

more than 3 miles off of the United States shoreline be brought in Admiralty Court and limits recovery of damages for * * * survivors to lost income only. While this may have been an appropriate law 77 years ago, in 1997 it is nothing short of outrageous today.

A constituent of mine, Carol Ziemkiewicz, lost her daughter, Jill, on that flight. Jill's lifelong dream of becoming a flight attendant became a reality when she completed her training at TWA and began her work on TWA domestic flights. After only 1½ months Jill was assigned to her first international flight. She would be going to Paris, where she was eager to visit the Garden of Versailles. An hour before TWA flight 800 left to take Jill to Paris, she called her mother and summed up her anticipation—her last words to her were "I'm psyched."

Jill was only 23 years old. Her life, along with everyone else on the plane, was ended too early. But the 230 people who died in that crash were not the only victims on that fateful night. Those victims left behind families, friends, and loved ones; people who continue to live but whose lives will never be the same because of this tragedy.

I am a proud cosponsor of H.R. 2005. H.R. 2005 will help to ensure that Carol Ziemkiewicz and the hundreds of other surviving family members like her know that the lives of their loved ones had value—that what happened to them was a tragedy and we all must do what we can to ease their pain and suffering. They have been through enough. I urge my colleagues to support H.R. 2005.

Mrs. ROUKEMA. Mr. Speaker, as an original cosponsor of H.R. 2005, the Airline Disaster Relief Act, I want to commend my colleague, Congressman McDADE, for introducing this important bill. This is must-pass legislation that will ensure equitable treatment for those families who suffer the agonizing loss of a loved one resulting from international aviation disasters.

Currently, various laws exist which impact the ability of family members to seek retribution for the death of a loved one. Specifically, in 1920, the Disaster on the High Seas Act was enacted for the immediate family of sailors lost at sea to obtain compensation for lost income. This act is applicable when the aviation accidents occurs more than 3 miles from the shoreline. Because TWA 800 crashed 9 miles off the Long Island coast, the Supreme Court has ruled, in similar cases, that the High Seas Act would apply.

What that means for family members of the TWA 800 air disaster is that they will only be allowed to receive minimal compensation from TWA because this antiquated law restricts compensation to loss of income. Under the 1920 act, plaintiffs are not entitled to damages for pain and suffering, loss of companionship, or loss to society. In fact, those families that lost children, like the 16 students from Montoursville High School in Montoursville, PA, who were participating in a long-awaited French Club trip to France, would receive almost no compensation because children do not contribute any income to the family. Senior citizens fall into the same category as children. Moreover, victims' family members would be restricted from having a jury trial and would have to present their claim to a judge under maritime law.

Justice Scalia stated that the Supreme Court feels the law is antiquated but it's up to

Congress to change it. Furthermore, the White House Commission on Aviation Safety and Security has stated:

Certain statutes and international treaties, established 50 years ago, historically have not provided equitable treatment for families of passengers involved in international aviation disasters. Specifically, the Death on the High Seas Act of 1920, although designed to aid families of victims of maritime disasters, have inhibited the ability of family members of aviation disasters to obtain fair compensation.

At a time when so many Americans are traveling abroad, either taking part in the global economy or seeing the sights of other country's cultures, it is important that Americans know that their court system is accessible to them should the unthinkable happen.

Over 200 families lost loved ones on TWA flight 800. It is unconscionable that those families will not be provided the same access and compensation available to the families involved in the ValueJet tragedy. This despite the fact that both disasters happened roughly the same time after take off and the same distance from the respective airports. The only difference being that TWA 800 was past the 3-mile limit allowed by the 1920 act. Finally, it is interesting to note that this 1920 act was designed to address maritime disasters and was enacted at a time when there were no transoceanic flights. However, it is being applied to circumstances relating to airline disasters.

I would like to take this opportunity to pay tribute to two of my constituents, Robert Miller and his wife of 30 years Betty were two of the 230 people aboard flight TWA 800. Robert Miller had been Tenafly's popular and affable borough administrator for almost 5 years, and his wife was a school teacher in Dumont. While this legislation will not ease the pain of their loss, it will provide their daughter the same access and compensation available to other families involved in similar tragedies.

