

record that an individual named in the human rights record was an intelligence asset of the United States Government, although the existence of such relationship may be withheld if the criteria set forth in subsection (a) are met. For purposes of the preceding sentence, the term an "intelligence asset" means a covert agent as defined in section 606(4) of the National Security Act of 1947 (50 U.S.C. 426(4)).

**SEC. 6. REQUEST FOR HUMAN RIGHTS RECORDS FROM OFFICIAL ENTITIES IN OTHER LATIN AMERICAN CARIBBEAN COUNTRIES.**

In the event that an agency of the United States receives a request for human rights records from an entity created by the United Nations or the Organization of American States similar to the Guatemalan Clarification Commission, or from the principal justice or human rights official of a Latin American or Caribbean country who is investigating a pattern of gross human rights violations, the agency shall conduct a review of records as described in section 4 and shall declassify and publicly disclose such records in accordance with the standards and procedures set forth in this Act.

**SEC. 7. REVIEW OF DECISIONS TO WITHHOLD RECORDS.**

(a) **DUTIES OF THE APPEALS PANEL.**—The Interagency Security Classification Appeals Panel (referred to in this Act as the "Appeals Panel"), established under Executive Order No. 12958, shall review determinations by an agency to postpone public disclosure of any human rights record.

(b) **DETERMINATIONS OF THE APPEALS PANEL.**—

(1) **IN GENERAL.**—The Appeals Panel shall direct that all human rights records be disclosed to the public, unless the Appeals Panel determines that there is clear and convincing evidence that—

(A) the record is not a human rights record; or

(B) the human rights record or particular information in the human rights record qualifies for postponement of disclosure pursuant to section 5.

(2) **TREATMENT IN CASES OF NONDISCLOSURE.**—If the Appeals Panel concurs with an agency decision to postpone disclosure of a human rights record, the Appeals Panel shall determine, in consultation with the originating agency and consistent with the standards set forth in this Act, which, if any, of the alternative forms of disclosure described in paragraph (3) shall be made by the agency.

(3) **ALTERNATIVE FORMS OF DISCLOSURE.**—The forms of disclosure described in this paragraph are as follows:

(A) Disclosure of any reasonably segregable portion of the human rights record after deletion of the portions described in paragraph (1).

(B) Disclosure of a record that is a substitute for information which is not disclosed.

(C) Disclosure of a summary of the information contained in the human rights record.

(4) **NOTIFICATION OF DETERMINATION.**—

(A) **IN GENERAL.**—Upon completion of its review, the Appeals Panel shall notify the head of the agency in control or possession of the human rights record that was the subject of the review of its determination and shall, not later than 14 days after the determination, publish the determination in the Federal Register.

(B) **NOTICE TO PRESIDENT.**—The Appeals Panel shall notify the President of its determination. The notice shall contain a written unclassified justification for its determination, including an explanation of the application of the standards contained in section 5.

(5) **GENERAL PROCEDURES.**—The Appeals Panel shall publish in the Federal Register

guidelines regarding its policy and procedures for adjudicating appeals.

(c) **PRESIDENTIAL AUTHORITY OVER APPEALS PANEL DETERMINATION.**—

(1) **PUBLIC DISCLOSURE OR POSTPONEMENT OF DISCLOSURE.**—The President shall have the sole and nondelegable authority to review any determination of the Appeals Board under this Act, and such review shall be based on the standards set forth in section 5. Not later than 30 days after the Appeals Panel's determination and notification to the agency pursuant to subsection (b)(4), the President shall provide the Appeals Panel with an unclassified written certification specifying the President's decision and stating the reasons for the decision, including in the case of a determination to postpone disclosure, the standards set forth in section 5 which are the basis for the President's determination.

(2) **RECORD OF PRESIDENTIAL POSTPONEMENT.**—The Appeals Panel shall, upon receipt of the President's determination, publish in the Federal Register a copy of any unclassified written certification, statement, and other materials transmitted by or on behalf of the President with regard to the postponement of disclosure of a human rights record.

