWELL, Mr. STENHOLM, Mr. HOEKSTRA, Mrs. THURMAN, Mr. FUNDERBURK, and Mr. DOOLEY, which would overrule the U.S. Supreme Court's 1990 decision in *Adams Fruit Co., Inc. versus Barrett*. In this decision, the Court held that injured farmworkers may bring a private cause of action under the Migrant and Seasonal Agricultural Worker Protection Act [MSPA], even though the workers had already received workers' compensation benefits for those same injuries.

The implications of the *Adams Fruit* decision are quite troubling as the decision undermines the general principle of the exclusivity of workers' compensation, both in the MSPA context and beyond. The workers' compensation system was designed as a quid pro quo system in which employees forego the right to a tort remedy in exchange for readily accessible relief without questions of liability or contributory negligence. The *Adams Fruit* decision undercuts the bargain that both employers and employees made in participating in the workers' compensation system. By allowing a private cause of action under MSPA, the decision opens employers up to costly litigation and open-ended liability for workplace injuries they

thought they were ensuring themselves against through their payments into the workers' compensation system.

Farmworkers will also suffer under the *Adams Fruit* decision as it removes any incentive for agricultural employers to provide workers' compensation coverage for them. In many States, coverage of farmworkers remains optional and the decision provides employers little reason to exercise that option. The uncertainty of a private cause of action is not a substitute for the accessibility and sure relief of workers' compensation.

When MSPA was passed in 1982, it received bipartisan support from agricultural employers, organized labor, and farmworker representatives. That coalition would hardly have held together had it been intended that MSPA would provide a private cause of action for workplace injuries that would supplement any recovery under the workers' compensation system.

The legislation which I am introducing today would effectively overturn the *Adams Fruit* decision and provide that a farmworker could not bring a private cause of action under MSPA for actual damages for a workplace injury, but would be limited to the remedies available under the State workers' compensation scheme. A farmworker would still be entitled to bring an action for statutory damages or an injunction based on a MSPA violation.

By reversing the *Adams Fruit* decision and recognizing the importance of the exclusivity of workers' compensation, this legislation returns to the original congressional intent in enacting the MSPA remedial scheme. This legislation is good for farmworkers and for agricultural employers and I urge my colleagues to support it.

MEMORIAL DAY

HON. JAY DICKEY

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 1995

Mr. DICKEY. Mr. Speaker, from the steps of the Capitol Building and across the Potomac we see the thousands of men and women who lay at rest, silenced by guns of war.

We, the beneficiaries of their sacrifices, cannot adequately praise these fallen veterans by merely uttering words. It takes a commitment by Members of Congress from both sides of the aisle to follow through with promises to those who have served and who currently serve our country.

This Memorial Day weekend, we should recognize a disturbing change in our Nation. There is a sense of resentment among our veterans today. They feel as though they are not held in the same light they once were. Benefits guaranteed to them are now targets for elimination.

The military traditions that kept ours the most resilient fighting force in the world seem to be forgotten by many of their civilian leaders. And many of those same leaders view the military as a place for social experiment.

If we allow this to escalate, we will not maintain our esprit de corps which is so vital to cohesiveness in combat; nor will we feel good about ourselves.