

Mr. SIMPSON. Mr. Chairman, I would like to revise my earlier statement during debate on the Hooley amendment to H.R. 1157, the Pacific Salmon Recovery Act. During the debate I erroneously stated the Environmental Protection Agency (EPA) had ordered a landowner in my district to fill in an illegally dug stream channel. It was the U.S. Army Corps of Engineers that told my constituent to fill in the stream channel.

#### TRIBUTE TO FREDERICK DOUGLASS ACADEMY

#### HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 14, 2001*

Mr. RANGEL. Mr. Speaker, I rise before you today to share with you and my colleagues here in the House, an article which appeared in the June 11, 2001 edition of The Washington Times about Frederick Douglass Academy which is located in my 15th Congressional District in central Harlem.

As a graduate of Frederick Douglass Academy, I am most proud of the hard work and commitment of their principal, Gregory Hodge and the teachers who go beyond the call of duty to see that each child leaves there with a good education.

Just recently, I sponsored two Congressional Pages who are students at Frederick Douglass, Charzetta Nixon and Leon Harris, and I am proud to say that they truly represented the best of the Academy and my Congressional District.

I commend this article to my colleagues knowing that with students like those at Frederick Douglass Academy, this nation's future is in good hands.

[From the Washington Times, June 11, 2001]

#### LOW BUDGET, HIGH ACHIEVERS

#### STAFF'S COMMITMENT DRIVES A SCHOOL'S SUCCESS IN HARLEM

(By Nate Hentoff)

Most polls indicate that education leads all other concerns among Americans. Parents, whatever they themselves have achieved, or not achieved, want their children to succeed in school and therefore in life. Many parents become desperately disappointed. Yet, in 40 years of writing about schools, I've seen that depression lift as a principal reinvents the wheel and shows how all children can learn.

A current reinventor of the wheel of learning is Gregory Hodge, the principal of the Frederick Douglass Academy in central Harlem, a predominantly black and Hispanic area of New York City.

I was not surprised when I read a story about his school earlier this year in the New York Times because I once wrote a book—"Does Anybody Give a Damn: Nat Hentoff on Education"—about schools in "disadvantaged" neighborhoods that also expected all of their students to learn. And they did learn.

Of the 1,100 students at the Frederick Douglass Academy, a public school, 80 percent are black and 19 percent are Hispanic. Some come from homes far below the poverty line. In a few of those homes, one or both parents are drug addicts. Seventy-two percent of the students are eligible for free lunch.

The dropout rate is 0.3 percent. If a student doesn't show up at a tutoring session, his

teacher calls his mother, father or other caregiver. Every student is expected to go to college. As the New York Times reported, "In June of last year, 114 students graduated and 113 attended colleges, some going to Ivy League or comparable schools." The 114th student was accepted by the Naval Academy.

During the Great Depression, I went to a similar public school. All of us were expected to go to college. Most of us were poor. At the Boston Latin School, as at the Frederick Douglass Academy, there was firm, but not abusive, discipline. And we had three hours of homework a night. There were no excuses for not turning in the work. At the Frederick Douglass Academy, the students have four hours of homework a night.

The students there take Japanese and Latin in middle school and can switch to French or Spanish in high school. At Boston Latin, we had to take Latin and Greek as well as American history. The kids at Frederick Douglass can take advanced placement courses not only in American history, but also in calculus and physics. I flunked beginning physics.

Moreover, the students at Frederick Douglass mentor elementary-school children at the public school next door. "The idea," Mr. Hodge told the New York Times, "is to show students that they have responsibilities to the Harlem community. And they are expected to be leaders and help Harlem grow."

Near Boston Latin Schools, there were elementary school kids who, without mentoring, didn't have much of a chance to believe that they could someday go to college. But our Boston Latin principal didn't send us out to be part of a larger responsibility.

So how come Frederick Douglass Academy does what a public school is supposed to do—lift all boats? The principal, who reads every one of the 1,100 report cards, demands that his teachers expect each child to learn. The school works, he says, because it has committed teachers. "They come in early and stay late. The teachers go with them to colleges. Some have gone in their own pockets for supplies . . . Teachers here will do everything they can to make sure kids are successful."

