

RECOGNIZING MURRYSVILLE
CHRIST'S LUTHERAN CHURCH

HON. RON KLINK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 16, 1997

Mr. KLINK. Mr. Speaker, I rise today to recognize the efforts of 12 members of the Murrysville Christ's Lutheran Church. This week, a group of 10 youths and 2 adults will embark on a work trip from my place of residence, Murrysville, PA to Washington, DC. They will spend an entire week volunteering at homeless shelters, food kitchens, and assisting Habitat for Humanity with home construction in the Anacostia section of this city.

In his address to the attendees of this past spring's Presidential Summit for America's Future, President Clinton issued a call to action to all Americans "to serve our children, and to help teach them to serve—not as a substitute for government, but to meet our major challenges as one community, working together." The members of the Murrysville Christ's Lutheran Church have issued and answered that call.

While most young people their age are spending their summer at pools or camps, these young people have chosen to donate their time for the benefit of others. It is most admirable that Lauren Caywood, Mandi Falvo, Allison Long, Brandon Rioja, Michael Ross, Rachel Gray, Ken Nemit, Matt Barnwall, Kym Brown, Molly Endres, Mrs. Gretchen Endres, and Rev. Roger Steiner would take time to give back to those who are not as fortunate.

Once again, I urge my colleagues to rise and recognize the efforts of the Murrysville Christ's Lutheran Church. They are fine representatives of their church, their community, and the entire Fourth Congressional District.

THE DOUGLAS APPLGATE U.S.
POST OFFICE

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 16, 1997

Mr. TRAFICANT. Mr. Speaker, last week I introduced legislation, H.R. 2129, to designate the U.S. Post Office in Steubenville, OH, as the "Douglas Applegate U.S. Post Office." I respectfully urge my colleagues to cosponsor this bill, which will pay a much-deserved tribute to a strong leader, a loyal friend, and a great man.

Doug Applegate was not only a colleague, but a great friend as well. He worked hard to make new Members feel comfortable and to help them acclimate themselves to the Capitol Hill environment. When I first came to Congress in 1985, Doug was always willing to give me advice and guidance. Over the years I had many opportunities to work with this fine man, and was always impressed by his integrity and his dedication to the causes in which he believed. He was a true leader in every sense of the word. He chose his battles and fought them to the end. While he could work to build a consensus, he was not afraid to stand alone. A moderate Democrat, he would support his party, but if his conscience pulled him in another direction he would not fail to follow

it. Doug was an inspiration and an example to us all.

As many of you may remember, Doug was not one to grandstand or bring attention to himself. While many of his Democratic colleagues in the class of 1976 went on to become the big players in the congressional arena, Doug chose to work quietly, from the sidelines, for his constituents and for the issues that he felt were deserving of his attention. Without bringing large amounts of attention to himself, he affected important change. Instead, his quiet, but devoted adherence to key areas of interest won him the respect of his colleagues and the loyalty of Ohio's 18th Congressional District, who consistently voted him into office with well over 50 percent of the vote.

At the top of Doug's list of legislative priorities was protecting the benefits that go to our country's veterans. He believed that the great sacrifices of these brave men and women are worth compensation, and as chairman of the Veterans' Affairs Subcommittee on Compensation, Pensions, and Insurance, he worked to increase, substantially, the benefits to the survivors of those that did not make it home. While he realized that no amount of money would ever make up for such a terrible loss, he also realized that such compensation can help to ease the suffering by making life a little less complicated for those who were left behind.

Witnessing firsthand devastating economic hardship in his district, Doug was also a great defender of American jobs. His House stationery was emblazoned with the slogan, "Buy American! Save American Jobs!," Doug fought tenaciously to protect our workers and our industry from unscrupulous corporate practices. He worked to expose a scheme concocted by American companies that cut labor costs by having United States flags made by a Taiwanese company and then labeling them "Made in America." In doing so, he demonstrated his own resolve and the determination of all Americans to promote our own jobs and industry. He wanted to ensure that when a label proclaimed "Made in the U.S.A." it was, in fact, "Made in the U.S.A."

Doug was also a man who held firm to his beliefs. He would not play partisan politics if his conscience guided him in another direction. An opponent of abortion, he did not hesitate to part ways with the leadership and support a bill calling for parental notification. Never failing to stand up for what he believed in, he was the definition of a leader.

H.R. 2129 is but a small tribute for a man with as much integrity as Doug Applegate, who was as true a friend, and who fought for what he believed in the way Doug did. Again, I urge everyone who believes that great leaders should be memorialized, to cosponsor my bill to designate the U.S. Post Office in Steubenville, OH the "Douglas Applegate Post Office."

REAUTHORIZATION OF THE JUVENILE
JUSTICE AND DELINQUENCY
PREVENTION ACT, H.R.
1818

SPEECH OF

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 15, 1997

Mrs. MINK of Hawaii. Mr. Speaker, I rise to support the re-authorization of the Juvenile Justice and Delinquency Prevention Act, which would extend through fiscal year 2002 a valuable program treating juveniles in our society who are delinquent.

