

HONORING GREYSON FREDETTE

**HON. SCOTT McINNIS**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 15, 2003*

Mr. McINNIS. Mr. Speaker, I would like to take this opportunity to pay tribute to an inspiring young man in Durango, Colorado. Despite facing extraordinary physical adversity, Greyson Fredette has shown perseverance in overcoming the odds and flourishing despite being challenged by a rare disease. I rise today to recognize Greyson for his inspirational efforts and remarkable accomplishments.

Greyson is a rising senior at Durango High School who battles an extremely rare disease known as ataxia-telangiectasia, or "A-T." A-T is a progressive, degenerative condition that results in decreased muscle control, including everything from an individual's legs to his eyes. While Greyson's condition does not allow him to walk, it does not preclude him from exercising his muscles through weightlifting. In fact, while he enjoys pottery and Spanish, Greyson cites weightlifting as his favorite class. Furthermore, even though his condition makes reading difficult, Greyson excels academically and has qualified for the honor roll.

Mr. Speaker, I am honored to pay tribute to Greyson Fredette today for his bravery and the example he has set within his community. He embodies the courage and strength of spirit that have made our nation strong. I commend Greyson for his hard work and determination and wish him all the best with his future endeavors.

IN MEMORY OF FORMER MICHIGAN STATE REPRESENTATIVE PETER KOK

**HON. VERNON J. EHLERS**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 15, 2003*

Mr. EHLERS. Mr. Speaker, today I want to honor someone whom I consider to be the ideal public servant and one of the finest legislators I ever met—Peter Kok of Grand Rapids, Michigan, who died Sunday, June 22, 2003 at the age of 83.

Peter Kok's obituary appeared in papers around the world in the week following his death, and with good reason. It was his refusal to bomb a defenseless and innocent village in northern Italy while a captain in the Army Air Force during World War II that became the basis for Joseph Heller's famous 1961 novel, *Catch 22*, and the subsequent 1968 movie of the same name. Rather than bomb the village, he dropped his B-25's payload on an open field outside the village and the rest of the bombers in his command followed suit.

For his heroism in completing 67 bombing missions over Italy and southern France as a member of the 488th Bomb Squad of the 340th Bomb Group, Peter received the Silver Star, the Distinguished Flying Cross, the Airman's Medal and a Purple Heart.

After the war, Peter returned to Grand Rapids and established a real estate brokerage

firm. Later, he decided to jump into the political fray by running for the Michigan State House of Representatives in 1964, defeating two incumbents in a primary; he was then re-elected to a total of seven terms before retiring from public office in 1978.

Peter Kok became a champion for open housing legislation that prohibited so-called "redlining." Other pet causes included mental health services, special education and environmental legislation—all before these causes became popular issues.

As I said before, Mr. Speaker, Peter Kok was the ideal public servant. He was decent, honest and a truly superb legislator. I had the pleasure of working with him when I was a member of the Kent County Board of Commissioners and later had the honor of holding his former seat in the Michigan House a few years after his retirement.

For those who remember Peter Kok as a pilot, as a real estate agent or as a legislator, we all mourn his loss, and we offer our condolences to his family.

HONORING CHIEF LOUIS E. KELLY ON HIS RETIREMENT FROM THE ELIZABETH FIRE DEPARTMENT AFTER 33 YEARS OF SERVICE

**HON. ROBERT MENEDEZ**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 15, 2003*

Mr. MENEDEZ. Mr. Speaker, I rise today to honor Chief Louis E. Kelly on his retirement from the Elizabeth, New Jersey Fire Department, and to congratulate him for 33 years of dedicated and courageous service to his community.

Chief Kelly's impressive career began in November, 1969, as a Probationary Firefighter in Ladder Company 3 of the Elizabeth Fire Department. In 1977, he became Fire Captain of Rescue Ladder 1, and in 1986, Battalion Chief. After being promoted to Deputy Fire Chief in 1993, he served as Acting Chief from 1995–1996, and was appointed to Chief of the Department in April, 1999. For the last nine years, Chief Kelly has also served as a Deputy Mutual Aid Coordinator for Union County.

