

work to prevent the spread of lethal avian influenza in chickens. The Department of Transportation notes that H.R. 450 would stop regulations designed to make commuter planes meet the safety requirements of larger carriers, and to prevent natural gas pipeline explosions. These are just a few examples of the manner in which the moratorium could pose a direct threat to the health, safety and economic well-being of the American people.

Republicans are correct when they assert that Americans and American businesses are fed up with senseless regulations. But they are horribly off the mark when they propose that freezing all regulations is the solution to this problem. The exemptions that they have offered for regulations protecting health, safety, and property are vague at best, and give the latter inexplicable ascendancy over the first two. There is no guarantee that important regulations will be allowed enactment under H.R. 450. I cannot support such carelessly crafted legislation, and I am surprised at those who can.

The practice of performing delicate policy operations with a meat axe has characterized the actions of the House from the beginning of the session, and it is eroding the credibility of this body. Even as we rush to pass bills that are poorly crafted, the Senate is carefully weighing the implications of each piece of legislation. This is not a question of partisan politics. The Republicans have a majority in the Senate as well. And yet there, they recognize the great importance of designing legislation that not only sounds good, but that works as well. We should do the same. H.R. 450 is another example of an important issue that has been drastically oversimplified. Freezing reforms is not the answer to the regulatory explosion, and it is a proposal that places American lives at risk. Therefore, I will not support this legislation.

I do not believe that the 435 Members of this body ought to be consigned to irrelevance in the policy sphere. But unless the Republican Party stops focusing on the laminated card in the Speaker's breast pocket, and starts concentrating on the difficult, deliberative, and complex task of framing policy and instituting reform, we are doomed to 50 more days of meaningless endeavors. I fear that the words of Macbeth will be a fitting epitaph for the Republican Contract, which thus far has frequently proven to be a document "full of sound and fury, signifying nothing."

TRIBUTE TO JUSTIN AARON  
HARRIS

**HON. MARCY KAPTUR**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Monday, February 27, 1995*

Ms. KAPTUR. Mr. Speaker, I rise today to pay respectful tribute to a young man from my district who has made the ultimate sacrifice, giving his life in service to our country in a foreign land. Justin Aaron Harris, a Marine Sergeant, was tragically killed last week when his helicopter went down at sea after hitting a ship off the coast of Mogadishu. He died on February 19, 1995, leaving a wife, Chantay, and a young son, Justin, Jr., his parents, Peggy and Joe, a sister, Julie Morrison, brothers, Joe, Jeffrey, Jerry, and Javan Harris and

scores of relatives and friends who mourn the loss of a promise-filled life cut short. We offer them our hearts in empathy as they face this deep tragedy. We hope that his vision for America and his devotion and belief in service to our nation and oppressed people around the world will make this cross a little easier to bear. We pray the memories his family and friends shared in his too-brief life will sustain them all. Justin knows as we all know, the price of freedom is not free. He laid down his life in service to us.

A poem was read at his memorial service, held in his hometown of Toledo, Ohio on February 25, 1995. The author apparently unknown, it symbolizes Justin's and his family's faith and offers a meaning to his passing, helping all to understand and to gain strength:

I'M FREE

Don't grieve for me, for now I'm free  
I'm following the path God laid for me.  
I took his hand when I heard Him call  
I turned my back, and left it all.  
I could not stay another day  
To laugh, or love, or work, or play  
Tasks left undone must stay that way  
I found that place at the close of the day.  
If my parting has left a void,  
Then fill it with remembered joy.  
A friendship shared, a laugh, a kiss  
Oh yes, these things I too will miss.  
Be not burdened with times of sorrow  
I wish you sunshine of tomorrow.  
My life's been full, I savored much  
Good friends, good times, a loved one's  
touch.

Perhaps my time seemed all too brief.  
Don't lengthen it now with undue grief.  
Lift up your heart and share with me . . .  
God wanted me now  
He set me Free!

Justin Aaron Harris, age 23; always remembered, always honored, always loved.

