

series of elections marred by irregularities, the upcoming election will help define the country's political orientation and its international reputation. Is Azerbaijan developing towards Western-style electoral democracy or mired in the Soviet pattern of controlled voting results? The answer to that question is important for the United States, which has significant strategic and economic interests in Azerbaijan.

At age 77, Azerbaijani President Heydar Aliiev is the most experienced politician in the former Soviet space. Since returning to power in 1993, he has created a semi-authoritarian political system that features highly centralized, hands-on presidential rule, with constant positive coverage in the state-run media. President Aliiev controls all branches of government and the state's instruments of coercion. His implicit bargain with Azerbaijan's citizens offers stability in return for unquestioned predominance. While Azerbaijan's constitution enshrines separation of powers, neither the legislature, judiciary, press nor opposition parties may challenge President Aliiev's hold on power. Indeed, in an interview published in last Sunday's New York Times, he openly said, "I will always be president here."

Opposition parties function, publish newspapers and have some representation in parliament. But they have no access to state media, which portray them negatively, and their opportunities to influence the political process—let alone actual decision-making—are carefully restricted.

With respect to elections, Azerbaijan's record has been poor. The OSCE's Office for Democratic Institutions and Human Rights (ODIHR) monitored the 1995 and 1998 parliamentary and presidential elections, and concluded that they did not meet OSCE standards. Council of Europe observers harshly criticized the first round of the local elections in December 1999, though they noted some improvements in the second round. These flawed elections have exacerbated the deep distrust between the government and opposition parties.

On May 25, the Helsinki Commission, which I chair, held hearings on the upcoming election, in which Azerbaijani Government representatives and opposition leaders participated. At that time, the main bone of contention between them was the composition of the Central Election Commission. During the hearing, a government spokesman announced that Baku was prepared to let government and opposition members veto the other side's nominees for the Commission posts set aside for independents, a major step forward. In fact, that assurance subsequently turned out to be not entirely reliable when the hard bargaining began in Baku, with the mediation of the ODIHR. Nevertheless, the agreement eventually reached did give opposition parties an opportunity to block decisions taken by the pro-presidential majority and was acclaimed by ODIHR as a fair and necessary compromise.

Since then, unfortunately, the process has collapsed. Azerbaijan's parliament passed an election law on July 5 that did not include amendments recommended by the ODIHR to bring the legislation into accord with OSCE standards. The law excludes an opposition party registered in February 2000 from fielding a party list; other problematic aspects include territorial and local election commissions which are effectively under government control, the restriction of voters' rights to sign peti-

tions nominating more than one candidate or party, and the right of domestic observers to monitor the election.

President Aliiev claims that he proposed modifications to the election law but parliament refused to accept them. This assertion, considering his hold on the legislature—where a loyal, pro-presidential party controls over 80 percent of the seats—is simply not plausible. In any case, if he did not approve of the law, he could have vetoed it. Instead, he signed it.

On July 7, the ODIHR issued a press release "deploring" shortcomings in the election law. Opposition parties refused to participate in the work of the Central Election Commission unless the law is changed. In response, parliament amended the Central Election Commission law, depriving the opposition of the ability to block decisions. On July 20, 12 political parties, among them the leading opposition parties, warned that if parliament refuses to amend the election law, they will boycott the November ballot. Most recently, the State Department issued a statement on July 24, regretting the recent actions of Azerbaijan's parliament and urging the government and parliament in Baku to work with ODIHR, the opposition and non-governmental organizations to amend the election law in accordance with OSCE standards.

Mr. Speaker, this turn of events is extremely disappointing. The last thing Azerbaijan needs is another election boycott by opposition parties. The consequences would include a parliament of dubious legitimacy, deepened distrust and societal polarization, and a movement away from electoral politics to street politics, which could threaten the country's stability. November's election offers a historic opportunity to consolidate Azerbaijani society. It is essential for the future development of Azerbaijan's democracy and for the legitimacy of its leadership that the election be free and fair and the results be accepted by society as a whole.

This resolution calls on the Administration to remind President Aliiev of the pledge he made in August 1997 to hold free and fair elections, and urges Azerbaijan's Government and parliament to accept ODIHR's recommendations on the election law, so that it will meet international standards. I hope my colleagues will join me, Mr. HOYER, Mr. PITTS and Mr. CARDIN in this effort, and we welcome their support.

#### COMMUNITY RENEWAL AND NEW MARKETS ACT OF 2000

SPEECH OF

**HON. DANNY K. DAVIS**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 25, 2000*

Mr. DAVIS of Illinois. Mr. Speaker, I rise today in strong and enthusiastic support of the Community Renewal and New Markets Act of 2000.

