

CONGRATULATIONS TO SIKHS ON  
VAISAAKHI DAY

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 18, 1996*

Mr. BURTON of Indiana. Mr. Speaker, I rise today to recognize the 297th celebration of Vaisaakhi Day, the birthday of the Sikh nation. On Vaisaakhi Day in 1699, Guru Gobind Singh, the tenth and last Guru of the Sikh religion, formally baptized the Sikhs into nationhood, creating the order of the Khalsa Panth.

The Sikhs are a proud, hard-working, and freedom-loving people. At times they have prospered. At times they have persevered under immense tyranny. They have always conducted themselves according to the axiom uttered by Guru Gobind Singh: "Recognize ye all the human race as one."

Sikhism is a monotheistic, independent religion that should not be confused with Hinduism or Islam. Sikhism dates back to the first of the ten Sikh Gurus, Guru Nanak, born in 1469. He laid the foundation of Sikhism by preaching a simple creed based on three principles: 1.) Pray daily, meditating on God's name; 2.) Work hard and earn an honest living by the sweat of your own brow—live a family life and practice honesty in all dealings, and 3.) Be charitable, sharing the fruits of your labor with others.

Most importantly, the Guru instructed Sikhs to stand up against tyranny wherever it exists. On many occasions, Sikhs have lived up to this high calling, defending Hindus from the aggression of Mogul invaders from Afghanistan. Today Sikhs find themselves in a position of defending themselves from the brutal tyranny of the Indian Government. Over the past ten years, over 100,000 Sikhs have been killed by Indian security forces. Yet Sikhs continue to look to the spirit imbued in them on Vaisaakhi Day in 1699.

Mr. Speaker, the Sikh people remain bloody but unbowed in the face of the campaign of murder, torture and rape being waged by the Indian military. Because of India's bloody rule, the Sikh people are seeking to exercise their right to self determination and declare an independent Sikh homeland. In October 1987, three years after India's bloody assault and massacre at the Golden Temple in Amritsar, every major Sikh political group joined together to issue a declaration of nationhood and independence.

I ask all of my colleagues to support two pieces of legislation: H.R. 1425, "The Human Rights in India Act, which would cut off U.S. aid to India until it stops the human rights abuses; and House Resolutions 32, which would recognize the Sikh people's right to self-determination. America stands for freedom, human rights and democracy, and we should support these ideals.

DEPLORING INDIVIDUALS WHO  
DENY HISTORICAL REALITY OF  
HOLOCAUST AND COMMENDING  
WORK OF U.S. HOLOCAUST ME-  
MORIAL MUSEUM

SPEECH OF

HON. GARY A. FRANKS

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 16, 1996*

Mr. FRANKS of Connecticut. I rise in strong support of House Resolution 316, a measure which applauds the work of the U.S. Holocaust Memorial Museum while condemning those people who have the sheer audacity to deny that the Holocaust ever occurred.

Mr. Speaker, the Holocaust Museum serves as a poignant historical reminder of one of the darkest periods of human history—the systematic extermination by Nazi Germany of over six million Jews. This important museum serves as an essential, necessary monument that reminds the world of those people whose lives were savagely ripped away from them in Nazi death camps like Auschwitz while honoring the brave people who fiercely took a stand against the evil Nazi tyrants.

Mr. Speaker, anyone who visits the Holocaust Museum will find it to be an experience both sobering and stirring. I applaud the work of those who are involved with the Holocaust Museum for the job they have done in educating the public and making sure that we will never forget. Truly, anyone who visits our Nation's capital should make pilgrimage to this museum.

Sadly, Mr. Speaker, there are still those who dispute that a Holocaust ever occurred. They maintain, mainly out of hatred and anti-semitism, that there was no genocide and that the notion of the Holocaust is fraudulent. Mr. Speaker, I feel it is our duty as duly-elected officials, as representatives of the American people, to condemn these hateful people for such warped attitudes and make notice that these despicable people, these offensive outcasts of society, remain permanently embedded in the status of pariahs of our communities.

Mr. Speaker, when all is said and done, I pray that we have learned from this sad, sad chapter of human history and that we, the human race, must never forget the necessity of being soldiers on the front lines in the war versus bigotry, hatred, and racism. The Holocaust Museum serves as a concrete record and as a reminder, for us and generations to come, of our obligation in this battle for us and our children. I commend Congressman GILMAN and Congressman LANTOS for their work on this endeavor and I encourage my colleagues to pass this important resolution.

FOR SURVIVORS OF THE  
ARMENIAN GENOCIDE

HON. GEORGE P. RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 18, 1996*

Mr. RADANOVICH. Mr. Speaker, between 1915 and 1923 the Ottoman Turkish Empire committed a terrible genocide against Armenians. In a systematic and deliberate cam-

paign to eliminate the Armenian people and erase their culture and history of 3,000 years the Turks committed this atrocity. As a result, over one-half million Armenians were massacred. The Armenian genocide is a historical fact, and has been recognized by academicians and historians all over the world. The documentary evidence is irrefutable and beyond question. Unfortunately, the Turkish Government is still persisting in their denial that the genocide took place.

