

on issues related to automobile leasing, and I urge my colleagues to give careful consideration to the changes and initiatives proposed in this legislation.

JUSTICE STEPHEN BREYER'S  
ADDRESS FOR THE 1995 DAYS OF  
REMEMBRANCE CEREMONY

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 23, 1996

Mr. LANTOS. Mr. Speaker, on April 16, Members of Congress, members of the diplomatic corps and hundreds of survivors of the Holocaust and their friends gathered here in the Capitol Rotunda for the Days of Remembrance ceremony. The U.S. Holocaust Memorial Council was established by Congress to preserve the memory of the horrors of the Holocaust. I commend the Council and the members of the Days of Remembrance Committee, chaired by my good friend Benjamin Meed, for their vigilant and genuine adherence to their extraordinarily important task.

One of the first acts of the committee was to establish the Days of Remembrance ceremony to mirror similar ceremonies held in Israel and throughout our Nation and the World. This year, the Days of Remembrance ceremony centered on the 50th anniversary of the Nuremberg trials. The ceremony was a reminder of the difficult process of first coping and their healing that all survivors and process of first coping and then healing that all survivors and their families and loved ones had to endure.

At this ceremony I was touched by the especially poignant words of Associate Justice Stephen Breyer. Throughout his life he has committed himself to the guidance of education and the principal of justice. These were the principles that he chose to speak of, so eloquently, during the ceremony.

Therefore, it was befitting that a leader from the highest court of our land address the ceremony commemorating the triumph of justice over barbarity. Justice Breyer stands as a symbol of our country's fervent commitment to the rule of law. His remarks commemorating the 50th anniversary of the Nuremberg Trials will endure as a tribute to those who championed the forces of justice, compassion and equality in an environment where those same qualities were callously disregarded. I ask by colleagues to join me congratulating Justice Breyer on his excellent speech; may its wonderful and inspirational message find its way into the hearts and minds of individuals around the world.

CRIMES AGAINST HUMANITY, NUREMBERG, 1946

(By Stephen Breyer, Associate Supreme Court Justice)

The law of the United States sets aside today, Yom Hashoah, as a Day of Remembrance—of the Holocaust. On Yom Hashoah 1996, we recall that fifty years ago another member of the Court on which I sit, Justice Robert Jackson, joined representatives of other nations, as a prosecutor, at Nuremberg. That city, Jackson said, though chosen for the trial because of its comparatively well-functioned physical facilities, was then "in terrible shape, there being no telephone communications, the streets full of rubble, with some twenty thousand dead bodies re-

ported to be still in it and the smell of death hovering over it, no public transportation of any kind, no shops, no commerce, no lights, the water system in bad shape." The courthouse had been "damaged." Its courtroom was "not large." Over one door was "an hour glass." Over another was "a large plaque of the Ten Commandments"—a sole survivor. In the dock 21 leaders of Hitler's Thousand Year Reich faced prosecution.

Justice Jackson described the Nuremberg Trial as "the most important trial that could be imagined." He described his own work there as the most important "experience of my life," "infinitely more important than my work on the Supreme Court, or . . . anything that I did as Attorney General." This afternoon, speaking to you as an American Jew, a judge, a Member of the Supreme Court, I should like briefly to explain why I think that he was right.

First, as a lawyer, Robert Jackson understood the importance of collecting evidence. Collecting evidence? one might respond. What need to collect evidence in a city where, only twenty years before, the law itself, in the form of Nuremberg Decrees, had segregated Jews into Ghettos, placed them in forced labor, expelled them from their professions, expropriated their property, and forbid them all cultural life, press, theater, and schools. What need to collect evidence with the death camps that followed themselves opened to a world, which finally might see. "Evidence," one might then have exclaimed. "Just open your eyes and look around you."

