

to Florida's Eleventh Judicial Circuit Court, where he has served with integrity and competence. His peers and colleagues have overwhelmingly endorsed his abilities. In a 1994 survey of regional attorneys by the Dade County Bar, 92.8 percent of respondents rated Judge Gold's performance as qualified or exceptionally qualified.

As a circuit court judge, Alan Gold served both in the family and criminal divisions, where he presided over felony jury cases. Despite the demands of a heavy caseload, Judge Gold continued his efforts to improve the legal system for Florida communities, families, and individuals. He was appointed to the Florida Supreme Court's Family Court Steering Committee and has recently chaired an effort to develop a model family court.

During the confirmation process, Judge Gold's support transcended partisanship. In addition to the support from Senator CONNIE MACK and myself, he earned strong endorsements from U.S. Representatives LINCOLN DIAZ-BALART of Miami and E. CLAY SHAW of Fort Lauderdale.

Mr. President, Judge Alan Gold has long provided an example of academic diligence, legal acumen, judicial excellence, and determination to serve Floridians. I am pleased that he will join the Federal bench, and extend my congratulations to him, his family, and the Senate for its prompt review and confirmation of this worthy nominee.●

MICHIGAN STATE CONFERENCE OF THE NAACP

● Mr. ABRAHAM. Mr. President, I rise today to extend my best wishes to those who will participate in the 61st annual convention of the Michigan State Conference of the NAACP. This event will be held in Saginaw, MI, on September 12, 1997.

As race relations continue to be at the forefront of American life, this convention provides an opportunity for delegates to openly discuss issues which confront not only their communities, but everyday lives. The NAACP convention will focus on finding programmatic solutions to such issues as, education, violence, crime, homelessness, and drug abuse. It is through open dialog and the exchange of information that concrete solutions to these issues will be found. I commend the delegates and organizers of this convention for their steadfast desire to address the racial and social problems facing the United States today.

Again, I extend my heartfelt best wishes on this special occasion.●

TRIBUTE TO GUYANESE INDEPENDENCE

Mr. LAUTENBERG. Mr. President, I rise to commemorate the May 27, 1997 31st anniversary of the independence of the Republic of Guyana. The word "Guyana" is an indigenous word that means land of many waters. But Guy-

ana is also a land of many peoples, with East Indians, Africans, Chinese, Amer-Indians, and Europeans counted among its ancestors. Guyana is also a country that embraces freedom of religion, which allows Christians, Muslims, and Hindus to worship side by side.

My colleagues may be aware that Guyana achieved independence and observed its first free and fair election in 1992, after more than three centuries of British, French, and Dutch colonialism. Guyana's first constitution bore the influence of British legal traditions, and former President Jimmy Carter supervised the team of international observers to guarantee the fairness of the 1992 elections.

Guyana's three decades of unpopular and repressive rule slowed economic progress, but Guyanese are working to overcome these hurdles. I hope that they will succeed.

Guyanese-Americans have much to be proud of. Their history is rich, and I hope the future of Guyana will be bright. ●

TRIBUTE TO THE SHELburne MUSEUM

● Mr. JEFFORDS. Mr. President, I rise today to pay tribute to Vermont's Shelburne Museum on the occasion of its 50th anniversary. The museum, sometimes referred to as New England's Smithsonian, will celebrate its anniversary on September 27, 1997 with a myriad of activities for people young and old.

The museum's founder, Electra Havemeyer Webb, was a pioneer collector of Americana and American folk art. Today, the museum collects, preserves, and studies art as well as history with an emphasis on the New England area. Thirty-seven exhibit buildings spanning across 45 scenic acres include three galleries, 7 furnished historic homes and over 80,000 objects. The historic buildings and collections reflect our transition from an agricultural to an industrial nation.

The Shelburne Museum has become an important cultural resource for Vermont and the Nation. In a rapidly changing world its collections as well as its programs provide the public and scholars alike with an opportunity to reflect on and explore the central themes of ingenuity, craftsmanship and creativity.

The museum embodies a spirit of celebration which provides visitors from across the country and around the world with a unique perspective into the region's history. As a learning tool, it plays a significant role in reminding patrons that the past can often provide a key to the future.

Mr. President, I wish the Shelburne Museum many more years of continued success in service to our community.●

A MORE COMPLETE PICTURE

● Mrs. MURRAY. Mr. President, on September 3, during floor deliberations

the senior Senator from Washington presented a story of a most tragic situation on the Yakama Indian Reservation in his call for support of an appropriations rider that would require tribal governments to relinquish their right to sovereign immunity in order to receive Federal funding.