Many survivors of the genocide have made the United States their new home. On April 24, 1996 Armenians all over the world will commemorate the 81st anniversary of the Armenian genocide. Commemoration activities will occur in Washington, D.C., Los Angeles, and in my district in Fresno, California. I have the honor of representing thousands of Armenians in California's 19th Congressional District, and I send my sincerest condolences on this solemn occasion to all members of the Armenian community. As a member of the Congressional Caucus on Armenian Issues, I intend to join my colleagues, Representatives JOHN PORTER and FRANK PALLONE in a special order on April 24, 1996 on the floor of the House of Representatives to commemorate the genocide victims.

I am an original cosponsor of House Concurrent Resolution 47 which calls on Congress to officially recognize the Armenian genocide and encourages the Republic of Turkey to do the same. This legislation would call on the Government of Turkey to turn away from its denials of the Armenian genocide, and instead, to openly acknowledge this tragic chapter in its history. By doing so, the Turkish Government can help to raise the level of trust in a strategic, yet highly unstable, region of the world and facilitate the normalization of relations between Turkey and Armenia. I encourage my colleagues to vote for the passage of H. Con. Res. 47.

Remembering this genocide against the Armenians will help ensure that this type of tragedy is never allowed to occur again.

CONTRACT WITH AMERICA  
ADVANCEMENT ACT OF 1996

SPEECH OF

HON. THOMAS J. BLILEY, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 28, 1996*

Mr. BLILEY. Mr. Speaker, I commend Chairman HYDE of the Judiciary Committee and Senator BOND for their leadership on this bill. We share the goals of reducing regulatory burdens on small business and, in so doing, promoting job creation and economic growth.

S. 942 sweeps across a wide range of Federal regulation. Oversight of the Securities and Exchange Commission [SEC] falls within the jurisdiction of the Commerce. The SEC is charged with the important role of preventing fraud in our securities markets. Though its enforcement of the anti-fraud provisions of the securities laws, the SEC builds confidence of investors and makes our financial markets liquid and transparent.

My analysis of the provisions of S. 942 indicates that the bill will not have any negative effect on the enforcement activities of the SEC. We will not tolerate, and this bill does

not create, any free pass for financial fraud. Specifically, Section 323(b)(4) of the bill expressly excludes "violations involving wilful or criminal conduct" from the small business enforcement variance. In the context of the Federal securities laws, I understand "wilful" to have the longstanding judicial construction as expressed in, for example, *Tager v. Securities and Exchange Commission*, 344 F.2d 5, 7 (2d. Cir. 1965).

In addition, it is my understanding that the enforcement procedures followed by the SEC under current law, specifically the Securities Enforcement Remedies and Penny Stock Reform Act of 1990, satisfy the requirements of Section 323, and said section does not impose requirements beyond those of the Remedies Act.

In connection with the provisions of S. 942 dealing with attorneys fees, the bill excludes awards of attorneys fees in connection with wilful violations. In the context of the Federal securities laws, the term "wilful" has the meaning set forth in *Tager*, supra at 7.

Additionally, provisions of S. 942 makes useful changes in what constitutes a demand by the Government. My understanding is that the term "demand" when applied in the context of the Federal securities laws, does not include notices or other communication with the staff or members of the SEC that occur in the context of the "Wells" procedure.

Finally, my understanding of the provisions for Congressional review of major rules, the definition of major rules would not extend to actions for exemptive relief under the securities laws. Such exemptive rules are those that permit regulated entities to engage in transactions that would otherwise be proscribed by statute. It would be perverse to read this deregulatory bill in such a way as to inhibit exemptive relief for regulated persons by the SEC.

#### SOUTH DAKOTA VOICE OF DEMOCRACY WINNER

HON. TIM JOHNSON

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 19, 1996

Mr. JOHNSON of South Dakota. Mr. Speaker, Ms. Nicole Sanderson of Wagner, SD, was recently selected as a State winner in the Voice of Democracy broadcast script writing contest conducted each year by the Veterans of Foreign Wars of the United States and its ladies auxiliary. The contest theme for this year was answering America's call, and of the more than 116,000 secondary school students who participated in this year's contest, Nicole was also named a winner at the national level. Mr. Speaker, I ask that Nicole's winning script be reprinted in the CONGRESSIONAL RECORD. She deserves to be commended for her exceptional efforts in writing this script and participating in this contest. Nicole's insights and enthusiasm will serve as a model to others her age.

#### ANSWERING AMERICA'S CALL

(By Nicole Sanderson, Post 7319, WAGNER, SD)

Alexander Hamilton once said, "The sacred rights of mankind are not to be rummaged for, among old parchments, or musty records. They are written, as with a sunbeam

in the whole volume of human nature, by the hand of the divinity itself; and can never be erased or obscured by mortal power." Not in the course of human events would one discover a more substantial remark or a clearer understanding of the prospect of the American dream than that of Alexander Hamilton's. Hamilton truly believed that the so-called "American experiment" would succeed and over generations would prove to be a powerful existence. Hamilton realized that to simply live under the wrath of tyranny with no objections would be surrendering the very rights he deemed necessary, but to fight for the rule of one's own hand was justification for every rebellion in the cause for justice and freedom.

