

But overall, to emphasize why this issue is so important, it is necessary to understand the legend and his link to West Virginia. Let me share with you a little of the history.

The details of the John Henry folklore sprang from the construction of the Big Bend Tunnel on the Chesapeake and Ohio railroad in Talcott in 1873. Various stories led to the legend of John Henry; but, unfortunately, no documentation exists because earlier C&O Railroad records were destroyed in a fire in 1880. Local historians do know that from 1870 to 1872, a gang of hand-drillers working from the railroad actually carved out rock from the Big Bend Mountain for the railroad. This tunnel stands as proof today that the legend of John Henry has roots in reality, and a statue of this folk hero tops this tunnel.

John Henry was assumed to be an African-American slave who worked on the team of Big Bend Tunnel drillers. Famed Appalachia folklore historian Dr. James Gay Jones of Glenville, WV, noted in his 1979 book, "Haunted Valley, and More Folk Tales of Appalachia," that of all the railroad workers in the area of the time, a man known as John Henry was held in the highest esteem because of his prowess, immense size, brute strength, and great labor ethic. John Henry "became known as a driver of steel," that is, he used these great sledgehammers to drive steel rods deep into red shale rock walls. The rods were then removed, explosives were placed in them, and portions of the wall were removed blast by blast.

When a new steam power drill, the Burleigh, was brought to the Big Bend Tunnel for testing purposes, legend has it that John Henry agreed to a wager to see if he could drive more steel and clear more tunnel than the machine. A contest was held, and the legend is that John Henry drove a deeper hole than the machine. It is the contest in the mountains of West Virginia that created the legend and made the point that man can triumph in the competition against machine.

There is some controversy over how and when John Henry died. Some claim that he died because of the contest when a blood vessel burst in his head. Others say he was killed in a rock fall in the Big Bend Tunnel. Regardless of the circumstance, his legend was born and nurtured by West Virginia to share with the world, and it lives on today. It is a bit of West Virginia's contribution to basic folklore which has enriched our Nation's culture and heritage, and West Virginians like me are very proud to take an active part in recognizing and preserving this heritage.●

NATIONAL POW/MIA RECOGNITION DAY

● Mr. SMITH. Mr. President, today in our Nation's Capital, the officially recognized black and white POW/MIA flag is flying over the U.S. Capitol Building,

the White House, the State Department, the Department of Veterans Affairs, the Vietnam Veterans Memorial, the Korean War Veterans Memorial, and at national cemeteries across the country. Throughout the State of New Hampshire, concerned citizens have been gathering in Manchester, Derry, Meredith, and several other communities to renew our commitment to the fullest possible accounting of prisoners of war and missing in action personnel. Likewise, there are services being held across the country.

For 12 years in Congress, I have been proud to be a leader on the POW/MIA issue on behalf of their families, our Nation's veterans, and concerned Americans. This is an honorable cause that we have embarked on, and we must not stop until we know the truth, and until we can ensure that this national tragedy can never be allowed to happen again; 2,146 American servicemen are still unaccounted for from the Vietnam War, and over 8,100 are unaccounted for from the Korean War. There are over 100 American servicemen who were lost during cold war incidents, and we also cannot forget the 78,000 Americans who died during World War II, even though we were not able to recover their remains.

As many of my colleagues and my constituents know, I have worked hard to find answers for the POW/MIA families. I have traveled to Russia, North Korea, Vietnam, Laos, and Cambodia trying to convince these nations to be more forthcoming with information. I authored the legislation which created the Senate Select Committee on POW/MIA Affairs in 1991, and I did my very best as vice chairman to open the books on POW/MIA information which had previously been kept secret. I have also worked to pass legislation to declassify Government records on POW's and MIA's. Simply put, I have never let up on my commitment to the POW/MIA issue, and as long as I serve in Congress, I never will.

Mr. President, I feel strongly that all of us have a solemn, moral obligation to continue thoroughly investigating this national tragedy on behalf of the families who still wait for answers on the fate of their loved ones. Today, on National POW/MIA Recognition Day, I urge our Government leaders to renew our Nation's commitment to the fullest possible accounting of POW's and MIA's.●

BUMPERS AMENDMENT TO H.R. 3662

● Mr. WYDEN. Mr. President, I would like to enter some remarks for the record regarding the Bumpers grazing fee amendment to H.R. 3662, the Interior appropriations bill.

