

In 1946, Soviet police imprisoned Nikolai Getman in the Gulag, the Soviet Union's state operated system of prisons and forced labor camps. He is one of the millions of victims of Josef Stalin's purges and political repressions. Getman's crime was that he had been present in a cafe with several fellow artists, one of whom drew a caricature of Stalin on a cigarette paper. An informer told the authorities about the drawing, and the entire group was arrested for anti-Soviet behavior. Getman spent 8 years in Siberia at the Kolyma labor camp where he witnessed one of the darkest periods of Soviet history. Although he survived the camp, the horrors of the Gulag were burned into his memory. Upon his release in 1954, Getman returned to his career as a painter, painting prominent members of state.

In secret, however, he drew many pictures depicting his memories of the camps. He told no one, not even his wife, what he was doing because to do so meant risking imprisonment or even death. Despite the danger, he undertook the project believing that he must record the plight of the millions of dead prisoners so their fate would not be forgotten. For more than four decades, Getman worked at his task of creating a visual record of the Gulag. During those years, his secret collection grew to 50 paintings which depict all aspects of life in the camps.

The Getman collection is outstanding. It is the only known visual record to exist of this tragic period in Soviet history. If film or other visual representations of the Soviet Gulag existed, they have been largely destroyed or suppressed. The Getman collection stands alone as a most unique historical document.

Getman, now 79, lives in Oryol, Russia. He feared that when he died his paintings would be destroyed or sold off. He asked the Jamestown Foundation to assist him in moving the paintings to a place of safety in the West and to develop a plan for their preservation and exhibition. After 6 months of effort, the paintings are now safely in the United States.

It is important that Nikolai Getman's painting act as a public reminder, a means of education, and a testament to the more than 50 million people who died in one of the most vicious and brutal acts of political repression. Getman's perservance, determination, and bravery, as well as the hard work of the people at the Jamestown Foundation, have guaranteed that the visual record of the atrocities exists despite concerted attempts on the part of the Russian authorities to make the memories disappear. Mr. Speaker, I take great pride in the fact that the first exhibition of such important works will take place inside the U.S. Congress.

#### AMERICAN HERITAGE RIVERS

### HON. SILVESTRE REYES

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 23, 1997

Mr. REYES. Mr. Speaker, I am concerned about efforts by some of my colleagues to prohibit any further action on the American Heritage Rivers Initiative, which was proposed by President Clinton in his State of the Union Address earlier this year.

In the committee report accompanying the Agriculture Appropriations Act for fiscal year

1998, H.R. 2160, language is included stipulating that "Funds for [the American Heritage Rivers] initiatives are not available until justification and reprogram requests are approved." In addition, Representative HELEN CHENOWETH has introduced a bill to prohibit any further action on the initiative.

I am a very strong supporter of this initiative and am working very actively with my colleagues along the Rio Grande River to submit a proposal for consideration for designation as 1 of the first 10 rivers to be designated.

The Rio Grande River is rich in history, with dramatic contrasts. Some stretches offer incredible scenery and a pristine environment, while others are marred by the stench of pollution that threatens public health. For roughly 1,000 miles, the Rio Grande, known in Mexico as the Rio Bravo, serves as an international boundary. The river has provided the water needed for border towns to grow into sister cities. It has nurtured industry, agriculture, and the development of commerce on both sides of the border, but demand for its water is exceeding supply in many places. How we secure the quantity and quality of water needed from the Rio Grande and other sources will be crucial to the prospects for sustaining growth for our region in the 21st century.

The possibility for designation of the Rio Grande as an American Heritage River offers an opportunity for communities along the Rio Grande to work together and gain easier, more direct access to existing Federal assistance. The designation would help us celebrate our heritage, draw attention to the natural wonders of our river and, at the same time, address very real and complex challenges facing its wonders of our river and, at the same time, address very real and complex challenge facing its future. Proposals for designation will be evaluated on whether the plans have strong or solid community support which involve partnerships between the public and private sectors.

The Federal Government is to offer a partnership determined by the needs of the local communities, offering them ways to cut through redtape and develop innovative arrangements for new or existing objectives. There are to be no new regulations or standards, and property rights are not to be impaired.

It is important to note that this opportunity comes at the same time that the Texas legislature has passed a major overhaul of our State's water law to help communities and regions work together in planning for the future. The Rio Grande was cited as a special case and agencies were instructed to seek Federal assistance.