But the Torah tells us, There grew up a generation that "knew not Joseph." That is the danger. And Jackson was determined to compile a record that would not leave that, or any other future generation with the slightest doubt. "We must establish incredible events by credible evidence," he said. And, he realized that, for this purpose, the prosecution's 33 live witnesses were of secondary importance. Rather, the prosecutors built what Jackson called "a drab case," which did not "appeal to the press" or the public, but it was an irrefutable case. It was built of documents of the defendants "own making," the "authenticity of which" could not be, and was not "challenged." The prosecutors brought to Nuremberg 100,000 captured German documents; they examined millions of feet of captured moving picture film; they produced 25,000 captured still photographs, "together with Hitler's personal photographer who took most of them." The prosecutors decided not to ask any defendant to testify against another defendant, lest anyone believe that one defendant's hope for leniency led him to exaggerate another's crimes. But they permitted each defendant to call witnesses, to testify in his own behalf, to make an additional statement not under oath, and to present documentary evidence. The very point was to say to these defendants: What have you to say when faced with our case—a case that you, not we, have made, resting on your own words and confessed deeds? What is your response? The answer, after more than 10 months and 17,000 transcript pages, was, in respect to nineteen of the defendants, that there was no answer. There was no response. There was nothing to say. As a result, the evidence is there, in Jackson's words, "with such authenticity and in such detail that there can be no responsible denial of these crimes in the future and no tradition of martyrdom of the Nazi leaders can arise among informed people." Future generations need only open their eyes and read.

Second, as a judge, Robert Jackson understood the value of precedent—what Cardozo called "the power of the beaten path." He hoped to create a precedent that, he said,

would make "explicit and unambiguous" what previously had been "implicit" in the law, "that to persecute, oppress, or do violence to individuals or minorities on political, racial, or religious grounds . . . is an international crime . . . for the commission [of which] . . . individuals are responsible" and can be punished. He hoped to forge from the victorious nations' several different legal systems a single workable system that, in this instance, would serve as the voice of human decency. He hoped to create a "model of forensic fairness" that even a defeated nation would perceive as fair.

Did he succeed? At the least, three-quarters of the German nation at the time said they found the trial "fair" and "just." More importantly, there is cause for optimism about the larger objectives. Consider how concern for the protection of basic human liberties grew dramatically in the United States, in Europe, and then further abroad, in the half century after World War II. Consider the development of what is now a near consensus that legal institutions—written constitutions, bills of rights, fair procedures, an independent judiciary—should play a role, sometimes an important role, in the protection of human liberty. Consider that, today, a half century after Nuremberg (and history does not count fifty years as long), nations feel that they cannot simply ignore the most barbarous acts of other nations; nor, for that matter, as recent events show, can those who commit those acts ignore the ever more real possibility that they will be held accountable and brought to justice under law. We are drawn to follow a path once beaten.

Third, as a human being, Jackson believed that the Nuremberg trials represented a human effort to fulfill a basic human aspiration—"humanity's aspiration to do justice." He enunciated this effort in his opening statement to the Tribunal. He began: "The wrongs which we seek to condemn and punish have been so calculated, so malignant and so devastating, that civilization cannot tolerate being ignored because it cannot survive their being repeated. That four nations flushed with victory and stung with injury, stay the hand of vengeance and voluntarily submit their captive enemies to the judgment of the law is one of the most significant tributes that Power ever has paid to Reason."

To understand the significance of this statement, it is important to understand what it is not. Nuremberg does not purport to be humanity's answer to the cataclysmic events the opening statement goes on to describe. A visit to the Holocaust Museum (or, for some, to the corridors of memory) makes clear that not even Jackson's fine sentences, eloquent though they are, can compensate for the events that provoked them. But, that is only because, against the background of what did occur, almost any human statement would ring hollow. A museum visit leads many, including myself, to react, not with words, but with silence. We think: There are no words. There is no compensating deed. There can be no vengeance. Nor is any happy ending possible. We emerge deeply depressed about the potential for evil that human beings possess.