In addition, I would like to commend one of my constituents who has worked hard to see that this legislation received the attention it so deserves. Mr. Hans Ephraimson-Abt. lost a 23-year-old daughter when a Soviet fighter plane disabled Korean Airline Flight 007. Since that personal tragedy, Mr. Ephraimson has devoted himself to assisting other families involved in similar tragedies. He has served as the chairman of the American Association for Families of KAL 007 Victims, a support group that has extended its activities to assist families involved in other air accidents to cope better with their tragedies' aftermath.

He has been an active participant in the efforts to improve after-crisis management, as well as to update and modernize laws and treaties. In that regard, yesterday, Mr. Ephraimson testified before the U.S. Department of Transportation's Task Force on Assistance to Families of Aviation Disasters. Year after year he has continued to fight for the rights and needs of families who have suffered as a result of airline disasters. He has pushed for comprehensive regulations, and to improve domestic and international civil aviation.

It is through the hard work and diligence of people like Mr. Ephraimson that we have learned of the need to change the provisions of the 1920 act to make it more applicable to today's modern disasters. He and others like him are to be commended for their unselfish dedication to making all of our lives better and

safer, and he is to be commended for his tireless dedication to helping ease the pain of those that have suffered a family tragedy due to an airline disaster.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. GOODLATTE). The question is on the motion offered by the gentleman from Tennessee [Mr. DUNCAN] that the House suspend the rules and pass the bill, H.R. 2005, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: "A bill to amend title 49, United States Code, to clarify the application of the Act popularly known as the 'Death on the High Seas Act' to aviation incidents, and for other purposes."

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous matter on H.R. 2005, the bill just considered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

CONCERNING THE SITUATION BETWEEN THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA AND THE REPUBLIC OF KOREA

Mr. KIM. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 74) concerning the situation between the Democratic People's Republic of Korea and the Republic of Korea, as amended.

The Clerk read as follows:

H. CON. RES. 74

Whereas the Korean demilitarized zone remains extremely tense 44 years after the ending of the Korean War, as evidenced most recently by a mortar attack and exchange of gunfire on July 17, 1997;

Whereas with more than 1,000,000 soldiers in the Democratic People's Republic of Korea and 600,000 soldiers in the Republic of Korea, both militaries are on a constant high alert;

Whereas the threat of North-South military confrontation between the Democratic People's Republic of Korea and the Republic of Korea is of grave concern to the United States;

Whereas 37,000 United States troops are stationed on the Korean Peninsula;

Whereas the United States and the Republic of Korea have long had a close relationship based on mutual respect, shared security goals, and shared interests;

Whereas as a result of an invitation extended last year by President Clinton and Republic of Korea President Kim Young Sam, four-party preparatory talks involving the United States, the Republic of Korea, the Democratic People's Republic of Korea, and the People's Republic of China are likely to begin in August 1997 to determine timing, venue, level of representation, and broad agenda categories for forthcoming talks;

Whereas the participation of China is integral to the success of any agreement; and

Whereas it will be impossible to resolve the conflict on the Korean Peninsula and fashion a lasting solution unless the Democratic People's Republic of Korea and the Republic of Korea engage in direct dialogue, without depending on other parties to act as intermediaries: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) supports United States troops who have faithfully served the interests of the United States by ensuring stability on the Korean Peninsula;

(2) supports our Republic of Korea allies who have made good faith efforts to resolve this conflict; and

(3) supports four-way talks between the United States, China, the Republic of Korea, and the Democratic People's Republic of Korea to peacefully and permanently resolve the conflict between the two Koreas.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California [Mr. KIM] and the gentleman from Indiana [Mr. HAMILTON] each will control 20 minutes.

The Chair recognizes the gentleman from California [Mr. KIM].

Mr. KIM. Mr. Speaker, I yield myself such time as I may consume.

