

Karen is obviously a phenomenal teacher as this is not the only award that she has received. Last year she was awarded the Most Inspirational Teacher Award and a ten thousand dollar donation from the Basalt community where she used to teach from 1993 to 2003. Most recently, she qualified for a weeklong seminar at Stanford University with Pulitzer-Prize winning historian David Kennedy. She was one of only thirty teachers invited.

Mr. Speaker, Karen Green has devoted her career to expanding the minds of Colorado students and her colleagues. She is a dedicated teacher who demonstrates a strong passion for learning and I am honored to recognize her accomplishments before this distinguished body of Congress and this nation today. Congratulations on your award Karen, and thank you for your many years of service.

PUNJAB GOVERNMENT CANCELS DEAL THAT ALLOWED DIVER- SION OF WATER TO OTHER STATES; LEGISLATURE ASSERTS SOVEREIGNTY

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 13, 2004

Mr. TOWNS. Mr. Speaker, the Legislative Assembly of Punjab recently annulled a long-standing agreement that allowed the diversion of water from Punjab to other states.

According to the Tribune of Chandigarh, whose article I will be inserting in the RECORD at the end of my remarks, the Legislative Assembly asserted the sovereignty of Punjab in doing so. The newspaper reports that the bill passed by the Legislative Assembly says that "as a sovereign authority [Punjab] considered it its duty to uphold the Constitution and the laws and to protect the interests of its inhabitants."

Apparently, all parties supported this measure. We congratulate them on taking this step forward to protect the interests of the people of Punjab. I urge them to continue claiming, promoting, and establishing the sovereignty of Punjab.

Mr. Speaker, we know that the people of Punjab have been severely oppressed by the tyrannical Indian government. Over a quarter of a million Sikhs have been killed since 1984, according to the Punjab State Magistracy. The Movement Against State Repression reports that 52,268 have been taken as political prisoners, held without charge or trial, some as long as 20 years. According to the Punjab Human Rights Commission, about 50,000 Sikhs have simply been made to disappear by being arrested, tortured, killed in police custody, declared "unidentified bodies," and secretly cremated, without their remains even being given back to their families.

Similar repression has been visited on Christians, Muslims, and other minorities. Yet India continues to say that it is the world's largest democracy.

If India is truly a democracy, it will allow the will of the people to be carried out in regards to the diversion of water. It will allow the people—Sikhs, Christians, Muslims, Assamese, Bodos, Dalits, Manipuris, Tamils, and every-one living under Indian rule—to enjoy the full

range of human rights. And it will allow self-determination for these sovereign states.

Until that happens, Mr. Speaker, we should not provide any aid to India. And we should take a stand for self-determination, which is the cornerstone of democracy, by supporting a free and fair plebiscite on independence in Punjab, Khalistan, in Kashmir, in predominantly Christian Nagaland, and everywhere that people seek their freedom from Indian rule. The assertion of sovereignty by the Punjab Legislative Assembly is a good first step. They should act to claim their sovereignty by severing their ties to India. We should take a stand by letting them know that when they do, we will be there with them.

Mr. Speaker, as I mentioned before, I would like to insert the Tribune article into the RECORD.

[From the Tribune (Chandigarh), July 13, 2004]

PUNJAB ANNULS ALL WATER PACTS: CONG, AKALIS JOIN HANDS ON ISSUE
(By P.P.S. Gill)

CHANDIGARH, July 12.—A special session of the Punjab Vidhan Sabha today unanimously passed the Punjab Termination of Agreements Bill, 2004, thereby "knocking down" the very basis on which the Supreme Court had passed its order on construction of SYL—Sutlej-Yamuna Link canal on June 4, last. This Bill annuls the December 31, 1981, agreement between Punjab, Haryana and Rajasthan signed by the three Chief Ministers in the presence of the late Ms Indira Gandhi and also all other agreements relating to the water of the rivers, Ravi and Beas. This, the Bill says, was done in "public interest". The annulment has come after 23 long years with two staunch political rivals, the Congress and the Akalis, joining hands to protect the state's riparian rights. Immediately after the Bill was passed, the Chief Minister, Capt Amarinder Singh, accompanied by the Leader of the Opposition, Mr Parkash Singh Badal, PPCC president, Mr H.S. Hanspal, Ms Rajinder Kaur Bhattal, Mr Partap Singh Bajwa and a team of legal experts went to Raj Bhavan to meet the Governor, Justice O.P. Verma (retd.), to request him to give his assent to the Bill, as the dead-line for compliance with the Supreme Court order was July 15. The combined delegation spent an hour with the Governor. The Raj Bhavan sources said, "The Bill is being examined."