**SEC. 8. REPORT REGARDING OTHER HUMAN RIGHTS RECORDS.**

Upon completion of the review and disclosure of the human rights records relating to Guatemala and Honduras, the Information Security Policy Advisory Council, established pursuant to Executive Order No. 12958, shall report to Congress on the desirability and feasibility of declassification of human rights records relating to other countries in Latin America and the Caribbean. The report shall be available to the public.

**SEC. 9. RULES OF CONSTRUCTION.**

(a) **FREEDOM OF INFORMATION ACT.**—Nothing in this Act shall be construed to limit any right to file a request with any executive agency or seek judicial review of a decision pursuant to section 552 of title 5, United States Code.

(b) **JUDICIAL REVIEW.**—Nothing in this Act shall be construed to preclude judicial review, under chapter 7 of title 5, United States Code, of final actions taken or required to be taken under this Act.

**SEC. 10. CREATION OF POSITIONS.**

For purposes of carrying out the provisions of this Act, there shall be 2 additional positions in the Appeals Panel. The positions shall be filled by the President, based on the recommendations of the American Historical Association, the Latin American Studies Association, Human Rights Watch, and Amnesty International, USA.

**TRIBUTE TO AMBASSADOR JASON HU**

**HON. MAURICE D. HINCHEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1997

Mr. HINCHEY. Mr. Speaker, over the past 15 months, many of us in the House have had the opportunity to meet and work with the Representative of the Republic of China in Washington, Ambassador Jason Hu. Ambassador Hu will be leaving Washington soon to return to Taipei, and I want to take this opportunity to thank him for his service and his friendship, and to honor him for the great diplomatic skills he brought to his job here.

Our two countries have many interests in common, most importantly our shared commit-

ment to freedom and democratic principles. Ambassador Hu has been effective in emphasizing those common interests during his stay in Washington, and keeping us informed about Taiwan's concerns and its hopes for the future. He has demonstrated his skill in helping to define the limits and the possibilities of the relationship between our two countries, and in helping to find ways to assure that our formal and informal relations serve those common interests.

While we are sad to see Ambassador Hu leaving us, I also want to congratulate him on his new assignment as the Republic of China's foreign minister. I am confident that his work in the Ministry will continue to build friendship between our countries and to build on those shared interests. I believe Ambassador Hu understands our people and our country well. The same is true, of course, of Taiwan's President, Lee Teng-hui, who once lived in my congressional district when he attended Cornell University.

Let me add to my personal congratulations to Ambassador Hu my congratulations to all the people of Taiwan on their national day.

**TRIBUTE TO TEODORO VIDAL, HIS GIFT TO AMERICAN CULTURE**

**HON. JOSÉ E. SERRANO**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1997

Mr. SERRANO. Mr. Speaker, I rise to pay tribute to Mr. Teodoro Vidal, a Puerto Rican businessman and art collector, who has donated his splendid collection of colonial artwork from Puerto Rico to the Smithsonian Institution.

"Colonial Art From Puerto Rico: Selections From the Gift of Teodoro Vidal", part of Vidal's remarkable endowment to the Smithsonian, is now on exhibit through March 8, 1998 at the National Museum of American Art. Most of his collection will be exhibited in July when the National Museum of American History opens "Teodoro Vidal: A Collector and His Collection."

Mr. Vidal, believed in the need to preserve the Puerto Rican patrimony. Forty years ago he started collecting santos, figures of saints and other religious personalities carved in wood, when he saw that tourists were buying most of the pieces and taking them out of the island.

His collection—3,200 historical and cultural artifacts from Puerto Rico—includes paintings by José Campeche, recognized as the greatest Latin American painter of the 18th century, portrait miniatures, costumes, amulets, jewelry, masks, toys, photographs, and 700 "santos". Some of the pieces date back to the 17th century.

