

AMERICA: A MELTING POT OR A  
TOWER OF BABEL

HON. TOBY ROTH

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 12, 1996*

Mr. ROTH. Mr. Speaker, just before we processed, this Congress finally began to show as much sense as the American people by overwhelmingly passing our bill to make English the official language of the United States. Make no mistake; this was an historic accomplishment. For the first time in over two decades, Congress has helped cement our national unity by reinforcing our most important common bond, the English language. After 25 years of Great Society social experimentation, we are finally starting to reverse the tide. That historic vote we cast on the first of August was the first step towards returning to a common sense policy of promoting American unity by promoting the teaching and learning of English.

But the battle has just begun. There is still so much more left to be done, starting with the Senate acting on the bill we passed here in the House and sending an official English bill to the President for his signature.

A friend of mine from California, Tom Hanson of the Southern California Republican Women organization, expressed very clearly why we need to make English our official language in an article he wrote for their newsletter. I would like the text of his article to appear in the CONGRESSIONAL RECORD at this point.

AMERICA: A MELTING POT OR A TOWER OF  
BABEL

(By Thomas E. Hanson)

The American people are confronted with a very simple but extremely important choice: should the United States once again become the Melting Pot it once was, or should it continue becoming the modern day tower of Babel?

Our nation became great because our people, while hailing from many cultures, joined together to live and work together for their individual and mutual benefit. They were in the United States to be Americans, not hyphenated Americans. The key to America's success was and has been the ability of its people to clearly and easily communicate with each other, anywhere in the nation, through a single common language.

During recent years, however, there are some in the United States who have embarked on a course that promotes personal and group interests at the expense of their country. The United States is rapidly becoming a country of tribes that do not, and cannot, fluidly speak to with each other in a common language. America is fast becoming a nation divided, a condition that has been and is being perpetuated by the misguided disguise of a bilingual society.

When the people of a nation cannot easily talk to each other in a common tongue, they will no longer be able to live and work together. Is the United States going to be a Melting Pot or a Tower of Babel?

IN HONOR OF MAGALI ROHADY  
AND MINI MUNDO: FOR 25 YEARS  
OF DISTINGUISHED AND DEDICATED  
SERVICE TO THE HISPANIC  
COMMUNITY

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 12, 1996*

Mr. MENENDEZ. Mr. Speaker, I rise today to honor Magali Rohady, a committed individual and a professional. As the cofounder, editor, and director of Mini Mundo, she has contributed enormously to the Hispanic communities of Hudson, Paterson, Newark-Elizabeth, and Perth Amboy, NJ for 25 years. She, along with her husband and cofounder Jose Rohady, will be honored on Sept. 15, 1996, during a luncheon celebrating the 25th anniversary of Mini Mundo.

Mini Mundo was founded in 1970. The magazine, which focuses on various issues throughout the Hispanic community, has been in circulation for a quarter of a century. For more than 20 of those years, Magali Rohady has been responsible for the successful handling of Mini Mundo's publication. Her hard work and commitment to New Jersey's Hispanic community has earned her over 200 awards and certificates of recognition and appreciation from community leaders and organizations. She has been honored in past years as honorary female marshal for the Puerto Rican, Peruvian, Dominican, and Colombian Day parades and the only woman of Hispanic descent to be selected as grand marshal of the Hispanic/Italian Day parade.

Magali Rohady's accomplishments as editor and director of Mini Mundo have won her acclaim throughout the Hispanic community. Her efforts and dedication to the magazine and to different Hispanic communities throughout New Jersey reflect the kind of individual she truly is. She is an individual who has sacrificed years of her life so that she can bring a heightened awareness to the achievements, issues, and problems confronting Hispanics today. For her years of distinguished service to the community of Paterson, NJ, Ms. Rohady, along with cofounder of Mini Mundo and husband Jose Rohady, were given the key to the city of Paterson by Mayor Bill Pascrell.

Today Mini Mundo continues to serve as a reliable and valuable medium to Hispanics throughout New Jersey. By keeping the people in touch with news that affects them, Mini Mundo will continue to contribute to the unity of the Hispanic community for many more years to come. I commend Magali Rohady and encourage her to continue her vital service to the community as editor and director of Mini Mundo.

I ask my colleagues today to join me in honoring this hard working and committed individual. Her accomplishments have won her the fond admiration of Hispanic communities throughout the State of New Jersey.

"THANKS TO HOUSE DEMOCRATS"

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 12, 1996*

Ms. DeLAURO. Mr. Speaker, I rise to submit for the RECORD an article by the respected nationally syndicated columnist Mark Shields, entitled, "Thanks to House Democrats." I hope all of my colleagues take a moment to read his keen analysis.