SUSTAINABLE CONSUMPTIVE USE  
OF MARINE RESOURCES

**HON. DON YOUNG**

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

*Monday, February 27, 1995*

Mr. YOUNG of Alaska. Mr. Speaker, this Nation has had an enviable and successful record, both domestically and internationally, of fostering sound conservation and scientific management of wildlife and marine resources. Through statutes, regulation and international treaties, the United States has traditionally taken a leadership role in demanding science-based information and data upon which to shape policy and programs for the conservation of plants, animals, and fish. An integral part of wildlife and resource management is the concept of consumptive use of such renewable resources under proper and professional management.

In the February issue of the American Spectator there is a most thought provoking article by David Andrew Price regarding the issue of whaling by coastal and island nations. With the exception of a small science-based harvest of whales by natives in Alaska, the United States is no longer a consumer or producer of whale products. For other nations, however, whale products have been a traditional source of food for thousands of years. The serious question is whether or not such traditional harvests should be blocked when limited taking in

no manner would have an adverse impact on populations stocks. Further, ignoring science in the management of one species of wildlife based upon a response to a protectionist philosophy sets a dangerous precedent. Wildlife and marine resources cannot afford to be managed on the basis of some subjective ethic that ignores science and appropriate management.

I commend Mr. Price's article to my colleagues on a most important issue of sustainable use of renewable marine resources and the role of the United States in that policy.

[From the American Spectator, February 1995]

SAVE THE WHALERS

(By David Andrew Price)

One morning last January, Arvid Enghaugen, a resident of the Norwegian coastal town of Gressvik, found his whaling boat sitting unusually deep in the water. When he climbed aboard to investigate, he found that the ship was in fact sinking; someone had opened its sea cock and padlocked the engine-room door. After breaking the lock, Enghaugen discovered that the engine was underwater. He also found a calling card from the Sea Shepherd Conservation Society, a small, California-based environmentalist group that specializes in direct actions against whalers. Counting Enghaugen's boat, Sea Shepherd has sunk or damaged eleven Norwegian, Icelandic, Spanish, and Portuguese vessels since 1979.

The boat was repaired in time for the 1994 whaling season, but Enghaugen's problems weren't over. On July 1, while he was looking for whales off the Danish coast, live Greenpeace protesters boarded the ship from an inflatable dinghy and tried to take its harpoon cannon. Enghaugen's crew tossed one protester into the sea, and the rest then jumped overboard; the protesters were picked up by the dinghy and returned to the Greenpeace mother ship.

A week later, after Enghaugen's boat shot a harpoon into a whale, a team from another Greenpeace vessel cut the harpoon line to free the wounded animal. A group again tried to board the whaler, and the crew again threw them off. Enghaugen cut a hole in one of the Greenpeace dinghies with a whale flensing knife. For the next two weeks, Enghaugen and crew were dogged by Greenpeace ships and helicopters.

Although the activities failed to stop Enghaugen's hunt, their public relations war in America has been a different story. Over the past twenty years, the save-the-whales movement has been so successful in shaping public sentiment about the whaling industry that the U.S. and other nations have adopted a worldwide moratorium on whaling. Part of the credit must go to the animals themselves, which are more charismatic on television than Kurds, Bosnians, or Rwandans, who have engendered far less international protection. The movement owes most of its success, however, to the gullibility of Hollywood and the press in passing along bogus claims from whaling's opponents.

The mainstay of the case against whaling—that it threatens an endangered species—is characteristic of the misinformation. It is true that European nations and the United States killed enormous numbers of whales during commercial whaling's heyday in the nineteenth century, but to say that "whales" are endangered is no more meaningful than to say that "birds" are endangered; there are more than seventy species of whales, and their numbers vary dramatically. Some are endangered, some are not. The blue whale, the gray whale, and the

humpback were indeed depleted, but those species were later protected by international agreement long before the existence of Greenpeace or Sea Shepherd. (There have been abuses. Alexei V. Yablokov, special adviser to the president of Russia for ecology and health, has revealed that the whaling fleet of the former Soviet Union illegally killed more than 700 protected right whales during the 1960's but the International Whaling Commission's institution of an observer program in 1972 essentially put an end to the Soviet fleet's illegal activities.)