In my view, if Federal policies are enacted that drive the small, independent family rancher off the land, there will be many adverse consequences for our country. I appreciate Senator BUMPER's responsiveness to my con-

cerns about small, family ranches that led to a 5,000 AUM cap instead of the original cap of 2,000 AUM.

This change, a 150-percent increase in AUM's over his initial proposed cap, resulted in an exemption from the fee increase for approximately 300 Oregon ranchers. Further, the amendment would not impact most of the 2,100 permittees in Oregon.

There are, however, some small family ranchers who I remain concerned about. A significant number of Oregon ranchers are small and independent but they operate through one permittee, an incorporated family ranch. They are the folks I am concerned about. They include families with multiple households who live on, work on, and derive their livelihood from the ranch. They are working together to provide for their families, they provide generations worth of knowledge, and they are active in associations and restoration work. It is those family ranches who hold permits to graze more than 5,000 AUM that will have to pay the increased fee.

To address this problem, each legitimate, separate household on a family ranch should be recognized as an independent permittee or lessee for the purposes of determining the grazing fee increase.

This should be done for a simple, yet very important reason. Multi-generational ranchers are the backbone of our land stewardship program. They provide a unique knowledge of the land, are critical to maintaining our national food supply, and are helping to ensure the long-term protection of our rangeland resources. We need to assure that we consider their needs as we look to the future of grazing on public lands.●

WHY AFRICA MATTERS: INTERNATIONAL CRIME, TERRORISM, AND NARCOTICS

● Mrs. KASSEBAUM. Mr. President, I rise to continue a series of speeches about why Africa matters to the United States. I have already spoken about our vulnerability to infectious diseases coming out of Africa, and have addressed the many ways in which environmental crisis in Africa can touch Americans right here at home.

Today, I want to speak about a topic that many people believe will be the primary security threat in the years ahead—international crime and terrorism. American corporations are spending increasing amounts of money to protect themselves from international criminal networks. Our children are still threatened by a thriving drug trade that links this country to narcotics centers around the globe. And after the World Trade Center bombings and the tragic loss of the passengers and crew of TWA flight 800, the threat of international terrorism has created a sense of insecurity in the American public such as we have never felt before.

WEAK STATE INSTITUTIONS

As the rise of criminal networks in the former Soviet Union has shown, weak state institutions and judiciaries create a climate for crime to flourish—and Africa is no exception. West Africa is noted as a hub for passport forgery; counterfeit money is produced in various African urban centers, and criminal networks smuggle diamonds and ivory across the continent's porous borders and overseas.

In some parts of the continent, soldiers and political officials use their formal occupations as an entry point to high-stakes criminal activity, taking control of resources to finance crime and appropriating entire localities to serve as a base of operations. Diamonds, drugs, and arms are flowing to and from these individual fiefdoms, because no strong, capable financial or legal institutions exist to differentiate the legitimate from the illegitimate. Let me give a few examples:

Warlords in Liberia use diamonds stolen from Sierra Leone to finance their contribution to Liberia's bloody conflict.

Not long ago, Angolan rebels were selling poached elephant ivory and smuggled diamonds on international markets to raise funds for their cause.

The rise of mercenary movements on the continent is a testament to this trend—mercenaries are often paid by allowing them access to resource-rich territories, further turning Africa into a free-for-all for criminals seeking profit, while legitimate governments and businesses are increasingly marginalized.

Criminal networks in Nigeria defraud American citizens of millions of dollars each year. Yet, the Nigerian military government—itsself infected with corruption—does little to stop these acts.

And even in Africa's most developed economy—South Africa—the lack of effective and legitimate law enforcement has led to the growth of crime and narcotics trafficking. Nearly 500 criminal networks are thought to operate in Johannesburg, dealing in cocaine, heroin, Mandrax, diamonds, and ivory.

NARCOTICS FLOWS

Not only does such activity threaten to destabilize one of the most inspiring success stories of this century, but it also threatens Americans right here at home. Only one-tenth of the contraband in South Africa is for local consumption—the rest finds its way to Europe and the United States. In fact, approximately 30 to 40 percent of all hard narcotics that enter the United States come via African drug cartels. The drug world is becoming increasingly cosmopolitan: South American drug lords are buying African banks to launder their illegal profits.

For years, the United States has thrown money at supply-side solutions in South America that simply do not work. In Africa, we should apply the lessons learned from that experience and address the institutional weaknesses that permit the drug trade to

flourish. Stronger and more transparent political and judicial systems must be developed to stop the flow of narcotics from Africa.

