

EXTENSIONS OF REMARKS

AMERICA, RAY CHARLES STYLE

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 14, 2004

Mr. RANGEL. Mr. Speaker, I commend Mr. William Raspberry on his column in the Washington Post on July 5, 2004. Mr. Raspberry described well the importance of the life and music of Mr. Ray Charles. The way Ray Charles embraced the wonderful qualities of the United States is extremely important for many African-Americans who grew up in segregated America. As Mr. Raspberry stated, many African-Americans feel like outsiders in this country, but Mr. Charles was able to embrace and celebrate the presence of brotherhood and justice as fundamental American values. The music of Ray Charles transcended barriers between black and white. His life and music will never be forgotten. I applaud Mr. Raspberry for reminding his readers of the impact this great man had on so many. I hope that my colleagues join me in honoring Ray Charles by supporting the bill I introduced, H.R. 4633, which authorizes the Secretary of the Treasury to create a gold medal honoring this great American performer.

[From the Washington Post, July 5, 2004]

AMERICA, RAY CHARLES STYLE

(By William Raspberry)

I'll know that today is the "Fourth of July" (no matter what the calendar insists) when I hear my friend's stereo pulsing out "America the Beautiful."

The Ray Charles version, of course.

Charles's recent death, at 73, brings it to mind, but I've been aware for some years now how his prayerful exaltation of America has become the virtual theme song of the Fourth of July. What did Americans have for a theme song before that? Was it all Sousa marches, with hot dogs and applause-line oratory?

Charles transformed the holiday for me—from the Norman Rockwell tableaux that never seemed to include anyone who looked like me—to a holiday for all Americans.

And how did he manage that?

Maybe I should start with what may be my one important insight: that in most controversies, thoughtful people secretly believe both sides, espousing the one and suppressing the other depending on the company it puts them in. That is why it is so hard to find white Southerners of my approximate age who will admit to having been racists back in the days of Jim Crow.

What they recall, I believe, is that they harbored misgivings about the way things were, and now they find it more comfortable to recall the misgivings than their toleration of the way things were. I always believed that segregation was wrong. . . . And they did.

I have harbored similar misgivings about the willingness of black Americans to think of this country as someone else's house—and to view it as complaining outsiders looking in. Of course there has always been ample basis for black people to feel like outsiders, at the very least to internalize W.E.B.

DuBois's sense of the "twoness" of being black in America. But didn't we, perhaps, overdo the outsider-ness?

You see, I always cherished America—even if I acknowledged it only as the too-seldom played B-side of my consciousness. Charles's "America" invited me to turn the record over.

Charles could do that. He had a way of cutting through the confusions and mixed emotions and preconceptions, and reaching us at our core. The genius that made it possible for him to universalize the blues and spirituals and country—anything he touched—made it possible for him to universalize patriotism, too.

But if Ray Charles changed the Fourth of July with his "America the Beautiful," he also changed the song. "God done shed His grace on thee! He crowned thy good, yes he did, in a brotherhood."

The shift isn't merely from Katharine Lee Bates's elegant lyric to the black vernacular; it is a shift in meaning.

As Kenneth Moynihan noted in a recent commentary in the Worcester (Mass.) Telegram & Gazette, Bates penned a prayer: "[May] God shed his grace on thee and crown thy good with brotherhood." Ray made it a fait accompli.

As Moynihan put it, "A fervent hope for the future has been turned into a happy fact of the present."

It is not, Moynihan argues, an improvement.

"People much prefer to believe in their own righteousness and that of the nation than to think about their failings," he wrote. "No doubt the passionate affirmation of American brotherhood as a divine dispensation already granted accounts for a healthy share of the popularity of Mr. Charles's rather radical modification of the song."

He's right, of course. And maybe he'd be right to remind those white Southerners I talk to that they really did used to be racists. Sometimes, though, I think it's not a bad idea to let people believe that their nobler instinct represents their "true" self—that it is their greed, their envy and their bigotry that are the aberration. You know: "As a man believeth in his heart, so he is."

At least for this day, can't we imagine that we are brothers (and sisters) "from sea to shining sea"? And be grateful for that?

Ray Charles says it's all right.

PUNJAB GOVERNMENT CANCELS DEAL THAT ALLOWED DIVERSION OF WATER TO OTHER STATES

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 14, 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 everyone 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 at this time.

PUNJAB ANNULS ALL WATER PACTS, CONG, AKALIS JOIN HANDS ON ISSUE

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 "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

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 (ret'd.), 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:

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|--------------------------|--|
| 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 unsubstantiated 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 Sarda-Yamuna link. In the meanwhile, irrigation requirements have increased in Punjab. "The Punjab settlement, except one para 9, relating to allocation of the Ravi-Seas water, has remained unimplemented in letter and spirit, to date.

"In these circumstances, the terms of 1981 agreement were 'onerous, unfair, unreasonable 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 to 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 cooperation".

PERSONAL EXPLANATION

HON. CHRISTOPHER SHAYS

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 14, 2004

Mr. SHAYS. Mr. Speaker, on July 12, I was returning to Washington from the NAACP Annual Convention in Philadelphia, Pennsylvania, and, therefore, missed four recorded votes.