In the two hundred years since our forefathers signed the Constitution, America has gained the respect of those very nations who believed we were a failing idea from the start. She has grown to be the strong, influential nation Hamilton and many others had foreseen, regarding with utmost respect those ideas we were founded on. Today, however, America is lacking the respect from her own citizens that we once so eagerly prided ourselves on.

Many Americans have turned to the idea of hatred, deceit, and revenge. But why? Has the American dream failed them or have they simply failed the American dream? With crime rate on a drastic increase and disregard for the law a common occurrence, Americans have lost the sense of direction that the founders of this great country so generously provided and intended for us. We must not sit back and watch as the destruction of our country continues, but we must speak out to those who are disrespectful to the constitution and to the American people. We must prove to them that America is not the villain they see, but merely one modest voice in the choir of heroes.

When Abraham Lincoln was assassinated, that was not the dream intended for our country, and when the innocent people of the Oklahoma City bombing were so brutally victimized, that was not the dream America would one day prosper from either, but merely the blatant disrespect for human life and the rights of all who care for this country. Once again, I ask why? America is about freedom and responsibility. America is the dream of unity and everlasting respect. Why, then, are there demonstrations burning the very flag in which we should so gratefully salute, burning the very idea our forefathers worked, fought and died for. The authors of the Constitution did not attempt to establish a government and a symbol for all to honor so that one day their descendants could flagrantly burn and degrade their accomplishments. We must encourage those voices that they did not choose America, but America chose them, and now they must return her kind favor and participate in the Government which tries so very hard to guarantee their freedom, their responsibility, and their prosperity.

Never have I been so disappointed with my fellow citizens as when I see such horrendous disregard for human rights. Does not the Declaration of Independence directly state that "all men are created equal, that they are endowed by their creator with certain unalienable Rights, that among these are Life, Liberty, and the Pursuit of Happiness?"

Then why are people committing such acts of violence against one another, so unthinkable to our choice of freedom, hindering every possibility of justice among free, self-governed men? As a young citizen of this remarkable country, I feel it not only my privilege, but also my duty to protect and honor her at all times and to create within her the direction our fathers intended.

We must not blind ourselves to the needs of our nation, but we must stand up and

fight to regain the pride and honesty we once knew. America is calling us, pleading for us to help her. As the future of this great nation, we must not only believe in the ideas of unity among the people, freedom and equality for all men, and the pleasure and possibilities of good government, but we must also act on them. Answering her calls will not be easy, but it will be necessary to fight the hatred that is growing stronger every day.

This nation calls to us from the graves of those long since gone, from the patriotic memorials of those we honor, and from the very idea we hold strong in our hearts, the idea of freedom, asking us kindly to remember those who gave so graciously to this country their lives and their freedom so that we might have ours. We must never forget how fortunate we are to be Americans and how wonderful it is to be free. America is calling out to you. Are you listening?

#### CONFERENCE REPORT ON S. 735, ANTITERRORISM AND EFFECTIVE DEATH PENALTY ACT OF 1996

SPEECH OF

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 18, 1996

Mr. STOKES. Mr. Speaker, I rise in strong opposition to the conference report for the Antiterrorism and Effective Death Penalty Act. As the recent despicable acts of terrorism in Oklahoma City clearly demonstrate, America must do all that it can to put an end to acts of terror. Unfortunately, this legislation has failed to achieve an appropriate balance between our desire to take action against terrorist acts and our desire to protect the fundamental civil rights of all Americans.

In my view, the attacks on habeas corpus included in this legislation that purports to address the terrorist threat is so objectionable I must oppose this bill. I do support my Democratic colleagues' carefully crafted genuine antiterrorism bill, that is unencumbered by the provisions hostile to our constitutional rights that have been included in S. 735.

Throughout my career, I have believed in and fought for the protection of all Americans' fundamental rights under habeas corpus. As Chief Justice Salmon P. Chase described it in *ex parte Yerger* U.S. (1868), habeas corpus is the most important human right in the Constitution and the best and only sufficient defense of personal freedom. As a nation, we cannot afford to compromise the cherished habeas corpus protections guaranteed each of us in the U.S. Constitution.

Mr. Speaker, the arbitrary 1-year limitation on the filing of general Federal habeas corpus appeals after all State remedies have been exhausted entirely fails to address real problems inherent in the current capital punishment system. For example, S. 735 does virtually nothing to deal with the lack of competent counsel at the trial level and on direct appeal which constitutes the primary basis for the delay of many appeals.

It is also no secret that I am opposed to the death penalty. S. 735, among other things, would greatly expand the reach of the Federal death penalty which I believe is overly harsh—particularly because it fails to address the economic and social basis of crime in our most