

and review provisions of §801. I am also concerned that the level of consultation with, and analysis by, the Office of Management and Budget—as required by CRA—was minimal. Even so, I appreciate the corps' willingness to work with us in the spirit of bipartisan cooperation so as to move beyond the initial issue of submission to Congress under the CRA.

With this procedural issue set aside, we can now focus on the substance of these significant changes to the Nationwide Permit Program. The leadership of the Transportation and Infrastructure Committee and its Water Resources and Environment Subcommittee looks forward to reviewing the modifications, particularly to Nationwide Permit No. 26, and the overall impact of the January 23, 1997, Federal court ruling—American Mining Congress versus Army Corps of Engineers—invalidating the corps' so-called excavation rule. Congressional review of these recent developments should help in the overall effort to reauthorize and improve the Clean Water Act, including the wetlands permitting program.

#### HONORING THE NORTH PARK MIDDLE SCHOOL BAND OF PICO RIVERA

HON. ESTEBAN EDWARD TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 12, 1997

Mr. TORRES. Mr. Speaker, I rise today to honor the members of Pico Rivera's North Park Middle School marching band. On Wednesday, January 1, 1997, this group of talented young individuals participated in the 108th Annual Tournament of Roses Parade in Pasadena, CA, as the first group of middle school students to perform in this event in over 45 years. As I watched the North Park Middle School band on television, I was filled with pride that this group of talented youth from my congressional district was representing my community. It is through their dedication, hard work, and perseverance that the band members earned this distinct privilege, and they are to be commended.

On Monday, May 24, 1993, I stood before my colleagues in the House and honored this same group of young people for their commitment to excellence. I spoke of the band members and their parents who faced the board of education to demand that North Park Middle School's music program not be abolished. As a result, funding was continued, and the band was bestowed with one of the greatest honors possible: the opportunity to perform before millions of viewers in the 1997 Rose Parade.

The outstanding performance demonstrated by each of the band members is testimony to the leadership and guidance that the band's director, Mr. Ron Wakefield, has provided over the years. Because of Ron's dedication and belief in his young musicians, the band never gave up its dream of one day performing in the Rose Parade. Helping Ron were assistant director, Jose Diaz, parade coordinator, Lou Diaz, and Rhonda Cheat, colorguard adviser. I would also like to recognize North Park Middle School principal, Robert Martinez, vice principal, Dwight Jones, and the parents of the bandmembers for their support of the band's efforts.

Mr. Speaker, I stand before you today in recognition of the young members of the North

Park Middle School band for their tireless efforts and outstanding achievements. This talented group of musicians has made the Pico Rivera community proud. I, too, am proud to represent such fine young men and women, and I ask my colleagues to join me in honoring them for their hard work and accomplishments.

THANK YOU, PETER KING

HON. KAREN MCCARTHY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 12, 1997

Ms. MCCARTHY of Missouri. Mr. Speaker, I would like to take this opportunity to recognize Congressman PETER KING for his tireless and diligent work on behalf of the Irish people.

Congressman KING, who serves as the co-chairman of the Congressional Ad Hoc Committee on Irish Affairs, was awarded the Heart of America International Peace Award by the Ancient Order of Hibernians, Padriac Pearse Division I, Jackson County, MO, on February 1, 1997. This honor was for his strong opposition to British oppression of the Irish people. Mr. KING was only the third leader to receive this prestigious honor. Previous winners of this award include Jerry Adams and Bernadette Devlin. All three have distinguished themselves through exemplary leadership in the area of human rights equalization in Northern Ireland. He was recently presented this award by the Ancient Order of Hibernians in my district.

Congressman PETER KING has traveled to the six occupied counties in Northern Ireland on 15 different occasions and is recognized as the leader in Congress on issues facing Ireland. He has been honored by the Ancient Order of Hibernians, the Knights of Columbus, the Irish-American Fenian Society, the Irish National Caucus, and the Irish Northern Aid Committee.

His travels to Northern Ireland enabled him to witness hunger strikes, the Diplock Courts, and other monumental events. He accompanied President Clinton on the President's historic peace mission to Belfast and Derry in 1995.

Thank you, PETER KING, for your outstanding service to the Congress, the Irish-American community throughout our great Nation, and the Irish nationalist community abroad. I applaud your efforts and salute you as the 1997 Heart of America International Peace Award recipient.

HONORING FRANK VISAGGIO

HON. STEVE R. ROTHMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 12, 1997

Mr. ROTHMAN. Mr. Speaker, I rise today to honor Frank Visaggio, who was selected to represent the United States in Taekwon Do's 1997 World Championships.

A team of six men and six women will compete against over 30 countries this July in St. Petersburg, Russia. The team competition includes four events: sparring, breaking, patterns, and team patterns.

Mr. Visaggio of Seacaucus, NJ, has been training in Taekwon Do for 15 years. He is the New Jersey State director of the International Taekwon Do Association, and is owner and head instructor of the Meadowlands Academy of Martial Arts.

