

additional spectrum for third-generation wireless and other advanced mobile communications services will not be completed until after the June 19th auction date for the upper 700 MHz band, and long after the applications must be filed to participate in the auction.

It is difficult for wireless carriers to make a sound business decision concerning what options are available for spectrum for third-generation and other advanced mobile communications services until the NTIA/Pentagon report has been released and evaluated.

The Commission is also in the process of determining how to resolve the interference problems that exist in the 800 MHz band, especially for public safety. One option being considered for the 800 MHz band would involve the 700 MHz band. The Commission should not hold the 700 MHz auction before the 800 MHz interference issues are resolved or a tenable plan has been approved.

The 700 MHz band is still occupied by television broadcasters, and will be so until the digital transition is complete. This situation creates a tremendous amount of uncertainty concerning when the spectrum will be available and reduces the value placed on the spectrum by potential bidders. The encumbrance of the 700 MHz band reduces both the amount of money that the auction would be likely to produce and the probability that the spectrum would be purchased by the entities that valued the spectrum the most and would put the spectrum to its most-productive use.

The Commission's rules governing voluntary mechanisms for the vacation of the 700 MHz band by the broadcasters produced no certainty that the band would be available for advanced mobile communications services, public safety operations, and other purposes any earlier than the existing statutory framework provides.

Mr. Speaker, the FCC and the Administration clearly have a lot of work to do with respect to allocating and assigning additional spectrum for advanced mobile communications services and with respect to speeding the transition to digital television. Until more progress is made in these areas, the 700 MHz band auctions should not occur.

Mr. Speaker, I am delighted that 52 Members of the Energy and Commerce Committee are original co-sponsors of this legislation. It demonstrates that an overwhelmingly majority of members of our committee know that holding the auctions in June is the wrong policy decision for the FCC to make. The FCC should use its own authority to delay these auctions. And we are making clear that holding the auctions within the FCC's designated timeframe is contrary to both sound regulatory policy and contrary to the Communications Act.

#### SITUATION IN THE MIDDLE EAST

### HON. SUE WILKINS MYRICK

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 24, 2002*

Mrs. MYRICK. Mr. Speaker, I rise today to speak about the situation in the Middle East that is of grave concern to all of us.

Since September 11th, we have had a taste of normal life in Israel. Americans have experienced the fear, the terrorist alerts, the military

and police presence at airports and public sites and we don't like it. Yet we must have it because we are at war with terrorists just as Israel is at war with terrorists.

We must stand by Israel as they work to eliminate terrorism in their homeland and as we try to do the same thing in the United States. We must stand by Israel as they fight for their very own survival and as we fight for ours.

As President Bush said in his address to Congress, we must root out terrorism worldwide and all those organizations that support it.

It is time we firmly support our Israeli friends in their fight against terrorism. We must join Israel now and continue this fight until the wrath of terrorism is ended.

#### EMERY FLIGHT 17 (DC-8) NTSB HEARING

### HON. JOHN E. SWEENEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 24, 2002*

Mr. SWEENEY. Mr. Speaker, I am very pleased that the National Transportation Safety Board (NTSB) has scheduled a hearing for May 9th regarding Emery flight 17 (DC-8) that crashed in Sacramento on February 16, 2000, killing its entire crew. I strongly urge the NTSB to follow through with the scheduled hearing rather than postponing it as other hearings have been postponed. The Captain of Emery 17 was Kevin P. Stables, 43, of Berlin, New York, the First Officer was George Land, 35, of Placerville, California, and the Flight Engineer was Russell Hicks, 38, of Sparks, Nevada. I look forward to the hearings as part of the ongoing crash investigation to help prevent future air cargo tragedies, encourage government and business accountability, and enhance public confidence in the regulatory oversight of the rapidly expanding air cargo industry.

On February 16, 2000, Emery flight 17, a DC-8, took off from Sacramento en route to Dayton. Two minutes later, the massive jet plowed into a salvage yard. National network news provided live broadcasts of the fiery aftermath. The pictures were telling—none of the crewmembers escaped alive.

Mr. Speaker, an exam of the wreckage found indications that part of the DC-8's mechanical flight controls may not have been connected prior to the flight. Key flight control components of that particular airplane had been overhauled by a Federal Aviation Administration-approved repair station three months before the crash. In August 2001, the Federal Aviation Administration (FAA) finally "grounded" Emery and cited safety concerns that included "mechanical irregularities" and "operating unairworthy aircraft."

Mr. Speaker, Emery 17 is not the only DC-8 cargo jet in recent years to wipe out its entire aircrew shortly after takeoff. Thirty months earlier in Miami, Fine Air flight 101 slammed into the ground, burst into flames, and killed five people. The probable cause finding included the "failure of the FAA to ensure that known cargo-related deficiencies were corrected." Many believe the FAA's failure to provide adequate oversight and its failure to enforce Federal Aviation Regulations are direct causes of the Emery tragedy.

Almost immediately after Emery 17 crashed, safety groups and families of the crews pushed hard for public hearings on the Emery accident and the NTSB announced that official hearings would take place and would center on contract maintenance and oversight by "airline and FAA personnel." Mr. Speaker, these were the identical issues for which the NTSB criticized the FAA in the aftermath of ValuJet's 1996 crash.