Regional councils of government along the border are meeting now to frame a proposal to be sent to the White House on behalf of those local jurisdictions that wish to participate. The proposed partnership is to have key Federal agencies assist the communities of the Rio Grande develop the long-term assessments of their water needs called for by the water plan that Governor George Bush recently signed into law. A broader partnership is being proposed under which the Federal, State and local authorities working with business and civic groups will assist Rio Grande communities to participate in the 1998 Smithsonian Folklife Festival in Washington, DC. That year's festival will focus on the Rio Grande/Rio Bravo and provide a unique opportunity for us

to share our rich heritage with over 1 million visitors.

A focus on the Rio Grande is something Texas can get behind. We are proud of our river and want to assert our stake in its future. The proposed being drafted will make sure that Federal jurisdiction is not expanded, that no new regulations are imposed as a result of the designation, and that no one's property rights or water rights are affected. Our effort is being designed and managed by Texans on behalf of a heritage we share with our neighbors and fellow Americans.

I urge all of my colleagues to join me in supporting the American Heritage Rivers Initiative and opposing efforts to kill this important initiative.

Finally, Mr. Speaker, I am submitting for the record a list of questions I submitted to the Council on Environmental Quality and the responses I received. I believe this documents answers all of the concerns that have been expressed by citizens and my colleagues.

EXECUTIVE OFFICE OF THE PRESIDENT,  
COUNCIL ON ENVIRONMENTAL  
QUALITY,

Washington, DC, July 18, 1997.

Hon. SILVESTRE REYES  
U.S. House of Representatives,  
Washington, DC.

DEAR REPRESENTATIVE REYES: Thank you for your recent letter requesting additional information on the American Heritage Rivers initiative. I appreciate your continued support and outstanding leadership in the Congress. I have attached answers to the 25 questions. I hope this information is helpful to you.

Please let me know if I can be of further assistance.

Sincerely,

KATHLEEN A. MCGINTY, *Chair*.

Enclosure.

#### ANSWERS IN RESPONSE TO QUESTIONS SUBMITTED REGARDING THE AMERICAN HERITAGE RIVERS INITIATIVE

1. Q: Can the designation be, in effect, a contract between the local jurisdictions and the federal government in which the terms, the scope and the limitations of the designation are set out clearly and agreed upon by all parties?

A: There is nothing in the initiative that requires applicants to enter into any type of agreement with the federal government. Designation is the recognition of local communities' efforts to enhance and protect their river resources.

As a practical matter, the federal government cannot enter into "contracts," in the legal sense, with communities. However, the federal government often enters into Memoranda of Understanding with state, tribal and local governments and nongovernmental organizations. Designated communities will have the option of entering into Memoranda of Understanding at the local level to explain the terms, scope and limitations of designation and how they want to work with federal agencies.

2. Q: Will a designation carry with it any new federal regulation, mandate, or increased eligibility standards? Can that be asserted in a designation proclamation?

A: No. Designation as an American Heritage River will not carry with it any new federal regulation, mandate or increased eligibility standards.

As stated in the Federal Register Notices of May 19 and June 10, "The [American Heritage Rivers] initiative will create no new regulatory requirements for individuals or state and local governments." This can be asserted in a designation proclamation.

The goal of the American Heritage Rivers initiative is to support communities, within existing laws and regulations, by providing them with better access to information, tools and resources, and encouraging private funding of local efforts deserving of special recognition.

3. Q: Will and AHR designation affect property rights and/or water rights in any way?

A: No. An American Heritage Rivers designation will not adversely affect property or water rights. The initiative will not grant any federal, state or local government entity any new authority or control over private property. The comment period was extended, in part, to work with landowners and other interested parties to better understand the initiative. During this period, we have listened to these concerns and have developed the following language that will be included in the final description of the American Heritage Rivers initiative to demonstrate our intent not to diminish property and water rights:

"In implementing the American Heritage Rivers initiative, Federal departments shall act with due regard for the protections of private property provided by the Fifth Amendment to the United States Constitution."

4. Q: Can there be procedures for prohibiting any changes in existing private property, water and/or development rights on land along a river in connection with activities recognized under an AHR designation? Or: Can there be procedures for geographic areas within the designated geographic area to be exempted from activities recognized under the AHR designation?

A: The local and state governments establish procedures for changes to existing private property, water and/or development rights. Any geographic areas within the designated geographic area to be exempted from such activities will be identified by the local sponsoring organization.

5. Q: What is the procedure that makes the projects of an American Heritage River designee a priority to federal agencies? What could be the practical benefit of that?

