

daily newspaper in Raleigh, North Carolina, wrote an excellent essay on the position to-bacco farmers find themselves in 1999. Mr. Speaker, I request that Mr. Rogers' article be placed at this point in the RECORD, and I hope it will provide guidance to us all as we debate issues related to tobacco in the future. Congress can benefit greatly from the clear-eyed perspective of this insightful North Carolinian whose feet are planted firmly on the ground.

[From the *News & Observer*, Mar. 3, 1999]

IT'S NOT GREED, BUT DESPERATION

(By Dennis Rogers)

The numbers are so obscenely large as to be meaningless: There is \$4.6 billion to be paid by the tobacco industry to the state of North Carolina over 25 years. There is \$1.97 billion for a trust fund to be spread among the state's tobacco farmers over the next 12 years.

But regardless of how much money tobacco farmers eventually get, if any, what are they supposed to do then?

Unless you're a farmer, you probably don't care. You've made it clear in your e-mails and phone calls that many of you think tobacco farmers are whiners trying to hang on to a dying business. Nobody guarantees me a living, you've cynically said, so why should we do it for them?

But unlike you, I've heard from the farmers, too, strong men and women who are scared about their futures. It is enough to break your heart.

What they talk about most is not the money, but losing their souls, their culture, their foundation and their heritage. They talk about the land their ancestors entrusted to their care and the shame they would feel in losing it.

They talk about wanting to give their children the chance they had, to stand under a hot Carolina sun and feel your own land beneath your feet, the same land that once nurtured the old folks buried in the church cemetery just down the road.

"What am I going to do if I stop farming?" asked Johnston County's John Talbot as we rode in Monday's protest through the streets of Raleigh. "I'm 45 years old. Who is going to hire me?"

Who, indeed? If the tobacco farmers of Eastern North Carolina stop farming, what will become of them? A rootless corporate culture is all a lot of city folks around here know. They do not understand or feel sympathy for the middle-aged farmer who senses that the very ground beneath his feet is moving away.

A country family's desperate need for independence may not mean much to those of us who have never had it. There are a lot of us who have never known anything but the slavery of working for a paycheck. We might even resent a farmer's plea that he should be helped to maintain a way of life that seems so alien to us.

But what option do they have? There are few good jobs in the tobacco country where they live? We've kept most of the good jobs for ourselves and left country folks who live a long way from town with precious little to turn to now that their lives and times have gotten tough.

But before you turn your back on them, ask yourself whether they helped make your good job possible. Farmers have long seen their tax dollars pay corporations to bring jobs to the state that they, because of where they live and the skills they don't have, can never hope to get.

Now, they say, that same government is reluctant to give them what they see as their fair share of the money from tobacco companies they have depended on for their livelihood.

There was a sign on a tractor driven by a woman in Monday's protest that read, "We are not greedy. We are desperate."

We may yet succeed in forcing our farmers from their fields, and contrary to their hollow threats, no, we will not go hungry.

But they will. Their souls will wither just as surely as a spring daffodil fades away when it is picked and brought indoors.

IN RECOGNITION OF NATIONAL EMPLOY THE OLDER WORKER WEEK AND GREEN THUMB OF NEW ENGLAND

HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1999

Mr. McGOVERN. Mr. Speaker, I rise today in recognition of National Employ the Older Worker Week and Green Thumb, Inc. of New England. National Employ the Older Worker Week (March 14–20) recognizes the contribution that older workers make in America and encourages participation in the Green Thumb program. It celebrates the unique skills, and talents that are gained through years of experience and hard work. It also brings attention to one of the greatest resources in America: the older worker.

Green Thumb is a non-profit organization that aims to strengthen our families and communities, as well as our nation, by equipping older and disadvantaged individuals with opportunities to learn, work, and serve the community. Founded in 1965, Green Thumb has helped over 500,000 seniors. The services are provided to numerous older citizens. Some are retirees who have not yet begun collecting Social Security and require additional income from full or part-time employment. Other recipients take part in the program in order to develop new skills, pursue individual interests, or utilize their time in a productive manner. It benefits the older worker's well-being and enhances the community. Green Thumb will recognize America's Oldest Worker as well as 52 Outstanding Older Workers from each state following National Employ the Older Worker Week.

Mr. Speaker, I encourage my colleagues to join me in recognition of National Employ the Older Worker Week. I also applaud Green Thumb of New England and wish them continued success in improving the lives of our senior citizens.

HONORING PETER R. VILLEGAS

HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1999

Ms. SANCHEZ. Mr. Speaker, today, I rise to congratulate Peter R. Villegas, president of the Hispanic Chamber of Commerce of Orange County for 1998.

During his presidency, the Hispanic Chamber of Commerce accomplished many goals. The Chamber increased its membership and corporate sponsors, produced many successful events such as the "Estrella Awards and Installation Dinner," Job and Career Fair, Business Finance Forum, Business Without

Borders International Conference, and the Business Development Conference.

Mr. Villegas has also represented the chamber in many official capacities. He has met with Vice President AL GORE, officials of the Department of State, Members of Congress, State, county, and local officials, as well as leaders of enterprise and industry.