(Mr. KIM asked and was given permission to revise and extend his remarks.)

GENERAL LEAVE

Mr. KIM. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this concurrent resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. KIM. Mr. Speaker, the Korean peninsula remains one of the world's most heavily militarized regions, a hot spot of potential confrontation that has endured for more than 40 years. The mortar attacks and exchange of gunfire between the North and South Korean forces that occurred on July 17, 1997, highlight the extremely tense situation that exists every day along the so-called Demilitarized Zone.

As demonstrated by the presence of 37,000 American troops on the Korean peninsula, the United States is formally committed to maintaining stability and security in the region. Our strong support for the four-party talks is a further proof that the United States Government wants to see improved relations between North and South Korea, which will hopefully bring a final and lasting peace to the peninsula.

The distinguished gentleman from Florida [Mr. HASTINGS] has introduced a timely and well-fashioned concurrent resolution that reemphasizes the support of the Congress for our brave service men and women stationed in the peninsula and for continued diplomatic efforts to bring the two parties together to resolve the conflict. House Concurrent Resolution 74 also, quite properly, recognizes our South Korean allies for their good-faith efforts at achieving peace.

I fully support the passage of House Concurrent Resolution 74 and commend the gentleman from Florida [Mr. HASTINGS] for his leadership in authorizing this resolution.

I thank the gentleman from Nebraska [Mr. BEREUTER], the chairman of the Subcommittee on Asia and the Pacific, for his prompt consideration of this measure in his subcommittee, and the ranking Democrat on the full committee, the gentleman from Indiana [Mr. HAMILTON], and on the subcommittee, the gentleman from California [Mr. BERMAN], for their cooperation in advancing it to this point.

Mr. Speaker, I reserve the balance of my time.

□ 1530

Mr. HAMILTON. Mr. Speaker, I yield myself such time as I may consume, and I rise in support of the resolution.

First I want to express my appreciation to the gentleman from Florida who I think was the original cosponsor or the original sponsor of this resolution, along with the gentleman from Nebraska [Mr. BEREUTER]. The Korean peninsula, I think, is the most dangerous place in the world today. Yet American troops working in close partnership with our South Korean friends and allies have helped maintain the peace there for over 44 years. So all of us owe a debt of gratitude to those who gave their lives during the Korean war and to those who stand guard today along the demilitarized zone separating North and South Korea.

This resolution gives voice to our gratitude, expresses our strong backing for both American troops in Korea and our stalwart South Korean allies. The resolution also supports the four-way talks between the United States, China, the Republic of Korea, and the democratic People's Republic of Korea to peacefully and permanently resolve the conflict between the two Koreas. I think this legislation deserves our support. I ask my colleagues to vote "yes" on the resolution.

Mr. Speaker, I yield 4 minutes to the gentleman from Florida [Mr. HASTINGS], the chief sponsor of this resolution.

Mr. HASTINGS of Florida. Mr. Speaker, I thank the distinguished ranking member for yielding me this time.

I would like to thank the gentleman from California [Mr. KIM], the gentleman from Nebraska [Mr. BEREUTER], my friend and colleague, and the gentleman from California [Mr. BERMAN] as well for their expeditious handling of this matter in the Subcommittee on Asia and the Pacific.

I especially point to the gentleman from California [Mr. KIM], my good friend, for this resolution was conceived by me when the gentleman from California [Mr. KIM] and myself and other Members of the House, along with the Speaker of the House, visited South Korea. It was a moving experience to go there and to go there with

the gentleman from California [Mr. KIM], who obviously understands and understood the dynamics in that area better than any of us could.

It really is just a sense of the Congress expressing our support for and encouragement of four-party talks between the United States, South Korea, North Korea, and China. Since the Korean peninsula was divided at the end of World War II, between the North and South, repeated attempts at reunification have failed. The 1950 through 1953 Korean war ended in an armistice agreement which altered hostilities but left the two sides technically at war, divided by a heavily fortified demilitarized zone that the gentleman from California [Mr. KIM] and myself and others had an opportunity to visit recently.