Emery's own aircrews warned the FAA in the months leading up to Emery flight 17's crash. In a 1998 letter to the FAA, Capt. Tom Rachford, speaking for the Emery pilots' union, wrote, "Our maintenance has dramatically fallen off. . . . I can't say it any clearer: This airline is going to put a hole in the ground and kill someone. Please don't let this fall upon deaf ears." Later, five months before the fatal crash, the Emery pilots' group expressed their concern yet again with FAA leadership. They wrote: "EWA is out of the regulator's eye. . . . Why are the authorities continuing to turn a blind eye? The lower echelon of the regulatory agencies have substantiated our concerns. . . . However, it is the upper echelon that appears to be dragging its feet. . . . If we have an accident in the near future, the subsequent investigation will show sainthood on the part of ValuJet when compared to Emery Worldwide Airlines. . . . Emery crews are living on borrowed time."

Mr. Speaker, it's been two long years since Emery 17 crashed. The rapidly expanding air cargo industry is still waiting for the overdue hearings. The air cargo industry is the fastest-growing segment of the commercial airline industry. Many government and industry experts consider oversight of third-party maintenance stations inadequate. The NTSB has never before convened public hearings on an air-cargo-only accident. I am pleased the board is sticking to its earlier decision and promise to convene the Emery hearings. To many, this suggests a turning point and an indication that relaxed oversight and maintenance, and unsafe operational practices will no longer be ignored. I look forward to expedient and thorough public hearings.

The U.S. government must not wait for another massive air cargo disaster to force the NTSB into action. This is a race against time: The NTSB must convene the public hearings on Emery 17 before another air cargo blunder kills yet again.

#### POSTHUMOUS HONORARY U.S. CITIZENSHIP FOR ANDREI DMITRIEVICH SAKHAROV

### HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 24, 2002*

Mr. SMITH of New Jersey. Mr. Speaker, it is with great pleasure and a deep sense of solemnity that I introduce, along with Mr. Frank of Massachusetts, a resolution to bestow honorary citizenship posthumously upon a man whose contribution to world peace and the struggle for human rights inspired, and continues to inspire, his own generation and those who have followed him. That man is the late Dr. Andrei Dmitrievich Sakharov, renowned physicist, humanitarian, and winner of the Nobel Peace Prize.

Dr. Sakharov was a man of great stature in the Soviet scientific community, working on defense projects of the greatest importance to the Soviet government. His induction into the Academy of Sciences in 1953 made him the youngest-ever member of the Academy. He enjoyed every privilege that Soviet society had to offer, but he abandoned his elevated position to protest the threat to humankind posed by nuclear testing and the build up of nuclear arms. This led to Dr. Sakharov's becoming a leader of the effort for internal reform in the Soviet Union and a strong advocate for human rights throughout the world.

In 1962, Dr. Sakharov proposed to his government that the Soviet Union sponsor a partial Test Ban treaty along the lines proposed by U.S. President Dwight Eisenhower in the late 1950s. On August 5, 1963, the effort resulted in the signing of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space, and Under Water in Moscow.

In 1968, The New York Times published Dr. Sakharov's ground-breaking essay "Progress, Coexistence, and Intellectual Freedom" which pursued two major themes. The first was to challenge Soviet authorities to increase intellectual freedom in the interest of peaceful coexistence with the West and ending the Cold War. Conversely, it stimulated Western interest in disarmament and scientific exchanges, and convinced many opinion-makers in the West that it was worth entering into a dialogue with Soviet intellectuals and that change from within was possible in the USSR. Ultimately, more than 18,000,000 copies of the essay were printed around the world in various languages.

Within two years, Dr. Sakharov, along with Valery Chalidze and Andrei Tverdokhlebov, became one of the three founding members of the Moscow Human Rights Committee. This gave institutional expression to Sakharov's developing interest in human rights and the rule of law as guiding principles in the effort to reform and liberalize the Soviet regime. When the Helsinki Accords were signed in 1975 by the Soviet Union, the United States, Canada and 32 European countries, he noted that the Accords had meaning "only if [the Accords] are observed fully and by all parties. No country should evade a discussion on its own domestic problems \* \* \* [n]or should a country ignore violations in other participating states. The whole point of the Helsinki Accords is mutual monitoring, not mutual evasion of difficult problems."

As he became more committed to the human rights struggle in his country and peace throughout the world, Dr. Sakharov continued to speak out on peace and disarmament, as well as freedom of association and movement, freedom of speech, against capital punishment, and in defense of preserving the environment.

Such "heresy" against his government's denial of basic human rights brought upon him reprisals from the Soviet government and its secret police, the KGB. He was barred from classified work, and many of his professional privileges rescinded. Only after a 17-day hunger strike by Dr. Sakharov and his wife and fellow human rights activist, Dr. Elena Bonner, did authorities allow his daughter-in-law to join her husband in the United States. Only after another long struggle was Dr. Bonner permitted to go abroad for medical treatment.