The purposes of the Juvenile Justice and Prevention Act are clear: early intervention and prevention of delinquency for juveniles; as well as proper management of the juvenile once the child is in custody. We must not forget that these are children that we are dealing with. Youth that we must reach as soon as possible and we must protect to ensure we do not lose them in the system.

I am glad to see that this bill is not another get tough on kids' bill as we saw earlier this session. H.R. 3, the Juvenile Crime Control Act of 1997 provided no balance of prevention and accountability to reduce the number of violent youth. H.R. 3 was simply in response to public misperception that all juvenile crime is escalating out of control when in actuality this is not so. The level of juvenile crime, including violent crime has actually declined over the past 20 years with one exception: juvenile homicides committed with handguns. It is important to note that juvenile homicide represents only one tenth of 1 percent of all juvenile offenses. In determining how best to respond to juvenile crime, we cannot simply respond to a small percentage of juvenile crimes that make the headlines, we must continue to include a proper balance of prevention and accountability for all juveniles who are delinquent.

I am happy to see that the four core mandates of the JJCPA will be retained in this bill. I am particularly glad to see that this bill will continue to address sight and sound separation as well as prevention efforts to reduce the disproportionate number of minorities that come in contact with the juvenile justice system.

Once a juvenile has been determined delinquent, we must make sure that the juveniles' first contact with the justice system does not shatter these children. We must make an effort to ensure the majority of juveniles who come in contact with the justice system are properly handled. H.R. 1818 in retaining sight and sound separation, continues to do this while safely adding more flexibility for the States complying with this requirement.

In my home State of Hawaii, status offenders comprised one-third of all juveniles arrested in 1994. These children need our help and must be exposed to community-based programs where they can receive the assistance they require. They should not be treated as disobedient minors, many if not most of these status offenders are fleeing physical or sexual abuse. H.R. 1818 not only retains the core requirement of deinstitutionalization of status offenders but continues funding for run-aways and homeless under the newly created State block grants.

While Hawaii prides itself as a multicultural State, Samoans and Native Hawaiians continue to be overrepresented in our juvenile's system. Hawaiians and part-Hawaiians represent only 31 percent of the population across the State, while accounting for 35 percent of juvenile arrests and 53 percent of juveniles in the Hawaii Youth Correctional Facility. By strengthening and clarifying the disproportionate minority confinement core requirement, states may continue to take the necessary steps to properly address this problem.

I am glad to see that H.R. 1818 continues to provide funding to the programs that have proven their effectiveness in reducing juvenile crime. Programs such as mentoring, truancy prevention, recreation, job training, and drug rehabilitation to name a few will be streamlined into one block grant.

Having said that, I must express some concern over the prevention block grant formula. While it will streamline the discretionary grants in the JJDP, we also must make sure it received adequate funding. Historically, block grants end up receiving less money once consolidated than the original program before consolidation. These discretionary grants go to the people on the front lines of juvenile justice, working day to day and reaching out to these children who need their help. We must make sure they are not short-changed.

I am glad to see bipartisan agreement that we must pass a strong comprehensive bill that will ensure that we take a balanced approach to juvenile crime. The passage of H.R. 1818 will ensure we have proper prevention to augment the purely punitive legislation passed earlier this year.

AMENDMENT TO H.R. 2107

HON. ENI F.H. FALEOMAVAEGA

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 16, 1997

Mr. FALEOMAVAEGA. Mr. Speaker, I spoke yesterday in opposition to Representative ISTOOK's amendment to H.R. 2107, the appropriations bill for the Department of the Interior and related agencies. The amendment would have prohibited new lands from being placed into trust for American Indians unless the tribes entered into agreements concerning the collection of certain taxes with local and State governments. I was not able to give my entire statement in the time allotted, and had submitted my entire statement to be included in the CONGRESSIONAL RECORD. This was not done. The following is my entire statement as I intended it to be entered in the RECORD:

MR. CHAIRMAN. I rise in strong opposition to the Istook/Visclosky amendment which would prohibit the use of BIA funds to transfer any new land into trust unless a binding agreement is reached between Indian tribes, states, and local governments regarding state and local excise taxes on retail sales to non-Indians on new trust land.

There are many reasons to oppose this amendment. First, as a matter of procedure, this is more than a matter of setting a level of appropriations. This amendment sets legislative policy on a subject under the jurisdiction of the Committee on Resources.

The issue of whether any additional statutory conditions should be placed on transfers of land into trust for Indian tribes deserves

public hearings and the deliberations of the committee of jurisdiction. The subject of this amendment has not been considered by the Committee of jurisdiction. By proceeding with an appropriations rider, we lose the value of public input to Congress available through committee hearings, and those of us who serve on authorization committees are again locked out of the full deliberative process.

