

seas limited rescue efforts. Over 900 did survive.

British, American, and French rescuers worked valiantly to save those ROHNA passengers and crew who made it off the ship into the ocean, and of course a lot of them did not make it off the ship. One of them, the U.S.S. Pioneer, picked up two-thirds of all those who were saved, 606 GIs. Many of those in the water had to endure hours and hours of chilling temperature before being picked up. As the evening moved into the middle of the night and early morning hours, some men were speechless from the cold. Many died deaths of terrible agony.

The United States government had not properly acknowledged this event because inadequate records were kept. Some survivors had to fight for years to prove that the ROHNA even existed, let alone that survivors might be due some recognition.

At a 1996 memorial dedication honoring Americans who died on the ROHNA, survivor John Fievet spoke the following words:

I dedicate this memorial to the memory of those who fell in the service of our country. I dedicate it in the names of those who offered their lives that justice, freedom, and democracy might survive to be the victorious ideals of the world. The lives of those who made the supreme sacrifice are glorious before us. Their deeds are an inspiration; as they served America in time of war . . . yielding their last full measure of devotion, may we serve America in time of peace. . . . I dedicate this monument to them, and with it, I dedicate this society to the faithful service of our country and to the preservation of the memory of those who died, that liberty might live.

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The men who gave their lives for their country on board this ship were heroes who deserve to be recognized as such and not forgotten. The parents of virtually all of them died without ever learning how their sons had died. Their brothers, sisters and wives and children need to hear their story. All Americans need to learn of their bravery and sacrifice. Not only do the victims of the tragic sinking need to be honored, but also their comrades who survived to be sent to the Burma-China-India theater of the war and to serve valiantly there.

On November 11, 1993, Charles Osgood featured the Rohna's story on his widespread radio program. For the first time, a broad cross-section of America got to hear the story of some of its unknown warriors. Osgood revisited the subject 2 weeks later. According to Osgood, and I quote, "It is not that we forgot, it's just that we never knew."

Americans need to know about the Rohna. They need to know about the men who died when the Rohna was sunk, sacrificing their lives in the fight against tyranny. Americans need to know and not to forget. I did not know anything about this until a brother of one of the men who died on the Rohna came to me and told me about it and asked me to get involved.

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

Mr. BARTLETT of Maryland. Mr. Speaker, I have no additional requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. PEASE). The question is on the motion offered by the gentleman from Maryland (Mr. BARTLETT) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 408.

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

A motion to reconsider was laid on the table.

#### PROMOTION OF ADOPTION OF MILITARY WORKING DOGS

Mr. BARTLETT of Maryland. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5314) to require the immediate termination of the Department of Defense practice of euthanizing military working dogs at the end of their useful working life and to facilitate the adoption of retired military working dogs by law enforcement agencies, former handlers of these dogs, and other persons capable of caring for these dogs, as amended.

The Clerk read as follows:

H.R. 5314

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. PROMOTION OF ADOPTION OF MILITARY WORKING DOGS.

(a) ADOPTION OF MILITARY WORKING DOGS.—Chapter 153 of title 10, United States Code, is amended by adding at the end the following new section:

##### "§ 2582. Military working dogs: transfer and adoption at end of useful working life

"(a) AVAILABILITY FOR ADOPTION.—The Secretary of Defense shall make a military working dog of the Department of Defense available for adoption by a person or entity referred to in subsection (c) at the end of the dog's useful working life or when the dog is otherwise excess to the needs of the Department, unless the dog has been determined to be unsuitable for adoption under subsection (b).

"(b) SUITABILITY FOR ADOPTION.—The decision whether a particular military working dog is suitable or unsuitable for adoption under this section shall be made by the commander of the last unit to which the dog is assigned before being declared excess. The unit commander shall consider the recommendations of the unit's veterinarian in making the decision regarding a dog's adoptability.

"(c) AUTHORIZED RECIPIENTS.—Military working dogs may be adopted under this section by law enforcement agencies, former handlers of these dogs, and other persons capable of humanely caring for these dogs.

"(d) CONSIDERATION.—The Secretary may authorize the transfer a military working dog under this section without charge to the recipient.

"(e) LIMITATIONS ON LIABILITY FOR TRANSFERRED DOGS.—Notwithstanding any other provision of law, the United States shall not be subject to any suit, claim, demand or action, liability, judgment, cost, or other fee

arising out of any claim for personal injury or property damage that results from, or is in any manner predicated upon, the act or omission of a former military working dog transferred under this section, including any training provided to the dog while a military working dog.

