

crime with grandiose rhetorical statements like harsh treatment and mollicoddling, it is time to address the issue with a commonsense look at the facts.

There is a substantial amount of anecdotal evidence that indicates the juvenile system is in trouble. For example:

In Portland, my hometown, the Oregonian, described a case where a child committed 50 crimes, 32 of which were felonies, before the juvenile justice system took action to protect the community.

According to New York magazine, in New York State, 30,000 juveniles picked up for misdemeanors in 1993 were issued youth division cards and then released—essentially the paperwork was filed and the child walked out.

In Chicago, in the case of Yummy Sandifer, Newsweek reported that he averaged a felony a month for the last year and a half of his life (23 felonies and 5 misdemeanors in all). He was actually convicted of two felonies in juvenile court and nothing ever happened to him. Finally, he killed someone and was killed himself.

A system like this neither serves the children who commit crimes nor the community it is supposed to protect. Nationally, only 50 percent of juvenile cases even go to juvenile court. Most cases are handled by some form of social services division. The majority of juveniles who do go to court are given probation.

While this information indicates a system that is overwhelmed with violent offenders and doesn't have the legal remedies necessary to deal with such an influx, a broad overview of the problem is missing. The Comprehensive Survey of Young Offenders Act, would help Congress, States, and localities fill the holes in our knowledge of juvenile crime and our country's juvenile services. Right now there is little or no comprehensive data on the patterns of crime for young offenders, how many times a young offender goes through the juvenile justice system or which punishments or programs effectively protect the community and reduce recidivism.

This legislation would require the Bureau of Justice Statistics [BJS] to look into these issues—to survey available data on the crimes juveniles commit, to examine how young offenders flow through the juvenile justice system, and to report the outcomes of juvenile cases that are both petitioned to juvenile court and those that are handled informally.

Additionally, my legislation would require the BJS to design and estimate costs of a program that will improve data collection on young offenders in the States. While many States are moving in the direction of juvenile reform, few systematically evaluate the outcomes in their juvenile justice programs.

It is obvious that the rate of juvenile crime is climbing. What Congress now needs to do is take a comprehensive look at how our country's juvenile systems are handling that increase in crime and then evaluate where our national policy needs to go to address this enormous challenge.

AGRICULTURE WATER CONSERVATION ACT

HON. GARY A. CONDIT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 1995

Mr. CONDIT. Mr. Speaker, I rise today to introduce the Agriculture Water Conservation Act.

During 1992, nearly 1.5 million acres of cropland in the United States irrigated by surface/gravity methods, either was converted to more efficient irrigation systems or was removed from production. At the same time, low-flow irrigation acreage increased by 15 percent and sprinkler acreage grew at a pace of 3 percent. An increasing demand on a limited water supply has created a demand in the agriculture community for water conservation.

Over the last several years I have read countless articles in different publications on the need to conserve water, and the role Federal Government has with this mission. While discussing water conservation methods with farmers in my district, I found cost was their overriding concern. The outlays required to implement water conservation systems—i.e., drip irrigation, sprinkler systems, ditch lining—are a tremendous burden on the agriculture industry. While I firmly believe most agriculture interest are genuinely concerned about conserving water, cost has crippled by the ability to implement conservation methods on farms.

My bill is not a mandate for expensive water conservation systems, it is a tool and an option for the farmer. Specifically, it will allow farmers to receive up to a 30 percent tax credit for the cost of developing and implementing water conservation plans on their farm land. The tax credit could be used primarily for the cost of materials and equipment. This legislation would not require them to change their irrigation practices. However, it would allow those farmers who want to move toward a more conservation approach of irrigation but cannot afford to do it during these tough economic times.

I am currently focusing a great amount of effort on reducing the threats to viable agriculture in the United States. The Agriculture Water Conservation Act, which is similar to legislation I introduced in the last two Congresses, is the kind of incentive we need in order to establish conservation measures which enable farmers to assist in solving water shortage problems. I believe providing for the long term water supply needs of environmental, urban, and agricultural users is a critical part of the solution.

The Agriculture Water Conservation Act is not the end all solution. Since I have introduced this bill in 1992 I have consulted with farmers, local irrigation districts, the Department of Interior's Bureau of Reclamation and the Department of Agriculture's Natural Resources Conservation Service. All these groups have given me helpful and beneficial advice on how to improve on this legislation. I believe farmers will contribute to solving water supply problems when given the opportunity, as they already have through conservation transfers and crop changes. This bill will provide yet another vehicle for farmers to contribute toward a solution while offering a modest credit to share the cost with the true beneficiaries—the public.

USDA INSPECTOR GENERAL'S JANUARY 1995 REPORT "APHIS ENFORCEMENT OF THE ANIMAL WELFARE ACT"

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 1995

Mr. BROWN of California. Mr. Speaker, as a long-time supporter of animal welfare legislation and as one of the Members of Congress intimately involved in the 1985 amendments to the Animal Welfare Act [AWA], I have a keen interest in promoting the humane treatment of animals as well as ensuring the strength and enforceability of the Animal Welfare Act.

