

IN TRIBUTE TO DR. BOSHRA MAKAR ON HIS RETIREMENT AS A PROFESSOR AT ST. PETER'S COLLEGE IN JERSEY CITY, NJ

### HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. MENENDEZ. Mr. Speaker, I rise today to pay tribute to Dr. Boshra Makar, as he retires from his position as professor at Saint Peter's College in Jersey City, NJ. Dr. Boshra Makar is an exceptional human being who has dedicated 48 years to teaching students around the world. He is a pioneer in his field of mathematics and his work has been widely recognized.

Dr. Boshra Makar was the youngest graduate of his class and graduated No. 1 from Cairo University in 1947. He received a fellowship and began to teach at Cairo University while he was studying for his masters in mathematics. In 1995 he received his Ph.D. in mathematics.

Throughout his 48-year teaching career, Dr. Boshra Makar has spent time visiting, and teaching in universities around the world including Egypt, Russia, and Lebanon. In 1962 he was invited to attend a scientific exchange program at Moscow University. After teaching in Moscow, he spent several years teaching in Lebanon at the American University of Beirut. He then migrated to the United States to teach at Michigan Technological University. In 1967, Dr. Boshra Makar moved to Jersey City to teach graduate and undergraduate students at Saint Peter's College.

He has not only distinguished himself as a teacher, but as a scholar. Dr. Boshra Makar has published over 20 research papers in leading mathematical journals throughout the world. He has published articles in prestigious journals such as the Bulletin des Sciences Mathématiques in Paris, and for the American Mathematical Society. Dr. Boshra Makar has written research papers in the fields of functional analysis, complex variables, algebra, and cryptography.

Dr. Boshra Makar's accomplishments have been acknowledged in numerous reference works such as Who's Who in the World, Who's Who in America, Who's Who in the East, Who's Who in Education, Who's Who in Technology, and Personnage Contemporanei (Accademia Italia). He has touched many lives with his dedication and commitment to scholarly pursuits.

Dr. Boshra Makar is truly an outstanding citizen, and I am very proud to have him living and working in my district. His contributions will be remembered through his publications, which will inspire future mathematicians. Even though he is retiring from teaching at Saint Peter's College I know he will remain an active citizen, and scholar. Please join me in wishing Dr. Boshra Makar a happy retirement.

### POSTAL ADDRESSES

### HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. YOUNG of Alaska. Mr. Speaker, today I rise to introduce legislation that will ameliorate

problems stemming from the U.S. Postal Service policy that prohibits the users of commercial mail receiving agents [CMRA's] from submitting a standard change of address form to expedite routine mail delivery service.

In nearly all cases when an individual changes residency, the U.S. Postal Service facilitates prompt and accurate mail delivery by encouraging the postal customer to file a mail forwarding change of address form. Atypically, when a CMRA customer relocates, that individual is responsible for informing all potential mailers of any change of address. This policy creates delays and may exacerbate mail fraud as testimony has shown that the first line of defense against fraud is accurate information regarding postal addresses.

Current policy is contradictory to the Postal Service's charge to ensure prompt, accurate mail delivery service. This important legislation will benefit all parties in this particular mail delivery chain: the U.S. Postal Service, the CMRA's, and most importantly, the postal customer.

### THE EMBASSY'S 11 YEARS OF WORKING WITH THE HOLY SEE

### HON. THOMAS J. MANTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. MANTON. Mr. Speaker, I rise today to share with my colleagues some thoughtful remarks delivered by my friend, the Honorable Raymond L. Flynn, the United States Ambassador to the Vatican.

In this excerpt of a recent speech delivered by the Ambassador he discusses the important relationship between the Vatican and the U.S. Embassy to the Holy See. The Ambassador eloquently describes the role morality and a humanitarian spirit should play in the United States international policy. I urge my colleagues to read Ambassador Flynn's remarks and consider the special role that believers of all faiths can play in ensuring our world becomes a better place.