A senior who had been in a high school outside New York City explained the success of the school—and his own success there—succinctly: "They want you to learn here."

I have been in schools at which principals are seldom seen because they don't want to take responsibility for problems that arise. And I know teachers who have enabled kids to learn in their classrooms, but worry about sending the students on to teachers who are convinced that children from mean streets and homes without books can learn only so much.

And I remember a president named Bill Clinton who spent a lot of time focusing on affirmative action to get minority kids into college. For the most part, he ignored the students who never get close to going to college because of principals, teachers and school boards who do not expect all kids to learn, and so do not demand that they do.

At a New York City school board meeting years ago, I heard a black parent accuse the silent officials: "When you fail, when everybody fails my child, what happens? Nothing. Nobody gets fired. Nothing happens to nobody, except my child."

He was torn between grief and rage. So are many American parents these days. At the Frederick Douglass Academy, parents see their children grow in every way. And it is a public school.

#### PERSONAL EXPLANATION

#### HON. NEIL ABERCROMBIE

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 14, 2001*

Mr. ABERCROMBIE. Mr. Speaker, yesterday, June 13, I was unavoidably absent and I was unable to vote on two rollcall votes. Had I been present, I would have voted as follows: Rollcall No. 158, approval of the Journal, "yea", Rollcall No. 159, passage of H.R. 1157, "yea".

#### FLAG AND FATHERS' DAY 2000

#### HON. JOHN L. MICA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 14, 2001*

Mr. MICA. Mr. Speaker, on Flag Day and as we approach Fathers' Day 2000, I thought it would be appropriate to share with my colleagues and include in the CONGRESSIONAL RECORD excerpts from the publication "War Letters: Extraordinary Correspondence from American Wars", and a subsequent article authored by Andrew Carroll. I do not recall ever having read anything that better captures the joy of fatherhood, the scale of individual sacrifice for our Nation, or that conveys more fitting appreciation of our national insignia—our flag. In an era when nearly a third of our sons and daughters are raised without a father, when the traditional family and patriotism are wavering, it is my hope that these powerful letters may serve as a small inspiration.

Author Andrew Carroll provides a preface introduction and details the circumstances relating to the writing of each letter.

Twenty-six-year-old Capt. George Rarey, stationed in England, was informed of the birth of his first child just moments after coming back from a mission on March 22, 1944. Overwhelmed with joy, Rarey sent a letter to his wife Betty Lou (nicknamed June) in Washington, DC. A talented artist, Rarey drew a sketch to commemorate the event.

Darling, Darling, Junie!

Junie, this happiness is nigh unbearable—Got back from a mission at 4:00 this afternoon and came up to the hut for a quick shave before chow and what did I see the deacon waving at me as I walked up the road to the shack? A small yellow envelope—I thought it was a little early but I quit breathing completely until the wonderful news was unfolded—A son! Darling, Junie! How did you do it?—I'm so proud of you I'm beside myself—Oh you darling.

All of the boys in the squadron went wild. Oh its wonderful! I had saved my tobacco ration for the last two weeks and had obtained a box of good American cigars—Old Doc Finn trotted out two quarts of Black and White from his medicine chest and we all toasted the fine new son and his beautiful Mother . . .

Junie if this letter makes no sense forget it—I'm sort of delirious—Today everything is special—This iron hut looks like a castle—The low hanging overcast outside is the most beautiful kind of blue I've ever seen—I'm a father—I have a son! My darling Wife has had a fine boy and I'm a king—Junie, Darling, I hope it wasn't too bad—Oh I'm so glad its over—Thank you, Junie—Thank you—thank you . . .

Oh, Junie, I wish I could be there—Now I think maybe I could be of some help—There are so many things to be done—What a ridiculous and worthless thing a war is in the light of such a wonderful event, that there will be no war for Damon!—Junie, isn't there anything I can do to help out . . .