Since 1970 there have been several attempts to replace the 1953 armistice agreement with a peace deal that could lead to a unified Korean peninsula. But as you know, Mr. Speaker, these attempts have been fragile if not precarious, yet at times the dialogue between North and South Korea has produced cooperation in various forms such as cultural exchanges, a unified sports team, reunions of separated families and limited trade.

With this resolution, it is our hope that the nothing ventured nothing gained outlook prevails at the four-party talks initiated by the United States and our stalwart ally, South Korea. Without the participation of each and every one of the invited parties, these talks will become moot. This resolution loudly and clearly states that the U.S. Congress strongly encourages all parties to come to the table and stay there until a formal peace treaty is developed.

For its part, North Korea is already plagued by food shortages and economic mismanagement. Most nations avoid the North because its leaders can be and at most times are unreliable. It has no legal system. Its roads and railways are crumbling. Its work force is starving and its huge military is a constant threat to peace and stability in that region.

By encouraging these four-party talks, our goal is to alleviate the immense threat that a dangerous, unstable region poses to our ally, South Korea. Yet we must do so in a manner which does not necessarily condemn North Korea. Rather, our solution must relieve the pain and suffering in the region by replacing it with peace and security.

Forty-four years after the ending of the Korean war, the border between the two countries remains extremely tense. The border remains extremely tense as evidenced by the recent mortar attack and gunfire exchange on July 17. Last August, when the gentleman from California [Mr. KIM] and others and I traveled to South Korea with Speaker GINGRICH, we stood on that border and visited our troops stationed at the demilitarized zone.

This amendment is also about American soldiers and South Korean soldiers. It is an expression of support for the men and women stationed over there with the hope that these four-party talks will lead to a unified Korea, eliminating the need for their deployment.

Reunification is a goal claimed by both North and South Korea. Let us encourage this ambition by making reunification a sincere goal of our foreign policy. I urge all of our colleagues to support this resolution. I thank the gentleman, once again, for yielding me the time.

Mr. HAMILTON. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Guam [Mr. UNDERWOOD].

Mr. UNDERWOOD. Mr. Speaker, I thank the distinguished ranking member for yielding me this time.

Mr. Speaker, I rise this afternoon in strong support of the resolution introduced by our colleague from Florida [Mr. HASTINGS], which supports our U.S. troops who faithfully served the interests of the United States by ensuring stability on the Korean peninsula and the four-way talks between the United States, China, South Korea and North Korea.

Mr. Speaker, I represent a very unique American community. The American citizens of Guam live in the Asia-Pacific region, and Guam is the closest American community to the events occurring on the Korean peninsula and would be a crucial part of any effort to deal with any hostilities on the peninsula.

Mr. Speaker, as part of my ongoing work in the Committee on National Security, I have traveled to Korea for on-site briefings and witnessed firsthand our challenge there. As America remains engaged in the effort to peacefully settle the conflict between North and South Korea, we must commend and vigorously support the recent efforts to begin the four-way talks. These talks will contribute to greater security in the Asia-Pacific region and are of tremendous importance to Guam and the rest of the United States.

Mr. Speaker, this House has taken many steps in directing United States policy in Korea. At a time of severe starvation and growing internal strife in North Korea, we must resolve to act on our commitments and demonstrate international leadership.

Passage of this resolution will again reassure Koreans that we in the United States are working to establish a concrete and lasting peace on the Korean peninsula by living up to our responsibility as a signer of the armistice agreement. As we support the resolution, let us not forget the distinguished service of our men and women in uniform who have been the main force for peace in that part of the world.

I urge this body to pass this very important resolution.

Mr. KIM. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from California [Mr. ROYCE], a member

of the Subcommittee on Asia and the Pacific, my good friend.

Mr. ROYCE. Mr. Speaker, I want to thank my colleague, the gentleman from California [Mr. KIM], for yielding to me this time. I want to commend the gentleman from Florida [Mr. HASTINGS] for offering this resolution.