### THE EMBASSY'S 11 YEARS OF WORKING WITH THE HOLY SEE

While the initiative on humanitarian aid delivery is new, it is not out of character with the close cooperation between the U.S. and the Holy See since formal diplomatic relations were established in 1984.

In the eleven years of full diplomatic relations, the U.S. Embassy to the Holy See has actively pursued U.S. foreign policy goals by working closely with the Vatican on political, economic, and social concerns. The U.S. has worked closely with the Vatican on the UN population conference in Cairo to produce a workable final document. We pursued our joint goals of sustainable and equitable development at the Copenhagen conference on social development held at the beginning of March. At the conference, Hillary Rodham Clinton made a strong appeal to the world community not to forget the most blatant victims of poverty in society today, women and children. The same compassionate appeal was delivered to the conference on behalf of Pope John Paul II by Monsignor Diarmuid Martin, the Catholic Church representative at the conference. The Catholic Church's view of what needs to be done to alleviate the suffering, pain, and lack of development in the Third World is, for the most part, not in conflict with what Mrs. Clinton told the conference nor with

the Clinton Administration's stated policy. But it does conflict greatly with the views contained in the Contract with America and with the views of those in Congress who advocate budget-cutting at the expense of the poor and needy—at home and abroad. It is one thing to call for a balanced budget amendment to the Constitution; it is another to try to achieve such an amendment with the unbalanced policy of targeting poor and working families.

### FALL OF COMMUNISM

Working towards common goals was also true in the case of the birth of democratic movements in Eastern Europe. The Catholic Church in general and Pope John Paul II in particular were instrumental, through work and example, in demonstrating the illegitimacy of the communist regimes. The U.S. and the Vatican worked together to support nonviolent opposition groups such as Poland's Solidarity. Soviet President Gorbachev has said the Pope was the most important cause of the fall of communism. It was remarkably perceptive and visionary of the College of Cardinals to elect Karol Wojtyla of Poland, who had lived and worked under communism in his native land. I personally saw the moral influence of Pope John Paul II at the height of political instability in Eastern Europe. I attended Catholic Church services with outlawed Solidarity workers at St. Brigid's Church in Gdansk and at the Lenin shipyards when a letter of support and encouragement sent by the Pope inspired people throughout the church and country.

Pope John Paul kept the Solidarity movement alive, which led ultimately to the fall of communism in Poland and inspired other Eastern bloc countries to move towards democracy.

Another example of convergence in policy goals was in the arena of human rights and religious freedom. The Holy See, as a full member of the Helsinki Process, drafted the language on religious freedom that set the benchmark against which the failings of totalitarian regimes could be measured.

The Embassy worked with the Vatican on several aspects of the crises in Central America during the 1980's. When Panamanian strongman Gen. Noriega took refuge in the papal nuncio's residence on Christmas Eve 1990, the Embassy negotiated his departure.

The Embassy had the unique opportunity to be involved with peacemaking in 1990-92 when it acted as observer and facilitator at the Rome talks between the two warring factions in Mozambique. The talks concluded successfully with a cease-fire in October 1992.

The Embassy has recently followed the Algerian national reconciliation talks which were held in Rome involving the main Algerian opposition parties. This process has a real chance to achieve peace in a country where thousands have already died in fighting.

### HISTORIC CATHOLIC-JEWISH ACCORD

Our Embassy has been particularly active in furthering U.S.-Holy See cooperation on a number of issues. At the direction of President Clinton, we actively pursued establishing full diplomatic relations between the Holy See and Israel; this historic achievement was accomplished in 1993. I met extensively with Israeli political and religious officials in the cause of furthering Christian-Jewish and Vatican-Israeli understanding. At the same time, I keep close contact with the Catholic hierarchy that represents Lebanese and Palestinian peoples and others who do not yet feel full partners in the Middle East peace process. Holy See-Israel relations was the first topic President Clinton raised with the Pope at their first meeting in Denver in August 1993. During their discussion,

the President highlighted three important outcomes of Holy See-Israel relations: they would help to further the peace process in the Middle East; show that two great religious faiths can bury centuries of misunderstanding and work together; and deal a blow to anti-Semitism around the world. These achievements are all in U.S., as well as Vatican, interest.