Over the years, the Elizabeth Fire Department and Chief Kelly have been the recipients of many commendations, recognitions, and awards. Chief Kelly is a three-time recipient of the Valor Award from the 200 Club of Union County, and has received two Heroism and Community Service Awards from Firehouse Magazine for his heroism and dedication. The Elizabeth Fire Department has awarded him three Class 1 awards, four Class 2 awards, and four Unit Citations. He is the twelfth chief of the Elizabeth Fire Department, which began officially in 1902 and replaced the volunteer fire department.

Under the leadership of Chief Kelly, the Elizabeth Fire Department gave its all in the recovery efforts after September 11, 2001, an event which Chief Kelly noted, "proved no entity can handle every situation on its own." The tragic events of that day demonstrated the Department's commitment and courage, which will never be forgotten.

Chief Kelly will be remembered for his love for and dedication to his community, both as a coach for Elmora Youth League and for the

Saint Genevieve's Parish, and his many other community activities.

Today, I ask my colleagues to join me in honoring Chief Louis E. Kelly for his years of service to the Elizabeth Fire Department and the City of Elizabeth.

DEPARTMENT OF DEFENSE  
APPROPRIATIONS ACT, 2004

SPEECH OF

**HON. BETTY McCOLLUM**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 8, 2003*

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2658) making appropriations for the Department of Defense for the fiscal year ending September 30, 2004; and for other purposes.

Ms. McCOLLUM. Mr. Chairman, today we are voting to fund the U.S. military to meet its future needs. Our duty to our servicemen and women is to provide them with the tools and the means to protect and defend our nation as well as protect them when in conflict. An issue that has persisted to be unsatisfactorily addressed by Congress is the endangerment of our soldiers and civilians—especially children—from the unexploded remnants of cluster munitions. These munitions disperse thousands of small grenades into areas of conflict that include battlefields but too often also include urban and rural areas inhabited by civilians.

Cluster weapons have been used by U.S. military forces in conflict areas including Laos, the Persian Gulf, Kosovo, Afghanistan, and most recently during Operation Iraqi Freedom. Unlike other military weapons, cluster bombs have a failure rate that can reach as high as 40 percent, leaving a trail of thousands of unexploded ordinance that cause death and destruction for our soldiers and civilian populations alike. This unexploded ordinance creates an extremely hazardous environment for soldiers patrolling the areas, future peacekeepers and civilians who unwittingly pick these weapons up or step on them—most frequently children.

In Kosovo in 1999, five children playing with the colorful unexploded sub-munitions were killed. In Iraq, a child's eyes were blown out when a grenade he was playing with near his Baghdad home exploded in his face. Another young Iraqi man brought a grenade into his home, where it exploded, injuring the man severely and killing his 8-month old sister, who had been resting on the living-room floor.

U.S. soldiers are in similar danger. As our troops in Iraq canvass the region, they encounter thousands of unexploded cluster grenades on the roads, in the homes and in the hands of the Iraqi people. It has made their job much more difficult, and in the case of Army Sergeant Troy Jenkins, has cost them their lives. Sergeant Jenkins was killed in Iraq when, after encountering a child who was handling a cluster weapon, the weapon exploded.

The Department of Defense has correctly identified the problem of unexploded cluster bombs and is taking steps to ensure these weapons are safe. In 2001, then Defense Secretary William Cohen issued a Pentagon-wide memorandum calling on the Department to

achieve a 1-percent failure rate by 2005. I ask unanimous consent to insert a copy of Secretary Cohen's memo into the record at this time.

Achieving a 1-percent failure rate requires the simple addition of a secondary fuse to blow up the cluster grenade or neutralize it should it fail to explode on impact. The technology to reach this goal is available, and the Army has already begun developing these new munitions. Yet, little funding has been allocated to expand this technology to all branches of military service. The bill before us today continues to shortchange this commitment. As a result, dangerous cluster bombs with high failure rates remain in use, with thousands more in military stockpiles. This leaves future families, soldiers and innocent children vulnerable to these hazards. Congress can and must do more.