Oh my beautiful darling, I love you more and more and more—Gosh, I'm happy!—Sweet dreams my sweet mother, Love—Rarey.

Capt. George Rarey was killed three months after writing this letter.

Even in the Internet age, many servicemen and women continued to send their letters the old-fashioned way—through the mail. In 1997, 36-year-old Major Tom O'Sullivan was in Bosnia, serving as the officer in charge of the first Armored Division Assault Command Post and, later, as the operations officer of the 4th Battalion, 67th Armor at Camp Colt. O'Sullivan frequently wrote home to his wife Pam and their two children, Tara and Conor, and on September 16, 1996—the day Conor turned seven—O'Sullivan (at far right, with his Bosnian translator) sent a birthday gift he hoped would have special meaning to his son:

Dear Conor,

I am very sorry that I could not be home for your seventh birthday, but I will soon be finished with my time here in Bosnia and will return to be with you again. You know how much I love you, and that's what counts the most. I think that all I will think about on your birthday is how proud I am to be your dad and what a great kid you are.

I remember the day you were born and how happy I was. It was the happiest I have ever been in my life and I will never forget that day. You were very little and had white hair. I didn't let anyone else hold you much because I wanted to hold you all the time . . .

There aren't any stores here in Bosnia, so I couldn't buy you any toys or souvenirs for your birthday. What I am sending you is something very special, though. It is a flag. This flag represents America and makes me proud each time I see it. When the people here in Bosnia see it on our uniforms, on our vehicles, or flying above our camps, they know that it represents freedom, and, for them, peace after many years of war. Sometimes, this flag is even more important to them than it is to people who live in America because some Americans don't know much about the sacrifices it represents or the peace it has brought to places like Bosnia.

This flag was flown on the flagpole over the headquarters of Task Force 4-67 Armor, Camp Colt, in the Posavina Corridor of northern Bosnia-Herzegovina, on 16 September 1996. It was flown in honor of you on your seventh birthday. Keep it and honor it always.

Love, Dad.

## REDWOODS DEBT FOR NATURE

**HON. RICHARD W. POMBO**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 14, 2001

Mr. POMBO. Mr. Speaker, the staff report is entitled Redwoods Debt-For-Nature Agenda of the Federal Deposit Insurance Corporation and the Office of Thrift Supervision to Acquire the Headwaters Forest. This report was prepared for the Committee to wrap up some oversight work on the FDIC and Office of Thrift Supervision redwoods debt-for-nature matter started during the last congress. The

analysis concludes that there was a redwoods debt-for-nature scheme pursued by the bank regulators at the FDIC and the OTS beginning in at least February 1994. The startling part is that the banking claims against Mr. Charles Hurwitz (stemming from his minority ownership of a failed savings and loan) that were to be used as leverage to get Pacific Lumber Company's redwoods, a company owned and controlled by Mr. Hurwitz, were loser claims. By the FDIC's own internal evaluation, there was a 70 percent chance the claims would fail procedurally and more than 50 percent chance of failing on the merits.

The conduct of the bank regulators was so bad that it led a U.S. District Court Judge, the Honorable Lynn Hughes to conclude that the agencies used tools equivalent to the *cosa nostra*—a mafia tactic—in their pursuit of Mr. Hurwitz and his privately owned redwoods. This staff report gives even more basis to validate the conclusion of the federal judge. No one—whether a millionaire industrialist or a laborer in a factory—should be subject to the unchecked tools of an out of control “independent” agency like the FDIC or the OTS. The redwood scheme grew as the FDIC understood the importance of its—and the OTS—potential claims as the leverage for the redwoods during an extraordinary 1994 strategy meeting with a Member of Congress—19 months before the claims were even authorized to be filed. The other bank regulator, the OTS, was enlisted by the FDIC right after that meeting. They were hired to pursue the same claims against Mr. Hurwitz administratively as leverage for their claims. FDIC's reason for teaming up with the OTS: to get “the trees,” according to the notes of their own staff.