Humanitarian issues have always been prominent in my work at the Vatican, since they are extremely important both to the U.S. and the Holy See. In November 1993, I traveled to central Africa to visit AIDS hospitals in Uganda and relief workers in Sudan, and stayed with humanitarian representatives in Somalia. Over the past many months, my travels have taken me to such wide-ranging places as Haiti to meet with Catholic Church and business leaders and Paris to meet with President Jean-Bertrand Aristide. In April 1994, I was in Sarajevo and, in September 1994, visited Croatia and saw firsthand the devastation of the former Yugoslavia. While in Sarajevo, I met with Muslim, Jewish, and Catholic Church leaders. I put the issue of religious freedom in Asia on the agenda for a meeting in Rome between Secretary of State Warren Christopher, National Security Advisor Tony Lake, Cardinal Angelo Sodano, and Archbishop Jean-Louis Tauran.

#### OPEN DOOR DIPLOMACY

Another aspect of our work at the Vatican occurs outside the office and involves reaching out to groups across the religions spectrum. During my time in Rome, I have hosted at the Ambassador's residence a group of black Baptists, various Jewish groups, a Catholic-Mormon choir from Salt Lake City, Muslims from Egypt, prominent Cardinals, and a great number of Italian and American church leaders. This Embassy is in a prime position to show the importance to the U.S. government of all religious and beliefs, and I have actively pursued that role in Rome. The Embassy actively supported the historic Holocaust remembrance ceremony held at the Vatican in 1994 which brought together for the first time the Chief Rabbi of Rome, Elio Toaff, the Pope, the Italian president, and others to commemorate the Shoah within Vatican City.

The Vatican has an impressive if low-key record in dealing with the most important issues of social and economic justice on the world stage. The U.S. Embassy to the Holy See has worked closely with the Vatican on these issues, since our goals are the same on so many issues. I look forward to continuing cooperation on the important and critical issues that will confront us in the future. In naming Pope John Paul II its 1994 "Man of the Year," Time referred to the Pope as the world's foremost defender of human rights. It is thus most fitting that the U.S. should be one of the more than 150 countries with an ambassador to him and to the central government of the Catholic Church.

#### A BRIEF HISTORY OF U.S.-VATICAN RELATIONS

As we look to the future, I always find it helpful to keep in mind the past, in this case the long ties that have bound the U.S. and the Holy See together. The relationship itself has over two hundred years of history behind it. The first contact was in 1788 when a Vatican official contacted Ben Franklin, then the nascent republic's representative in Paris. The Vatican wanted to know if the U.S. had any objections to the appointment of John Carroll as first bishop of Baltimore. Franklin's reaction was immediate and unequivocal; the new government guaranteed freedom of religion and had no interest in the internal affairs of the Catholic Church. Rome never asked for approval again, and the tradition of strictly separating Church

business from diplomacy has been a hallmark of American governmental dealings with the Vatican ever since.

Until 1870, the Pope was also the temporal ruler of the city of Rome and much of central Italy. Washington maintained consular and diplomatic relations with the Papal government and in 1848 sent a charge d'affaires to head a legation. The mission was closed at the end of 1867 when Congress, fired by anti-Catholic sentiment, voted against funding it. In 1870, the King of Italy conquered Rome and the Pope withdrew inside the Vatican walls.

There were no formal diplomatic links between the Vatican and Washington until 1939. During that time, any business that arose, such as when President Harding encouraged the Pope to establish an American Catholic parish in Rome, was handled through the Vatican's apostolic delegate in Washington or through the American hierarchy.

