

auto repairs of shutting out American auto parts so that if you are an auto consumer in Japan, you go to get your car fixed and you have got to use Japanese auto parts.

Ms. KAPTUR. We ask the President, hang tough with Japan.

LEGISLATION HONORING HARRY KIZIRIAN

The Speaker pro tempore. Under a previous order of the House, the gentleman from Rhode Island [Mr. REED] is recognized for 5 minutes.

Mr. REED. Mr. Speaker, it is my pleasure to introduce legislation today, along with my colleague from Rhode Island, Mr. KENNEDY, to designate the main U.S. Post Office in Providence, RI, as the "Harry Kizirian Post Office."

Harry Kizirian is a truly remarkable individual. The most decorated living veteran in Rhode Island, Harry displayed qualities of leadership and courage at a very young age. At the age of 15, Harry had to go to work to support his widowed mother, but he continued to maintain his excellent academic record at Mt. Pleasant High School in Providence. Upon graduation, Harry enlisted in the United States Marine Corps and was sent to Okinawa.

On Okinawa, Harry fought with tenacity and courage, while engaged continuously in fierce combat. Harry was severely wounded while leading an infantry assault. For his extraordinary heroism, Harry was awarded the Navy Cross, the Bronze Star with V Device for Valor, the Purple Heart with a Gold Star, and the Rhode Island Cross.

Upon Harry's return, he immediately went to work at the main post office in Providence where he had worked during high school. At work, Harry displayed the same commitment and teamwork he showed on the frontlines at Okinawa, and was eventually appointed as the Postmaster. He was confirmed by the United States Senate in 1961, and held the position of Postmaster for 25 years.

Throughout his career with the Postal Service, Harry also devoted much of his time to the community, serving on numerous boards and committees. Harry served on the board of directors for Butler Hospital, Big Brothers of RI, RI Blue Cross, the RI Heart and Lung Associations, and numerous others.

One of Harry's greatest accomplishments was raising a wonderful family. He and his wife, Hazel, raised five children and have three grandchildren.

Harry has served his country in every capacity: in the military, as a civil servant, as a devoted husband and father, and as a loyal American. Harry Kizirian is a source of inspiration for the young and old, and he is a particularly cherished member of Rhode Island's proud and vibrant Armenian community.

This bill would commemorate his generosity and valor for future generations, and it would pay tribute to a remarkable gentleman who has given so

much to his nation, his community, and his family. I urge my colleagues to join me in honoring Harry Kizirian by supporting this bill.

CALLING FOR AN APOLOGY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from West Virginia [Mr. RAHALL] is recognized for 5 minutes.

Mr. RAHALL. Mr. Speaker, yesterday in a special order, I expressed my total disbelief that, at an event convened at taxpayer's expense, a Member of this House would publicly charge that a Member of the U.S. Senate should be tarred and feathered and run out of the country.

Was this a joke, Mr. Speaker? From press accounts, what we do know is that it was a reaction to a constituent's call for the murder of a Member of the other body, and that the murderer be given a medal.

The Member from Washington State in question with whom I have spoken, did not object to the murder of a U.S. Senator. The member did not attempt to argue at all, instead Mr. Speaker, he fueled the flames of violence against members of the people's house, against the representatives elected by the American people.

Let me read from a definition of "tar and feathers":

Pouring molten tar over the body and covering it with feathers was an official punishment in England as early as the 12th century. It was never legal in the United States, but was always a mob-demonstration. The practice finally vanished in the late 19th Century.

But now, Mr. Speaker, a Member of the House wants to resurrect the practice—to drag the American people, not toward the next millennium, but back to the last.

Is this the course the new majorities in the Congress have set? Is this a new contract of tar and feathering, of drawing and quartering, of star chambers and chambers of torture for the American people?

Are there no limits on inciting violence? Has America not seen enough hate in the last few weeks? Will this hate make America stronger?