Many of you have seen the conflicting statements of the many "Dear Colleague" and other letters which have been circulated over the past ten days. In many cases, these letters are in direct conflict with one another. This is happening because there have been no hearings through which facts can be sought and properly reported from the committee of jurisdiction to the House. Now I ask you, is this the best way to set the nation's policy? When voting on a subject of this significance, wouldn't you be more comfortable having the benefit of prior legislative deliberations?

Turning now to the merits of the legislation, I believe it is not controverted that current law and regulations mandate that the Secretary of the Interior provide notice to state and local governments prior to making a final determination on taking Indian land into trust status. Additionally, the Secretary must consider the impact on state and local governments of removal of the land from the tax rolls.

Furthermore, state and local governments who disagree with a decision of the Secretary can appeal adverse decisions within the Department of the Interior and in the federal courts. If the land proposed to be transferred into trust is not part of a current reservation and the proposal is for economic development, the transfer is subject to a higher standard of scrutiny. This is a sufficient regulatory scheme already in place to protect the rights of state and local governments, and it keeps the negotiations between the Indian tribes and the United States, which is consistent with our government to government relationship.

If this amendment were enacted into law, state and local governments would be given an absolute veto over all future transfers of land into trust status. This is a significant change in national policy, and as I noted earlier, this change would be made with our only deliberations being today's debate.

Finally, Mr. Chairman, as a matter of equity, I find it very disturbing that we are debating today, yet another attack on the American Indian. I fear that efforts like this are a renewal of the efforts of Congress in prior decades when actions were taken to make sure our first Americans are never given the opportunity to achieve success.

There was a recent advertisement I heard that pretty well summed up our treatment of this country's Indians. It went something like this: two hundred years of exploitation and neglect, more than 700 broken treaties, \$2 billion in tribal trust funds lost or mismanaged, \$200 million in funding cuts last year, and now politicians want to levy new taxes against tribal governments. Haven't they paid enough?

The ad was a brutally-accurate summary of our past treatment of the American Indians. The question for today is, do we continue along that destructive line of reasoning, or do we provide today's tribes with the opportunity to determine their future through their own self-initiative.

Most Indian reservations contain lands which are inholdings, plots of land within the reservation which were sold out of trust decades ago pursuant to the 1887 General Allotment Act. In many instances these plots contain homes occupied by tribal members who

have inherited them or acquired them but have not had them taken back into trust by the Secretary of the Interior. Many tribes are extremely poor and have been in the process of having these homesites taken back into trust for decades.

The tribes are not doing this to set up truck stops or tobacco shops or any other form of commercial operation. Usually the tribes are merely working to reacquire their lands and to insure that those lands and the Indians who live on them will be eligible to participate in the various Bureau of Indian Affairs programs which apply only to trust lands.

Tribes are doing this for reasonable, practical purposes. The Bureau of Indian Affairs operates road maintenance programs, environmental services programs, real estate services programs, water resources programs, and a large number of other programs which only apply to trust lands. Tribes want their members to participate in and benefit from these programs.

However, if the Istook amendment is adopted and the Secretary of the Interior is precluded from taking any of these former trust lands back into trust, we will eventually have a new second class of citizen in this Nation. If the Istook amendment is adopted we will have some Indians living the life of the poorest of the poor who don't even qualify for various Bureau of Indian Affairs programs. We will have Indians living on Indian reservation land which does not qualify for any Indian program.

This is absurd, Mr. Chairman.

The gentleman from Oklahoma is trying to prevent a handful of Indians from setting up businesses which do not collect State and local sales and excise taxes. He is trying to resolve a problem that exists in a very few instances in a few States.

The vast majority of lands taken into trust by the Secretary of the Interior have nothing whatsoever to do with diesel fuel or tobacco or tax advantages. Instead of solving a problem common to only a few individuals, this amendment would create a whole new level of second-class citizens. This amendment would create a class of Indian which lives on lands within a reservation but receives no Bureau of Indian Affairs services; a class of Indian which receives no State sewer, no State water, no State police protection, no State fire protection, on other State services except State tax collection services.

Mr. Speaker, few lands have ever been enacted which would do so much damage while solving so few problems.

The gentleman from Oklahoma apparently is trying to stop Indian Tribes from setting up businesses which do not collect State and local sales and excise taxes. He is trying to resolve a problem that exists in a very few instances in a few States.

However, this limitation on appropriated funds would impact all Indian tribes in all States. The way I understand this amendment, not a single acre of land could be taken into trust, anywhere, for any reason. If that is not the first step toward ending any possibility of economic development for the poorest of this Nation's poor, I don't know what is.

In my opinion, this draconian limitation on appropriated funds is far worse than the problem.

I understand that a few Indian businesses are selling diesel fuel and tobacco and a few other types of merchandise without collecting