"(f) ANNUAL REPORT.—The Secretary shall submit to Congress an annual report specifying the number of military working dogs adopted under this section during the preceding year, the number of these dogs currently awaiting adoption, and the number of these dogs euthanized during the preceding year. With respect to each euthanized military working dog, the report shall contain an explanation of the reasons why the dog was euthanized rather than retained for adoption under this section."

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

"2582. Military working dogs: transfer and adoption at end of useful working life."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Maryland (Mr. BARTLETT) and the gentleman from Hawaii (Mr. ABERCROMBIE) each will control 20 minutes.

The Chair recognizes the gentleman from Maryland (Mr. BARTLETT).

GENERAL LEAVE

Mr. BARTLETT of Maryland. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 5314, as amended.

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

There was no objection.

Mr. BARTLETT of Maryland. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, a few weeks ago, an article was brought to my attention regarding the plight of one of our finest soldiers, the military working dog. The article delineated the Department of Defense policy regarding the fate of these valiant dogs after completion of service to their country.

I learned that military working dogs remain in their assigned unit until they are 8 to 10 years old. Unfortunately, as the situation currently stands, there is no easy solution for these loyal dogs after their body is no longer able to sustain the workload of their mission.

At this point, the future becomes bleak. In a best-case scenario, the dogs are sent back to Lackland Air Force base, their original training school, where they are used to instruct their human counterparts to become handlers after they have served this final duty, they are kenneled for an undetermined amount of time, and then put down.

In some instances, military working dogs are caged as long as a year until they meet their final outcome. Equally as sad, if no kennel space is available, the less fortunate are terminated directly upon arrival to Lackland.

After learning about the bleak future of military working dogs, not only did

I become concerned for their final treatment, but I was also troubled by the fact that they were robbed of a quiet retirement. Why? Simply because the DOD policy prohibits the adoption of retired military dogs even by their handlers.

My colleagues may be familiar with the plight of Robby, a professional military working dog. As an 11-year-old Belgian Malinois, he is no longer deployable. Suffering from missing teeth and arthritis, his ability to work at full capacity has been hindered.

Common sense would say that Robby could now retreat to a quiet existence. On the contrary, Robby is to report to Lackland Air Force Base for one final deployment. Sadly, he will be caged and eventually euthanized.

Last week I had the opportunity to meet Robby. I was able to pet Robby through the cage when I initially arrived. As a 3-time Pentagon champion, his body is showing the wear of a full military career. It was obvious to me that Robby is a dog who has faithfully served his country; however, now his physical body is failing to the point that he is hardly able to perform minimal responsibility necessary for completing his mission.

It was also obvious to me that Robby has a special bond with his handler. Understandably so, as the two spent several years working side by side. The level of trust maintained between the two while in the line of duty is still present today.

Robby's handler would like to spare his life through an adoption by either himself or another handler; however, the DOD would not allow it. In light of seeing Robby and his handler together, I feel that DOD's prohibition on handler adoption is pointlessly tragic.

I feel, despite the dog's deteriorating health, he could still have the opportunity to experience the comforts and joys of normal companionship. Disallowing a handler the option to adopt their canine partner runs contrary to normal logic. Why should military working dogs be kept from a calm existence upon retirement when the only other alternative is more work before a final death?

Upon further research, I learned that the 1949 Federal Property and Administrative Services Act enacted after World War II reclassified military working dogs as equipment. According to the military mentality, any piece of equipment no longer operable becomes a hardship to the unit and must be disposed of.

In 1997, the Federal Property and Administrative Services Act was amended. At that time the act was altered to permit Federal dog handlers, such as those in the Drug Enforcement Administration, to adopt their aging canine partners. Oddly enough, the Department of Defense canine partners were the only Federal canine group not to be included in the modification.

Again, I ask the question, why? Are these worthy canines any less deserv-

ing than people of living out the remainder of their days than other Federal working dogs? Clearly not.

The bill I bring before the House today, H.R. 5314, makes the adoption of a retired military working dog a reality for the handler. I have labored hard to ensure that the language was constructed at the best vantage point for all parties involved. The decision to allow a handler to adopt their partner rests on the shoulders of those who know the dog best, the dog's last unit commander and the last unit veterinarian.

Made on a dog-by-dog basis, the commander and veterinarian are obligated to give their consent before the adoption process can move forward. Furthermore, H.R. 5314 provides an additional safeguard at the Federal level. Upon receipt of the dog, the adopt handler waives all liability against the Federal Government.

H.R. 5314 will effectively accomplish two goals. It offers the DOD a solution to their dilemma of maintaining aging canines and lifts the restriction that prohibits the adoption of military working dogs. Former dog handlers, individuals with comparable experience, or law enforcement agencies will be able to provide a loving home for such deserving animals.

Through the passage of this legislation, not only will the military working dog be taken from caged status, but also the dog will be given the opportunity for a positive home environment. I know my colleagues will agree that after a lifetime of service, there could be no better reward for both dog and handler.