Mr. Speaker, When the people's representatives remain silent in the face of hate speech, they endorse it. When the people's representatives suggest violent acts against their colleagues, they tear at the very fabric that binds us as a nation. Should we not, as representatives of the people, seek a higher civility in this body? Should we not as leaders of this country, seek to uplift this nation, rather than tear it down?

I ask for this Member's public apology Mr. Speaker. I ask that he apologize to the Member of the other body—that he apologize to the American people—and that he apologize to this institution of which he is a Member.

The SPEAKER pro tempore (Mr. NORWOOD). Under a previous order of

the House, the gentleman from New Jersey [Mr. MENENDEZ] is recognized for 5 minutes.

[Mr. MENENDEZ addressed the House. His remarks will appear hereafter in the Extension of Remarks.]

□ 2230

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Alabama [Mr. HILLIARD] is recognized for 5 minutes.

Mr. HILLIARD. Mr. Speaker, today, I rise to discuss what occurred in my congressional district 30 years ago this week. During that time in Selma, AL, a young black man named Jimmy Lee Jackson was murdered because he dared to stand up against the multitudes of racial injustices, from white-only water fountains to the States-rights stand which would not allow blacks to vote.

Fortunately, Jimmy Lee Jackson's murder in 1965 was not in vain. It prompted the historic 54 mile Selma to Montgomery voting rights march, which was the catalyst for the 1965 Voting Rights Act. This act secured the rights of all Americans to participate, without harassment, in the political system.

Today, we again have challenges before us which threaten the basic rights of many Americans. The so-called Republican Contract With America threatens to take away many rights which we, as Americans, hold dear.

I am speaking of the right to have proper medical care, the right to proper nutrition, the right to a good education, and the right to be treated equally and fairly under the law.

Mr. Speaker, I hope and pray that it does not take a murder like Jimmy Lee Jackson's, which occurred over 30 years ago in Selma, to wake up America to action.

DEFENDING DEMOCRACY AGAINST TERRORISM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 1995, the gentleman from New York [Mr. NADLER] is recognized for 45 minutes as the designee of the minority leader.

Mr. NADLER. Mr. Speaker, I rise today in an effort to shed light on a problem on nearly everyone's mind these days—the problem of terrorism—the problem of a relatively small number of violent lawbreakers who have set out to undermine our democratic way of life and seek either to blackmail the government through violence or the threat of violence to comply with their demands, or to overthrow the government entirely.

What these misguided zealots are attempting to do is to create a climate of fear so great that Americans can't even drop off their children at day care in the morning without having to worry if it will be the last time they will ever see them. This climate of violence and fear is sometimes fostered by people who organize or join so-called militias

and say they are acting in the name of patriotism. They invoke our Founding Fathers to defend heinous acts of senseless violence, or to advocate such violence.

How ironic! How tragic!

In Hamilton, MT, U.S. District Court Judge Jeff Langton received the following letter:

We are prepared . . . to defend with our life, our Rights to Life, Liberty and the Pursuit of Happiness. We number in the thousands in your area and everywhere else. . . . How many of your agents will be sent home in body bags before you hear the pleas of the people? Proceed at your own peril.

It was signed by the "North American Militia."

In April of this year, in eastern Montana, approximately 15 men, calling themselves "freemen," placed million-dollar bounties on a county judge, a sheriff, a county attorney and on other local officials who they felt were infringing on their rights.

While these particular threats have not yet resulted in violent terrorist acts, they well illustrate the dangers that now confront law-abiding Americans.

We must not give in to the terrorists. We need to enforce the laws we have, and to enact whatever legal authority we need to deal with this domestic terrorist threat. But we must also be ever vigilant not to destroy the very freedoms we are attempting to protect. If we do that, then America loses and the terrorists win.

