

States Senate, the Committee on Resources and the Committee on Appropriations of the United States House of Representatives, and the Government of American Samoa. The report shall include at a minimum the financial statements of the account or accounts in which it holds trust funds pursuant to this Act.

#### SEC. 5. USES OF TRUST FUNDS.

##### (a) CAPITAL NEEDS.—

(1) MASTER PLAN OF CAPITAL NEEDS.—For fiscal year 1997 and all following years, no funds appropriated pursuant to this Act shall be released by the trustee for construction of capital assets without the submission by the Government of American Samoa to the trustee of a master plan of capital needs that ranks projects in order of priority for at least five years. The master plan shall be approved by the Governor and passed by both Houses of the Legislature of American Samoa pursuant to such laws as the Government of American Samoa may enact. The master plan of capital needs may be amended at any time, but all amendments must be approved by the Governor and passed by both Houses of the Legislature of American Samoa. The plan shall include the capital needs of all the islands of American Samoa.

(2) FUNDS FOR CONSTRUCTION OF CAPITAL ASSETS.—Funds for the construction of capital assets shall be paid to the Government of American Samoa only after approval by the trustee. The trustee shall approve the release of funds only for construction projects for a public purpose in the areas of communications, electrical power, water, waste water, roads, schools, school transportation system, air, water and surface transportation, ports, harbors, storage and transportation facilities of fuels or other forms of energy, health, and construction of government-owned buildings. Funding made available pursuant to section 3(a)(1) for construction of capital assets may only be used for projects listed on the master plan of capital needs as set forth in this section. To the extent an appropriation is available, the projects contained on the master list with the highest priority are to be funded.

(3) REQUIREMENT OF SEMIAUTONOMOUS AGENCIES.—Beginning with fiscal year 1997, no funds for the construction of capital assets shall be released by the trustee in the areas of communications, electrical power, public health, transportation, water, and waste water until there is established by local law semiautonomous government agencies of the Government of American Samoa.

(4) MAINTENANCE PLAN AND FUNDING.—For fiscal year 1997 and all following years, no funds appropriated pursuant to this Act shall be released by the trustee for the construction of capital assets until the Government of American Samoa, or the appropriate semiautonomous government agency if required, submits to the trustee a maintenance plan covering the anticipated life of the project and the project is initially funded. The maintenance plan shall include the estimated cost of maintaining and repairing the project and identify a source to fund the estimated maintenance and repairs for the anticipated life of the project. The initial funding for this maintenance plan shall be in the amount of 10 percent of the cost of the project. Federal funds made available for the purposes described in section 3(a)(2) may be used for one-half of the initial funding. Other Federal funds made available pursuant to this Act may not be used for this purpose. Funds set aside pursuant to this paragraph may be used for the maintenance and repair of any capital asset within the purview of the government or the appropriate semiautonomous agency.

(b) DEBT REDUCTION.—Any funding made available pursuant to section 3(a)(4) used to

reduce the unbudgeted debt of the Government of American Samoa must be matched, on a dollar for dollar basis, by funds provided by the Government of American Samoa from revenue raised from non-Federal sources.

(c) MAINTENANCE AND REPAIR.—Any funding made available pursuant to section 3(a)(2) used for the maintenance or repair of the capital assets of the Government of American Samoa must be matched, on a dollar for dollar basis, for funds provided by the Government of American Samoa from revenue raised from non-Federal sources.

(d) PROHIBITED USES OF FUNDS.—Neither the funds appropriated pursuant to this Act, nor any interest or dividends earned on those funds may be transferred to other accounts, or loaned to other accounts or agencies, nor may these funds, interest or dividends be used as collateral for loans made by the local governments.

#### SEC. 6. DISBURSEMENT OF TRUST FUNDS.

(a) OPERATIONS.—Trust funds to be used for the operations of the Government of American Samoa shall be disbursed in equal amounts on a monthly basis, on the first business day of each month of the fiscal year. An extra drawdown may be made once each fiscal year in an amount not to exceed ten percent of the amounts appropriated for the fiscal year for the purposes of section 3(a)(3), and only for purposes caused by extreme or national emergencies deemed unforeseeable by the trustee.