In closing, H.R. 5314 has been endorsed by the Humane Society of the United States, the American Veterinary Medical Association, the Society for Animal Protective Legislation, the Doris Day Animal Rights League, and the American Society of the Prevention of Cruelty to Animals. Please join me in passing this positive measure which is a win-win solution for dog handler and the Department of Defense.

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

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

Mr. Speaker, I can hardly add to the compelling case that the gentleman from Maryland (Mr. BARTLETT) has made.

Mr. Speaker, I would like to say that, as was mentioned by the gentleman from Washington (Mr. METCALF), I wanted to make a statement that it does not surprise me that this legislation would be put forward by the gentleman from Maryland (Mr. BARTLETT).

If there is anyone in the Congress who carries through on his convictions, if there is anyone who is looking out for those who cannot speak for themselves, in this instance most assuredly so, it is the gentleman from Maryland (Mr. BARTLETT); and I am quite proud

to be able to be here this evening and to be able to support his legislation.

I had no idea and I doubt if any other Member in the body had any idea that this was, in fact, the case, that working dogs in the military would be put down when they were no longer thought to be useful. And I must say in conclusion, that it just seemed perfectly natural to me when the gentleman from Maryland (Mr. BARTLETT) came up and asked for my support that he would be leading the charge on this particular piece of legislation.

It is a pleasure to be working with him and to have the opportunity to join with him in supporting this bill.

Mr. Speaker, I rise in support of H.R. 5314, introduced by my friend and Armed Services Committee colleague, Mr. ROSCOE BARTLETT. The bill before the House today would terminate the Department of Defense policy of putting down aging military working dogs and provide for their adoption.

Currently, there is no policy to allow these elderly dogs to be retired and transferred to an individual or private entity that could provide appropriate care for these aging dogs.

H.R. 5314 would address this unfortunate situation and allow elderly military working dogs to be adopted by law enforcement agencies, former handlers, and other persons capable of humanely caring for these fine animals. The bill also includes a provision that limits the Federal Government's liability in cases where a former military working dog is transferred.

H.R. 5314 allows the commander of the individual dog's unit to decide whether a particular military working dog is suitable for adoption. This will afford military working dogs the same treatment given to those dogs who serve on our community police forces, and allow military working dogs to retire and enjoy the last few years of their life.

Mr. Speaker, I urge my colleagues to support this measure.

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

Mr. BARTLETT of Maryland. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank the gentleman from Hawaii (Mr. ABERCROMBIE) for his very kind remarks. I thank him very much for the comments.

Mr. Speaker, now I would like to thank Mr. Philip Grone of our Committee on Armed Services for his considerable help. We had to spend a number of hours working out the details of this language to make sure that it was satisfactory to DOD in assuring them that they had no liability as a result of adopting these dogs out.

This legislation would not have been possible without the considerable help of Mr. Philip Grone, and I am very appreciative of that help.

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

The SPEAKER pro tempore (Mr. RYAN of Wisconsin). The question is on the motion offered by the gentleman from Maryland (Mr. BARTLETT) that the House suspend the rules and pass the bill, H.R. 5314, 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 10, United States Code, to facilitate the adoption of retired military working dogs by law enforcement agencies, former handlers of these dogs, and other persons capable of caring for these dogs."

A motion to reconsider was laid on the table.

#### POSTHUMOUS PROMOTION OF WILLIAM CLARK TO GRADE OF CAPTAIN

Mr. BARTLETT of Maryland. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3621) to provide for the posthumous promotion of William Clark of the Commonwealth of Virginia and the Commonwealth of Kentucky, co-leader of the Lewis and Clark Expedition, to the grade of captain in the Regular Army.

The Clerk read as follows:

H.R. 3621

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. POSTHUMOUS PROMOTION OF WILLIAM CLARK, CO-LEADER OF THE LEWIS AND CLARK EXPEDITION, TO THE GRADE OF CAPTAIN IN THE REGULAR ARMY.

(a) POSTHUMOUS PROMOTION.—William Clark, of the Commonwealth of Virginia and the Commonwealth of Kentucky, co-leader of the Lewis and Clark Expedition of 1804-1806, shall be deemed for all purposes to have held the grade of captain, rather than lieutenant, in the Regular Army, effective as of March 26, 1804, and continuing until his separation from the Army on February 27, 1807.

(b) PROHIBITION OF BENEFITS.—No person is entitled to any bonus, gratuity, pay, or allowance because of the provisions of subsection (a).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Maryland (Mr. BARTLETT) and the gentleman from Hawaii (Mr. ABERCROMBIE) each will control 20 minutes.