Capt Amarinder Singh told TNS that he had not discussed the Bill with Ms Sonia Gandhi. "Why involve her? When I go to Delhi, I shall brief her".

Presenting the Bill to the House, Capt. Amarinder Singh made an emotive speech giving facts, figures and background to the entire issue of sharing of river waters and steps taken in the recent past to protect and safeguard the interests of Punjab, particularly the farmers and save nine lakh acres going dry and barren, which would affect the livelihood of 1.5 million families.

The Bill says that Punjab was proud of its position in the Indian union, felt equal concern for its neighbours and as a sovereign authority also considered it its duty to uphold the constitution and the laws and to protect the interests of its inhabitants.

Under the 1981 agreement, flow series were changed from 1921-45 to 1921-60, which had the result of increasing the availability of Ravi-Beas waters from 15.85 MAF to 17.17 MAF. The allocation of water made to the states concerned under that Agreement was as under:

Haryana (non-riparian)	3.50	MAF,
Rajasthan (non-riparian)	8.60	MAF, Delhi

(non-riparian) 0.20 MAF, Punjab (riparian) 4.22 MAF and Jammu and Kashmir (riparian) 0.65 MAF. Under clause IV of this agreement, Punjab and Haryana withdrew their respective suits from the Supreme Court. But the controversy rages on. The issue has become emotive.

Referring to the broad clauses of the proposed Bill, Capt Amarinder Singh maintained that riparian and basin principles were ignored all along and allocation of the Ravi-Beas waters had always been affected by "ad hoc decisions and agreements, dictated by prevalent circumstances". Here was a typical case involving "emotive" issue of impending transfer of water from "deficit" Ravi-Beas basin to the "surplus" Yamuna basin.

Never any reliable and scientific study of hydrological, ecological and sociological impact of such large scale trans-basin diversion from Punjab to Haryana and Rajasthan had been undertaken. Besides this transfer, diversion was even contrary to the National Water Policy guidelines, he added.

Capt Amarinder Singh pointed out, "Non-riparian and non-basin states of Haryana and Rajasthan are not only not entitled to any Ravi-Beas waters, even their current allocation and utilisation is totally disproportionate to the areas alleged to be falling in the Indus basin. Therefore, Punjab, as a good neighbour, has accepted such utilisations by Haryana and Rajasthan as 'usages by sufferance' but not as a matter of any recognition of their rights".

He supported this hypothesis, when he posed the question, "Does Punjab have surplus water and do the claimants of our water a legal right to it?" Then, he paused for effect, "The answer to this question is a resounding 'no'", and went on to give the following picture:

All three rivers, the Ravi, the Beas and the Sutlej, flow through the present Punjab and none through either Haryana or Rajasthan. No part of territories of these states fall within the basin areas of the Ravi and the Beas, although, according to un-substantiated report of the Irrigation Commission, only 9,939 sq. kms. within Haryana fall in Indus basin, against 50,305 sq. kms. of Punjab.

Again, the present utilisation by Haryana was about 5.95 MAF, about 4.33 MAF from Sutlej and about 1.62 MAF from the Ravi-Beas water, through the existing systems. Also out of 17.17 MAF of "surplus" Ravi-Beas water, only 4.22 MAF was allocated to Punjab, a riparian state, against higher quantities to Haryana and Rajasthan. From the total surplus availability of 11.98 MAF of the Beas water, Punjab has been allocated 2.64 MAF.

Therefore, justifying the annulling of the December 31, 1981, agreement and all other agreements relating to the Ravi and the Beas, the Bill seeks to present the fact that ground realities have since undergone a sea change from that date and Punjab settlement of July 24, 1985, under the Rajiv-Longowal Agreement. Therefore, this had made the implementation of that 1981 agreement "onerous and injurious" to the public interest.