Mr. Speaker, I urge you and all of our colleagues to join me in commending Frank Visaggio on all of his worthy accomplishments. I wish Frank and his teammates the best of luck in this summer's competition.

THE INDEPENDENT COUNSEL LAW

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 12, 1997

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for Wednesday, February 5, 1997, into the CONGRESSIONAL RECORD.

REFORMING THE INDEPENDENT COUNSEL LAW

Congress enacted the independent counsel law in 1978 in response to Watergate and the seeming inability of the executive branch to investigate and prosecute crimes by senior administration officials. The independent counsel, appointed by federal judges and working outside the executive branch, was intended to handle such cases in an impartial manner, thus restoring public confidence in the process.

Since the law's enactment there have been 17 independent counsel investigations at an estimated total cost of over \$115 million. Of those 10 ended with no indictments. Four others, including the Whitewater investigation of the President, are ongoing. There were several convictions in the Iran-contra investigation, although some were overturned on appeal.

Even though the law is not up for review until 1999, Congress is already considering proposals to reform the measure. A House subcommittee held hearings on the law last year, and numerous articles have been written on the issue, particularly in light of the ongoing Whitewater investigation. Some argue that the act has worked reasonably well, while others say it has led to costly and unending investigations and should be overhauled or scrapped.

HOW THE LAW WORKS

The independent counsel law generally applies to high ranking officials in the executive branch, including the President, Vice President, senior White House staff, and Cabinet members as well as members of Congress. The Attorney General can seek an independent counsel on her own initiative or on receipt of information alleging a violation of federal criminal law.

The Attorney General conducts an initial review of the matter. If she reasonably believes further investigation is warranted, she applies to a special three-judge panel appointed by the Chief Justice of the Supreme Court, requesting that the panel appoint an independent counsel. The panel selects the independent counsel, and defines the scope of the investigation. The independent counsel has the full range of investigatory and prosecutorial powers and functions of the Attorney General.

There is no specific term of appointment for independent counsels. They have unlimited budgets, serve as long as it takes to complete their duties, and may seek to expand the scope of their investigation. An independent counsel may only be removed by

the Attorney General for good cause. Likewise, the special three-judge panel may terminate the work of the independent counsel if the counsel's work is deemed completed.

#### ARGUMENTS PRO AND CON

Supporters of the independent counsel law contend that it is necessary to investigate allegations of high-level misconduct in the executive branch. Only an independent counsel, chosen by a panel of judges, can provide the best assurance of a thorough and impartial investigation followed by a fair-minded prosecution or public dismissal of the charges. The Attorney General, in contrast, is a political appointee of the President, and might not be counted on to conduct an impartial review of allegations of misconduct by the President or his appointees.

Opponents respond that the law is too easily abused. Congress enacted the independent counsel statute to address those occasions, as with Watergate, where there is serious evidence of criminal misconduct by the President or high level government officials. An independent counsel operates with broad powers and an unlimited budget, outside the standard constraints of executive branch accountability, and should be rarely appointed. The Iran-contra affair and Watergate might justify appointment of a special counsel, but determining whether a Department Secretary told an FBI background reviewer the total amount of money he gave his former mistress does not. Such a case could be handled by the Justice Department.

#### REFORM PROPOSALS

There is a wide range of proposals for reforming the independent counsel law. Some favor outright repeal. They say that career Justice Department prosecutors can impartially investigate and prosecute cases of executive branch misconduct, and that the political process will hold the President accountable for prosecutorial abuse. After all, they observe, the Watergate cases were investigated and prosecuted without an independent counsel law.

Others support incremental changes to the law. One set of reforms would limit the circumstances when an independent counsel would be appointed. For example, the law could be limited to allegations of misconduct at the highest levels of government, such as the President, Vice President, and Attorney General, and to crimes committed in office. Likewise, the law could be amended to raise the threshold at which the Attorney General must ask the three-judge panel to name a special prosecutor.

Another set of reforms would place some checks on the powers of an independent counsel. The law, for example, could be amended to fix a time limit on the investigation, subject to extension by the appointing court if there has been an indictment or if the independent counsel has the evidence to justify further inquiry. The law could also be changed to limit the ability of the independent counsel to expand the scope of an investigation. Some have also proposed constraining spending on investigations by making them subject to annual congressional appropriations.

A third set of reforms would improve the integrity of the independent counsel process. One such proposal would make the job of independent counsel full time, permitting no representation of other clients. This reform would enhance public confidence in the impartiality of the investigation, and help expedite the proceedings.

#### CONCLUSION

I have consistently supported the independent counsel law, and approved of the appointment of a special prosecutor in the Iran-contra and Whitewater cases. I believe,

however, that the process should be used more sparingly and subject to more constraints. Public confidence in the process has diminished as investigations drag on for years, at great expense.

The independent counsel law expires in 1999. We should use the next two years to review the current law, and consider reforms that would improve public confidence in the process, including limiting the use of the independent counsel law and making the process, when invoked, move more swiftly and less expensively.