Vidal's treasure is one of the largest donations by an individual to the Smithsonian Institution. Today the Smithsonian will honor Teodoro Vidal for his breathtakingly valuable gift to the American people. Exhibitions of this magnitude will contribute to the understanding of Latin American peoples, their histories, and diverse cultures.

Mr. Speaker, I urge my colleagues and their staff to visit this extraordinary exhibit, and to join me in recognizing Mr. Teodoro Vidal for his magnanimous gift to the Smithsonian Institution, a gift which is a blessing for the peoples of this Nation.

NORTHEASTERN UNIVERSITY'S  
CENTENNIAL YEAR

**HON. JOHN JOSEPH MOAKLEY**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 9, 1997*

Mr. MOAKLEY. Mr. Speaker, I rise today to introduce the following resolution recognizing the beginning of Northeastern University's centennial year.

Initially, founded in 1898 in a few rooms at the Y.M.C.A. in Boston, Northeastern University is now a national research institution enrolling more than 11,000 undergraduates, 5,000 graduate students, and 10,000 part-time students in seven colleges and nine graduate and professional schools. It offers a variety of educational programs including nursing, pharmacy, health sciences, business, computer science, engineering, liberal arts, and sciences.

Northeastern University holds a special place in the heart of Boston and in the higher education community. The university was initially created to provide educational opportunity for working families in Boston and its surrounding towns, and has remained fully committed to that mission as it has developed into a world-class research university. Today, the school boasts of its reputation for a top-notch faculty and it attracts students from across the United States and dozens of other countries.

Northeastern University developed an innovative model of cooperative education that is practical in today's workplace. Throughout their schooling, students combine their classroom instruction with on-the-job experience. Cooperative education has enabled Northeastern students to gain practical experience and job skills, thus giving them an edge over other recent college graduates.

Northeastern University has never forgotten its roots. It is deeply committed to its original purpose and it continuously reaches out to its surrounding communities by helping to prepare middle- and high-school students for college. In addition to providing health care services for children and families, and scholarships for hard-working students, the university generates innovative housing and economic development proposals to improve the quality of city life.

Northeastern University's 100 experience years of worthy of congressional and national acclaim.

CONGRATULATIONS TO MICHAEL  
BUSE

**HON. JACK METCALF**

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 9, 1997*

Mr. METCALF. Mr. Speaker, I rise today to congratulate Michael Buse of Stanwood, WA, who was selected as the winner of the 1997 Voice of Democracy broadcast scriptwriting contest for Washington State.

His essay "Democracy—Above and Beyond" compares American democracy to an eagle perched for flight as we look into the new millennium. American democracy soars above and beyond all other forms of govern-

ment. He concludes that it is our duty to go above and beyond as citizens to preserve and protect our form of democracy.

I would like to congratulate Michael again for his success in this program and thank the Veterans of Foreign Wars for their support of America's youth. I ask unanimous consent that Michael's award-winning essay be included in the RECORD:

"DEMOCRACY—ABOVE AND BEYOND"

Like an eagle perched for flight, American Democracy stands ready, looking into the twenty-first century; a new millennium. As it spreads its wings and gazes over the Earth, American Democracy soars above and beyond all other forms of government.

Why? Perhaps it is because our democracy is above indifference to the wants, needs, and wishes of its citizens. Our democracy is run for, of, and by its people. American Democracy is beyond the control of a single despot or a celebrated few.

Our democracy is founded on the idea that there are extraordinary possibilities in ordinary individuals. Abe Lincoln, our sixteenth President, comes to mind as a young man who rose from the depths of poverty to become perhaps the greatest President our country has ever known. His example—and a number of others—have proven repeatedly that no matter how humbly a child is born, he or she has a chance to engage the minds and capture the imaginations of our whole country. Our democracy is above and beyond all others simply because we have a chance. Under American Democracy we may do as we please, as long as we remain responsible citizens.