The availability of the Ravi-Beas water, 1717 MAF, as on December 31, 1981, has been reduced to 14.37 MAF, as per the flow series of 1981-2002. Haryana has been given 4.65 MA under the Yamuna agreement of May 12, 1994, which will be further augmented by the Sardar-Yamuna link. In the meanwhile, irrigation requirements have increased in Punjab. "The Punjab settlement, except one para 9, relating to allocation of the Ravi-Beas water, has remained unimplemented in letter and spirit, to date."

In these circumstances, the terms of 1981 agreement were "onerous, unfair, un-reasonable and contrary to the interests of the inhabitants of the Ravi-Beas basin, who have law-full rights to utilise water of these rivers". Is the Bill justified? Will it tantamount to contempt of the court? In his well prepared speech, Capt. Amarinder Singh has addressed such questions, as well.

Armed with the House resolution of June 15 that aims to protect the rights of Punjab, legal opinions and all-party resolution of June 12, the Chief Minister said.

"This mandate enables the government to find ways and means to protect the people from adverse consequences of the Supreme Court judgment of June 4. The state had been advised that the obligations arising from an agreement or the contract did not fetter the powers of the legislature to enact a law in public interest.

"We have been further advised that it is a well settled law that the legislature is competent remove or take away the basis of judgment by law and thereby it does not encroach upon the exercise of the judicial power of the judiciary and the legislative action within its competence, do not commit a contempt of court. However, final decision in all these matters lies in the court, as any law enacted by this august House is subject to a judicial review".

When the Bill had been introduced, Mr Parkash Singh Badal stood up to express the collective anguish of the opposition that on such an important item, involving the question of "life and death" had been treated lightly by the government and till noon today "we had no idea of what the agenda was all about nor we had received copy of the Bill or what it was all about".

Mr Badal said the traditions and conventions of the House were being eroded, day-by-day. "It was also a disgrace that even the information inviting us to meet the Governor after the House had passed the resolution was sent by the Congress president, Mr H S Hanspal, who was not involved in this in any which way. How can we discuss anything at such a short notice? We are against political confrontation and are available 24-hours for any thing related to the interests of the state and are willing to support the government".

Thereafter, the Speaker, Dr Kewal Krishan said he had received a resolution sent by four Akali MLAs, Mr Parkash Singh Badal, Capt. Kanwaljit Singh, Mr Gurdev Singh Badal and Mr Manpreet Singh Badal, for the consideration of the House.

Then, he ruled that since a comprehensive Bill was being presented, they could express their views while speaking on that. Mr Manpreet Singh Badal and Capt Kanwaljit Singh suggested that certain provisions, including Clause 78, in the Punjab Reorganisation Act, 1966, be also annulled. BJP's Tikshan Sud, said though a "belated step", the Bill was a welcome and offered full co-operation but rued that the Opposition be given due place and respect.

On this the Captain had stated in his reply that whatever steps were required to be taken to protect Punjab's interests would be taken in consultation with the legal experts.

The speakers, including Mr Bir Devinder Singh and Mr Jeet Mohinder Singh spoke in the context of historical background, stressing time and again on the riparian principles. Mr Bir Devinder Singh recalled how even the British Government had sought a certificate from Punjab that it will protect its own interests under the riparian rights while selling water to Rajasthan.

Mr Bir Devinder Singh even cautioned to be prepared following the enactment of the Act, terminating 1981 and other agreements since new situation would develop. Mr Jeet

Mohinder Singh wondered if the Bill would stop the construction of SYL. He was for adding a new amendment in the form of a clause in the Eastern Punjab Canal and Drains Act, 1873 that permission of the state Assembly should be mandatory to dig or construct any canal that carries water beyond the boundaries of the state.

RARE BONHOMIE IN HOUSE

The discussion on the Bill was, however, not without the usual political punches and colour. There were moments when some ministers and opposition members took pot shots blaming either side for having failed Punjab and messed up the water issue.

Some Opposition members said had such a Bill been brought forward 23 years ago, Punjab would have been spared the agony. Even the Bill says that in the wake of large-scale militancy, the Punjab settlement was reached, which however, had remained unimplemented in letter and spirit.