### HOOORAY FOR THE LADY BULLDOGS

#### HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 12, 1997*

Mr. ROGERS. Mr. Speaker, on Sunday, February 3, 1997, the Lady Bulldogs of Hazard High School in Hazard, KY, made a dream come true. That was the night they won the All "A" State Tournament by beating Lexington Catholic 53 to 45.

This was the fourth time in history that Hazard High School had a team in a basketball State championship. In fact, the Lady Bulldogs of 1996-97 had a lot to live up to—every Hazard team that had gone to the State championships before had won. Were they up to the challenge?

In their opening game of the tournament, the Lady Bulldogs beat the defending All "A" champions from Louisville Holy Cross 61 to 34. This was a sign of great things to come. After two more games, the Lady Bulldogs faced Lexington Catholic—and the rest is history. With effective offense, tenacious defense, skillful shooting, and tremendous coaching, the Lady Bulldogs claimed victory for their own.

Today, the 1996-97 Lady Bulldogs—Jaime Steele, Dee Sammons, Leah Cornett, Betsy Boggs, Charlotte Sizemore, Lori Graves, Carolyn Alexander, Tracy Kershaw, Nea Rogers, Christy Dunigan, and Jennifer Sharp—are walking tall. Each one a dedicated, hard-working young lady. Each one with the character and perseverance of a champion, not because she won a State tourney, but because she dared to pursue the dream.

The victory, however, is not theirs alone. Their coach, William "Bill" Fannin, began to lay the groundwork over a decade ago. In 1985, he took on the coaching job, and with patience, understanding, hard work, and love in his heart, he helped show the Lady Bulldogs what it takes to be winners—not just on the court, but also in school and their community.

Of course, Coach Fannin had a little help. Coach "Cos" Hugh Cosimini; coach Frieda Fannin, Bill's wife; and coach Candi Fannin, Bill's daughter, put a lot of time, energy, and heart into building the Lady Bulldog team we know today.

The community of Hazard also deserves some of the credit for their staunch support of the team. And, I would be leaving out an important part of the team if I didn't mention the Hazard cheerleaders, whose spirit at the games helped rally the Lady Bulldogs to victory. In fact, both the Lady Bulldog cheerleaders and the Hazard boy's team cheer-

leaders won first place in their competitions during the All "A" Tournament.

We all know that it's not whether you win or lose—it's how you play the game. Certainly, these Lady Bulldogs played fairly, with dignity and pride. But it sure is a great feeling to actually win the game. Today, I congratulate the Hazard Lady Bulldogs and their coaches. Good work on a job well done.

### CONGRESSMAN FRANK LUCAS HONORS EIGHT OKLAHOMANS WHO HAVE BEEN HONORED AS "CIVIL RIGHTS TRAILBLAZERS"

#### HON. FRANK D. LUCAS

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 12, 1997*

Mr. LUCAS. Mr. Speaker, I rise today to honor eight Oklahomans who were recently honored as "Civil Rights Trailblazers." The Oklahoma Historical Society's Black Heritage Committee acknowledged the commitment to civil rights that these leaders have made. The following were honored on February 6, 1997.

Former Oklahoma Representative Hannah Diggs Atkins was a State representative for 12 years and served as a delegate to the United Nations General Assembly under President Jimmy Carter. She is also a member of the Oklahoma Women's Hall of Fame and the Afro-American Hall of Fame.

David Boren is a former Governor and Senator from Oklahoma. Among other things, he chaired the Senate Select Committee on Intelligence and was a cochair of the 1993 Joint Committee on the Organization of Congress. He currently serves as president of the University of Oklahoma.

Rev. W.K. Jackson currently preaches at the Oklahoma City St. John Baptist Church. He has served as president of the Baptist Ministers Union, the Progressive Oklahoma Baptists State Convention, and the Coalition of Civic Leadership.

Ms. Rubye Hall is the current chair of the Oklahoma Historical Society's Black Heritage Committee. She is a life-long educator who is an emeritus member of the Oklahoma Historical Society Board of Directors.

Mr. John Kirkpatrick formed the Kirkpatrick Foundation in the 1970's and has been honored by the Oklahoma City Federation of Colored Women's Clubs with an Achievement Award in 1992. He and his wife Eleanor have been very active philanthropists.

Ms. Clara Luper was an active civil rights leader in the 1960's who led a number of lunch counter sit-ins in Oklahoma City to break down Jim Crowe Laws.

George Nigh is a former Governor, Lieutenant Governor, and State representative of Oklahoma and currently serves as president of the University of Central Oklahoma. In addition, he is a member of the Oklahoma Hall of Fame and was inducted into the U.S. Jaycees Ten Outstanding Young Americans Hall of Leadership.

Ms. Ursula Sanders is the current president of the Baptist Ministers Wives of the National Baptist Congress of Christian Education and served for 16 years as president of the Women's Christian Temperance Union in Oklahoma.

I want to personally salute these leaders and thank them for the progress that has been