

been left with excess funding and others with too little.

Nearly \$1.2 billion of funding intended for children's health insurance coverage was returned to the Treasury over the past few years—not for lack of need, but as a result of these problems with the funding allocation.

Our bill will first preserve the \$1.2 billion in funds for states to use through fiscal year 2004.

In addition, the bill extends for one additional year the availability of \$1.5 billion in SCHIP funds from fiscal years 2000 and 2001 allotments, thereby allowing 50 percent of each year's unspent money to be retained by states that have not used their entire allotment.

The remaining 50 percent of unspent money would be distributed to states that have spent all of their respective year's allotment.

Finally, the bill will allow certain states to use a portion of their unspent funds for children covered through Medicaid.

I again thank the Chairman for his efforts to move this legislation forward and protect health care for children under SCHIP. I hope that the Senate will act quickly so that we can get this bill to the President's desk and expedite the flow of needed funding for children's health care.

---

NATIVE AMERICAN VETERANS  
BURIAL FAIRNESS ACT OF 2003

**HON. TOM UDALL**

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 25, 2003*

Mr. UDALL of New Mexico. I rise today to introduce the Native American Veterans Cemetery Act of 2003. This bill would make all Native American tribes eligible to apply for state cemetery grants. Under the current law, only states are eligible for veteran's cemetery grants. Supported by the Navajo Nation, the largest federally recognized tribe, this bill would not give preference or special exceptions to Native American tribes that apply for the state cemetery grants. It would simply allow tribes to apply for grants to establish, expand or improve tribal veterans cemeteries.

In addition to a resolution adopted by the Navajo Nation Council, the New Mexico and Arizona state legislatures have both passed memorials urging Congress to adopt this measure. New Mexico is home to almost 9,800 Native American Veterans, making it one of the top five states in the country with regard to its Native American veteran population. I believe it is time that Native American veterans who have served our country so honorably are allowed to pursue a decent, dignified resting place on their tribal lands.

---

HONORING MARCUS GARVEY

**HON. CHARLES B. RANGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 25, 2003*

Mr. RANGEL. Mr. Speaker, I rise today to honor, recognize and celebrate the anniversary of his birth on the 16th of August and to praise Marcus Garvey for his seminal contribution to the civil rights movement.

Marcus Garvey, born in rural St. Ann's Bay, Jamaica rose from the humblest of beginnings to attain international stature. He brought African nationalism and pride to the oppressed African-American community. In doing so, he challenged mainstream white America and predominant racist stereotypes. The passion and fervor with which the African-American community responded to Marcus Garvey's arrival indicated the boiling energy and pride that existed but without leadership. Marcus Garvey provided that leader, took pride in his skin color, and demanded that others do the same. In doing so, he energized a generation of African-Americans and laid much of the groundwork for the civil-rights movement.

In 1914, Garvey formed the Universal Negro Improvement Association (UNIA) and the African Communities League (ACL) while studying in England. In doing so, Garvey sought "to work for the general uplift of the Negro peoples of the world." At its peak, in 1922–1924, Garvey's movement encompassed over 8 million proud followers. Through the hundreds of UNIA chapters throughout the world and the newspaper *Negro World*, Garvey encouraged and worked for economic success and political influence for his followers. He urged people of African descent to create their own businesses and to wield the influence that accompanies personal wealth. He refused the notion that African-Americans could not succeed as entrepreneurs in the mold of Rockefeller and Carnegie. Such notions were novel and exciting for oppressed minorities around the world.

In what would prove to be a fatal mistake, Mr. Garvey organized a steamship company called "Black Star Line." Garvey designed his company to realize his dream of a powerful African nation built on the foundations of black culture and independence. The fundamental principle of Garvey's repatriation to Africa movement was one of pride. He wanted people of African descent to celebrate themselves and raise their culture to international prominence. Garvey awakened, energized and cultivated the modern nationalist movements that eventually opposed European colonial domination and began African self-determination.

Garvey sought to combat the racism and the stigma of black skin that had seeped into the culture of his own people. He made black dolls for black children and called for separate black institutions under black leadership. Mr. Garvey's pride and his activism threatened white America, and J. Edgar Hoover quickly took notice. After failing to uncover any evidence of subversion, Marcus Garvey was arrested and convicted of mail fraud relating to "Black Star Line." His sentence was eventually commuted, and Garvey was deported to his native Jamaica.

Considering that Marcus Garvey spent only 10 of his 52 years in the United States, his impact on our culture was phenomenal. The ideas that Mr. Garvey espoused were not necessarily phenomenal in their originality, but Mr. Garvey's charisma and rhetorical excellence forced not only African-Americans, but mainstream America, to listen to his message. While I encourage my colleagues to reexamine H. Con. Res. 74, exonerating Marcus Garvey, I've risen today so that Mr. Garvey's legacy and his contributions to racial equality are not forgotten.

I would like to share with you an Op-ed that I wrote in March of last year in support of H. Con. Res. 74.