In 1994, a tragic accident involving a tribal police officer en route to the scene of an ensuing robbery resulted in the death of 18-year-old Jered Gamache. Before I proceed, I want to express my deepest sympathies to the Gamache family for this devastating loss. As a mother of two, I find it almost unbearable to contemplate such a loss. It is always painful to lose a loved one, but the loss of a child is something no parent should have to face.

The issues involved here are very controversial and everyone involved has strong views. In the interest of airing views from all sides regarding section 120 of the Interior appropriations bill, I have agreed to submit a statement on behalf of the Yakama Indian Nation in response to the chairman's comments. I ask that the statement from the Yakama Indian Nation be printed in the RECORD.

The statement follows:

YAKAMA INDIAN NATION ASTONISHED BY GORTON FLOOR STATEMENT WHEREIN HE MADE ANALOGY OF TRIBAL POLICE OFFICER ACTING WITHIN HER SCOPE OF DUTY AND NEW YORK COPS WHO BRUTALIZED A HAITIAN IMMIGRANT

TOPPENISH, WASHINGTON.—The Yakama Indian Nation today responded with both amazement and sadness to statements made Wednesday on the Senate floor by Senator Slade Gorton (R-Wash.), wherein the Senator made an analogy of a 1994 accidental vehicular death involving a Tribal police officer responding to an emergency call (regarding an urgent armed robbery in progress), to the intentional brutal beating and sodomitization recently inflicted by New York City policemen against Haitian immigrant Abner Louima.

In what appears to be an attempt to justify a far-reaching amendment he has inserted into an appropriations bill that would eradicate tribal sovereign immunity, the senior Senator from Washington has chosen to exploit the victimization of Abner Louima and a tragic car accident that occurred on our reservation.

The facts of the case cited by Gorton should be brought to light as should the point that a close associate of the Senator, Yakima County Prosecutor, Jeff Sullivan, declined to pursue a criminal prosecution (for "disregarding the safety of others") against the tribal police officer involved in the accident.

On October 25, 1994, Tiffany Martin, a fully trained police officer of the Yakama Indian Nation responded to an emergency call for assistance from the Yakama County Sheriff's office. There was a burglary in progress at a convenience store and the closer police force in the city of Wapato had not responded. Officer Martin proceeded in her police vehicle northbound on Route 97 with both sirens and overhead flashers on. During her response a second call came in indicating that gun shots had been fired and the situation was clearly quite urgent. As the officer approached a particular intersection, where she initially had a green light, she slowed her vehicle down (she estimates to between

30 and 35 miles per hour), noticing a van stopped at the intersection with its turn, signal on. Apparently next to the van and hidden from the officer's line of sight was another vehicle. Confirming that the stopped vehicle was aware of her presence, she accelerated and went through the intersection as the light turned yellow and then red. The van remained stopped but the vehicle next to it, being driven by 18 year old Jered Gamache went forward and his vehicle and the police car collided. Gamache died as a result of injuries suffered in the collision. The tribal police force has expressed great remorse to the Gamache family and the officer herself has suffered tremendously and emotionally as a result of the accident.

While we have the greatest sympathy for the family of Jered Gamache and can understand their pain we can not understand how a member of the United States Senate could suggest that this accident is somehow analogous to the celebrated Louima beating in New York. Senator Gorton has stated that since Mr. Louima is going to be suing New York City for millions of dollars so too should the Gamache family be able to sue the Yakama Nation for a similar amount. With all due respect, this is not an analogy worthy of a former state Attorney General. The New York policemen who beat Louima broke the law. Our tribal police officer was acting within her scope of duty and following routine procedures. While it is tragic, there are unfortunately a large number of innocent bystanders all across this country who are accidentally hurt or killed by law enforcement officers discharging their duties. The fact remains that police officers and the governments they work for are protected by a sovereign immunity provided they have acted within the line of duty in a non-negligent manner. Would the Senator characterize, as he did on the floor, that a claim against, say, a King County, Washington policeman involved in an accidental vehicular death as "identical or similar" to the claim Mr. Louima will be pursuing against New York?

Contrary to the Senator's assertions, the Gamache family has not been denied legal recourse due to tribal sovereign immunity. In fact, the Gamache family has a filed civil suit which is currently pending in the Eastern District Federal Court of Washington state, trial is set for December 8, 1997. The Gamache family is pursuing this claim under the Federal Tort Claims Act (28 USC 2671), which is the same statute under which they would pursue a claim if any other federal law enforcement official (FBI, National Park Service ranger, etc.) has been involved in their son's death. The Federal Tort Claims Act (FTCA) is the statute involved as the Yakama Nation was operating its tribal police department under a contract with the Interior Department pursuant to the Indian Self-Determination Act and the tribal police officer was acting as a federal agent. United States District Judge Fred Van Sickle will determine whether the officer involved showed contributory negligence which led to the accident and will further determine whether she was properly acting within the scope of her duty. The standards for these terms under FTCA are the standards as they exist within Washington state law. Not only are the Gamache's being given legal recourse, but it is taking place in the "neutral" federal court which the Senator wants to direct all cases coming from Indian reservations.