We have seen some attempts here in Congress to deal with both domestic and international terrorism. Many of these initiatives will bring much needed and appropriate relief. Some threaten the rights of law-abiding citizens. We must be careful not to use a scatter-shot approach, because, as every hunter knows, scatter-shot often strikes innocent bystanders along with, or even instead of, the intended target.

Some proposals, already presented to the Judiciary Committee, would violate such fundamental and sacred protections of our liberties as: the right to a fair and public trial; the right to confront witnesses; the right to be informed of the nature and cause of the accusation; and the right to require that government prove criminal charges beyond a reasonable doubt.

These rights set our Nation apart. They safeguard our freedom. We can defend our families, our communities, and our laws without violating the Constitution, without tearing down the bulwarks of our liberties, and without trampling on the rights of the accused.

I have introduced H.R. 1544, the Domestic Insurgency Act of 1995, which would give our law enforcement officers the legal authority they need to crack down on one major aspect of domestic terrorism—the private armies or militias that have recently proliferated across our land.

This narrowly focused bill would prohibit participating knowingly in private paramilitary activities if it can be

demonstrated beyond a reasonable doubt to a jury of twelve Americans that the individual intended to use violence against the United States or any State or for any other illegal purpose.

This bill does not limit the right of free speech or of free assembly or association. People would still be free to express any ideas they choose, no matter how offensive others might find them. It would in no way threaten legal activities such as the Boy Scouts, rod and gun clubs, of people participating in nonviolent citizen activist efforts. It would not affect nonviolent civil disobedience. It would not threaten the right to associate freely with like-minded people. It would penalize only those who have in their hearts the desire to overthrow our legally constituted, democratically elected government and who are bent on taking violent action to do so and who assemble arms and weaponry and practice military techniques for the purpose of doing so. Only the terrorists have any reason to fear this bill.

There are those who do not understand, or who deliberately will not understand, that this bill does not violate the Constitution in any way. They use self-serving, so-called patriotic arguments to justify their opposition.

While vigorous debate is a healthy and necessary part of the democratic process, invoking our Founding Fathers to rationalize terrorism does not promote productive discourse. I want my colleagues and the American people to hear what some have argued.

One American writes: "particularly in jeopardy seem to be habeas corpus, the First, Second and Fourth Amendments and restraints on the Executive Branch."

Another writes on the Internet, "This is an attempt to undermine the Second Amendment by outlawing the concept of 'citizen militia man.'"

Still a third writes,

This final act of usurpation should be considered by all who love their country, not government, as the Final Straw, and they should prepare themselves for the imposition of a police state to complete the task for denial of our rights granted by G-d. "It is their right, it is their duty to throw off that government" and it appears that, should this bill be passed, duty calls!

A fax sent to my office reads as follows,

Apparently you have never read the Constitution, if you had, you would know that your Bill is not only illegal but treasonous as well. You cannot undo what is a constitutional right (the Second Amendment), except by repeal of the Constitution itself through a Constitutional Convention! How the hell did you get in office as ignorant as you are?

A fair question. Why don't we read the second amendment together?

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

What did the people who wrote the Constitution mean by "a well-regulated Militia"?

Fortunately, the people who wrote these words provided a written explanation for future generations in the Federalist Papers.

In Federalist No. 29, Alexander Hamilton makes clear, "that the plan of the [Constitutional] Convention [which adopted the Second Amendment] proposed to empower the Union 'to provide for organizing, arming and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the States respectively the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress.'"

Hamilton further explains that, "[i]f a well-regulated militia be the most natural defense of a free country, it ought certainly to be under the regulation and at the disposal of that body which is constituted the guardian of the national security,"—in other words Congress, to which the Constitution grants the power to raise armies.

Therefore, Hamilton points out, "[t]he power of regulating the militia, and of commanding its services in times of insurrection and invasion are natural incidents to the duties of superintending the common defence, and of watching over the internal peace of the Confederacy."

So, clearly, just because a private group of people who arm themselves with the intent to take violent action against our Government or its citizens call themselves a militia, does not make them part of the well-regulated militia referred to in the second amendment. The authors of the Constitution did not see it that way and neither has the Supreme Court.