The redwoods scheme was introduced through an intense lobbying campaign by environmental groups, including Earth First! They penetrated the “independent” FDIC, the FDIC's outside counsel, the OTS, the Administration, the Department of the Interior, the White House, and Members of Congress. The redwoods scheme was why ordinary internal operating procedures of the FDIC that would have closed the case against Mr. Hurwitz were not followed. The redwoods scheme overrode the initial internal conclusion that the claims against Mr. Hurwitz were losers for the bank regulators and should not have been bought under the written policy of the agency. In fact, just a few days before the staff recommendation flipped from “don't sue” to “sue,” FDIC officials met with the top staff from the Office of the Secretary of the Department of the Interior. Their notes from the meeting concluded by saying, “If we drop suit, [it] will undercut everything.” Of course “everything” was the just-discussed scheme to leverage redwoods from Mr. Hurwitz.

The FDIC (and its agent, the OTS) were the critical part of the scheme. The bank regulators were willing advocates who promoted a redwoods exchange for banking claims against Mr. Hurwitz well before the claims were authorized by the FDIC board, well before they were filed, and very well before Mr. Hurwitz raised the notion of redwoods. The evidence of the FDIC's participation in the redwoods scheme contradicts the testimony offered by the witnesses at the December 12, 2000, hearing of the Committee Task Force. That testimony was that banking claims or the threat of banking claims against Mr. Hurwitz involving USAT were not brought as leverage

in a broader plan to get the groves of redwoods from Mr. Hurwitz. The weight of the documentation contradicts that conclusion.

The cost of bringing these claims that would have been “closed out” if it were the normal situation—is nearly \$40 million to Mr. Hurwitz. One of two things needs to happen. We need to either have a hearing on this situation or the FDIC and OTS boards need to correct this action and revisit the underlying board actions that authorized the suits in the first place. I would be surprised if the FDIC and OTS board members actually knew what their staffs were doing with the redwoods scheme. I hope they would be surprised, but the evidence is now here for them to see. This is embarrassing to the bank regulators—they need to address it now.

Redwoods Debt-for-Nature Agenda of the Federal Deposit Insurance Corporation and the Office of Thrift Supervision to Acquire the Headwaters Forest, June 6, 2001

### Preface

#### Documentation References

Documentation is referenced in parentheticals throughout the text of this report. References to “Document A” through “Document X” are references to documents that were incorporated into the hearing record by unanimous consent by the Task Force on Headwaters Forest and Related Matters on December 12, 2000. These documents are contained in the files of the Committee and those that are referred to are reproduced in Appendix 1. Documentation referenced as “Record 1,” “Record 2,” etc. is documentation found in Appendix 2. Much of this documentation was not introduced as part of the hearing record, and it is provided for reference to substantiate key facts referenced in this report. References to “Document DOI A,” “Document DOI B,” etc. are references to documents that were incorporated into the hearing record by unanimous consent of the Task Force on December 12, 2000. These documents were produced to the Committee from the Department of the Interior. Appendix 4 contains the correspondence between the Committee and the bank regulators.

All documentation referenced in this report and attached in an appendix is necessary to contextually verify the information and conclusions reached in this report on subjects within and related to the jurisdiction of the Committee on Resources. The records, documents, and analysis in this report are provided for the information of Members pursuant to Rule X 2.(a) and (b) of the Rules of the House of Representatives, so that Members may discharge their responsibilities under such rules.

#### Role of the Committee on Resources: The Headwaters Forest Purchase and Management

Ordinarily, one would think that the Committee on Resources does not regularly interact or have jurisdiction over bank regulators. It is important to understand that the Committee on Resources has jurisdiction over the underlying law that initially authorized the purchase of the Headwaters Forest by the United States and management of the land by the Bureau of Land Management. That law was enacted in November 1997 and is P.L. 105-83, Title V, 111 Stat. 1610. That legislation was incorporated in an appropriations bill that funded the Department of the Interior.

Several conditions constrained the Headwaters authorization. One of those conditions was that any “funds appropriated by the Federal Government to acquire lands or interests in lands that enlarge the Headwaters Forest by more than five acres per