First of all, Mr. Speaker, I want to thank Chairman ARCHER and Ranking Member RANGEL of the Ways and Means Committee for their support in this legislation being on the floor today and I want to thank the Speaker for scheduling. Secondly, I want to thank President Clinton and Speaker HASTERT for their leadership to commitments to try and help the

most distressed, disadvantaged and poverty stricken areas of the country, in both urban and rural America. Thirdly, I want to commend and congratulate my colleagues and principal originators and cosponsors of this legislation, Chairman JIM TALENT; chairman of the Small Business Committee and Representative J.C. WATTS for their relentless efforts to make this legislation a reality. And Mr. Speaker, I want to thank all of those who have indicated support for a small, but seriously important step forward, in reality a giant step as we move to uplift downtrodden communities and put hope back into the hearts of our people.

This legislation is designed to do what none of our efforts have effectively done, which is seriously attract business and redevelopment efforts to the poorest communities in our nation. This legislation is no hollow sounding rhetoric, it is no flash and dash, it is no pig in a poke. It is economically sound, socially relevant and based upon the principles of free enterprise. It takes forty Renewal communities and provides tax incentives, lifts restrictions and barriers, provides for capital gains tax for five years, investment programs, wage incentives, environmental clean-ups, CRA credits, Commercial Revitalization, Tax Credit Opportunities to rehabilitate dilapidated housing, venture capital to start businesses and the promotion of Faith-Based Drug Counseling initiatives.

I know that some of my colleagues have concerns about this provision, suggest that it infringes upon the separation of church and State and even go so far as to suggest that it is unconstitutional. This is absolutely untrue!

In the charitable choice arena, this bill breaks no new ground! First of all, H.R. 4, the current Welfare Law, allows States to contract out their social services to both religious or non-religious providers. In addition, H.R. 4271, the Community Services Authorization Act of 1998, Senate Bill S. 2206 and H.R. 1776, the American Home Ownership and Economic Opportunity Act all have some charitable choice provisions. Even under the establishment of the Religion Clause of the First Amendment, (1) Religious organizations are generally eligible to participate as grantees or contractors in such programs. But the clause has generally been interpreted to bar government from providing direct assistance to organizations that are pervasively sectarian.

As a consequence, government funding agencies have often required social service providers, as conditions of receiving public funds, to be incorporated separately from their sponsoring religious institutions. They are to refrain from religious activities and proselytizing in the publicly funded programs and to remove any religious symbols from the premises in which the services are provided. The establishment clause, in short, has been construed to require religious organizations to secularize their services as a condition of obtaining public funding. ACRA's drug treatment provision is the same. It voucherizes the Substance Abuse Block Grant and other treatment Block Grants and allows the patient to decide where to use the voucher.

The courts have found that our government can provide assistance directly to enterprises operated by religious concerns as long as it is not pervasively sectarian and that grantees devise ways of involving other organizations including religious ones, in the delivery of such services.

In the Aguilar vs. Felton case, the Supreme Court ruled that it was constitutionally permissible for public school teachers to provide remedial and enrichment educational services to sectarian school children on the premises of the schools they attend. Thus, the Court has ruled that as long as the client has a choice among providers both religious and non-religious and the participant makes the decision, then the choice is constitutional.

And so, Mr. Speaker, even though I understand the concerns expressed by some of my colleagues, the law is the law. The constitution is the constitution and the legislation is in compliance with both. Therefore, I urge a "yes" vote to help the people renew their hope and rebuild their communities. I am reminded of the scripture, they rebuild the walls because the people had a mind to work. This legislation will work to help restore and rebuild faith in America.

#### REMEMBERING JOHN ELLIOTT

#### HON. FRANK A. LOBIONDO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 26, 2000*

Mr. LOBIONDO. Mr. Speaker, thank you for allowing me the opportunity to recognize and pay tribute to the memory of fine young man, Ensign John R. Elliott, 22 of Egg Harbor Township who passed away on Saturday, July 22, 2000.

I would like to offer my deepest sympathy to John's family and friends for their loss of a son, a brother, a grandson, a nephew, a cousin, and a friend. I am truly saddened by John's death and hope that his family and friends may experience peace and comfort in this time of sorrow.

I met John in the fall of 1995 when he participated in the application process for admission to one of our nation's four academies. John expressed his desire to serve in the United States Navy. I had the privilege of nominating him to the United States Naval Academy. In the spring of 1996, he was appointed and accepted by the United States Naval Academy as a member of the Class of 2000.

While at the Academy, John was designated to participate in the United States Navy Honors program, nothing new to a young man who was among the top five graduates in the 1996 Egg Harbor Township High School graduating class, a National Merit Scholar and class president. John was recognized for his exceptional achievement in the fields of math and science and graduated with a Bachelors in Science Degree with merit in systems engineering. Upon graduation, he received his commission as an ensign in the Navy and was to attend flight school in Pensacola, Florida.