In his column, Mr. Shields notes that the Democrats' resurgence nationwide has resulted from the steadfast resolve with which House Democrats have fought the Gingrich-Dole plan to slash Medicare to pay for tax breaks for the rich. The column clearly illustrates the Republican leadership's motive for raiding Medicare to finance their lavish tax breaks for their political allies and contributors. As Mr. Shields notes, Speaker NEWT GINGRICH, Republican leader DICK ARMEY, Republican whip TOM DELAY and Ways and Means Committee chairman BILL ARCHER all hail from districts with virtually no seniors. In Mr. Shield's words, "These poor Republicans just don't know that many voters on Medicare."

Mr. Speaker, Mark Shields is absolutely right that the Republican assault on Medicare—and House Democrats' determination to fight back—has changed political history in this country. The American people have rejected the extreme agenda of the Republican revolution and are now looking to Democrats for commonsense answers to problems they confront in their daily lives. This remarkable turnaround is due, as the Shields column explains, "Thanks to House Democrats."

[From the Washington Post, Sept. 9, 1996]

THANKS TO HOUSE DEMOCRATS

(By Mark Shields)

Dick Morris, a self-admitted political genius, is obviously no fan of Blaise Pascal, the French philosopher-mathematician. It was Pascal who wrote more than three centuries ago: "The only shame is to have none." Dick Morris is clearly without shame.

Since resigning as President Clinton's most important campaign strategist after photographic evidence established his relationship with a \$200-an-hour prostitute, Morris, in uninterrupted exclusive interviews, has been publicly taking bows for Clinton's political rehabilitation. Now comes the book to tell how Morris single-handedly rescued Clinton from the political dust bin. What's next? The miniseries? The movie?

Before this offensive myth goes any further, let the facts be known. Bill Clinton owes his political comeback far more to congressional Democrats—from whom the Democratic president, at Morris's importuning, did his best to distance himself—than he does to his now-departed evil genius.

Let's look at the record. On May 3, 1995, Rep. George Miller (D-Calif.) first presented the indictment on the House floor that was eventually to frame the case against the Republican House majority and Speaker Newt Gingrich. "The Republicans have come to face the fact that they cannot give tax cuts to the wealthy, balance the budget and preserve Medicare, so now they are devising a plan by which they can make the cuts in Medicare to provide for the tax cuts for the wealthy."

Reinforcing Miller in the Democrats' accusation that the GOP's \$245 billion tax cuts could only be financed by the GOP-backed \$270 billion cuts in future Medicare spending

were Reps. Rosa DeLauro (D-Conn.), Dick Durbin (D-Ill.) and Frank Pallone (D-N.J.). Day after day, with no encouragement from their president and with the unconcealed contempt of the president's minions, congressional Democrats repeated the charge and, in the process, changed political history.

Consider these numbers. In June of 1995, barely six months into the Republican Revolution, according to a Wall Street Journal-NBC News poll, the most Republican-identified age group in the electorate were voters over the age of 65. Not surprisingly, these same older voters were the strongest generational supporters of the GOP agenda.

Just 13 months later, in July of 1996, there had occurred absolutely no change in party identification of all voters between the ages of 18 and 49. But among voters over the age of 65, there had taken place a 20 percent swing from the Republicans to the Democrats. Among these older voters, support for the GOP agenda had plummeted by 23 percent. At the same time, for all voters under the age of 65, the corresponding drop in support for the GOP agenda had been within the poll's margin of error. Every analysis attributed the huge shift among over-65 voters not to Clinton's endorsement of school uniforms or teenage curfews but to his opposition to the Republicans' using reductions in Medicare to finance Republican tax cuts.

All through 1995, Clinton, strongly urged by Dick Morris, tried to reach a budget compromise with the Republican majority on Capitol Hill. The president dearly wanted a deal that could win the backing of 100 House Democrats. But by then, because the Democratic leadership's case had been made so effectively, both in the country and in Congress, there was no way half the House Democrats could support a budget compromise blessed by Gingrich and Majority Leader Dick Armey (R-Tex.). The steel in Clinton's spine was put there by House Democrats.

Why were such successful politicians as Gingrich and Armey so tone deaf to the popular Democratic chorus on Medicare and tax cuts?

One explanation for the apparent GOP obtuseness could be found in the Census Bureau. According to the most recent figures, when all of the 435 congressional districts are ranked by percentage of their population aged 65 and over, all but one of the nine districts with the fewest voters over 65 are held by Republicans. Ninth from the bottom is the district of House GOP Whip Tom DeLay of Texas. Fifth lowest is House Ways and Means Chairman Bill Archer, also of Texas. Fourth lowest is Gingrich himself, and the House member representing the second lowest number of senior voters in the United States is Armey. These poor Republicans just don't know that many voters on Medicare.

So, if credit or blame is to be given for Clinton's "standing on principle" on Medicare and taxes, and consequently rising in the polls, then history requires that it be given to those liberal House Democrats.

#### INTRODUCTION OF THE MIGRATORY BIRD TREATY REFORM ACT OF 1996

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 1996

Mr. YOUNG of Alaska. Mr. Speaker, I am pleased to introduce today the Migratory Bird Treaty Reform Act of 1996.