The only whale species that Enghaugen and his fellow Norwegian whalers hunt is the minke, which Norwegians eat as whale steaks, whale meatballs, and whaleburgers. As it turns out, minke whales are no more in danger of extinction than Angus cattle. In 1994, thirty-two Norwegian boats killed a total of 279 minkes, out of an estimated local population of about 87,000 and a world population of around 900,000.

In 1982 the IWC voted to suspend commercial whaling for a five-year period starting in 1986. The ostensible purpose was to permit the collection of better data on whales before hunting resumed. Norway lodged a reservation exempting itself from the moratorium, as the IWC treaty permitted, but it complied voluntarily.

Whaling nations soon learned, though, that the majority of nations in the IWC—including the United States—intended to maintain the ban indefinitely, no matter what the numbers showed. Canada left the IWC in 1982, and Iceland left in 1992. Norway terminated its voluntary compliance in 1993. To protest the commission's disregard of the facts about whale stocks, the British chairman of the IWC's scientific committee resigned that year pointing out in his angry letter of resignation that the commission's actions "were nothing to do with science." The IWC continued the moratorium anyway at its next meeting.

A 1993 report by the Congressional Research Service observed that the data on whales undercut the conservationist argument, and that "if the United States argues for continuing the moratorium on commercial whaling, it may have to rely increasingly on moral and ethical appeals." The ban on whaling is no longer about conservation, in other words, but about the desire of many Americans and Western Europeans to impose their feelings about whales upon the whaling nations (which include Iceland, Russia, Japan, and the Inuits of Canada and Alaska).

Popular notions of whales' human-like intelligence, often cited by opponents of whaling, have little real support. Whales possess large brains, but that proves nothing about their mental agility. Margaret Klinowska, a Cambridge University expert on cetacean intelligence, holds that the structure of the whale brain has more in common with that of comparatively primitive mammals such as hedgehogs and bats than with the brains of primates.

Whales can be trained to perform stunts and other tasks, but so can pigeons and many other animals that have never been credited with the cerebral powers of homo sapiens. And the idea that whales have something like a human language is, at present, pure folklore. Like virtually all animals, whales make vocalizations, but there is no evidence that they are uttering Whalish words and sentences. Their famed "singing" is done only by the males, and then during but half the year—a pattern more suggestive of bird-song than human speech.

Much of the popular mythology about cetacean intelligence comes from crank scientist John Lilly, a physician who became convinced in the 1950s that whales and dolphins are not only smarter and more commu-

nicative than humans, but also have their own civilizations, complete with philosophy, history, and science that are passed down orally through the generations. His conclusions about the animals' mental skills were based partly on his observations of captive dolphins at his lab in the Virgin Islands, but mainly on wild flights of conjecture. Lilly also predicted in the late seventies that the State Department would eventually negotiate treaties with the cetaceans, and that humanity's progress in its dealings with them would lead the Galactic Coincidence Control Center to send agents to planet Earth to open the way for extraterrestrial contacts with us. The anthropomorphization of the whale reached new heights with a 1993 open letter to the Norwegian people from Sea Shepherd president Paul Watson, who predicted, "The whales will talk about you in the same vein as Jews now talk of Nazis. For in the eyes of whalekind, there is little difference between the behavior of the monsters of the Reich and the monsters behind the harpoon."

Cetacean behavior researchers have rejected Lilly's claims. Dolphin investigator Kenneth Norris of the University of California Santa Cruz, who was among the first to study dolphins in the wild and is responsible for much of our knowledge about dolphin sonar, writes that they have "a complicated animal communication system, yes, but for an abstract syntactic language like ours, no compelling evidence seemed, or seems, to exist." The late David and Melba Caldwell, who studied dolphin behavior at the University of Florida, maintained flatly that "dolphins do not talk." In their view, "dolphins probably are just exceptionally amiable mammals with an intelligence now considered by most workers, on a subjective basis, to be comparable to that of a better-than-average dog."