As his father has said, he was filled with hopes and dreams for his future. John's hopes and dreams can still be realized in the memory of John's accomplishments. John was an intelligent, hard-working and popular young man, respected and liked by his peers, a successful student and fine young man who had a bright future with the United States Navy. John was one of our best and brightest. He epitomized all that makes the United States of America the greatest nation on the face of the earth.

My thoughts and prayers are with John's parents, Bill and Muriel Elliott of Egg Harbor Township, his sister Jennifer, his grandmother Audrey Moyer, his aunts and uncles Pamela and Randall Johns, Robert and Deborah Elliott, and Artis and Stephen Hoffman, and the rest of his family and friends during this time of grief.

#### CARL ELLIOTT FEDERAL BUILDING

SPEECH OF

#### HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 25, 2000*

Mr. DINGELL. Mr. Speaker, I rise in support of the gentleman from Alabama's resolution. It is both fitting and appropriate to recognize my former colleague, Carl Elliott, by naming a public building in his honor. Because not only was Carl Elliott a good and decent man, but a dedicated and capable public servant who gave much to Alabama and his country.

It was just last week that we debated federal aid to libraries. I would remind my colleagues that it was Carl Elliott who began the crusade for library funding, and it is he who is responsible for the Library Services Act.

Carl Elliott was a man of principle and foresight. He was a tireless advocate on behalf of education, working to secure federal assistance for low income, poverty-stricken school districts and students across Alabama and the United States. In doing so, he helped give poor students access to higher education and job opportunities based on their ability and merit rather than economic background.

But his thoughtfulness and humanity on racial issues is noteworthy. At a time of great tumult in the South and Alabama over racial issues, Carl Elliott chose to be on the right side of history and do what was just rather than what was politically expedient. Long after the debate was over and their own political futures were secure, many public officials in the South expressed regret for their positions in opposition to civil rights and race issues in the '60's. But it was people like Carl Elliott who bravely faced the political winds and surrendered their offices, yet not their principles.

Mr. Speaker, I would ask my colleagues to support this resolution and join me in honoring a good man and public servant who did much for his state and country, Carl Elliott.

#### DEVELOPMENTAL DISABILITIES ASSISTANCE AND BILL OF RIGHTS ACT OF 2000

SPEECH OF

#### HON. GEORGE W. GEKAS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 25, 2000*

Mr. GEKAS. Mr. Speaker, I am honored today to help mark the 10th anniversary of the Americans With Disabilities Act. Members in this body can be justifiably proud of efforts taken to enact that law which has been a force for good and has given many persons otherwise excluded from participation in our society the opportunity to contribute their talents and enjoy the full benefits of our Nation.

I recall the ringing support for enactment of the act before my Judiciary Committee from the then-Attorney General, Richard Thornburgh, who had been the Governor of my State of Pennsylvania. Attorney General Thornburgh's view of the disabled and their struggles was influenced by a family encounter himself with disability—as was also President Bush. Their sensitivity to the condition of others provided the environment that enabled the ADA to be enacted.

In 1986, President Ronald Reagan received a report entitled "Toward Independence" from the National Council on Disability. That report recommended the enactment of comprehensive legislation to ban discrimination against persons with disabilities. Subsequently, the Bush administration, together with the Congress and the disabled community, crafted this excellent legislation which has meant so much not only for those disabled by nature but also those additionally victimized by society's ignorance and neglect. Because of this law, great talent has been unleashed by simple changes in the physical environment in homes and in the workplace. But even more so, our physically enabled citizens have gained immeasurably themselves from contact with their disabled brothers and sisters. They have seen on a daily basis the struggle, the effort, and the dedication of those who have overcome so much to enter an environment from which they were formerly excluded. These people did not want a handout, they wanted to put their hands out, to work and live in their own communities and all of us are better for their efforts.

Mr. Speaker, only 10 years have passed since the enactment of the ADA but it has already enabled countless citizens to begin the journey toward our goal of complete integration of society based upon talent, merit, and effort. We have seen with our own eyes the progress that has been made as we stand at the act's 10-year anniversary and I am anxiously anticipating the dreams that will be realized in the future for all Americans.

#### NATIONAL RECORDING PRESERVATION ACT OF 2000

SPEECH OF

#### HON. WILLIAM M. THOMAS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 25, 2000*

Mr. THOMAS. Mr. Speaker, the physical condition of many of the nations' culturally, historically, and aesthetically important sound recordings are at-risk because of poor storage conditions and inadequate preservation. With the passage of H.R. 4846, the National Recording Preservation Act of 2000, the Congress will create a public-private partnership to ensure that important sound recordings are preserved and restored.

With the National Digital Library, the national audiovisual conservation center at Culpeper, VA, the Library of Congress's film registry program and now the sound recording registry program, the Congress has created groundbreaking public/private partnerships that minimize taxpayer investment while ensuring the preservation of America's cultural history.

I would like to thank the ranking minority member of the Committee on House Administration, Mr. HOYER, the Committee on the Judiciary and its chairman, Mr. HYDE, the Library