Mr. Villegas has provided leadership locally and nationally, by serving on the Congressional Hispanic Caucus Institute based in Washington, DC, as a board member of the University of Southern California—M.A.A., the corporate advisory board of the Latin Business Association, and as a board member for the Puente Learning Center. Other memberships include the Challengers Boys and Girls Club, board member of the Chicano Federation of San Diego, and committee member of the Martin Luther King Legacy Association. He is the recipient of the 1997 Minorities in Business Magazines Latin American Corporate Prism Award, and the City of Santa Ana Exceptional Volunteer Award.

Mr. Villegas manages regional relationships with key community coalitions, including the WaMu Community Council and regional WaMu Diversity Advisory Group. He is responsible for managing the Corporate Giving Program with a focus on the Community Reinvestment Act qualified grants. He also serves as the regional contact for governmental officials, provides corporate representation in the regional market, and provides leadership in the ethnic market. In addition, Mr. Villegas is the regional manager of Washington Mutuals \$120 billion commitment to the community.

Colleagues, please join with me today in saluting Peter R. Villegas, an individual who has dedicated his knowledge and expertise to the betterment of the Hispanic community and business relations on every level.

CONDEMNING THE MURDER OF ROSEMARY NELSON AND URGING PROTECTION OF DEFENSE ATTORNEYS IN NORTHERN IRELAND

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1999

Mr. SMITH of New Jersey. Mr. Speaker, I rise to introduce a bipartisan resolution which condemns the brutal murder of Northern Ireland defense attorney Rosemary Nelson and calls on the British Government to launch an independent inquiry into Rosemary's killing.

The resolution also calls for an independent judicial inquiry into the possibility of official collusion in the 1989 murder of defense attorney Patrick Finucane and an independent investigation into the general allegations of harassment of defense attorneys by Northern Ireland's police force, the Royal Ulster Constabulary (RUC). I am pleased that Mr. GILMAN, Mr. KING, Mr. CROWLEY, Mr. PAYNE, and Mr. MENENDEZ are original sponsors of this resolution.

Mr. Speaker, Rosemary Nelson was a champion of due process rights and a conscientious and courageous attorney in Northern Ireland. She was the wife of Paul Nelson and the mother of three young children: Christopher (13), Gavin (11), and Sarah (8). Her murder was a cowardly act by those who are

the enemies of peace and justice in Northern Ireland. Her death is a loss felt not just by her family and friends, but by all of us who advocate fundamental human rights.

I first met Rosemary Nelson in August, 1997, when she shared with me her genuine concern for the administration of justice in Northern Ireland. She explained how, as an attorney, she has been physically and verbally assaulted by RUC members and how the RUC sent messages of intimidation to her through her clients. Many of her clients were harassed as well.

Notwithstanding these threats, Rosemary Nelson still carried an exhaustive docket which included several high profile political cases. She became an international advocate for the rule of law and the right of the accused to a comprehensive defense and an impartial hearing. She also worked hard to obtain an independent inquiry into the 1989 murder of defense attorney of Patrick Finucane.

For this, Rosemary Nelson was often the subject of harassment and intimidation. For her service to the clients, on March 15, 1999, Rosemary Nelson paid the ultimate price with her life—the victim of a car bomb.

Last September, 1988, Rosemary testified before the subcommittee I chair, International Operations and Human Rights. She told us she feared the RUC. She reported that she had been “physically assaulted by a number of RUC officers” and that the RUC harassment included, “at the most serious, making threats against my personal safety including death threats.” She said she had no confidence in receiving help from her government because, she said, in the end her complaints about the RUC were investigated by the RUC. She also told us that no lawyer in Northern Ireland can forget what happened to Pat Finucane, nor can they dismiss it from their minds. She said one way to advance the protection of defense attorneys would be the establishment of an independent investigation into the allegations of collusion in his murder.

Despite her testimony and her fears, the British government now wants to entrust the investigation of Rosemary Nelson’s murder to the very agency she feared and mistrusted most, the RUC. Instead, I believe that in order for this investigation to be beyond reproach, and to have the confidence and cooperation of the Catholic community that Rosemary Nelson adeptly represented, it must be organized, managed, directed and run by someone other than the RUC. It just begs the question as to whether or not we can expect a fair and impartial investigation when the murder victim herself had publicly expressed deep concern about the impartiality of RUC personnel.

Mr. Speaker, the major international human rights groups, including Amnesty International, Laywers Committee for Human Rights, British/Irish Human Rights Watch Committee for the Administration of Justice, and Human Rights Watch have all called for an independent inquiry. Param Cumaraswamy, U.N. Special Rapporteur on the independence of judges and lawyers, who completed an extensive human rights investigative mission to the United Kingdom last year, has also called for an independent inquiry of Rosemary Nelson’s murder.

At our September 29, 1998 hearing, Mr. Cumaraswamy stated that he found harassment and intimidation of defense lawyers in Northern Ireland to be consistent and system-

atic. He recommended a judicial inquiry into the threats and intimidation Rosemary Nelson and other defense attorneys had received. It’s hard not to wonder if the British government had taken the Special Rapporteur’s recommendations more seriously, Rosemary Nelson might have been better protected and still with us today.