This resolution makes an important statement that the House of Representatives supports our troops on the Korean peninsula. We support our friends and allies in the Republic of Korea and we support the proposed North-South four-party talks that at long last seem to be moving forward.

We are all hopeful that the recent agreement of the North Korean Government to sit down and agree to the final details of four-party talks will lead to substantive negotiations. Now more than ever, it is important to have such channels of communication open to discuss the future of North Korea, and future relations between the North and South. And I really want to take this opportunity to urge all of my colleagues to support this resolution.

Mr. HAMILTON. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from American Samoa [Mr. FALEOMAVAEGA].

(Mr. FALEOMAVAEGA asked and was given permission to revise and extend his remarks.)

Mr. FALEOMAVAEGA. Mr. Speaker, I rise to support House Concurrent Resolution 74, as introduced by my good friend and colleague, the gentleman from Florida [Mr. HASTINGS].

Mr. Speaker, after that terrible conflict commonly known as the Korean war, for some 44 years now our Nation has had to maintain an effective presence in the demilitarized zone that is separating North Korea from South Korea. Even until now, Mr. Speaker, the crisis in the Korean Peninsula remains one of the most tense in the world. North Korea has an army of over 1 million soldiers, compared to South Korea's 600,000 sailors and soldiers.

Mr. Speaker, history has demonstrated several times that all the bullets, the guns, the cannons, and all other manner of military weapons are not worth a dime if the country cannot feed its soldiers. Recent reports indicate, Mr. Speaker, that there is currently a shortfall of approximately 2.3 million tons of grain in North Korea. What this simply means is that the North Korean people are starving and there is serious concern if the crisis has been alleviated or do we expect more problems in the future.

Mr. Speaker, I believe it is only proper that the People's Republic of China, our Nation, and the two Koreas should engage in meaningful dialog.

Mr. Speaker, I have been to South Korea, and I was very impressed with its economic and political developments in recent years. With South Korea's development in technology and industrialization, and with the tremendous potential of resources available to North Korea, a unified Korea could

really become a great nation to provide for the needs of some 60 million people living in both North and South Korea.

I want to commend the gentleman from California [Mr. KIM], my good friend, for also being a part of the management of this legislation. I urge my colleagues to support this piece of legislation.

Mr. HAMILTON. Mr. Speaker, I yield back the balance of my time.

Mr. KIM. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. GOODLATTE). The question is on the motion offered by the gentleman from California (Mr. KIM) that the House suspend the rules and agree to the concurrent resolution, House Concurrent Resolution 74, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

EXPRESSING CONCERN OVER VIOLENCE IN REPUBLIC OF CONGO

Mr. ROYCE. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 175) expressing concern over the outbreak of violence in the Republic of Congo and the resulting threat to scheduled elections and constitutional government in that country, as amended.

The Clerk read as follows:

H. RES. 175

Whereas President Pascal Lissouba defeated former President Denis Sassou-Nguesso in a 1992 election that was determined to be free and fair;

Whereas losing candidates raised questions concerning the results of the 1993 legislative election and used those concerns to cast doubt on the entire democratic process in the Republic of Congo and as the rationale for creating private militias;

Whereas thousands of citizens of the Republic of Congo have been killed in intermittent fighting between Government soldiers and private militiamen since 1993;

Whereas there are concerns about the unfinished census and resulting electoral list to be used in the scheduled July 27 election;

Whereas the recent fighting resulted from the Government's attempt to disarm former President Sassou-Nguesso's "Cobra" militia in advance of the scheduled July 27 election;

Whereas the fighting and uneasy peace has caused serious loss of life and diminished ability to care for those who are without access to adequate medical care or food and water;

Whereas the fighting between Government troops and militiamen have forced the evacuation from the country of foreign nationals and endangered refugees from both Rwanda and the former Zaire; and

Whereas African governments have attempted to bring about a negotiated settlement to the current crisis: Now, therefore, be it

Resolved, That the House of Representatives—

(1) condemns the current fighting and urges the warring parties to reach a lasting ceasefire that will allow for humanitarian needs to be addressed as soon as possible;