#### POPE LEO XIII AND FDR: UNSPOKEN TIES

President Franklin D. Roosevelt made the first steps towards reestablishing diplomatic links when he sent Joseph Kennedy as his personal representative to the coronation of Pope Pius XII in 1939. Roosevelt, as much as any president, knew the invaluable nature of strong ties to the Vatican, both diplomatically abroad and politically at home, including the Vatican's important role in efforts to avert war and assist refugees and other displaced people. President Roosevelt was aware of papal encyclicals such as *Rerum Novarum* by Pope Leo XIII in 1891, which had such a profound impact on the rights of working men and women in the United States. Former FDR aide and Postmaster General James Farley once told me that President Roosevelt was guided by this historic encyclical when crafting his "New Deal" social and economic programs during the great depression.

President Roosevelt began dealing with the Holy See through various channels, including an American monsignor on the Pope's staff. That October, the President discussed with Archbishop Spellman of New York the idea of appointing a "personal representative" to the Vatican, thus avoiding the need for Senate approval, as would be the case were an ambassador to be named. Roosevelt correctly realized that the Senate, influenced by fears that a Vatican Embassy might get improperly involved in mixing church and state, would oppose appointing an ambassador. A personal representative was able to do the same things, anyway.

Roosevelt announced on Christmas eve 1939, that he was sending Myron Taylor as his personal representative to the Vatican to forward "parallel endeavors for peace and the alleviation of suffering." Myron Taylor was a former president of U.S. Steel and active in refugee affairs. He was not a Catholic, which alleviated fears by some that he might have mixed loyalties.

Since Taylor's arrival in Rome in February 1940, the United States government has been a privileged interlocutor of the Vatican. In Taylor's case, he first began a dialogue on Jewish and Eastern European refugees, as well as on Holy See efforts to prevent a general war. This reflected President Roosevelt's perception of the wide-ranging possibilities in the new Vatican-U.S. relationship.

When Italy entered the war in June 1940, Mussolini's government forced diplomats accredited to the Holy See to leave Italy. When the U.S. and Italy went to war in December 1941, it meant the U.S. Mission also had to move into cramped quarters within Vatican City so it could carry on its work. Special Envoy Taylor only visited the Vatican briefly during the war years, but the work was carried on by U.S. diplomat Harold

Tittmann. He lived with his wife and two sons in a small apartment within the Vatican until Rome's liberation in June 1944. In addition to covering the Pope's efforts on behalf of peace and refugees, Chargé Tittmann and his British colleague quietly aided many escaped Allied soldiers and airmen who sought refuge in Rome.

Myron Taylor resigned as Special Envoy in 1950 and President Truman nominated Gen. Mark Clark, the liberator of Rome, as his successor, but with the title of Ambassador. That caused such a strong reaction among some of America's Protestant denominations that the nomination was withdrawn. The practice of nominating a special presidential representative to deal with the Vatican was not resumed until President Nixon appointed Henry Cabot Lodge, former Senator and Republican nominee for Vice President, in 1969. President Carter named David Walters envoy in 1977 and later named former New York Mayor Robert Wagner, Jr., in 1978.

It was President Reagan's Special Representative, William Wilson, who worked ceaselessly to have the mission to the Holy See upgraded to Embassy status. Times had changed and there was little opposition when full diplomatic relations were established between the United States and the Holy See in January 1984. Ambassador Wilson was succeeded in 1986 by Ambassador Frank Shakespeare, and in 1989 by Ambassador Thomas P. Melady. While some may be unclear as to the nature of Vatican-United States relations, it is very clear to U.S. Presidents, Republicans and Democrats alike.

#### NEW HOME FOR VATICAN EMBASSY

On November 9, 1994, the U.S. Embassy to the Holy See dedicated its new chancery on Rome's historic Aventine Hill. The building, built as a private home in the 1950's, has been completely refurbished to house offices appropriate to the Embassy's important and unique mission. It has a commanding view of the Circus Maximus and the ruins of the palaces of Augustus and Septimius Severus. Livy claimed that Remus stood on this spot when he challenged Romulus for control of the ancient city. Later, the Emperor Decius built public baths on the site; in modern times, the Aventine has been a desirable residential area which includes several of the earliest Christian churches, as well as the Priory of the Knights of Malta.