Louis Herman, director of the University of Hawaii's marine mammal laboratory and an opponent of whaling, has been studying the behavior of captive dolphins since 1967. Herman says he has seen no evidence that the natural vocalizations of dolphins constitute a language. And for whales? "There's no reason to think the situation would be different with other cetacean species," he answers.

What American policy on whaling enforces is simply a cultural preference—one comparable to our distaste for horsemeat, which is favored in France. The whale-savers have succeeded in shaping policy by selling the idea that whales are different; that they are endangered underwater Einsteins. That's why Icelandic filmmaker Magnus Gudmundsson, who has produced a documentary showing Greenpeace's machinations on the issue, is correct in calling the movement "a massive industry of deception."

#### INTRODUCTION OF THE OMNIBUS ADOPTION ACT OF 1995 AND THE HEALTH CARE AND HOUSING FOR WOMEN AND CHILDREN ACT

**HON. CHRISTOPHER H. SMITH**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Monday, February 27, 1995*

Mr. SMITH of New Jersey. Today, I reintroduced two important bills which will have a direct and substantial impact on women, children, and families nationwide. These bills—the Omnibus Adoption Act of 1995 and the Health Care and Housing for Women and Children Act—both promote the joining of needy chil-

dren and caring families through the loving option of adoption.

There is no doubt that there are children patiently and hopefully awaiting adoption. Over the past decade, between 50,000–60,000 children found adoptive homes each year. This figure is down from 89,000 in 1970; but that is not indicative of fewer needy children. In fact, over this same time period, the number of children in foster care increased to more than 407,000 and the number of children born out-of-wedlock increased three-fold to 1,165,000.

The National Council for Adoption [NCFA] estimates that between one and two million individuals and couples want to adopt. But there are obstacles in their way. Some of these obstacles are financial; some are merely education; some are cultural. The Omnibus Adoption Act of 1995 takes aim at these hurdles with the intention of leveling them.

Furthermore, evidence suggests that the benefits of adoption to birthmothers are overwhelmingly positive. In fact, some research indicates that those women who do choose to make an adoption plan for their children will be less likely to live in poverty, more likely to complete high school, and less likely to have additional unplanned pregnancies. We must provide Federal support to these pregnant women and all pregnant women who lack the means to pay for prenatal and maternal health care.

The centerpiece of the Omnibus Adoption Act is the means tested \$5000 tax credit. According to the NCFA, the average cost of an adoption is \$14,000 and it is not uncommon for this figure to reach upwards of \$25,000. Often this includes prenatal care for the birthmother and child, counseling for the adoptive family, and legal fees. For a middle-income family already on a tight budget, this one-time up-front cost can be prohibitive.

The targeted tax credit would be available in full to families earning less than \$60,000 and in part to families earning between \$60,000 and \$100,000. In this way, it is able to give as much help as possible to the families which need it the most. And while this tax credit has a limitless reward, it has a very modest cost. The Republican staff of the Budget Committee estimated last year that the adoption tax credit would cost \$900 million over 5 years.

You may recognize this provision from the Republican Contract with America as well. I am pleased that this aspect of my bill has been included in the Contract's Family Reinforcement Act [H.R. 11].

Other provisions of the Omnibus Adoption Act are equally valuable and popular. For instance, the bill establishes a national advisory council on adoption to monitor the progress of the various adoption related programs which exist and which the bill institutes. The bill also establishes a national adoption data collection system. These two provisions will work hand-in-hand to further advance adoption options. As does a section stating the sense of Congress that every State implement and enforce uniform adoption laws ranging from detailed home studies for prospective adoptive families to health benefits for birthmothers and adopted children.

The Omnibus Adoption Act establishes a program of graduate study fellowships to encourage our best young minds to research and develop innovation in adoption programs. Additionally, the bill organizes a grant program within the Department of Education offering