TERRORISM ALSO A THREAT

Mr. President, international terrorists are no strangers to Africa. Sudanese nationals were at the heart of the New York City bomb plots. The Libyan Government still refuses to extradite the men believed to be responsible for the bombing of PanAm flight 103. In 1995, a fraud scheme uncovered in South Africa revealed an international crime network with close links to the Irish Republican Army.

In this era of instantaneous communications and world travel, all nations must join in the battle against international terrorism. Even one rogue state presents a threat to American interests both here and abroad.

CONCLUSION

Mr. President, these images are bleak, but writing off Africa in frustration is an unacceptable solution. International crime rings, drug lords, and terrorist groups have not forgotten about Africa, and neither can we. In the interest of global stability and our national security, the United States must keep Africa on the foreign policy agenda, and work with the African people to strengthen the institutions that bring shadowy international crimes to light.●

S. 1880, THE STOP TAX-EXEMPT ARENA DEBT ISSUANCE ACT

● Mr. MOYNIHAN. Mr. President, a decade ago, I was much involved in the drafting of the Tax Reform Act of 1986. A major objective of that legislation was to simplify the Tax Code by eliminating a large number of loopholes that had come to be viewed as unfair because they primarily benefitted small groups of taxpayers. One of the loopholes we sought to close in 1986 was one that permitted builders of professional sports facilities to use tax-exempt bonds. We had nothing against new stadium construction, but we made the judgment that scarce Federal resources could surely be used in ways that would better serve the general public good.

The 1986 Act accordingly prohibited the use of private activity bonds—that is, bonds for non-governmental purposes—for professional sports facilities. Yet, despite Congress' action, sports team owners, with help from clever tax counsel, soon found a way around the new law: they persuaded local governments to issue tax-exempt public bonds to finance new stadiums. As the columnist Neal R. Pierce wrote recently, team owners "were soon exhibiting the gall to ask mayors to finance their stadiums with general purpose bonds." We did not anticipate this. It was—and still is—perfectly legal.

The result has been a boom unlike anything we have ever seen in construction of new tax-subsidized profes-

sional sports stadiums. In the last 6 years alone, over \$4 billion has been spent to build 30 new professional sports stadiums. According to Prof. Robert Baade, an economist at Lake Forest College in Illinois and an expert in stadium financing, that amount could "completely refurbish the physical plants of the Nation's public elementary and secondary schools." An additional \$7 billion of stadiums are in the planning stages, and there is no end in sight. This is why I recently introduced S. 1880—the Stop Tax-exempt Arena Debt Issuance Act—or STADIA for short—to end the Federal tax subsidy for these stadium deals. Only the team owners and players profit, while taxpayers and fans pick up the tab.

I introduced S. 1880 with an immediate effective date of June 14, 1996 for a number of reasons, which I have previously explained for the RECORD. However, I also recognized, and requested comment on, "the need for equitable relief for stadiums already in the planning stages." On June 27, 1996, based upon initial comments I had received, I made a statement on the floor that projects that had binding contracts or final bond resolutions in place on the date the bill was introduced would not be affected by the bill. Since that time, several other localities with stadiums already in the planning stages have requested equitable relief.

Given the Senate's imminent adjournment, it is now certain—as I predicted earlier—that S. 1880 will not be enacted into law this year. Accordingly, in order to provide needed certainty to those remaining localities that have expended significant time and funds in planning and financing professional sports facilities, I wish to indicate that when I reintroduce this legislation in the 105th Congress, its effective date will be the date of the first committee action. As practitioners in this field know, the date of first committee action is a common effective date for this type of legislation. In addition, I will include the transition relief provision contained in my June 27 floor statement.

This, I believe, strikes the proper balance between closing the loophole in present law—a loophole that benefits only team owners and their players—and addressing the concerns of those localities that have been planning new stadiums.

Mr. President, I ask that four recent articles regarding this legislation be printed in the RECORD.

The articles follow:

[From the National Journal, July 20, 1996]

CALLING TIME ON SPORTS TAX BREAKS

(By Neal R. Peirce)

WASHINGTON.—Sen. Daniel Patrick Moynihan, D-N.Y., stirred up a virtual hornet's nest last month with a bill to forbid use of federal tax-exempt bonds to finance sports stadiums for private teams.

It turns out that from Nashville to Cleveland, Seattle to Denver, New Orleans to New York and multiple points in between, mayors and councils are readying bond issues to finance close to \$7 billion worth of baseball, basketball, football and hockey facilities.