The Constitution, the Federalist Papers, and Supreme Court precedent all make crystal clear that a well-regulated militia means the auxiliary armed forces of the States that can be called into national service by the President—what we today call the National Guard.

Those who attempt to cloak acts of terrorism or sedition as rights under the mantle of the second amendment ought to reread these crucial passages.

We should all think about what kind of country we want to live in. To be truly patriotic means recognizing our responsibilities to uphold the democratic principles which make this the freest nation on Earth. It is important to remember that the opening words of the Constitution are "We the People" not "I the People." Being a citizen in a democracy means that you can't organize your own private army because you disagree with the actions of the democratically elected government. If you settle political differences with bullets instead of ballots, you don't live in a democracy, you live in Beirut or Bosnia. This is America, and I don't think we want that to happen here.

We have a responsibility—indeed, in a democracy we have a patriotic duty—to speak out against what we believe to

be wrong, against that with which we do not agree, and about that which we want to change. Peacefully, lawfully, democratically, and with respect for the rights and liberties of those with whom we disagree—that's the American way.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. COLLINS of Illinois (at the request of Mr. GEPHARDT), for today and the balance of the week, on account of personal business.

Mr. LEWIS of Kentucky (at the request of Mr. ARMEY), for today, on account of attending a funeral.

Mr. BUNNING of Kentucky (at the request of Mr. ARMEY), for today, on account of attending a funeral.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. PALLONE) to revise and extend their remarks and include extraneous material:)

Mr. OWENS, for 5 minutes, today.

Mr. BECERRA, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. FRANK of Massachusetts, for 5 minutes, today.

Ms. JACKSON-LEE, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. REED, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. RAHALL, for 5 minutes, today.

Mr. MENENDEZ, for 5 minutes, today.

Mr. HILLIARD, for 5 minutes, today.

(The following Members (at the request of Mr. HAYWORTH) to revise and extend their remarks and include extraneous material:)

Mrs. SEASTRAND, for 5 minutes, today.

Mr. HUNTER, for 5 minutes, today.

Mr. BRYANT of Tennessee, for 5 minutes, today.

Ms. ROS-LEHTINEN, for 5 minutes, on May 17.

Mr. FOX of Pennsylvania, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. PALLONE) and to include extraneous matter:)

Mr. ACKERMAN in two instances.

Mr. VISCLOSKEY.

Mr. JOHNSON of South Dakota.

Mr. HAMILTON.

Mr. LAFALCE.

Mr. POSHARD.

Ms. HARMAN in three instances.

Mr. MATSUI.

Mr. FOGLIETTA.

Mr. COYNE in two instances.

Mr. CLAY.

Mr. KILDEE.

Ms. KAPTUR.

Mr. MANTON.

Mr. TORRES.

Mr. REED.

Mr. RICHARDSON.

Mr. HALL of Texas.

(The following Members (at the request of Mr. HAYWORTH) and to include extraneous matter:)

Mr. BRYANT of Tennessee.

Mr. FAWELL.

Mr. CAMP.

Mr. COOLEY.

Mrs. ROUKEMA.

Mr. BEREUTER.

Mr. DAVIS in two instances.

Mr. WOLF.

Mr. MARTINI in two instances.

Mr. HYDE.

Mr. RADANOVICH.

Mr. WALKER.

Mrs. JOHNSON of Connecticut.

ADJOURNMENT

Mr. NADLER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 43 minutes p.m.), the House adjourned until tomorrow, Thursday, May 11, 1995, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

844. A letter from the Under Secretary, Department of Defense, transmitting certification with respect to the maneuver control system [MCS] major defense acquisition program, pursuant to 10 U.S.C. 2433(e)(2)(B)(i); to the Committee on National Security.