After an initial review of the USDA inspector general's January, 1995, report, "Animal and Plant Health Inspector Service (APHIS) Enforcement of the Animal Welfare Act," I am deeply concerned with the Agency's ability and willingness to adequately monitor and reasonably ensure the humane care and treatment of animals. The inspector general stated, "APHIS does not have the authority . . . to effectively enforce the requirements of the Animal Welfare Act." While I am pleased to see this unambiguous statement, I am greatly troubled by the USDA's seemingly willful neglect of the law. It took APHIS over 6 years to promulgate regulations based on the amendments to the act that were enacted in 1985. While this delay in responding to the requirements of the amendments was in my view unacceptable, I find it even more disconcerting that the problems associated with the enforcement of this act have not abated.

Lack of adequate resources is part of the problem associated with APHIS's ability to adequately monitor and inspect animals and facilities. In the past I have testified before the Appropriations Committee in favor of increased funding for enforcement of the AWA. I realize that Congress shares the burden of responsibility for not allocating the appropriate resources needed to fully implement this law.

More importantly, however, the inspector general's report indicates that APHIS has been neglecting its statutory obligations and has renewed facility licenses even when cited violations—past and present—had not yet been corrected. Additionally, APHIS is not inspecting research facilities before issuing the initial registrations, therefore noncompliance with the act may go unnoticed until APHIS' first inspection up to a year later.

It was clearly the intent of Congress that facilities should come into compliance before being issued the initial registrations, and that license renewals should be withheld where licenses have been suspended or revoked or in instances where facilities are not in compliance with the provisions of the act. Section 2.3 of the Animal Welfare Act, among others, implicitly gives APHIS the authority to conduct inspections and to deny renewals. The provision reads:

Each applicant must demonstrate that his or her premises and any animals, facilities, vehicles, equipment, or other premises used or intended for use in the business comply with the regulations and standards set forth in parts 2 and 3 of this subchapter. Each applicant for an initial license or license renewal must make his or her animals, premises . . . available for inspection . . . to ascertain the applicant's compliance with the standards and regulations.

While APHIS maintains that it does not have the authority to withhold licenses for failure to comply with AWA requirements once an original license is issued, the agency does in fact have the authority to suspend and revoke the license of any facility that violates the act. I am hopeful that this misunderstanding within the agency can be corrected. If APHIS does not have the authority, under current legislation, to enforce the requirements of the act, then it should seek the authority from Congress or initiate legislation, as the inspector general has recommended, amending the act to provide APHIS with the proper authority.

The report surely provides plenty of ammunition for concerned groups and citizens who have asserted for years that APHIS is not willing to enforce the AWA. I am hopeful that we can move forward from here and begin to provide a more meaningful level of protection for the thousands of animals under the current jurisdiction of APHIS. I look forward to seeing APHIS move forward with a progressive approach toward rectifying the egregious problems associated with the enforcement of the act and its concomitant regulations.

NATIONAL ENDOWMENT FOR
DEMOCRACY PROGRAMS

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 1995

Mr. HAMILTON. Mr. Speaker, I would like to call to the attention of my colleagues a letter I have received from Mr. John Brademas, chairman of the board of directors of the National Endowment for Democracy. The letter is in response to an article in Harper's Magazine criticizing a meeting sponsored by NED in Zagreb.

I agree with Mr. Brandemas that the Harper's article was filled with distortions that do not accurately reflect the purpose or the results of the Zagreb meeting. Those distortions and inaccuracies need to be addressed.

The National Endowment for Democracy has been in the forefront of supporting and promoting democratic values and the democratic system around the world for many years. The contributions made by the work of the Endowment, particularly in the emerging democracies of Central and Eastern Europe and in the former Soviet Union, have gone a long way to consolidating the movement toward democracy in those countries.

NEW YORK, NY,

June 2, 1995.

Mr. LEWIS H. LAPHAM,
Editor, Harper's Magazine,
New York, NY.

DEAR MR. LAPHAM: Your reporter's cynical account of the meeting the National Endowment for Democracy (NED) recently sponsored in Zagreb, Croatia ("At Play in the Fields of Oppression," May, 1995) betrays an almost willful ignorance of the meeting, its results—which were considerable—and the larger work of NED.

As Chairman of the Endowment's Board of Directors, I would like to set the record straight.

The purpose of the Zagreb meeting was to bring together democratic activists from Southeastern Europe to meet with one another and with Western groups interested in supporting free government and human

rights, but seeking more knowledge of the region and its non-governmental organizations (NGOs). Since fighting began in the former Yugoslavia four years ago, like-minded activists living in different republics have found it nearly impossible to communicate with one another. Their respective societies have virtually no contact; for example, the telephone lines between Zagreb and Belgrade have been cut for over three years.

