

DEPARTMENTS OF COMMERCE,
JUSTICE, AND STATE, THE JUDI-
CIARY, AND RELATED AGENCIES
APPROPRIATIONS ACT, 1996

SPEECH OF

HON. TIM JOHNSON

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1995

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2076) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1996, and for other purposes:

Mr. JOHNSON of South Dakota. Mr. Chairman, I must express my serious concern with a provision included in the fiscal year 1996 Commerce, Justice, State appropriations bill which eliminates line-item funding for Native American populations within the Legal Services Corporation. In the bill, the Appropriations Committee has not only reduced funding of the Legal Services Corporation by 30 percent—from \$400 million to \$278 million, but the committee also eliminated the separate line item for native American population funding, which last year provided \$10 million for native American programs nationwide. The elimination of this line-item funding will lead to the termination of legal services for some of America's most underserved population, our low-income native Americans.

Because our Nation's Founders made the establishment of justice the first specific function of the new government, justice is the historic mandate of a free society. The Legal Services Corporation provides justice to people who could otherwise not afford it, ensuring equal access to justice. On countless Indian reservations across the nation, Indian legal services are the only source of legal aid to the poor and underrepresented.

Presently there are 33 Indian legal services programs in existence. The \$10 million in fiscal year 1995 funding made possible the work of approximately 150 attorneys, paralegals, and tribal court advocates serving clients on over 175 Indian reservations as well as 220 Alaska Native villages. The work of these attorneys has helped tribes develop tribal courts, and create programs for the prevention of domestic abuse and violence. On remote reservations with unique cultures and needs, legal services attorneys are the first line of contact and counseling for families in crisis. They enforce child support, and help ensure the delivery of health care services to the poor, elderly, and disabled.

In my State of South Dakota, there are nine federally recognized tribes whose members collectively make up one of the largest Native American populations in any State. At the same time, South Dakota has 3 of the 10 poorest counties in the Nation, all of which are within reservation boundaries. Dakota Plains Legal Services, serving North and South Dakota, employs 10 attorneys, 8 paralegals, and roughly 10 support staff in 7 offices, all but 1 on reservations. Dakota Plains helps low-income Indians in tribal as well as Federal courts with civil and criminal disputes. If the line-item for Native American populations is not restored, Dakota Plains Legal Services would lose 70 percent of their operating bud-

et—virtually shutting down services to Indians in my State.

Additionally devastating is the bill's requirement that Indian legal services programs compete for the remaining LSC funding under a census-based formula—a scheme that will result in even further cuts to Native American programs. The current legal services line-item funds Indian legal services programs at a level that is three to four times greater than the actual number of reservation-based individuals listed in the 1990 census. Since the inception of the Legal Services Corporation in 1974, it has been conceded by both Democrats and Republicans that effective legal services for Indians cannot be provided strictly on census-based numbers because: First, many tribes are not large enough to justify the funding of even one lawyer; and second, actual operating costs for Indian legal services attorneys are much higher than for other legal services programs because of geographic remoteness, and the availability and high costs of goods and services on reservations. Increased funding on a non-census basis helps overcome these and other factors, such as language and cultural barriers. Past studies have justified the need for increased funding for Indian legal services by as much as seven times the numbers that a straight Census-based formula would yield.

For the past 30 years, Indian legal services have become an integral part of this Nation's promise of equal access to justice. The elimination of the line item for Native American populations will deny justice to Native Americans in my State and across the country. I urge my colleagues in the eventual conference on this measure, and on the appropriate authorizing committees to closely consider the ramifications of this poorly thought out provision.

MY VISION FOR AMERICA

HON. WILLIAM M. "MAC" THORBERRY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 1995

Mr. THORBERRY. Mr. Speaker, Each year the Veterans of Foreign Wars of the United States and its Ladies Auxiliary conduct the Voice of Democracy broadcast scriptwriting contest. This past year more than 126,000 secondary school students participated in the contest competing for the 54 national scholarships totaling more than \$109,000, which was distributed among the winners. The contest theme this year was "My Vision For America."

Ms. Erin Kenyon of my district was the State winner for Texas. The following is her winning script:

MY VISION FOR AMERICA

We all have a vision of America. Thomas Jefferson saw independence. Abraham Lincoln envisioned unity. Susan B. Anthony pictured women voting. Martin Luther King, Jr. foresaw a land of equality for all races. My vision for American isn't too different from theirs—I see a diverse nation, unified by a people with a generous spirit, who are willing to be a beacon of hope and democracy to the whole world.

Throughout history, Americans have faced and met the demands of life in the frontier with a patriotic zeal. Early in America, pioneers were faced with the challenge of build-

ing their homes and barns quickly to avoid the ravages of winter. Instead of each man taking on this incredible task by himself, people decided that by working together more could be accomplished. In much the same way, my vision of America has citizens working together for the betterment of our country.