For once, the House was in a serious mood. There were no political skirmishes, though usual jibes were heard. The Governor's and Speaker's galleries were packed.

But it was the Captain's day all the way. Having worked overtime to get this Bill prepared, presented and passed by the House, he responded to the collective anguish of the opposition, expressed by Mr Badal, with utmost humility and courtesy, acknowledging all what Mr Badal had said. But then he point by point not only explained the unusual circumstances, including race against time, under which the Bill in as prepared and thus could not be circulated earlier, giving the members a chance to prepare themselves.

Capt. Amarinder Singh was apologetic and said so repeatedly taking the wind out of the sails of the Akalis. He showed faint starchiness in his voice, when he responded to some of the observations of Capt. Kanwaljit Singh, saying, "We are together here for an important task, not for rhetoric and emotive outbursts. We cannot allow Punjab to go back into the grip of violence".

Warming up, he concluded, "We will resort to all legal and constitutional means to seek justice. Already enough bloodshed has taken place. Even all the bodies have not been counted, so far. We shall fight to the end but within the parameters of laws, rules and the constitution. I will be willing to resign, if need be, for the sake of Punjab. The time is not for blame game. We have all made mistakes in the past. We are rectifying the same after 23 years. Come, let's join hands, close ranks. I appreciate the Opposition's co-operation".

PAYING TRIBUTE TO CONNIE FLUKEY

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 13, 2004

Mr. McINNIS. Mr. Speaker, I rise today to pay tribute to Connie Flukey, of Grand Junction, Colorado, who has committed herself to a lifetime of volunteer service. Connie is a caring individual who inspires citizens to follow in her benevolent steps. She is a valuable member of her community and it is an honor to recognize her service before this body of Congress and this nation.

In recognition of her service, Connie was recently honored by the White House with the President's Call to Service Award for more than four thousand hours of volunteer service

and also by the Points of Light Foundation for serving more than five hundred hours in one year. Only one thousand people in the entire country are expected to receive such a prestigious award this year. The President's Council on Service and Civic Participation created the award program to recognize Americans whose example of dedication inspires others to volunteer. Connie definitely fits the mold as she was instrumental in the founding of an organization that helps to coordinate searches for missing children across the country including involvement in the high profile Elizabeth Smart case.

Mr. Speaker Connie Flukey is a dedicated public servant that goes above and beyond the call of duty to serve her community and her nation. I am proud to acknowledge the achievements of a person who encourages her fellow Americans to volunteer and help out in their towns and cities. It is the efforts of people like Connie that help build strong and caring communities. Thank you for your service Connie and I wish you all the best in your future endeavors.

THE INTRODUCTION OF THE "CONTINUITY OF OPERATIONS DEMONSTRATION PROJECT ACT"

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 13, 2004

Mr. DAVIS of Illinois. Mr. Speaker, in the late 1990s, the Government Reform and Education and Workforce Committees, held oversight hearings to examine the barriers to telecommuting and federal agencies' development and promotion of telework programs. It was then thought that the primary benefits of telecommuting were reducing traffic congestion and pollution, improving recruitment and retention of employees, reducing the need for office space, increasing productivity, and improving the quality-of-life and morale of federal employees.

These continue to be compelling and valid reasons for implementing agencywide telework programs. Representative FRANK WOLF is to be commended for moving legislation that pushes agencies to increase the number of federal employees who telecommute.

Today, post 9-11, we are again holding hearings on telecommuting. We have another, very compelling reason to push federal agencies, and ourselves, to develop and implement the infrastructure and work processes necessary to support telecommuting. They are emergency preparedness and the continued threat of terrorism.

The question we must ask ourselves is this: In the event of an emergency, are we—this Committee, our staffs, and federal agencies—prepared to serve the American people, if in an emergency situation, our primary places of work are no longer available to us?

You only have to read the General Accounting Office's (GAO) April 2004 report entitled, "Human Capital: Opportunities to Improve Federal Continuity Planning Guidance," to know that the answer is no.

The GAO report notes that the government is better prepared to handle an emergency than it was before 9-11, but there is room for improvement. Federal agencies' continuity of