845. A letter from the Under Secretary, Department of Defense, transmitting certification with respect to ADDS, C-17, and Javelin major defense acquisition programs, pursuant to 10 U.S.C. 2433(e)(2)(B)(i); to the Committee on National Security.

846. A letter from the Under Secretary, Department of Defense, transmitting certification with respect to the M1A2 Abrams upgrade major defense acquisition program, pursuant to 10 U.S.C. 2433(e)(2)(B)(i); to the Committee on National Security.

847. A letter from the Secretary, Department of Defense, transmitting the Department's Future Years Defense Program [FYDP] and associated procurement and RDT&E annexes for the fiscal year 1996-fiscal year 1997 President's budget, pursuant to 10 U.S.C. 221(a); to the Committee on National Security.

848. A letter from the General Counsel of the Department of Defense, transmitting a draft of proposed legislation to provide for alternative means of acquiring and improving housing and supporting facilities for the Armed Forces and their families; to the Committee on National Security.

849. A letter from the Secretary, Department of Health and Human Services, transmitting the annual report for fiscal year 1994 of the Administration on Aging, pursuant to 42 U.S.C. 3018; to the Committee on Economic and Educational Opportunities.

850. A letter from the Acting Director, Defense Security Assistance Agency, transmit-

ting the price and availability report for the quarter ending March 31, 1995, pursuant to 22 U.S.C. 2768; to the Committee on International Relations.

851. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report on missile proliferation, pursuant to 22 U.S.C. 2797 note; to the Committee on International Relations.

852. A letter from the Chief Counsel, Foreign Claims Settlement Commission of the United States, transmitting the Commission's 1993 annual report on operations under the War Claims Act of 1948, as amended, pursuant to 50 U.S.C. app. 2008; 22 U.S.C. 1622a; to the Committee on International Relations.

853. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report pursuant to section 1207(c) of the National Defense Authorization Act for fiscal year 1995; to the Committee on International Relations.

854. A letter from the General Counsel of the Department of Defense, transmitting a draft of proposed legislation to repeal a provision of the National Defense Authorization Act for fiscal year 1994 that prohibits the United States Government from acquiring or modifying diplomatic or consular facilities in Germany unless done with residual value funds provided by Germany and only after Germany has committed to repay at least 50 percent of the residual value of United States installations returned to Germany; to the Committee on International Relations.

855. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 11-38, "Pennsylvania Avenue Development Area Parks and Plaza Public Safety Amendment Act of 1995," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on Government Reform and Oversight.

856. A letter from the Federal Financial Institutions Examination Council, Appraisal Subcommittee, transmitting the annual report under the Federal Managers' Financial Integrity Act for fiscal year 1994, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform and Oversight.

857. A letter from the Chairman, Federal Communications Commission, transmitting a report of activities under the Freedom of Information Act for calendar year 1994, pursuant to 5 U.S.C. 552(e); to the Committee on Government Reform and Oversight.

858. A letter from the Secretary, Department of the Interior, transmitting the 1994 section 8 report on national historic and natural landmarks that have been damaged or to which damage to their integrity is anticipated, pursuant to 16 U.S.C. 1a-5(a); to the Committee on Resources.

859. A letter from the Comptroller General, General Accounting Office, transmitting a report entitled, "Military Bases: Analysis of DOD's 1995 Process and Recommendations for Closure and Realignment," pursuant to Public Law 101-576, section 305 (104 Stat. 2853); jointly, to the Committees on National Security and Government Reform and Oversight.

860. A letter from the Comptroller General, General Accounting Office, transmitting the financial audit of the Federal Deposit Insurance Corporation's 1994 and 1993 financial statements, pursuant to Public Law 101-576, section 305 (104 Stat. 2853); jointly, to the Committees on Banking and Financial Services and Government Reform and Oversight.

861. A letter from the Attorney General of the United States, transmitting the 1994 annual report on the number of applications that were made for orders and extension of orders approving electronic surveillance