Today, I am calling on Congress to strengthen our commitment to our soldiers and civilians around the world from the danger of cluster bombs deployed by the U.S. military. It is our responsibility to support the Pentagon and our allies around the world who have sought to address this danger by ensuring cluster weapons are not deadly for years after their use. Reaching a 1-percent failure rate for cluster bombs is possible right now, but not without the full commitment of Congress. We have the will to enforce this goal—now we must have the way.

I look forward to working with both Chairman LEWIS and Ranking Member MURTHA in the weeks and months ahead in addressing this critically important issue. I also ask unanimous consent to insert into the record at this time a recent article from *Newday.com* on cluster munitions.

THE SECRETARY OF DEFENSE,  
Washington, DC, January 10, 2001.

Memorandum for the Secretaries of the Military Departments.

Subject: DoD policy on submunition reliability (U).

Submunition weapons employment in Southwest Asia and Kosovo, and major theater war modeling, have revealed a significant unexploded ordnance (UXO) concern. The following establishes the Department's policy regarding submunition weapons acquisition. The policy applies to systems delivered by aircraft, cruise missiles, artillery, mortars, missiles, tanks, rocket launchers, or naval guns that are designed to attack landbased targets and that deploy payloads of submunitions that detonate via target acquisition, impact, or altitude, or self-destruct (or a combination thereof). It is the policy of the DoD to reduce overall UXO through a process of improvement in submunition system reliability—the desire is to field future submunitions with a 99% or higher functioning rate. Submunition functioning rates may be lower under operational conditions due to environmental factors such as terrain and weather.

Program Managers shall include the non-recurring cost of increasing the overall functioning rate; the operational use costs, including the cost of clearing UXO on test and training ranges in accordance with DoD policy and operational requirements; and disposal costs, as part of the life-cycle costs of all future submunition weapons. The Program Manager should establish submunition functioning thresholds and objectives that advance the process of improvement in system reliability, and that take into consideration the benefits from reduced UXO (i.e., a cost-benefit analysis of increasing the func-

tioning rate (cost) and the resulting reduction in UXO (benefit).

The Services may retain "legacy" submunitions until employed or superseded by replacement systems in accordance with the above policy. The designation "legacy" would apply to submunition weapon acquisition programs reaching Milestone III prior to the Fast Quarter of Fiscal Year 2005.

The Services shall evaluate "legacy" submunition weapons undergoing reprourement, product improvement, or block upgrades to determine whether modifications should be made to bring them into compliance with the above policy.

The Services shall design and procure all future submunition weapons in compliance with the above policy. A "future" submunition weapon is one that will reach Milestone III in FY 2005 and beyond. Waivers to this policy for future ACAT I and II submunition weapons programs, shall require approval by the JROC.

Thus policy applies to all acquisition category submunition weapons programs. Compliance with this policy shall be assessed by the Component or Defense Acquisition Executive, as appropriate.

WILLIAM COHEN.

[From *Newday.com*, June 23, 2003]

OFFICIALS: HUNDREDS OF IRAQIS KILLED BY  
FAULTY GRENADES  
(By Thomas Frank)

WASHINGTON.—Hundreds and possibly thousands of Iraqi civilians have been killed or maimed by outdated, defective U.S. cluster weapons that lack a safety feature other countries have added, according to observers, news reports and officials.

U.S. cluster weapons fired during the war in March and April dispersed thousands of small grenades on battlefields and in civilian neighborhoods to destroy Iraqi troops and weapons systems.

But some types of the grenades fail to explode on impact as much as 16 percent of the time, according to official military figures. Battlefield commanders have reported failure rates as high as 40 percent.

Unexploded grenades remain potentially lethal for weeks and months after landing on the ground, where civilians can unwittingly pick them up or step on them. Many victims are children such as Ali Mustafa, 4, whose eyes were blown out when a grenade he played with near his Baghdad home in April exploded in his face.