In 1987, the centenary of Marcus Garvey's birth when I first introduced legislation to exonerate the great civil rights leader, the *New York Times* cited a study of J. Edgar Hoover's role in Garvey's prosecution:

"Hoover saw the blacks and the reds as a larger conspiracy. The new Negro movement, which Garvey symbolized, Hoover saw as a terrible threat to the American way."

Even then, in 1987, Hoover remained a near sacrosanct figure in Washington, not yet fully exposed as a bully who wielded the power of the nation's preeminent law enforcement organization. Today, the late former director of the FBI is widely discredited as a power-hungry blackmailer of U.S. presidents and a hateful bigot and slanderer of Martin Luther King who shied away from prosecuting organized crime while doing everything in his power to intimidate and undermine leaders of civil rights anti-war movements of the 1960's.

As Hoover's reputation declines—a pending bill in the U.S. House of Representatives would strike his name from FBI headquarters in Washington—Garvey's is rising. Last year's PBS documentary on Garvey placed his name among the giants of American 20th century Black history.

Marcus Garvey was one of America's great Black leaders and in the early 1920's he was wrongfully prosecuted and imprisoned on charges of mail fraud. It is time high time that the Congress of the United States of America recognizes this injustice and clear his name.

Born in St. Ann's Bay, Jamaica, August 17, 1887, Garvey epitomized the strength and pride of the people of the Caribbean. Garvey was virtually self-taught, reading voraciously from his father's extensive library. By 1910, and when residing in Kingston, he quickly established himself as a spellbinding orator and political organizer.

Garvey's philosophy and accomplishments challenged the myths of inferiority that demeaned people of African heritage in the 1920s. When lynching of Black men was commonplace, when house burning by Southern Klansmen and northern rioters were routine when theories of white supremacy were acceptable and notions of equality subversive, Marcus Garvey preached racial pride and economic independence.

He raised more than one million dollars from thousands of investors in the United States, the Caribbean, Africa and Europe to establish the Universal Negro Improvement Association (UNIA) and his well-known Black Star Line steamship company. The Black Star Line was established to purchase ships to initiate trade with and eventually carry New World Blacks to Africa. Indeed, one of Garvey's most important legacies was his internationalism, his recognition that the struggles of the Black people of America were linked by blood and history to the quests for independence by people of color around the world.

Garvey's success inevitably drew suspicion of an ambitious J. Edgar Hoover, who ordered the surveillance and infiltration of Garvey's UNIA. When evidence of subversion failed to turn up, Garvey was indicted on a business offense. Garvey's trial was a mockery of justice. The charges were confused, the evidence flimsy, and the judge biased. To make matters worse, Garvey insisted on defending himself.

In 1923, Garvey was convicted of mail fraud and sentenced to five years in prison. His appeals to higher courts were promptly denied. Numerous petitions for Presidential pardons signed by thousands of the very people whom he was accused of defrauding were rebuffed.

Garvey's prosecution was one of this nation's great miscarriages of justice. This fact has been well documented by Prof. Robert

Hill, editor of the Garvey papers at UCLA, historian John Henrik Clark and others.

Yet, the government has held firm in its conviction that Garvey was a "menace," as he was described by the young J. Edgar Hoover, who made Garvey one of his first targets, as FBI director. Among his last was Martin Luther King, a philosophical successor to Garvey, who was branded a "communist," wiretapped and hounded by the aging Hoover.

It may be difficult to comprehend today, but in the racial climate of the 1920's, Garvey success was his greatest liability. At a time when Black people were stigmatized as intellectually inferior—and were economically more disadvantaged than today accomplishments of the magnitude achieved by Garvey were immediately and almost universally dismissed as fraudulent. But as Garvey's mystique has grown, so too has our understanding of the wealth of his contributions and his historical importance as the trailblazer for the great civil rights leaders who followed.

In the United States, where he lived for 10 of his 53 years, Garvey inspired hundreds of thousands of Black American supporters with hope for a better future. Today, he stands out in the pantheon of Black America's greatest and most controversial leaders. But in the records of the U.S. Department of Justice and the Federal Courts, Garvey remains ex-convict number 19359.

Almost 75 years ago, Marcus Garvey was released from Atlanta Federal Penitentiary, his sentence commuted by President Calvin Coolidge. Deported to his native Jamaica, Garvey died 13 years later, and entered history as that nation's preeminent hero. As a role model to millions of common people in the Americas and the Third World, he would inspire the independence movements that liberated colonial Africa.

Despite the harassment and the weakness of the evidence against him, Garvey's prosecution may have been inevitable in the 1920's. But by unbiased standards, the charges were not substantiated and his conviction was not justified. We cannot overturn the verdict but we can prove that times have changed and that we now know better.

#### SCHOOL READINESS ACT OF 2003

SPEECH OF

**HON. MICHAEL E. CAPUANO**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 24, 2003*

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2210) to authorize the Head Start Act to improve the school readiness of disadvantaged children, and for other purposes:

Mr. CAPUANO. Mr. Chairman, I rise tonight in opposition to H.R. 2210, the School Readiness Act of 2003. Head Start has provided a strong foundation for millions of children over the past 38 years. The program was created in 1965 to help young children become more academically prepared for school and to encourage healthy families. Head Start, which currently assists over 900,000 children, is the only major federal effort to provide comprehensive social and educational services. Head Start targets the nation's poorest children, those living in families at or below the federal poverty level as well as children with disabilities and special needs. It emphasizes not only children's cognitive development but

also their social, emotional, and physical development and encourages strong parent involvement.