The rallying cry of the American revolution, "United we stand, divided we fall," can be a guide for us in solving the problems which now plague American society. A man in California who was tired of the gang graffiti sprawled on walls across his neighborhood formed a group to paint over it. Volunteers help with youth programs such as boy's and girl's clubs and scouting which provide interests to keep kids off the streets. Volunteers across the country devote their time to teaching the illiterate how to read. These are just a few examples of how ordinary Americans can make an extraordinary difference in the lives of their fellow countrymen. In my vision, every person would see citizenship as a shared responsibility. We must not only be a United States, but a United people.

Webster's dictionary defines patriotism as love, support, and defense of one's country. It seems sometimes as if Americans become so torn with their difference that they lose sight of what really matters. That diversity doesn't have to divide us; it can be the glue that binds us to our goals and dreams.

The same is true for our government. Our representatives should realize that the national interest comes before political partisanship. Political campaigns should be based on constructive ideas, not destructive mudslinging.

In my vision racial and political differences aren't inevitable obstacles, but solvable problems. Conquering them will lead us to a more perfect union.

Finally, my vision is for America to be a world leader. Now is not the time to be isolationists. We must maintain our military superiority in order not to use it. For with that very strength, we have the power to promote world peace—economically and diplomatically. Like President Woodrow Wilson said, "America cannot be an ostrich with its head in the sand." Shrinking from our responsibility leaves the rest of the world with nowhere to turn. We should be a role model for countries throughout the world to follow.

In my vision of America, hope and opportunity exist for each and every one of us. We owe much to those whose visions of America have changed our lives—Thomas Jefferson, Abraham Lincoln, Susan B. Anthony, Martin Luther King, Jr. and many other patriots. My vision is for America to be a country of patriotic people, united in being a model of democracy and hope to the world with the courage to look unafraid towards the future.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES, AND APPROPRIATIONS ACT, 1996

SPEECH OF

HON. ELEANOR HOLMES NORTON

OF DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 1995

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 1976) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and related agencies programs for the fiscal year

ending September 30, 1996, and for other purposes:

Ms. NORTON. Mr. Chairman, I rise in strong support of the Kennedy amendment to H.R. 1976, the Agriculture appropriation. I cannot imagine what national interest the Congress is forwarding by subsidizing the export and promotion of American alcohol overseas. We should adopt the Kennedy amendment, and end this insanity. Surely the companies who benefit from this subsidy can get by just fine without it. Can you imagine the outcry if we were using taxpayer money inside the United States to help the liquor companies introduce drinking to young people?

Do we not have enough problems at home brought about by alcohol abuse? In the District of Columbia alone, alcohol abuse costs the city \$1.8 billion annually. The Center for Science in the Public Interest has said that no serious discussion on the economic recovery of the Nation's Capital is possible without factoring in the economic burden of alcohol consumption. It is not moralizing to point out that the \$35 million the city collects each year in alcohol taxes barely touches the massively calamitous consequences of alcohol consumption. The human toll cannot even be calculated.

This is indeed a moral issue. What is immoral is that corporate giants like Jim Beam, Miller, Coor's, and Stroh's have the U.S. Government's blessing and an expense account to enter into foreign markets. Are we subsidizing comparable efforts to provide education about alcohol abuse, alcohol's role in infant mortality, and efforts to combat drunk driving?

The liquor companies need to pay their fair share, not get a subsidy to develop new markets. I urge my colleagues to adopt the Kennedy amendment.

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 1996

SPEECH OF

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1995

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2099) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1996, and for other purposes:

Mr. FRANK of Massachusetts. Mr. Chairman, these two documents are very relevant to our discussions on the HUD budget.

The article by Keith Regan from the New Bedford Standard Times documents the need for housing, and demonstrate how ill-advised the cuts in this budget are for HUD.

The statements from Judge Adams and former Secretary Pierce remind us that HUD is not inherently flawed, but rather harmed from the corrupt, incompetent administration it received during the Reagan years, and is in fact improving greatly under Secretary Cisneros.

OFFICE OF INDEPENDENT COUNSEL, JANUARY 11, 1995

Independent Counsel Arlin M. Adams announced today that former HUD Secretary Samuel R. Pierce, Jr., has admitted that his "own conduct contributed to an environment" at the Department of Housing and Urban Development in the 1980s in which his subordinates could engage in "improper and even criminal conduct." In a statement provided to Independent Counsel Adams, which is attached to this release, Secretary Pierce "fully accept[s] responsibility for [his] role" in the mismanagement and abuse at HUD in the 1980s, and acknowledges that his meetings with former Secretary of the Interior James G. Watt and other personal friends who were seeking HUD funds were inconsistent with "the HUD Standards of Conduct prohibiting actual or apparent undue or improper favoritism." Secretary Pierce also accepts responsibility "for the necessity for the Independent Counsel's investigation," and states that he "deeply regret[s] the loss of public confidence in HUD that these events may have entailed."