It has been nearly 80 years since the Congress enacted the Migratory Bird Treaty Act [MBTA]. Since that time, there have been numerous congressional hearings and the establishment of a distinguished Law Enforcement Advisory Commission.

What there has not been is any meaningful effort to revise or update this law. In my judgment, it is time to carefully review this statute and its accompanying regulations, and to change those provisions which are unfairly penalizing many law-abiding citizens. While this reform is long overdue, my bill will in no way undermine the fundamental goal of protecting migratory bird resources.

Before explaining this legislation, I would like to provide my colleagues with some background on this issue. In 1918, Congress enacted the Migratory Bird Treaty Act, which implemented the 1916 Convention for the Protection of Migratory Birds between Canada and the United States. This Convention has now been expanded to include Mexico and Russia. The Convention and the act are designed to protect and manage migratory birds as well as regulate the taking of that renewable resource.

As part of appropriate regulation and management, certain restrictions have been imposed over the years on the taking of migratory birds by hunters. Many of these prohibitions were recommended by sportsmen who felt that certain restrictions were necessary to protect and manage migratory bird populations. Those regulations have clearly had a positive impact and have helped to maintain viable migratory bird populations, despite the loss of natural habitat due to agricultural expansion and industrial development.

Since the passage of the act and the development of the regulatory scheme, various legal issues have been raised and most have been resolved. However, one restriction regarding the taking of migratory birds which have generated more controversy than any other is the restriction that prohibits hunting migratory birds "by the aid of baiting, or on or over any baited area". This controversy has not been satisfactorily resolved. This prohibition has been at issue for two reasons.

First, by case law in the Federal courts, a doctrine has developed where the actual guilt or innocence of an individual hunting migratory birds on a baited field is not an issue. If it is determined that bait is present, and the hunter is there, he is guilty under the doctrine of strict liability, regardless of whether there was knowledge or intent. Courts have ruled that it is not relevant that the hunter did not know or could not have reasonably known bait was present. Understandably, there has been much concern over the injustice of this doctrine.

A second point of controversy is the related issue of the zone of influence that such bait has in actually luring or attracting migratory birds to a hunting site. Currently, the courts have developed the zone of influence concept in which limitation is defined by whether such bait could act as an effective lure or attraction and without regard for any other factors that may have influenced the migratory bird. Again, a number of hunters have been unfairly prosecuted by the blanket application of this doctrine.

Under the current regulations, grains scattered as a result of agricultural pursuits are not considered bait as the term is used. The

courts and the U.S. Fish and Wildlife Service, Fish and Wildlife Service, Division of Law Enforcement, however, disagree on what constitutes normal agricultural planting or harvesting or the result of bona fide agricultural operations or procedures.

Through hearings, the Congress has addressed various aspects of the baiting issue on many occasions during the last three decades. The baiting issue has also been addressed by a Fish and Wildlife Service appointed Law Advisory Commission. Sadly, absolutely nothing has resulted from these examinations and the problems still persist.

On May 15, 1996, a hearing was held before the House Resources Committee, which I chair, to review the problems associated with the MBTA regulations, their enforcement, and the case law that has resulted from judicial rulings. It was abundantly clear from this, and previous hearings, that the time has come for the Congress to substantively address the problem through comprehensive legislation. From a historical review, it is obvious that the problems have not, and will not, be corrected either administratively or by future judicial rulings.

Therefore, the Congress has an obligation to present rational and concise solutions to correct the injustices that now exist. It is also important that guidance be provided to law enforcement officials who are charged with the responsibility of enforcing the law and the accompanying regulations.

It must be underscored that sportsmen, law enforcement officials and, indeed, Members of Congress all share the fundamental intent of the Migratory Bird Treaty Act that our migratory bird resources must be protected from overexploitation. As mentioned above, many of the regulations restricting the methods and manner of taking migratory birds were suggested by sportsmen. Sportsmen have historically demonstrated that they are dedicated to the wise use of renewable wildlife resources through reasoned management and enforcement of appropriate regulations.

Over the years, various prohibitions on the manner and methods of taking migratory birds have been embodied in regulations. Many of these prohibitions are decades old and have the support of all persons concerned with protecting migratory birds. Consequently, it would be prudent to put these regulations in a statute where all restrictions are contained in a single document. The Secretary of the Interior annually makes certain findings regarding bag limits, duration of seasons, and other findings. The proposed legislation does not restrict or alter that duty nor does it prohibit additional regulation of migratory bird hunting, including hunting methods. However, this proposed legislation does embody all of the current regulations promulgated over the years and contained in the Code of Federal Regulations.

Second, the fundamental purpose of the Migratory Bird Treaty Reform Act of 1996 is to address the baiting issue. Under section 3 of the proposed legislation, no person may take migratory birds by the aid of bait, or on or over bait, where that person knew or should have known the bait was present. The provision removes the strict liability interpretation made first by a Federal court in Kentucky in 1939, and presently followed by a majority, but not all, of Federal courts. By this amendment, uniformity in the application of the prohibition is established.