I express my heartfelt condolences to the Nelson family and I urge my colleagues to support the following resolution.

**THE ENDANGERED SPECIES ACT
MUST BE REFORMED**

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1999

Mr. CALVERT. Mr. Speaker, the Endangered Species Act was originally enacted in 1973 with overwhelming support in the House by a vote of 355 to 4 and in the Senate 92 to 0. The original intent: to conserve and protect American species of plant and wildlife that are threatened with extinction, with species taken off the list when their numbers have recovered. However, during ESA’s 25 years, over 1,154 animals and plants have been listed as endangered or threatened yet only 27 species have been removed from the list. ESA has protected important species, including our Nation’s most prized symbol—the bald eagle which is one of the few actually removed from the list. Today, it appears as though the Fish and Wildlife Service, especially within California, is working outside of the ESA and essentially undermining its original intent. Fish and Wildlife in California has overstepped their bounds.

As the Congressman for western Riverside County in southern California, ESA enforcement is an important issue for me and my constituents because southern California is home to one-third of all listed endangered species. I have received a large number of complaints about the overzealous enforcement of ESA from landowners, farmers, former Fish and Wildlife employees, and community leaders. Complaints have increased dramatically in the last year compared to what I was hearing when I was first elected 6 years ago. A lot of my colleagues have been asking me about Fish and Wildlife’s questionable enforcement of the ESA in southern California and in my district. I am here to share some clear examples of Fish and Wildlife’s outrageous conduct in their enforcement of the ESA. Riverside County led the charge in working with the Federal Government to comply with the ESA, and had the original Stephen’s kangaroo rat plan which ultimately took 8 years to get approval and cost over \$42 million. Later on, Riverside County formed the Western Riverside County Multiple Species Habitat Conservation Plan Advisory Committee in order to ensure a strong working relationship with conservation agencies and Fish and Wildlife.

Yet, it seems to be a cardinal rule in dealing with the Fish and Wildlife Service that “No Good Deed Goes Unpunished.” Riverside County, the Riverside County Habitat Conservation Agency, several cities, and Fish and Wildlife all signed a planning agreement which laid out a conservation plan for the entire western half of Riverside County. Under that

agreement, Fish and Wildlife would be required to provide the benefits and the ultimate cost of the plan within 6 months of signing the agreement. Now, 2 years later, Fish and Wildlife is refusing to provide this information to the planning agency which they had contractually agreed to do. This was a bad faith effort on the part of Fish and Wildlife.

Specifically, there are two recent cases where Fish and Wildlife has shown how destructive they can be in southern California. The first case is the Delhi-sands flower-loving fly. A handful of flies were discovered at the proposed site for the San Bernardino County hospital. Fish and Wildlife ordered the county to move the building 300 feet, at a cost of \$3.5 million. That’s about \$10,000 a foot. The Galena Interchange, a freeway construction project in my district is being held hostage by this fly. The Galena Interchange is not an expansive new highway program—we are not talking about building the Golden Gate Bridge. It’s a simple project connecting Interstate 15 to Galena Street and it received \$20 million in Federal, State, and local funds last year for a desperately needed project. After the plans were designed and the funds allocated, Fish and Wildlife now claims the county needs to establish a preserve for the Delhi-sands flower-loving fly. Fish and Wildlife wants as many as 200 acres of the Inland Empire’s priciest industrial land for habitat mitigation. Two hundred acres could cost as much as \$32 million; \$32 million for a \$20 million project. On top of all of this, not one fly has been found in this area. Apparently, the Branch Chief of the Carlsbad Fish and Wildlife Office heard the buzz of the fly, but did not see it, and now wants \$32 million. In testimony before the Riverside County Board of Supervisors, this person said—and I quote—“. . . if you hear a car down the street that’s your favorite model, you kind know the engine sound and you know that it’s the car that you like—so you know for someone that studies this sort of species you get a feel for the noise.” This is ludicrous. Fish and Wildlife is using Dr. Seuss methods from “Horton Hears a Who” to make policy for millions of citizens. At the very least, we should amend the ESA to require that an endangered species must actually be seen, not just heard.

The other case involves the Quino checkerspot butterfly. Once again, after poorly handling several listings, Fish and Wildlife has precipitated another crisis in southern California. Recently the Service published a “survey protocol” for the Quino checkerspot butterfly, which requires landowners to survey their property for the Quino before beginning any development. They did so less than a month before the beginning of the butterfly’s very short flying season. However, Fish and Wildlife went a step further and issued a survey protocol that prohibited development of all land until at least early June 2000. The other day, in a seeming reversal of this earlier position, Fish and Wildlife is allowing surveys to be done this year. But, the Service still reserved the right to invalidate any survey due to the shortened flying season. This is like the IRS giving you your tax bill and noting that they have the right to charge you more later—which is something they have actually done and why Congress passed IRS reform legislation. Fish and Wildlife should take notice. So, the Service is allowing landowners to spend thousands of dollars to conduct a survey that they may or may not consider valid next year.