The beauty of American Democracy is that we all—man or woman, rich or poor, of whatever race, creed, or religion, have value and are valued. General Joshua Lawrence Chamberlain, "Hero of the Little Round Top", addressing his soldiers before the Battle of Gettysburg explained the notion of American Democracy by saying, "It's not the land, there's always more land, it's the idea that we all have value."

Today, our American Democracy is the wealthiest, most powerful and freest nation on Earth. Our people are free to criticize their leaders and to elect new ones. We have freedom of the press, religion, and speech. We are free from unjustified arrest by police and have the right to trial by a jury of our peers. Our system of Democracy, as laid out originally in the Constitution and Bill of Rights, was not perfect, but our forefathers anticipated the future, and insured us the power of amendment, which has allowed us over time to continue to work for civil rights for all of our people. Perhaps that is why the world looks to American Democracy as a model. Of the 191 nations listed in the World Almanac, 167 have written constitutions that were either influenced by or modeled after American Democracy.

In a speech delivered to the U.S. Congress, Vaclav Havel, President of the newly formed Czech Republic, asked: "Wasn't it the best minds of your country who wrote your famous Constitution and Bill of Human Rights? Those great documents which insure American Democracy inspire the world. They inspire us to be citizens."

As participants in what George Washington called the "great experiment of American Democracy" it is our duty to go above and beyond as citizens to preserve and protect our form of Democracy.

IN MEMORY OF RAY PEELER

**HON. RALPH M. HALL**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 9, 1997*

Mr. HALL of Texas. Mr. Speaker, I rise today in memory of Ray Peeler, Jr., whose death on June 26 at the age of 68 marked a great loss for the city of Bonham, TX. Ray was a popular local attorney, banker, and community leader. He also was a loyal Democrat whose close friends included the late President Lyndon Baines Johnson and the late Speaker of the U.S. House of Representatives Sam Rayburn. For many years Speaker Rayburn kept his local office on the third floor of the Peeler Building on the Bonham Square.

Ray was the third generation of his family to live in Fannin County. He graduated coaledictorian from Bonham High School, received his B.A. with high honors from the University of Texas at Austin and his L.L.B. in 1951. He served as a captain in the U.S. Air Force from 1951 to 1953 during the Korean conflict.

He returned to Bonham, where he began his practice of law in 1953 and served as district and county attorney from 1960 to 1961. He was a member of the American Bar Association, State Bar of Texas, and served as vice president of the State Jr. Bar of Texas from 1959 to 1960. He was active in Democratic politics and was a delegate to the Democratic National Convention in 1960.

Ray was a prominent member of the community and devoted his professional and personal talents to a variety of civic organizations. He served as chairman of the Bonham United Fund and was active in bringing new industry to Fannin County through his service as president of Bonham Industrial Foundation for 10 years. Ray was an honorary life sponsor of the Fannin County Historical Society and was past president and member of the Bonham Chamber of Commerce, Texas Pecan Growers Association and Texas Horticulture Society. He also was a member of the Bonham Rotary Club and the Masonic Lodge. Ray served as president and chairman of the board of directors of Fannin Bank and chairman of the board of First National Bank.

Ray was selected for membership in Phi Beta Kappa, Phi gamma Delta and Phi Alpha Delta and was named to Who's Who in the South and Southwest in 1993. He was a member of the First Christian Church, Disciples of Christ, where funeral services were held.

He is survived by his wife, R'Cella Dean Peeler, son and daughter-in-law William Bryan Peeler and Amy Peeler of Bonham, daughter and son-in-law Maribel Peeler Griffon and Mark Griffon of Friendswood; stepchildren, Cressie Renfrow Todd and Larry Renfrow; sister Virginia Cothran of Forth Worth; and several grandchildren.

Mr. Speaker, as we adjourn today, it is a privilege for me to pay my last respects to a man who gave so much of himself to his profession, his community, and his country—Ray Peeler. He will be missed by all those who knew him and who loved him, and I am honored to have been his friend.