Perhaps this is a good example of the dangers of making law based on anecdotal situations, particularly when the facts have not been properly brought to light. ●

CONGRESSMAN GEORGE CROCKETT, JR.

● Mr. ABRAHAM. Mr. President, I rise today to pay my respects to former Michigan Congressman George Crockett, Jr. Congressman Crockett represented the people of Detroit in the House of Representatives from 1980-1991 and before that as a Recorder's court judge from 1966-78.

Undoubtedly, Congressman Crockett's legacy will be his tireless work on behalf of civil and human rights. As a private attorney, as a judge, and as an elected official Congressman Crockett sought to provide legal protection to all Americans, especially African-Americans and other minorities. As is always the case with dynamic leaders, there are many who disagreed with Congressman Crockett and his actions. Never questioned, however, was his integrity and honesty.

Congressman Crockett exemplified a lifetime of commitment to public service. In the words of Congressman Crockett's friend and colleague, Michigan State Representative Ted Wallace, "Men like George Crockett never die. His spirit and name will live on forever." ●

MEDIA COVERAGE IN BOSNIA

● Mr. LEVIN. Mr. President, I rise today to talk about media coverage in Bosnia and the importance of a fair, free, and independent media to the safety of United States and allied forces, the implementation of the Dayton peace accords, and peace for the Bosnian people.

Recent events in the Serb area of Bosnia have served to highlight the disruptive role that the media, particularly television, can play as we have witnessed what Gen. Wesley Clark, NATO's Supreme Allied Commander, characterized as "organized disorder."

It was the potential for television-incited violence that led me to propose in my floor speech of July 30 the deployment of the EC-130E Commando Solo aircraft to jam Bosnian Serb television and to broadcast television and radio programming directly to the Bosnian people. I also made that proposal in writing to National Security Adviser Sandy Berger and Secretary of Defense Bill Cohen. I understand that the deployment of Commando Solo is under serious consideration at the Pentagon at the present time.

In making my proposal, I specifically cited a provision of the Agreement on the Military Aspects of the Dayton Peace Agreement that gives NATO's Stabilization Force Commander the authority to do all that he deems necessary and proper to protect the SFOR and to carry out its responsibilities.

I should note at this point that the High Representative, Mr. Carlos Westendorp, a position that was created by the Dayton peace accords to oversee the implementation of the civilian aspects of the accords, has been

invested with similar authority. The Peace Implementation Council, in its May 30, 1997 Sintra Declaration, declared as follows:

The authorities of Bosnia and Herzegovina, the Entities and the common institutions will be expected to give every possible form of practical assistance with respect to licenses, frequencies, free access by the High Representative to news media and the ability of the OBN (Open Broadcast Network) and other independent media to broadcast.

The Steering Board is concerned that the media has not done enough to promote freedom of expression and reconciliation. It declared that the High Representative has the right to curtail or suspend any media network or programme whose output is in persistent and blatant contravention of either the spirit or letter of the Peace Agreement.

So there is ample authority in both the senior military and civilian authorities representing the international community in Bosnia to take action to address the misuse of Bosnian Serb television and other media outlets.

I was pleased to note that the North Atlantic Council, on August 30, acting pursuant to a request from the High Representative authorized SFOR "to provide the necessary support to suspend or curtail any media network or programme in Bosnia and Herzegovina whose output is in persistent and blatant contradiction of either the spirit or letter of the Peace Agreement, in accordance with the Sintra Declaration."

The North Atlantic Council further reaffirmed that "SFOR will not hesitate to take the necessary measures including the use of force against media inciting attacks on SFOR or other international organizations." I ask unanimous consent that a North Atlantic Council press release that contains these decisions be printed in the RECORD at the conclusion of my remarks.

Mr. President, there have been a number of media reports and commentaries concerning the agreement that was reached on September 2 concerning the release of the Udrigovo television tower northeast of Tuzla. Several commentaries have criticized the agreement, under which the tower was returned to Pale's control, as being a capitulation to Karadzic. I believe this is a misreading of the situation.

Under the agreement, SFOR turned over the Udrigovo tower in return for four commitments from Pale. Those commitments are as follows:

First, all media will refrain from making inflammatory reporting against SFOR and international organizations supporting the execution of the Dayton accord. This includes television, radio, and the print media.

Second, television will regularly provide 1 hour of programming during prime time each day without exception, during which our political views will be aired.

Third, television will provide Ambassador Westendorp, the new High Representative, one-half-hour programming during prime time in the next few