#### SUMMARY: BUILDING FOR THE FUTURE

I hope this discussion has given you a better idea of the important work that the U.S. and the Holy See carry out together. We are able to cooperate on a range of issues because our interests so often coincide. President Clinton has often told me of the high regard he has for Pope John Paul's judgment and leadership. But it is also because of President Clinton's judgment and leadership that we will be able to build on our successful partnership with the Vatican to achieve a more just world, one in which humanitarian issues get the attention they deserve.

When we act as a nation in a moral and ethical way, practicing the policy of compassion and inclusion, we are also carrying out sound policy. We do things best when we do the right things. While we don't always agree with the Vatican on some important issues, we often work together for the same goals on issues of social and economic justice and humanitarian assistance.

On March 1, the Pope told me how pleased he was to be once again visiting the U.S. in October. It's the first time anyone can remember that the Pope and a U.S. President have met with each other in three consecutive years, and this unprecedented series of meetings attests to the important open dialogue we have with the Vatican. The Pope's

visit will give the U.S. the chance to develop our relationship even further. It really is a historic partnership.

**A BILL TO ESTABLISH A COMMISSION TO REVIEW THE DISPUTE SETTLEMENT REPORTS OF THE WORLD TRADE ORGANIZATION**

**HON. AMO HOUGHTON**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 6, 1995*

Mr. HOUGHTON. Mr. Speaker, I am joined today by my colleague, Mr. LEVIN, in introducing legislation which will create a process by which the Congress can act to ensure that the new World Trade Organization dispute settlement system is not abused by our trading partners to undermine U.S. interests.

Late last year, in consecutive special sessions, both Houses of Congress passed legislation implementing the new GATT agreement. That agreement establishes a new international body to oversee trade disputes, the WTO, and gives it unprecedented authority to enforce the decisions of its dispute settlement panels.

During the period leading up to the vote, many Americans voiced their concerns that this new international organization would undermine U.S. sovereignty and might harm rather than help U.S. interests in global trade. I spent a great deal of time and effort in developing the implementing legislation that ensures that U.S. industries and their workers would continue to have remedies available in U.S. law to protect against foreign unfair trade practices like dumping and subsidies. While it was not perfect, I supported the final version of the bill because I believed that on balance it served the interests of the United States. But this does not mean we can now ignore the legitimate concerns raised last year about the WTO and its new dispute settlement process. We must carefully scrutinize the actions of the WTO and its dispute settlement mechanism in order to ensure that our trade laws are not undermined through improper WTO decisions.

Under the WTO, as under the old GATT, trade disputes will be submitted to international panels for review. However, unlike the old GATT system, no WTO member nation will have the right to block the adoption of a panel report, even if that nation considers the panel report to be fundamentally flawed in its analysis. Thus, no WTO member nation will be able to ignore the findings of a dispute settlement panel without paying a price: international condemnation, weakened international respect for the trading rules, and possible internationally sanctioned retaliation against its goods. The enhanced power of the dispute settlement panels requires that this process be used prudently and administered wisely for the sake of the world trading system in general and American national commercial interests in particular.

The bill we are introducing establishes the WTO Dispute Settlement Review Commission composed of five Federal appellate judges, appointed by the President in consultation with Congress. The Commission will be empowered to review every decision adverse to the United States by a WTO dispute settlement panel. In cases where the dispute settlement

panels adhered to the proper standard of review, and where they did not exceed or abuse their authority, no further action will be taken. But if the Review Commission determines that a panel reached an inappropriate result that amounts to abuse of its mandate, the Commission would transmit that determination to Congress. Any Member of Congress would then be permitted to introduce a privileged resolution and, if such resolution were enacted, the U.S. Trade Representative would be required to enter into negotiations to amend the WTO dispute settlement rules. After three determinations of inappropriate decisions by dispute settlement panels, any Member could introduce a privileged resolution and, if such resolution were enacted, the United States would be required to withdraw from the WTO.