H.R. 2210 reauthorizes the Head Start program through Fiscal Year 2008. While the measure seeks to improve the school readiness by increasing the focus on academic performance, the bill's authorization provides only 2.9 percent more than the FY03 appropriation, just barely enough to cover inflation. I have other serious concerns with this reauthorization legislation. In particular, H.R. 2210 changes current law to permit religious organizations who run Head Start programs to discriminate in hiring employees based on religious affiliation. The bill also establishes a demonstration program that permits eight states to integrate their own preschool programs with the federal Head Start programs. This is the first step in a concerted effort by the Majority to block grant Head Start and take oversight away from the federal government. I believe block granting will weaken performance standards and ultimately could lead to a dismantling of the entire program.

As a strong supporter of Head Start, I believe we should be focusing on ways to build upon the success of the program by strengthening school readiness, improving program quality and accountability, and expanding access to more eligible children. For that reason, I support the substitute offered by Representative MILLER. The substitute strengthens Head Start's focus on preliteracy, language and pre-math skills while improving teacher quality by requiring 50 percent of Head Start teachers to have bachelor's degrees by 2008 and prohibiting new hires without associate's degrees after 2005. The Miller proposal creates salary and scholarship funds to ensure Head Start teachers are able to remain with Head Start for several years. Most importantly, it expands access to all pre-school students, expands access to Early Head Start and increases the flexibility of Head Start programs to meet community local needs.

During a time where there is a lot of talk about "Leaving No Child Behind", let's truly stand up for the children who need our help the most. The research is clear—children who participate in Head Start arrive at school better prepared than low-income children who do not participate in the program. This high quality program must be preserved—it works and it works well. It is illogical to cut funding or weaken this proven program. I urge my colleagues to vote against H.R. 2210 and for the Miller substitute to ensure that vital, comprehensive services remain available to all Head Start participants.

#### THE ENVIRONMENTAL TERRORISM REDUCTION ACT

**HON. DARLENE HOOLEY**

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 25, 2003*

Ms. HOOLEY of Oregon. Mr. Speaker, throughout our history, America has been a country committed to justice. In the wake of an 1837 mob lynching of an abolitionist newspaper editor, our great leader Abraham Lincoln urged his fellow Americans to "let reverence for the laws . . . become the political religion of the nation," to let legislatures and

judges chosen by the people, rather than lynch-mobs motivated by passion and hatred, decide important issues. In the end, Lincoln's philosophy was vindicated. Our nation remains united, and we are committed to the rule of law.

But there is a minority of Americans who refuse to abide by this covenant. They believe the rule of law does not apply to them, and in the forests and communities of Oregon and the Western United States, their actions are a rapidly growing problem.

Oregon has seen a growing number of incidents of environmental terrorism. I have traveled to the site of one of these, a Boise Cascade building that was burned down by the Earth Liberation Front (ELF) on Christmas day a couple of years ago.

While environmental terrorists claim that they don't want to harm people, they need to sit down with the volunteer firefighters who were roused from their beds early on Christmas morning to fight the blaze they started.

You see, the way incendiary devices used in arsons work, the buildings targeted by environmental terrorists often fall in very quickly, and we are extremely lucky that none of the brave women and men who fight fires have been seriously hurt or killed in one of these blazes.

In 2001, poplar trees involved in a research project at Oregon State University were destroyed by a group expressing concern about genetically modified organisms. The ironic thing about this is that the trees were involved in research designed to prevent genetically modified organisms from spreading into the wild—a goal which the saboteurs probably support.

Unfortunately, neither side in the battle over the environment has a monopoly on the use of violence—both environmentalists and those who oppose increased protections of our natural resources have resorted to illegal tactics to advance their causes.

Federal land managers have been harassed, intimidated, and threatened by those who are opposed to environmental protections. For example, in 1997 ranchers in New Mexico threatened to kill Forest Service employees enforcing protections for endangered species.

Let me be clear: using violence or intimidation in the name of a political cause is wrong. In a democracy, we fight for change at the ballot box and in the halls of our legislatures, not with pipe bombs and incendiary devices.

I strongly urge my fellow colleagues to ensure that our local, state, and federal law enforcement officials are effectively upholding the law. That said, environmental terrorism poses additional challenges for the law enforcement community.

It is a well-know fact that very few environmental terrorists have been caught. These groups have no formal organization, and they act in small terrorist cells, which are autonomous from one another.

Because these crimes are investigated with limited resources and manpower, local law enforcement officials have little success in successfully closing these cases.

For the second Congress, I am attempting to reverse the current situation by sponsoring the Environmental Terrorism Reduction Act. This bill would provide federal assistance where it is needed most, at the local level.

This legislation would require the Attorney General to establish a national clearinghouse