A: After the President designates the rivers, the Secretaries of the participating federal agencies will enter into a Memorandum of Understanding describing how they will work together to create the American Heritage Rivers initiative.

The practical benefit is that communities will have easier access to information about existing federal resources and help in targeting funding and technical assistance resources most appropriate to their needs.

As stated in the Federal Register Notices of May 19 and June 20, an "interagency task force will work with each River Community as it is designated to identify technical and funding needs. First, a team of planning and technical assistance experts will help each designated River Community assess its strategy and implementation plan to identify technical assistance and funding needs. Then, federal agencies will commit field staff and resources to the teams, which will also include non-federal partners, such as state, local, tribal governments and nongovernmental organizations."

This means that each interagency task force will work closely with the community to meet identified community needs. Not every community will require the resources and programs of every federal agency. The "River Navigator" will be a full-time liaison between the community and the federal agencies. The resources and staff of the agencies will be accessed as appropriate and needed.

6. Q: Does an AHR designation have to include the full watershed/basin of the river? How does an applicant set the geographical limits of the designation?

A: An American Heritage Rivers designation does not have to include the full watershed or basin of the river. Communities set the geographical limits of the application and the designation is confined to those limits.

7. The Federal Register mentions the restoration of rivers.

a. What is meant by restoration?

Restoration is any activity that returns an area to a former use or condition. The extent of restoration activities will be defined by the communities in their applications.

b. If there is a designation, will that mean local acquiescence to a federal effort to restore that river to previous uses or to a natural state untouched by human activities?

Absolutely not. The community will identify what they want to do within a designated area. The American Heritage Rivers initiative is not about "local acquiescence to a federal effort." It is about federal agencies working closely with communities to achieve the communities' goals.

c. Does "restoration" have to be a part of the proposal in order to secure a designation?

Restoration does not have to be part of any designation. The community decides its priorities and seeks designation based on that community's needs.

8. Q: Could a designation enable local jurisdictions along the Rio Grande to have a stronger and more active voice with federal and international activities such as Border XXI, NADBank, BECC and the IBWC? If so, how?

A: We are hopeful that the American Heritage River designation will provide many more avenues for the federal government to form partnerships with local communities. There are a number of existing opportunities along the border, including Border XXI, NADBank, BECC and IBWC, that the communities along the Rio Grande might identify in their application. Representatives from these programs would be included in the federal assistance team working with the designated river's community to ensure that the community's goal and objectives are integrated into these institutions' decision making.

9. Q: Once a river has been designated in response to the communities' application, can the projects and activities within the original application be modified or added to at a later time? Who can make such changes and who would decide or approve them?

A: The community can make changes or modifications to their plan consistent with the process and criteria used to develop and recognize the application by the community and the federal government.

10. Q: How can the designation be used to encourage Mexican enforcement of environmental laws that deal with discharge into the Rio Grande?

A: The American Heritage Rivers initiative does not alter existing environmental law or dispute resolution processes.

11. Q: As a Rio Grande application is drafted, could representatives from relevant federal agencies be made available to field questions regarding the AHR program and how each agency might give priority to the designated rivers?

A: Yes. Federal agency representatives were trained in a video uplink on June 17 to answer questions about the American Heritage Rivers initiative. Lists of these employees will be available in mid-July.

12. Q: Does federal attention to water flow needs and water quality automatically follow a designation or must it be something specifically identified in the application?

A: No federal attention automatically follows a designation, unless it is requested by the community in its application. The fed-

eral agencies will assess whether such a request is authorized by Congress, that funds are appropriated for such action, or can be appropriated if the action is approved.

13. Q: Would a designation of the Rio Grande mean federal funds would be diverted from other activities in the state to the designated river's program?

A: No. The initiative will help communities through better use and coordination of existing programs and resources. Communities will only receive funds for which they would be otherwise eligible, under the authorization and appropriation terms of Congress.

14. Q: Can the CEQ make public the designation proposals it has received from Texas?

A: As the application process has not opened, no proposals have been received from Texas, or any other state. Many communities requested nomination of their rivers following the President's State of the Union Address. These communities have been asked to submit formal applications, once those applications are available in mid-September.

American Heritage Rivers is committed to an open process and full disclosure. Information will be made available about applications received.

On the American Heritage Rivers homepage, we are asking people to self report their interests in specific river designations. You can access the homepage at: <http://www.epa.gov.owow.heritage.rivers.html>

15. Q: Will procedures be put in place whereby the applicant can ask to have a designation rescinded and/or given activities and/or geographical rescinded?