(b) CONSTRUCTION.—Trust funds to be used for the construction of capital assets shall be released by the trustee—

(1) to the Government of American Samoa, only upon completion of identifiable portions of the construction work if the work is performed by employees of the Government of American Samoa, or

(2) a bona fide contractor of the Government of American Samoa pursuant to the terms of a construction contract, on an invoice presented to the Government of American Samoa and approved by an appropriate official of the Government of American Samoa.

(c) DEBT REDUCTION; MAINTENANCE REPAIR.—Trust funds to be used for unbudgeted debt reduction or maintenance and repair made available under sections 3(a)(2) and 3(a)(4) shall be released by the trustee on submission by the Government of American Samoa of proof of payment from non-Federal sources for either debt reduction, maintenance, or repair, and proof acceptable to the trustee of an obligation due and owing for the appropriate category.

#### SEC. 7. AUDITS.

(a) IN GENERAL.—Beginning with fiscal year 1996, the Government of American Samoa must obtain, at its own expense, a comprehensive financial audit meeting the requirements of chapter 75 of title 31, United States Code, and subtitle A of title 43, Code of Federal Regulations, and upon which an independent auditor expresses an opinion that the financial statements of the Government of American Samoa present fairly, in all material respects, the financial position of the Government of American Samoa, and were prepared in conformity with generally accepted accounting principles. The audit shall include the funds held in trust pursuant to the Act.

(b) SUBMISSION OF AUDIT REPORT TO UNITED STATES.—Reports of audits required in this section shall be transmitted by the Governor of American Samoa to the chairmen and ranking members of the Committee on Energy and Natural Resources and the Committee on Appropriations of the United States Senate, and the Committee on Resources and the Committee on Appropriations of the United States House of Representatives within 180 days of the end of each fiscal year

for which the United States provides funding under this Act.

(c) FAILURE TO OBTAIN AUDIT.—In the event the Government of American Samoa does not obtain the audit within the time required by this section, the trustee shall not disburse additional funds pursuant to a section 3(a)(3) for the operations of the Government of American Samoa until such time as a qualifying audit is received and the report of that audit is forwarded as required by this section. Notwithstanding the preceding sentence, one emergency disbursement may be made per year under the provisions of section 6 of this Act, even if a qualifying audit report is not obtained.

#### SEC. 8. AUTHORITY OF UNITED STATES TO AUDIT.

The Comptroller General of the United States and the Inspector General of the Department of the Interior shall have the authority to conduct audits of all funds of all branches and semiautonomous authorities of the Government of American Samoa. Nothing in this Act shall be construed to restrict the authority of these or other Federal agencies to audit government funds as authorized by Federal law.

#### SEC. 9. SETTLEMENT OF DISPUTES.

The High Court of American Samoa is authorized to resolve disputes which arise under this Act pursuant to its rules of procedure.

TRIBUTE TO ANTHONY P.  
MANGINELLI

HON. WILLIAM J. MARTINI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 23, 1995

Mr. MARTINI. Mr. Speaker, I would like to take this opportunity as a member of Moose International to congratulate a man of great accomplishment and the fine charitable organization that he represents.

Anthony P. Manginelli, supreme governor of Moose International will be coming to my hometown of Clifton tomorrow night to welcome a new class of members into the fraternity. A resident of Syracuse, NY, Mr. Manginelli has been a member of the fraternity since 1946, and just last year attained our organization's highest rank, that of supreme governor. In this role, he has led our 1.2 million-member organization with pride and dignity, advancing the high goals of the Moose on an international level.