At the same time, the international community was closely following his efforts, under-

standing that his struggle touched us all. In 1975, the Nobel Peace Prize was awarded to Dr. Sakharov for his "personal and fearless effort in the cause of peace." It was, Dr. Sakharov wrote, "a great honor for me, as well as recognition for the entire human rights movement in the USSR."

On January 22, 1980, in response to Dr. Sakharov's protests against the Soviet invasion of Afghanistan, Dr. Sakharov was picked up by the police on a Moscow street and sent into "Internal exile" in the closed city of Gorky. Joined subsequently by Dr. Elena Bonner, he was kept under house arrest, with a round-the-clock police guard, until December 1986. Dr. Bonner describes their plight eloquently in her book, *Alone Together*.

Meanwhile, at the direction of the Congress, President Ronald Reagan proclaimed May 21, 1983—Dr. Sakharov's birthday—"National Andrei Sakharov Day." In his published statement, President Reagan praised Dr. Sakharov's "tireless and courageous efforts on behalf of international peace and on behalf of human freedoms for the peoples of the Soviet Union."

Upon his release from internal exile on December 16, 1986 by Soviet leader Mikhail Gorbachev, Dr. Sakharov continued the fight for human rights in the Soviet Union and was elected to the newly-formed Congress of People's Deputies. Just before his death in 1989, he completed his draft of a new constitution and submitted it to the Constitutional Commission. While many of its specific points were provisional and advanced to provoke debate, the draft fundamentally provided for a democratic political system, revoking the Communist Party monopoly on power. Indeed, a few months after Dr. Sakharov's death, the Congress of People's Deputies repealed Article 6 of the Constitution which had provided the legal basis for the Communist Party's monopoly on power in the Soviet Union. This loss of Communist Party monopoly led inexorably to the collapse of the Soviet Union, which removed from the earth a vast state that repressed its own citizens and presented a powerful military threat to the United States.

Recently, President Putin, a former KGB agent himself, called Dr. Sakharov "a visionary \* \* \* someone who was able to not only see the future, but to express, to articulate his thoughts, and do that without any fear."

Fearless in the face of state repression, principled in his devotion to peace and disarmament, selfless in the pursuit of human rights for all, this was Dr. Sakharov's character.

Mr. Speaker, honorary citizenship is conferred by the United States Government on rare occasions to individuals who have made extraordinary contributions to this country or to humankind throughout the world. It is and should remain an extraordinary honor not lightly conferred nor frequently granted.

Mr. Speaker, I believe that for his contribution to world peace, the end of the Cold War, the recognition of the inextricable link between human rights and genuine security and the achievement of human rights, however rudimentary in some areas, in the nations of the former Soviet Union, Dr. Andrei Sakharov is worthy of being posthumously granted honorary citizenship of the United States. I hope my colleagues share my enthusiasm for this initiative and will support this resolution.

## RECOGNIZING HEAR O' ISRAEL INTERNATIONAL INC.

**HON. KEN BENTSEN**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 24, 2002*

Mr. BENTSEN. Mr. Speaker, In light of the tragedy that struck our nation September 11th, and the continued violence in the middle east, I believe it's fitting to recognize a valued organization within the Houston community, Hear O'Israel International Inc., which is currently sponsoring its National Mercy, Love and Compassion Campaign. This year long event is being conducted in conjunction with the ongoing initiative "Listen to the Cries of the Children National." Hear O'Israel works to make a difference in the lives of the physically challenged, the elderly, neglected children, and battered women across Houston. They work to give these men and women a stronger sense of self-worth and instill in them the need to treat others with compassion and respect. National Mercy, Love and Compassion Campaign has been endorsed by Mayor Lee P. Brown and every member of the Houston City Council which further demonstrates the high regard for Hear O'Israel in our community.

Hear O'Israel International, Inc., a non-profit, non-denominational organization works to increase public awareness of those that are less fortunate. "Listen to the Cries of the Children National" is designed to strengthen unity among families and further public awareness of the negative consequences that drug abuse, family violence, child abuse, and gang activity have on children. Another ongoing program worth commending is "Turning the Hearts of the Fathers back to Their Children and the Hearts of Their Children Back to Their Fathers." The mission of this program is to reach out to at risk youth in schools, juvenile justice facilities, and those that may be involved in gang activity. Additionally, this program encourages parents to strengthen their relationship with their children, in an effort to unite families and bridge existing gaps among cultures.

National Mercy, Love and Compassion Campaign is an initiative to call attention to the plight of children around who do not have access to adequate food, shelter, clothing, and health care. As a symbol of compassion for suffering children, Hear O'Israel International, Inc., encourages supporters to adopt a family or an individual in need as a gesture of support in resounding, the alarm for those who have been forgotten and many times rejected by our communities.

Again, I would like to recognize Hear O'Israel International, Inc. for its efforts to improve and enhance the quality of life for our children, and extend my personal best wishes for a successful and rewarding campaign.

## TRIBUTE TO COLONEL MICHAEL R. REGNER

**HON. IKE SKELTON**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 24, 2002*

Mr. SKELTON. Mr. Speaker, let me take this means to congratulate and pay tribute to