A: Yes. As stated in the June 20 Federal Register Notice, "Any community which nominates a river for designation and has its river designated, may have this designation terminated at its request at any point in the future."

16. Q: How is the AHRI associated with the United Nations or the NAFTA or their agencies?

A: The American Heritage Rivers initiative has not been associated with the United Nations or NAFTA. As stated in the June 20 Federal Register Notice, "Foreign governments and their international organizations will not have a role in sponsoring a nomination to be an American Heritage River nor will they have any authority granted to them as a result of an American Heritage River designation."

17. Q: If planning of a capital intensive scenic route or nature trail along a river was part of an AHR designation, would a subsequent proposal for appropriation of new money for the projects planned be prejudiced by the "no new money" commitment?

A: No. Substantial federal resources have already been authorized and appropriated by Congress. Therefore, projects otherwise eligible for funding would not be prejudiced against because of an American Heritage Rivers designation. In fact, for some projects, the cooperation of the federal, state and local agencies through the American Heritage Rivers initiative could strengthen a subsequent proposal for funds.

18. Q: Why is the AHRI needed to get the federal agencies to do what they are supposed to be doing anyway?

A: The federal agencies have done an excellent job of cooperating more effectively. Interagency cooperation is at an all-time high, which is good news for taxpayers. But as the Administration's effort has found, the job of reinvention is never complete. The National Performance Review, directed by Vice President Gore, continuously seeks to create a government that works better and costs less through focusing on customer service, developing partnerships and delegating power to the front lines.

The American Heritage Rivers can help accomplish this in four ways:

1. To recognize outstanding community-led efforts. The American Heritage Rivers initiative is the most important recognition of local river efforts in 20 years.

2. To serve as models of the most innovative, successful and sustainable approaches to river restoration and protection for communities across the United States. The lessons learned from these models can be applied to programs across the country.

3. To ensure that federal agencies are co-operating to the greatest extent possible. At a time of declining federal resources, the Administration believes the decisions about prioritizing federal programs should come from the affected communities.

4. To encourage greater agency cooperation across disciplines and programs. There is a continuing need to integrate the environmental, economic and historic disciplines of not only the federal government, but state and local governments as well.

19. Q: What protection is there in the AHRI for the rights of those in a community that do not favor a designation?

A: As stated in the June 20 Federal Register Notice, "A local mechanism will be required that allows members of a community to comment on the nomination of a river or river stretch by their community."

The nomination process will be fully controlled, discussed and organized at the local level. The concerns of all members of a community should be aired as the nomination is prepared. Communities submitting applications should make opportunities available for members of the local public to comment on the nomination. Elected officials are expected to participate in the nomination process. The Administration will also make public the nominations that it receives.

20. Q: Will a designation application gain points in the scoring process if it has bipartisan support?

A: Yes. Bipartisan support will help a community demonstrate that it meets the criterion of broad community support.

21. Q: Would requests for federal agency help to prepare for participation in the Smithsonian Institute's 1998 American Folklife Festival be an appropriate activity under the AHRI?

A: Yes. The community defines appropriate activities under the American Heritage Rivers initiative.

22. Q: Could local requests for federal grants and cooperative assistance to improve use of river water in irrigation be recognized as part of an AHR designation?

A: Again, the community defines appropriate activities under the American Heritage Rivers initiative. If a community decided to seek federal grants and cooperative assistance to improve use of river water in irrigation that would definitely be considered if the river gained American Heritage River status. The American Heritage Rivers initiative would not alter or affect any laws or rights relating to river or water flows.

23. Q: Are applications for designation required to include specific projects for implementation under the designation? If yes, what is the impact on other projects in the designated area that are not included in the designation application?

A: One of the criteria for designation is that communities have in hand, or are developing, a well-defined plan of action for the river. Projects and products, including any anticipated impacts beyond the designated river area, are part of this plan of action. Other components of the action plan are community vision, operating procedures and policies, description of how the proposal takes into account existing plans for the area, public participation and public edu-

cation, committed and anticipated resources, schedule of actions, the community's expectation of the federal role, obstacles to community action, including those the community believes can be resolved by joint federal, state and local support, and measures of success.

There is not necessarily an impact on other projects in the designated area that are not included in the designation application. Some projects, of course, may be dependent on each other.