As a relative newcomer to the Moose myself, I can say that I am nothing but proud to be associated with my fellow members both in my local chapter, and in the much larger international organization. But Moose International is so much more than a medium through which outstanding men and women can socialize. It is a perfect way to get involved in challenges faced by our local towns and cities, and through its Mooseheart and Moosehaven communities, to make an impact on a much larger scale. Every day, Mooseheart and Moosehaven provide support for the neediest associated with our organization in a loving and nurturing way.

Congratulations to my newly inducted brothers in the Moose, and to Supreme Governor Anthony Manginelli. Please continue your fine work in spreading the compassionate message of Moose International around the country, and around the world.

IN MEMORY OF BILL BAILEY

**HON. NANCY PELOSI**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 23, 1995*

Ms. PELOSI. Mr. Speaker, I rise today to pay tribute to a legendary figure of San Francisco's waterfront, William "Bill" Bailey, who passed away on Monday, February 27, 1995.

Bill Bailey was born in Jersey City, NJ, and brought up in Hoboken and the tough Hell's Kitchen section of Manhattan. Shipping out to sea at the age of 14, he joined the Industrial Workers of the World—the Wobblies—and began his career as a labor activist from the day forward.

Active in the maritime unions, Bill was a member of the generation of young radicals who transformed the labor movement of our country. He participated in the walkout on the waterfront which became San Francisco's famed general strike of 1934. In 1935, Bill and a group of seamen boarded a German liner tied up in New York Harbor, the *Bremen*, and tore its Nazi flag from the bow mast. Accounts from that incident recollect that a security force of nearly 300 were unable to stop Bill and his group.

In 1937, Bill went to Spain as a member of the Abraham Lincoln and George Washington battalions. Wounded several times, he participated in almost all the major engagements of the war.

In 1939, after returning to the United States, he resumed his leadership role in the maritime industry, and was elected vice president of the West Coast Maritime Firemen's Union. In the early 1950's, during the height of the McCarthy era, Bill was kicked out of the union under a screening program imposed by the U.S. Coast Guard. He then joined the International Longshoremen's and Warehousemen's Union, rising to the vice presidency of San Francisco Local 10.

After retiring from the waterfront in 1975, Bill began a second career as an writer and actor, working in a major TV series on the Spanish civil war and appearing in several feature films and documentaries. He published his memoir, "The Kid from Hoboken," in 1993. But he never retired from his lifelong commitment to social and economic justice, continuing his activism until his dying day.

Mr. Speaker, Bill Bailey was part of the proud waterfront history and tradition of San Francisco. On Sunday, March 20, Bill was remembered at a memorial service convened by the waterfront unions which he loved. On behalf of the Congress, allow me to express our condolences to his son, Michael, and pay tribute to his work as a labor and civic leader for San Francisco.

REMEMBER OUR "COLD  
WARRIORS"**HON. ROBERT K. DORNAN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, March 24, 1995*

Mr. DORNAN. Mr. Speaker, 10 years ago today, in Ludwigslust, East Germany, United

States Army Maj. Arthur D. Nicholson, Jr., 38, became a casualty of the cold war. Major Nicholson was shot, by a Soviet soldier, without warning while on a routine patrol in a clearly marked United States Army vehicle.

Since his death, the world has witnessed many changes: The Soviet Union collapsed; the Berlin Wall crumbled; and the United States, and its commitment to freedom and democracy, emerged victorious in the cold war. Today, thanks in large part to the dedication and commitment of the brave men and women of our armed services, America is less threatened and our children less fearful of the once ominous nuclear threat.

As we look back on our Nation's cold war years, we must never forget the cost of our Nation's current-day freedom and security, and the men and women like Major Nicholson who made the ultimate sacrifice on behalf of their Nation.

On this 10th anniversary of Mayor Nicholson's tragic death, let us remember that he was more than just a soldier—he was a husband, a father, a brother, and a son. So on behalf of my colleagues in the U.S. House of Representatives, I extend our continuing sympathy and gratitude to Nick's family, especially his wife, Karen, and his daughter, Jenny. Today, we pledge to them, in the words of Abraham Lincoln, "that from [our Nation's] honored dead we take increased devotion to that cause for which they gave the last full measure of devotion."