The "dud rate" for cluster grenades can be reduced to less than 1 percent by installing secondary fuses that blow up or neutralize grenades that fail to explode on impact, according to defense contractors. In early 2001, the Pentagon said it would achieve that goal, but not until 2005. In the meantime, the military continues to use a vast arsenal of cluster grenades that fail to meet the new standard.

Former military officials and defense experts say the effort to improve the grenades was given a low priority and little funding.

"The Army is behind, and the Army is moving very slowly," said retired Army Lt. Gen. Michael Davison, now president of the U.S. division of Israel Military Industries, which has made 60 million grenades with secondary fuses. "It's a sorry situation that we didn't have secondary fuses on the artillery submunitions [grenades] that were fired in the last several wars."

Britain, which joined the United States in the fight to oust Saddam Hussein, fired 2,000 artillery cluster weapons in the war. All were equipped with Israeli-made grenades with secondary fuses and a 2 percent dud rate, the British Defense Ministry said.

The United States fired cluster weapons as bombs, rockets and artillery shells, which

open like a clam to scatter hundreds of grenades over an area as large as several city blocks. Almost all of the U.S. grenades had one standard fuse, according to military records and officials. A notable exception was a type of cluster bomb carrying newly designed—and expensive—grenades with infrared sensors that seek armored vehicles and self-destruct if none is found.

As small as medicine bottles and often draped with short ribbons, unexploded grenades attract children who mistake them for toys. On the April day when Ali Mustafa lost his eyes—an explosion that injured his brother and friend—the three were taken to a Baghdad hospital where two other youths were being treated for cluster grenade wounds.

Ali Harried, 10, of Baghdad, had his stomach ripped open and bowel perforated when a grenade that he and friends were playing with blew up.

Shrapnel ripped into the buttocks of Saef Sulaiman, 17, after his younger brother brought a live grenade into their Baghdad home. Sulaiman said his 8-month-old sister, who had been resting on the living-room floor, was killed in the explosion.

Ali Hamed's mother said two friends of her son's were killed when Ali was hurt.

Another Iraqi child who picked up a grenade survived when Army Sgt. Troy Jenkins took it from her. The grenade then exploded. Jenkins was killed.

The military has not said how many troops have been killed or injured by unexploded grenades. But the 1991 Gulf War revealed their danger.

A congressional report found that grenade duds killed 22 U.S. troops—6 percent of the total American fatalities—and injured 58 as forces swept the Iraqi military out of areas in Kuwait's desert that the Americans had just shelled.

The Army said in a post-war report that "the large number of dud U.S. submunitions . . . significantly impeded operations."

A U.S. mine-clearance company found 118,000 unexploded cluster grenades in just one of the seven Kuwaiti battlefield sectors, according to the General Accounting Office, Congress' investigative agency. Military documents and officials estimated the dud rate at 8 percent to 40 percent.

The total number of unexploded grenades in the region was estimated at 1.2 million by Human Rights Watch, which opposes cluster weapons. It estimated fatalities at 1,220 Kuwaitis and 400 Iraqi civilians.

Forced to confront the problem of unexploded cluster grenades, the military focused on training U.S. troops to clear them and avoid them in the battlefield instead of making improvements to reduce their number, defense experts said.

"We didn't do a whole lot that cost a whole lot of money," said Richard Johnson, a defense consultant and retired Army colonel who spent 30 years working in ammunition acquisition programs.

The Pentagon acknowledged in a 2000 report on cluster weapons that "a significant percentage of these submunitions [grenades] may not detonate reliably." The report said "corrective measures are under way" but said the Pentagon would not retrofit the cluster grenade inventory, which an earlier report said numbered 1 billion.

Retrofitting the entire grenade stockpile was deemed too costly, at \$11 billion to \$12 billion, according to a 1996 Army report. But the report also noted that cleaning up dud grenades was so costly that in certain limited conflicts "costs for retrofit of our ammunition might be recovered from the elimination of future cleanup costs."