The Zagreb meeting, attended by representatives of 67 NGOs from the region and 34 Western aid organizations, was not the idle talk portrayed in the article, but a rare opportunity for friends of democracy in the war-torn Balkans to share ideas and establish contacts that will lead to practical assistance.

A few facts will give the lie to the charge that NED's programming is centered around meaningless conferences. The Endowment, which has been active in the former Yugoslavia since 1988, has provided computers, printing equipment, and vital supplies to independent newspapers and radio stations in Bosnia and Serbia-Montenegro. Without this timely aid, these free media outlets would have had to shut down. Acting through the Free Trade Union Institute, NED assists a multiethnic trade-union confederation in Serbia that openly challenges the anti-democratic policies of the Milosevic regime. Endowment funds also help underwrite the cost of the Balkan Media Network, an electronic bulletin board that links the region's media outlets through E-mail. These are but a few of the tangible forms of assistance that characterize NED-supported programs in every former Yugoslav republic.

Among the substantive results of the meeting in Zagreb are the many proposals the Endowment has received from participants inspired by the informal discussions and workshops they attended. Although the article identifies the director of an independent Bosnian radio station as a leading critic of Western donors, this same man felt the meeting of sufficient value to offer afterwards a project for the Endowment's consideration.

From the beginning, the Zagreb meeting was conceived as a way speedily to provide practical help to worthy groups that were poorly known (or completely unknown) to Western organizations, and to urge more Western groups to work in the region. Fortunately, Western groups never before active in the region have decided to get involved. A good example is NED's sister institution in Great Britain, the Westminster Foundation for Democracy, which will be working in Kosovo as a direct result of contacts made in Zagreb.

Your reporter falsely interprets the activists' general (and understandable) complaints about the larger Western failure in the Balkans as an attack on NED, and focuses attention on some stray inanities uttered by a handful of the Western participants. He seems to have missed hearing any of the dozens of serious exchanges that took place informally. Yet those exchanges represented the real work of the meeting as participants developed plans for building independent media organs, human rights groups and civic organizations throughout the region.

Nowhere in the article is there acknowledgement that the meeting in Zagreb was an indigenous effort organized by the Erasmus Guild, a well-respected Croatian NGO. The Endowment-supported guild has worked effectively to promote civil society and ethnic harmony in a region that desperately needs both. For example, the Guild has successfully convened roundtable sessions that have brought together Croat, Serb and Muslim democrats to discuss inter-ethnic relations

and the building of viable voluntary associations.

As Dr. Vesna Pusic, the Guild's Director has pointed out, "It is absolutely essential to avoid replicating in the NGO sector a monopoly similar to the one that has been created by the ruling parties in most of the countries on the territory of the former Yugoslavia. That can be secured only by providing multiple sources of financing for different non-government organizations." This sentiment has been echoed by the Open Society Fund in Serbia, financed by the philanthropist George Soros, which has appealed for other funders to become involved.

The article is too loaded with inaccuracies and distortions to point them all out. Let me cite only the most blatant ones:

(1) None of the Eastern European participants had to pay their way to the meeting. Conversely, Western groups did.

(2) The reference to criticism of the Endowment by government accountants is based on a 1991 General Accounting Office report. Its recommendations for managerial improvements have long since been implemented.

(3) The description of two grants (neither accurately described) made by NED in 1984, the very first year of operations, continue to be trotted out by Endowment critics as proof that it "meddles" in the internal affairs of other countries. Yet the issues raised by these grants were addressed long ago: the Endowment has strict internal prohibitions against involvement in political campaigns (distinguished from electoral processes), and NED has a policy against working in established democracies. To put these two grants into perspective, I note that NED has funded over two thousand projects during its existence.

(4) The allegation that the International Republican Institute (IRI) expended funds to help finance the 1990 Republican National Convention is false. Funds raised privately were used to bring democratic activists from abroad to experience a particular aspect of American democracy and to be briefed by experts on campaigns, polling and elections.

(5) The IRI did use business class travel for its pro bono participants in overseas programs at a time when doing so was well within government regulations. Since 1992 (before the change in government regulations), IRI has permitted its volunteers and staff to travel in coach class only.

Let me close with a personal observation: After 22 years in Congress and 11 as President of New York University, I agreed to serve as Chairman of the National Endowment for Democracy, an obligation I did not assume lightly. To me, democracy is serious business and, in my case, a matter of life-long commitment. I wish that Harper's would have been more discerning in publishing an article about a critical issue—encouraging free and democratic political institutions in countries that do not enjoy them—rather than accepting such a cynical, indeed arrogant, misrepresentation of fact.

Sincerely,

JOHN BRADEMAs.

APACHE LANGUAGE KEY TO
CULTURE'S SURVIVAL

HON. ED PASTOR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 1995

Mr. PASTOR. Mr. Speaker, there are fewer eloquent leaders in Arizona, or the Nation, than Chairman Ronnie Lupe of the White