We will never forget. And we will continue to fight for freedom in tribute to Nick and our Nation's other fallen heroes.

FALSE PRAISE FOR ANOTHER  
AUTHORITARIAN**HON. GERALD B.H. SOLOMON**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Friday, March 24, 1995*

Mr. SOLOMON. Mr. Speaker, I would like to bring to your attention an article that recently appeared in the Albany Times Union regarding France's warm welcome for Fidel Castro. The Mitterrands, who decry our cruel and barbarous treatment of Fidel the liberator, would do well to read up on their history before embracing another petty dictator. How quickly we forget that the socialist's dream of equality for all is nothing more than the tyranny of few in the name of many.

FIDEL CASTRO, FRENCH HERO

The Issue: He is hailed by the Mitterrands, who denounce the U.S. embargo of the island.

Our Opinion: They show an appalling ignorance of history.

Among many politicians and intellectuals in France there has been a tradition of viewing communist systems in an exceedingly favorable manner—no matter how brutally those regimes were in fact behaving. Mainstream French intellectual enthusiasms might shift from Moscow to Beijing or Havana, depending on the fashion, but they always had a red tint.

Against this history the Mitterrands warm embrace of Fidel Castro this week begins to make a little sense. For the Socialist French president and his wife, Fidel and the Cuban revolution never represented a threat to civilization as much as its promise.

Mrs. Mitterrand especially was effusive in her praise of Fidel and his work, singling out as his greatest achievement the "equality" he had "brought to the people." It did not seem to bother the president's wife that he had realized that goal at the considerable cost of liberty and fraternity.

We concede that equality has to a considerable degree been achieved in Cuba. Save for a small ruling class, the people are nearly equal in their poverty, equal in their ignorance (notwithstanding near universal "literacy"), equal in their servitude, and equal in their fear.

Furthermore, we cannot but agree with Mrs. Mitterrand when she says that the Cuban government has accomplished "the summit of what socialism could do." That, of course, is the problem. Communism promises paradise but is only able to deliver the gulag.

The French thinker, the late Raymond Aron, hit the mark when he called Marxism the opiate of the intellectuals. It is clearly a heady drug for many of them, an hallucinogen that induces cerebral giddiness and grossly distorts the senses. A lifelong imbibor like Mrs. Mitterrand can look across the Atlantic and see the American embargo as "cruel" and Fidel Castro as "nothing like a dictator."

Thankfully, the communist menace is almost wholly a thing of the past. Once, apologists of Marxist dictators posed a real security threat. Today they might give start to a good belly laugh.

YOUTH ART MONTH

**HON. PATRICK J. KENNEDY**

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

*Friday, March 24, 1995*

Mr. KENNEDY of Rhode Island. Mr. Speaker, we will soon celebrate Youth Art Month, an opportunity for our Nation to recognize the special role art can play in enriching the lives of children.

Artistic expression is one of the things which distinguishes us as human beings. By offering children the opportunity to express feelings and thoughts through creative expression, we offer them the opportunity to reach their full potential. While all of us may not have the talent of a DaVinci or a VanGogh, we have potential to express and enrich ourselves through art. Children in particular can learn much from education in the arts. They can learn about themselves and about the world around them.

What President Kennedy said of poetry is true of the value of all forms of artistic expression, "poetry [is] the means of saving power from itself. When power leads man toward arrogance, poetry reminds him of his limitations. When power narrows the areas of a man's concern, poetry reminds him of the richness and diversity of his existence. When power corrupts, poetry cleanses. For art establishes the basic human truth which must serve as the touchstone of our judgment."

For these reasons, I commend Youth Art Month for the way it is enriching the lives of children today across America. I hope all Americans will take a little extra time next month to appreciate the contribution art makes to our national life.