The military has been trying to improve grenade reliability, but technological problems and the complexity of cluster weapons

have caused delays. "I don't think anybody is happy with the current fusing," one Army official said.

Two people close to the Navy said recently that reports of civilian casualties have reignited what they called a stalled Navy effort to modify one type of grenade considered notoriously unreliable by experts. A military report indicates 36,179 such grenades were used in Iraq.

Lt. Col. Stephen Lee, who manages an Army program to upgrade cluster-weapon safety, said, "There have been major improvements; it's just that they're not fielded yet."

Speaking about a type of grenade used widely in Iraq, Lee said, "There really is no difference in terms of the dud rate between the first Gulf War and the most recent conflict in Iraq."

Experts say the military has focused on building new precision weapons systems. "Safety and collateral damage are not as high a priority as mission effectiveness," said David Ochmanek, a RAND Corp. defense analyst who was a deputy assistant defense secretary in the Clinton administration.

The Defense Department defended its recent use of cluster weapons in Iraq. Gen. Richard Myers, chairman of the Joint Chiefs of Staff, blamed the civilian casualties on Hussein for deliberately placing Iraqi weapons in populated areas where they would draw return fire. "War is not a tidy affair. It's a very ugly affair," Myers said in April. "And this enemy had no second thoughts about putting its own people at risk."

The U.S. military has known about the dangers of the unexploded grenades for decades, since the Vietnam War, when Viet Cong fighters used unexploded grenades as land mines against the U.S. forces that fired them by the millions.

In the three decades since, the duds have killed thousands in Laos, says the International Committee of the Red Cross. The Red Cross, human rights groups and the European Parliament have campaigned to ban cluster-weapon use until nations agree to improve grenade reliability, avoid firing them in populated areas and regulate their cleanup.

The United States did little in the 1970s and 1980s to improve the reliability of the grenades, said Darold Griffin, former deputy director for research and development in the Army Material Command. "Some felt duds were an asset on the battlefield. You fire them into an area where an enemy is, and having some duds decreases his freedom of movement," he said.

Countries that have fought wars on their own soil, most notably Israel, have made improvements, out of fear that duds would harm their own civilians and under public pressure. Israeli-made grenades now have a dud rate of less than 1 percent, said Davison, the Israeli Military Industries official. The company has sold tens of millions of grenades to Britain, Germany, Denmark and Finland, and to Switzerland, which has proposed international standards to improve grenade reliability.

Sweden also requires its cluster grenades to have secondary fuses, said Lt. Col. Olof Carelius of the Swedish Armed Forces.

Grenades fail to detonate mostly when their landing impact is lessened, because they fall on a soft surface or sloped terrain, or they collide in midair and lose speed. The Pentagon says many grenades fail only 2 percent of the time but acknowledges dud rates are difficult to ascertain and vary widely depending on conditions. It says the weapons are ideal for hitting spread-out targets like troop formations and tank columns.

But the consequences of failure rates are magnified by the numbers of grenades used:

To destroy one air-defense system covering 100 square yards requires 75 rockets, each carrying 644 grenades—a total of 48,300. The 16 percent failure rate listed by the Pentagon produces 7,728 unexploded grenades, scattering them over 600 square yards.

Bonnie Docherty, part of a Human Rights Watch team that recently spent a month surveying battle damage throughout Iraq, said she "saw evidence of thousands of submunitions in or near populated areas."

Cluster-weapon use was "significantly more extensive than in Afghanistan," where the United States dropped 1,228 cluster bombs containing 248,056 grenades in a six-month span, according to Human Rights Watch.

A report by the Air Force in late April said U.S. aircraft over Iraq dropped 1,714 cluster bombs containing about 275,000 grenades. No report is available on the number of ground-fired cluster weapons, but throughout the war launchers could be seen firing grenade-carrying rockets.

Efforts to improve grenades stalled when an Army contractor, KDI Precision Products Inc. of Cincinnati, proved unable to mass-produce a secondary fuse for new grenades. A contract signed in 1987 was canceled in 2000.