It is at this point, perhaps, that Nuremberg can help, for it reminds us that the Holocaust story is not the whole story; it reminds us of those human aspirations that remain a cause for optimism. It reminds us that after barbarism came a call for reasoned justice.

To end the Holocaust story with a fair trial, an emblem of that justice, is to remind the listener of what Aeschylus wrote twenty-five hundred years ago, in his "Eumenides"—where Justice overcoming the avenging furies, humanity's barbaric selves, promises Athens that her seat, the seat of Justice,

"shall be a wall, a bulwark of salvation, wide as your land, as your imperial state; none mightier in the habitable world." It is to reappear the Book of Deuteronomy's injunction to the Jewish People: "Justice, justice shall you pursue."

And if I emphasize the role of Nuremberg in a story of the Holocaust, that is not simply because Justice Jackson himself hoped that the trial "would commend itself to posterity." Rather, it is because our role—the role of almost all of us—today in relation to the Holocaust is not simply to learn from it, but also to tell and to retell it, ourselves, to our children and to future generations. Those who were lost said, "Remember us." To do that, to remember and to repeat the story is to preserve the past, it is to learn from the past, it is to instruct and to warn the future. It is to help that future, by leading them to understand the very worst of which human nature is capable. But, it is also to tell that small part of the story that will also remind them of one human virtue—humanity's "aspiration to do justice." It is to help us say, with the Psalmist, "Righteousness and Justice are the foundations of Your Throne."

TRIBUTE TO THE DIAMOND JUBILEE OF THE VILLAGE OF EDGERTON'S HOMECOMING

HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 23, 1996

Mr. GILLMOR. Mr. Speaker, it gives me great pleasure to rise today and bring to the attention of my colleagues an important event being held in Edgerton, Ohio, June 19–22. The Village of Edgerton will be celebrating the 75th Diamond Anniversary of the community's homecoming. This annual summer festival is a time for friends and neighbors to get together and honor their community spirit.

A true railroad city, Edgerton was surveyed in 1854 where the proposed Michigan Southern and Northern Indiana Railroad crossed the St. Joseph River. Named after former newspaper editor, Ohio State Senator and U.S. Congressman Alfred P. Edgerton, the city grew quickly. By the end of the Civil War there were two general stores, three saloons, a grocery, hotel, produce dealer, harness shop, house painter, four carpenters, two blacksmiths, and a wagon maker. Through the years, the occupations have changed but the sense of pride in community has remained.

This pride is manifested every summer through the village's homecoming. Throughout its history, Edgerton has been blessed by their enthusiasm and volunteer labor for its many projects. Anniversaries are a time to reflect upon a steadfast tradition of service, they are also a time to look toward new horizons. The residents of Edgerton have made it their responsibility to serve those in need by keeping pace with the ever increasing challenges facing mankind. This summer's celebration honors that heritage.

I ask my colleagues to join me today in recognizing Edgerton's Diamond Anniversary Homecoming and encouraging the residents to continue to set the standard for community involvement in Ohio.

TRIBUTE TO MEND

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 23, 1996

Mr. BERMAN. Mr. Speaker, I am honored to pay tribute to Meeting Each Need With Dignity [MEND], which this year celebrates its 25th anniversary of service to the northeast San Fernando valley. With its efforts to provide comprehensive health, educational and employment services, MEND has played an invaluable role in the community. Today it serves as many as 13,000 people per month.

That total is indicative of MEND's growth and success in a quarter-century of operation. As recently as 1987, MEND had a client base of 2,000 people per month. With the increase in population in the area over the past decade, plus cuts in government funding, MEND has been forced to respond to a situation that approached crisis proportions.

In addition to providing general services, the agency offers food, clothing and English-language classes. I cannot imagine what life would be like for the poor, sick, elderly, and aspiring citizens in the northeast valley without the presence of MEND.