Adams also announced today the completion of the major investigative phase of his probe of HUD in the 1980s, which to date has resulted in sixteen criminal convictions of former high-ranking officials and others, and has obtained more than \$2 million in criminal fines. Adams stated that "Secretary Pierce's admissions comport with the proof that the government would have introduced at trial, and inform the public of these events without the uncertainty and great expenditure of time and money inherent in such a trial." "In light of these admissions," Adams further stated, "and in consideration of other factors—including Secretary Pierce's age and multiple health problems, the conflicting evidence regarding the intent with which he acted, and the absence of any evidence that he or his family profited from his actions at HUD—this Office has declined to seek a criminal indictment of Secretary Pierce." "These factors," Adams noted, "distinguish this case from those previously prosecuted by this Office."

Adams stated that while further details of Secretary Pierce's actions at HUD would be addressed in the Office of Independent Counsel's final report, "Secretary Pierce's statement acknowledges what was demonstrated by both the Lantos Committee's hearings and this Office's prosecutions: that by his abdication of responsibility, and by his own conduct, Secretary Pierce made it possible for his subordinates to commit crimes and to profit from their betrayal of the public trust."

The Independent Counsel's investigation and prosecutions have revealed, and Secretary Pierce's statement acknowledges, that HUD was an agency corrupted by the activities of many of its own officials. These high-ranking political appointees took control of HUD's increasingly scarce federal housing funds and then awarded those funds to benefit their friends, their families, and themselves, without regard to the actual housing needs of this nation or its low-income families. "The HUD scandal," Adams stated, "is the story of high-ranking political appointees who put their own interests ahead of the underprivileged persons whose interests they were charged to protect. The consequences of that scandal continue to be felt today, both in increased cynicism about our government in general and HUD in particular, and in the everyday lives of the poor."

Secretary Pierce permitted the conditions to exist that allowed the corruption of HUD. He did so in two ways. First, he failed adequately to supervise the appointees who

served under him. As Secretary Pierce admits, during the 1980s, a group of high-ranking political appointees at HUD whom he "trusted with authority clearly were not deserving of either the powers of office or [his] trust." In particular, he "failed to monitor and control the Moderate Rehabilitation Program, commonly referred to as the 'mod rehab' program, when it was being operated, at least in part, to benefit certain consultants, developers, and ex-HUD officials." As a result, many HUD political appointees, "including Deborah Dean and certain other members of [Pierce's] staff, used the program to see that their friends or political allies received mod rehab projects." Secretary Pierce admits that he has "no doubt that the manner in which the mod rehab program was administered was flawed, and was not consistent with how the program was portrayed to Congress and the public."

Second, Secretary Pierce acknowledges that his "own conduct failed to set the proper standard." On a number of occasions, he "met or spoke privately with personal friends who were paid to obtain funding for mod rehab projects," including former Secretary of the Interior James G. Watt, former Ambassador Gerald Carmen, and others. These meetings and conversations, and Secretary Pierce's follow-up discussions with his staff members, "created the appearance that [he] endorsed [his] friends' efforts and sent signals to [his] staff that such persons should receive assistance." Secretary Pierce acknowledges that these contacts with his friends were not only inconsistent with "the HUD Standards of Conduct prohibiting actual or apparent undue or improper favoritism," but also with Pierce's own instructions to his staff. Secretary Pierce also acknowledges that his answers during the congressional hearings before the Lantos Committee "did not always accurately reflect the events occurring at HUD several years earlier."

Adams stated that while this concludes the major investigative phase of the probe, "Secretary Pierce's statement, coupled with other evidence recently made available to this Office, raises the issue whether certain individuals may have committed perjury or obstructed justice during the course of this investigation." Noting that the Office already has secured numerous perjury and obstruction convictions, Adams stated that "[t]he length of this investigation is attributable to the efforts of those who attempted to obstruct it. But, as previously pledged, such obstruction, when uncovered, shall be dealt with appropriately."

To date, the Office of Independent Counsel's investigation has resulted in sixteen convictions following trials or guilty pleas, and has secured more than \$2 million in criminal fines.

STATEMENT BY THE HONORABLE SAMUEL R. PIERCE, JR., DECEMBER 15, 1994

From January 1981 through January 1989, I served as the Secretary of the Department of Housing and Urban Development. I was responsible for the overall administration of the Department, which employed thousands of people in numerous divisions. During the time I served as Secretary, a number of HUD staff members engaged in improper and even criminal conduct. I realize that my own conduct contributed to an environment in which these events could occur.

Many people I trusted with authority clearly were not deserving of either the powers of office or my trust. My management style, developed after years of working in a law firm and other legal environments, was to delegate details. This style exacerbated the problems at HUD because I did not exert sufficient control over the individuals who