24. Q: Can an AHR designation create a situation to allow one of its projects to circumvent existing and required local and/or regional planning processes? If not, would an application for designation be eligible for consideration if specific projects were not mentioned, but the application stressed the desire to acquire designation to attain an increased federal focus to aid in encouraging and supporting local, regional and state planning processes that would result in projects that are in compliance with local, state and federal requirements?

A: No. American Heritage Rivers designation will not be a means for projects to circumvent local or regional planning processes. Quite the contrary. The goal of American Heritage Rivers is to look to local or regional planning processes and to ensure that the federal agencies are cooperating sufficiently to streamline processes to help communities realize their goals wherever possible. All actions, by all involved with the initiative at the federal, state and local levels, must take place within existing laws and regulations.

If the community wished to identify appropriate roles for and services from the federal agencies, assistance with local, state and regional planning processes would be eligible. All the projects under consideration in a designated area do not necessarily have to be mentioned in the application. However, to the extent that these projects demonstrate how the community meets the criteria, including broad community support and strategies that lead to action, their inclusion is to the benefit of the applying community.

25. Q: Is it the intent of the AHRI to designate rivers on the basis of demonstrated historical, cultural, economic and environmental significance, or to designate rivers based on the merits of proposed projects?

A: Both. It is the intent of the American Heritage Rivers to designate rivers on the basis of their demonstrated historical, cultural, economic and environmental significance and the commitment the communities have to preserving and restoring these resources. Projects identified by the community should integrate, to the largest extent possible, the environmental, historic and economic aspects of their communities.

#### HONORING THE RETIREMENT OF REV. DR. JAMES W. BATTLE, SR.

#### HON. BRUCE F. VENTO

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 23, 1997

Mr. VENTO. Mr. Speaker, I rise today to celebrate the career of the Reverend Dr. James W. Battle Sr. Reverend Battle has served as pastor of Mount Olivet Baptist Church in Saint Paul, MN, since June 1972. His distinguished career and commitment to the community should serve as an example to all.

Pastor Battle answered his call to the ministry and moved with his family to Nashville,

TN, in order to attend the American Baptist College. He graduated and became the chaplain of the State Prison, and later a counselor at Meharry Medical College. In 1972, he accepted the position as pastor of Mount Olivet Baptist Church in Saint Paul, MN. In 1977, the pastor received his master's of divinity from the Luther Seminary in Saint Paul, and earned his doctorate of ministry degree from the United Seminary in New Brighton, MN, in 1985.

Under his leadership, Mount Olivet has steadily grown. Shortly after his arrival, he directed the construction of a new church building and revived Bible study classes. These improvements have resulted in additional services being provided by the church, as well as expansions to the church facility.

Aside from being a dynamic leader of his church, Pastor Battle has extended his energies to the community. He has served as: co-founder of the Saint Paul Ecumenical Alliance of Congregations; member of the St. Paul Urban League; member of the Council of Black Minnesotans; member of the Rainbow Coalition; and chairman of the Minority Advisory Committee of the Metropolitan Transit Commission.

In addition, the Reverend has organized his community at several levels. He was an organizer of the march of the State capitol in honor of Dr. Martin Luther King, Jr., in 1979, and most recently helped coordinate the Minnesota contingency to the Million Man March in Washington, DC, which departed from and returned to Mount Olivet. Currently, he is also involved with a Gang Summit at Mount Olivet, the African-American Parent Group, Native American Special Project, and Lao Family Community Services, all in Saint Paul.

In 1996, I was privileged to be present when Pastor Battle received Luther Seminary's annual Race, Church, and Change Award. He has also been the recipient of the S.E. Hall Community Service Award from the Saint Paul Urban League, and the Martin Luther King Humanitarian Award for Outstanding Achievement and Contribution in the area of religion in 1992 and 1993.

I would like to take this opportunity to congratulate the Reverend Battle and his family for all of his accomplishments as he celebrates 25 years with Mount Olivet. I would also like to thank him for serving his church and community with such dedication and devotion and hope that he and his family are blessed with greater endeavors in the future. Happy Retirement.

#### IN HONOR OF PUERTO RICO ON ITS CONSTITUTION DAY

#### HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 23, 1997

Mr. KUCINICH. Mr. Speaker, I rise to honor the citizens of Puerto Rico on Constitution Day, July 25, 1997. The people of Puerto Rico established the Constitution of the Commonwealth of Puerto Rico for the very same reasons our forefathers wrote the Constitution of the United States of America, to establish themselves as a democracy.

The Puerto Rican Constitution ensures basic welfare and human rights for the people, enshrines the idea of a government which reflects the will of the people, and pays tribute