Last year MEND expanded its facilities, adding a waiting room, classroom, computer lab, separate medical and dental treatment rooms, a pharmacy, food warehouse and sorting room for clothes. I was particularly impressed that this \$1 million expansion was funded entirely by private sources.

MEND has come a long way since its opening in 1971, when Catholic and Protestant church members worked out of their own garages distributing donated food and clothing to poor people in the northeast San Fernando valley.

I ask my colleagues to join me today in saluting MEND, an organization that has done so much for so many over the past 25 years. Its dedication to the community and desire to help is a shining example for us all.

IN HONOR OF JOSE JOSE: A DISTINGUISHED MUSICIAN AND INDIVIDUAL

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 23, 1996

Mr. MENENDEZ. Mr. Speaker, I rise today to pay special tribute to Jose Jose, a remarkable individual who has distinguished himself by his enormous contribution to Latino music and the Hispanic community. He will be honored during a performance at Radio City Music Hall on May 24, 1996.

Born in Mexico as Jose Romulo Sosa Ortiz, Jose Jose was destined to become a renowned international celebrity. The son of a tenor for the Mexican National Opera Company, Jose Esquivel, and a concert pianist, Margarita Ortiz, Jose Jose's talent and interest in music were influenced by the success of his parents.

During the 1950's, Jose Jose's talent began to emerge. He joined the school choir and began performing at local festivals, and important social and sporting events. Upon learning

to play the guitar in the early 1960's, he formed a trio along with his cousin and a close friend. Jose Jose's first record received little recognition but he persevered on in his musical career. He began performing at prominent nightclubs like the Tropicana, EL Farolito and Peria Negra, and was soon offered a record deal with RCA Records. Soon after, in 1969, Jose Jose struck it big throughout the Hispanic community with his first hit song, "La Nave Del Olvido." Following the overwhelming success of this single, his career reached heights beyond his dreams.

The sudden success catapulted the singer to international stardom. Throughout the 70's and 80's, he toured major cities in the United States, Puerto Rico, Guatemala, Costa Rica, Brazil and Argentina, and made numerous television appearances performing such renowned hits as "La Nave Del Olvido," "Secretos," "Lagrimas," "40 y 20," "Gavilan O Paloma," and "El Triste." Today Jose Jose serves as an example of self-determination and hard work. His voice has touched the lives of so many and will continue to echo throughout the international community for many years to come.

It is an honor to have such an outstanding entertainer visit the 13th District and to perform at Radio City Music Hall. I ask my colleagues to join me in honoring Jose Jose, an entertainer for the ages.

THE NOVALIC FOUNDATION OF CROATIA

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 23, 1996

Mr. LANTOS. Mr. Speaker, this Chamber has heard many statements on the horrors that the recent wars on the territory of the former Yugoslavia visited on the peoples of that region. While no side remained blameless in these conflicts, in fact, all sides committed unspeakable crimes, it was certainly the Serb aggressors who showed the world degrees of inhumane cruelty, of barbarism that some of us had hoped would never be used again as tools to settle questions of territory or dominance.

I was one of the Members here who made many of the statements I just referred to as I followed these events closely and felt very strongly about them. Nonetheless, just the other day I was reminded again quite powerfully of the excesses of perverse cruelty in these wars. I was presented with a photo album of some of the churches of Eastern Croatia, the region that is still under Serb occupation. These pictures reminded me that this was not just a political and ethnic war, but it was also a war against culture and religion. The Serb invaders purposefully targeted the churches of the Croat and Hungarian ethnic communities in that region, shelling them with ferocity and great precision. About 67 churches lie partly or fully in ruin in or around the still occupied territories.

Not all news coming from that region is bad, however. These photos of the destroyed churches were presented to me in my office by a remarkable individual, Mr. Antun Novalic, a businessman from the town of Osijek, Croatia, right across a river from the occupied territories. In this area where the wounds of ethnic hatred are still festering, Mr. Novalic has