The Chair recognizes the gentleman from Maryland (Mr. BARTLETT).

GENERAL LEAVE

Mr. BARTLETT of Maryland. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 3621.

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

There was no objection.

Mr. BARTLETT of Maryland. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today the House has a rare opportunity to correct a long-standing injustice and blemish in our Nation's history.

H.R. 3621 would authorize the posthumous promotion of William Clark, co-leader of the Lewis and Clark Expedition, to the grade of captain in the Regular Army.

William Clark played a pivotal role in the expedition to explore the Missouri River chartered by President Thomas Jefferson. He shared command of the exploration party known as the Corps of Discovery with Captain Meriwether Lewis.

In fact, Captain Lewis had hand-picked William Clark to jointly command the expedition team with him. Captain Lewis believed he was conveying the promise to the United States Government and the Army when he offered William Clark an appointment in the grade of captain. Unfortunately, the Army was unable to make a place for William Clark as a captain, and he was confirmed by the Senate as a lieutenant.

The fact that William Clark was not appointed a captain was the source of great embarrassment and disappointment to Captain Lewis. His response was to treat William Clark as a co-commander of the expedition, with equal authority.

In fact, the two agreed at Captain Lewis' insistence that the members of the Corps of Discovery and any others that came in contact with the expedition would only know William Clark as a captain and co-commander. As a result, all the documentation dealing with the expedition and the Corps of Discovery refer to Captain William Clark.

For all practical purposes, William Clark deserved equal billing with Captain Lewis. He performed superbly as co-commander throughout the expedition and was a respected leader.

William Clark played a key role and contributed immeasurably to the history-making exploration of the Missouri River that paved the way for the expansion of the United States westward.

William Clark's place in history is secure. The only thing left to do is remove the cloud of uncertainty concerning his appointment as a captain.

Mr. Speaker, I commend the author of H.R. 3621, the gentleman from Nebraska (Mr. BEREUTER), for bringing this issue to the attention of the House. His commitment to this issue again proves that it is never too late to do the right thing.

Mr. Speaker, William Clark earned the privilege to be called captain and the records of our Nation should document that honor. I urge my colleagues to vote yes on H.R. 3621.

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

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

Mr. Speaker, I think the gentleman from Maryland (Mr. BARTLETT) has provided the background, and I suspect there will be some further commentary by the introducer of the bill.

Mr. Speaker, I rise in support of H.R. 3621, introduced by Mr. DOUG BEREUTER, which would provide for the posthumous promotion of William Clark to

the grade of captain in the Regular Army.

William Clark was the coleader with Meriwether Lewis of the "Corps of Discovery", a military and scientific expedition to the Pacific Northwest from 1804 to 1806. This expedition provided vast information on the resources of the West and encouraged further exploration and settlement.

In 1792, William Clark became an officer in the regular army and fought in the battle of Fallen Timbers. In 1803, Clark accepted an invitation to serve as coleader of the "Corps of Discovery". He spent several months studying astronomy and map-making, and traveled with Meriwether Lewis down the Ohio River to Wood River, Illinois, where they made the final preparations for their expedition across America.

Upon his return from the expedition, William Clark continued his outstanding service to this nation. In 1807, President Thomas Jefferson appointed him principal Indian Agent for the Louisiana Territory and brigadier general of its militia, which he held until 1813, when he became governor of the newly formed Missouri Territory.

As we begin celebrations recognizing the 200th anniversary of the Corps of Discovery, it is fitting that we acknowledge the contributions of William Clark and provide him with a posthumous promotion to Captain.

Mr. Speaker, I urge my colleagues to support this measure.

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

Mr. BARTLETT of Maryland. Mr. Speaker, I yield such time as he may consume to the gentleman from Nebraska (Mr. BEREUTER), the author of the bill.

Mr. BEREUTER. Mr. Speaker, I am pleased to rise today in support of H.R. 3621, a legislation this Member introduced to correct a nearly 200-year-old error. I thank the gentleman for yielding me this time.

This Member would also like to thank the distinguished gentleman from South Carolina (Chairman SPENCE) for his assistance in moving this bill forward, and the distinguished gentleman from Indiana (Mr. BUYER), chairman of the Subcommittee on Military Personnel for his cooperation.

I also want to express my appreciation to the distinguished gentleman from Missouri (Mr. SKELTON), the ranking minority member of the committee, for his continuing support on this effort and for his cosponsorship of the resolution.

The gentleman from Maryland (Mr. BARTLETT) has given us an important part of the background on this issue. As we approach the bicentennial of the Lewis and Clark Expedition, it is important to formally recognize the role of William Clark by posthumously awarding him the rank of captain which he had been promised.

The legislation we are considering today, H.R. 3621, states that William