"It's not an easy technical problem to solve," KDI president Eric Guerrazzi said. He and others say the program might have succeeded with more funding, perhaps to pay a competing firm to work as well on developing the fuses.

Spending on munitions research and procurement dropped from \$18 billion a year during the 1980s to about \$6 billion a year after the Cold War.

"The funding for R and D [research and development] in the Army was minimal, and fusing was the last on the list," said Bruce Mueller, a former Army lieutenant colonel who managed the fuse program for defense contractor Raytheon. "They develop weapons, then they develop munitions, and after they develop munitions, the last thing they worry about is how to fuse them."

**A Lingering Threat**

The war in Iraq is over, but the danger from the bombing remains. Cluster bombs used by coalition forces showered wide areas and their unexploded remnants pose a threat to Iraqi citizens and U.S. forces.

**How They Work**

Most cluster munitions consist of four components:

A dispenser, fins, internal fuses and bomblets.

Dispenser is dropped from a warplane like a conventional bomb.

Dispenser is stabilized in flight by fin assemblies.

Internal fuses trigger dispenser to open at a predetermined height above the target.

Dispenser spins and disperses bomblets to target.

Bomblets float to target and detonate.

However . . .

Mechanical and fuse failures can leave some bomblets unexploded. Their toy-like appearance can attract children, with tragic results.

**What They're Used For**

Cluster bombs are designed to kill troops moving in the open. The smaller explosions spread over acres can take out large numbers of the enemy.

**The Bomblets**

The bomblets, or submunitions, can be designed for anti-personnel, anti-materiel, anti-tank or dual purposes. They can be fin-guided or parachute-aided.

Cluster bombs can be carried by bombers such as the Air Force's B-52 Stratofortress.

Some, shaped like tennis balls, can be 1.7 inches or 3.9 inches in diameter. Others are cylindrical.

RECOGNIZING DR. KRISHNA REDDY

**HON. HILDA L. SOLIS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 15, 2003*

Ms. SOLIS. Mr. Speaker, I rise today to recognize a great community leader and President of the Indian American Friendship Council, Dr. Krishna Reddy, for his commitment to the advancement of the U.S.-India relationship and the Indian-American community.

Dr. Reddy has a remarkable record of advocating on behalf of the Indian-American community. As Founder and President of the Indian American Friendship Council, Dr. Reddy has demonstrated his tremendous dedication to improving U.S.-India relations. His expertise and service have undoubtedly led to increased dialogue and solidarity between these two democracies.

Dr. Reddy's commitment to engaging the Indian-American community in the political process and ensuring that Indian-Americans have a voice in our government is also commendable. His organized efforts have helped educate Congress about issues important to India and the Indian-American community and fostered relationships between Members of Congress and Indian-Americans nationwide.

It is a great honor to pay tribute to Dr. Krishna Reddy and the Indian American Friendship Council.

NATIONAL SECURITY AND WARTIME LEADERSHIP

**HON. TOM DeLAY**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 15, 2003*

Mr. DELAY. Mr. Speaker, despite our success in Afghanistan and Iraq, despite our many allies around the world, and despite our unquestionable leadership here at home, the wolves of terrorism are still on the lurk.

Wherever they threaten, we must gird ourselves for battle.

This war presents many foes on many fronts, but we fight it for one purpose: the security of American people.

This week, the House considered one of the tools that will help us win this war: President Bush's "Project Bioshield" initiative. Project Bioshield, as you know, is a comprehensive program to research, develop, and acquire vaccines, drugs, and countermeasures to protect Americans from terrorism.

It will streamline government-sponsored research of biological, chemical, nuclear, and radiological weapons and medicines to combat their effects. And it will authorize a special reserve fund to purchase enough of those countermeasures to respond to catastrophic terrorist attacks.

Project Bioshield is another way to protect America, and further evidence that there is no difference between national security and homeland security. Both agendas are designed to win the war on terror and protect the American people from future attack. Thus, we will implement Project BioShield for the same reason we defeated the Taliban and liberated Iraq: Security.