This bill is very similar to legislation already introduced in the other body by Senator DOLE to implement an agreement he reached last year with the administration to protect against just such a threat to U.S. sovereignty by the WTO. It differs only in that it clarifies that it is the U.S. Trade Representative who is responsible for negotiations to amend the WTO rules if a joint resolution is approved by Congress. It is a farsighted proposal that permits the United States to exercise international leadership. Through the careful review of WTO decisions by the Review Commission, we will be able to prevent countries who engage in unfair trade practices from abusing the role of the WTO dispute settlement panels. The United States will be in a position to oversee the operation of these panels to ensure that any such abuse does not adversely affect U.S. trade laws and ultimately, American national commercial interests.

Another important feature of this bill is the provision permitting the participation of U.S. private parties in the consultations and panel proceedings. If a U.S. private party with a direct economic interest in a WTO proceeding supports the U.S. Government's position, then the USTR must permit the party to participate in the WTO panel process. The USTR must consult in advance with the party before submitting written briefs to a panel, include the party as an advisory member of the U.S. delegation dealing with the dispute, and in certain instances, permit the party to appear before the panel hearing the case.

Private party participation is a key aspect of this bill. Because the dispute settlement decisions will be binding, it is imperative that American interests be properly represented. Given the USTR's active schedule in representing the United States in a variety of trade matters, the assistance private parties can provide will be crucial.

We welcome the support of our colleagues in cosponsoring this important legislation.

**WTO COMMISSION ACT**

**HON. SANDER M. LEVIN**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 6, 1995*

Mr. LEVIN. Mr. Speaker, I am pleased to join my colleague, the gentleman from New York, in introducing the WTO Dispute Settlement Review Commission Act. This is an important piece of legislation designed to ensure

that our rights as a nation to defend industries and workers from foreign unfair trade practices are not diminished by the new World Trade Organization dispute settlement system.

Last year, Congressman HOUGHTON and I worked together in the Ways and Means Committee and helped secure GATT implementing legislation that preserved the effectiveness of our trade laws against dumping, subsidies, and other unfair trade practices. These laws are a critical last line of defense for American workers and companies facing unfair trade restrictions. These laws have been on the books in one form or another for over 70 years.

But writing good laws in the Congress is not enough. Under the new World Trade Organization, the United States will no longer have the ability to veto an international dispute settlement decision against us, even if we think it was wrongly decided. This creates a tremendous temptation for some of our trading partners who have been disciplined by our trade laws to use the new dispute settlement process to undermine the effectiveness of those laws. Many foreign trade negotiators have said they will attempt to use the WTO to invalidate section 301 or to force certain changes in the way the Department of Commerce enforces the antidumping laws.

We have a concrete example in our current negotiations with Japan in the Framework talks. The Japanese trade minister has threatened to bring a WTO case against the United States if we impose section 301 sanctions against Japan for its barriers to United States autos and auto parts. In effect, the Japanese want to use the WTO—which is supposed to keep markets open—to keep the Japanese market closed.

Mr. Speaker, we cannot allow this kind of abuse of the WTO. This bill is designed to create a fair and impartial process to review WTO decisions, and to provide the Congress with a mechanism to bring about changes in the WTO if it is misused.

The bill establishes a WTO Dispute Settlement Review Commission composed of five Federal appellate judges, appointed by the President in consultation with the Congress. The Commission will review every decision against the United States by a WTO panel. Where a panel has applied the proper standard of review, and did not exceed or abuse its authority, no further action would be warranted. But if the Commission determines that a panel reached an inappropriate result that amounts to abuse of its mandate, the Commission would so inform the Congress. Any Member of Congress would then have the right to introduce a privileged resolution directing the U.S. Trade Representative to negotiate amendments to the WTO dispute settlement rules to fix the situation.

And if the Commission determines that WTO panels have abused their mandate on three separate occasions in any 5-year period, Members would have the right to introduce a privileged resolution directing that the United States withdraw from the WTO by a date certain if one last effort to amend it fails.

This basic arrangement was agreed to by our U.S. Trade Representative Mickey Kantor during last year's GATT debate. I think Ambassador Kantor deserves credit for recognizing the legitimacy of this issue and working with Members of Congress, both Democrats and Republicans, to craft a fair solution.