I take my voting responsibility very seriously and would like the CONGRESSIONAL RECORD to reflect that, had I been present, I would have voted "no" on recorded vote number 359, "yes" on recorded vote number 360, "no" on recorded vote number 361, and "yes" on recorded vote number 362.

HELP THE CARIBBEAN FIGHT TERRORISM

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 14, 2004

Mr. RANGEL. Mr. Speaker, I would like to bring to the attention of my colleagues an editorial in the July 6, 2004 issue of the *Carib News*, which discusses the issue of improving the national security of Caribbean nations. Our own security depends on how well protected the borders of our closest neighbors are. However, the purchasing and installation of new technology is extremely costly for many of these small islands. Not only is it important that these nations are secure because of their proximity to us, but also because of the many Americans who visit these countries each year. I believe that by helping the Caribbean with appropriate funding we can help them guard against terrorism without worsening the economic conditions of these nations. I urge my colleagues to support funding for Caribbean countries to assist in protecting against the terrorist threat.

[From the *Carib News*, July 6, 2004]

THE PRICE OF 9/11—DEVELOPING NATIONS FORCED TO PAY UP

Who can blame Caribbean nations and their sea and airport executives if the last thing on their minds immediately after 9/11 was how much they would have to spend as a result of the tragedy, the abhorrent act by religious zealots turned terrorists.

When New York's twin towers of the World Trade Center were turned to rubble, crushing nearly 3,000 unsuspecting and innocent people, the immediate and appropriate concern was for the lost of life.

After all, with thousands taken to untimely deaths our first worry had to be about human pain and suffering.

From New York, Washington, Georgetown, Santo Domingo, Philadelphia and Chicago to Kingston. Port of Spain and Bridgetown, to mention a handful of cities, the reaction was the same as the dimensions of the nightmare sank in. Later it was determined, that the Caribbean had paid a heavy price in the form of more than 100 lives lost.

Now, there is another price, one the countries are being forced to meet and its traceable directly to those and subsequent events and to the decisions being taken in Washington, London, Geneva and elsewhere in the developed world.

How high is that price?

Prof. Ivelaw Griffith, one of the leading security scholars in the Caribbean and Latin America, put the figure at hundreds of millions of dollars, money the Caribbean can't afford.

In the end though, the region can't afford to spend the unbelievably hefty sum.

Everton Walters, President of the Caribbean Port Managers Association, didn't dispute that figure but said the total would very much depend on the level of sophistication each country may eventually decide it needs.

All of this is very important because on Thursday, the deadline set by the International Maritime Organization for countries around the world, Caribbean states included, would kick in. That's when the basic security and other requirements contained in the IMO's International Ship and Port Facility Security, ISPS, code, which was approved 18 months ago, must be met. Failure to meet the deadline may result in sanctions.

Walters told this paper that based on conversations, e-mails and other forms of communication from various port managers, most, if not all of the ports would meet the cut-off date.

Still, there is considerable anxiety throughout the Caribbean as port executives work right to the last minute to ensure that they are ship-shape.

That means we may have to wait until July 1 to know for sure which countries are in compliance and which have failed to meet their obligation.

The code is a comprehensive set of requirements which developing countries are finding to be onerous to say the least.

As a matter of fact, Erthimios Mitropoulos, IMO Secretary-General, recently voiced the agency's concern about the pace of effort towards international readiness when he complained that the "status of compliance by port facilities has not yet reached satisfactory level despite repeated calls to governments to intensify their efforts."

Just the other day, Brazil made it clear that its major port, perhaps the largest in Latin America and the Caribbean, wouldn't be able to meet the deadline. To live up to the code, for instance, Trinidad and Tobago must acquire sophisticated and costly equipment, boost its security staff and incur considerable recurring expenditure that's running into millions of dollars. Trinidad and Tobago, Jamaica, Grenada, Barbados, the Dominican Republic, Haiti, the Bahamas, Guyana, Antigua, you name, are in the same boat, if you will, and must meet horrifying expenses.

But the maritime code isn't the only set of requirements Caribbean states must satisfy. Their airports must have extensive security fencing, computers, scanners and the like to pass international muster.

That's where the sum of hundreds of millions of dollars would come in. For by the

time the process is completed, Caribbean, Latin American and African states would have spent at least \$50-100 billion to upgrade security at its various ports of entry, both air and sea, and they must do so without much international help. Although necessary, the security measures imposed by the United Nations, the IMO, the U.S., Britain and various rich countries are major financial and technical burden which must be met if the world's poorer nations are to remain as part of the international trading community. They must have access to shipping lanes and air space if they are to feed their people, satisfy tourism and manufacturing industries and otherwise participate in the economic world.

What's troubling about all of this is that these mandates imposed on developing countries aren't being financed by any international development agency or by many donor nations. In other words these are "unfunded mandates," which were laid down by an uncaring developed world, regardless of a nation's ability to pay for them.

The international community, quite rightly, was worried about terrorism and its consequences but little attention was paid to how these mandates would be funded.

The upshot: if Antigua, Haiti, Suriname, Ghana, Costa Rica, Algeria, Jamaica or any of a host of nations in every corner of the world are to meet international security standards, then they must shift resources from education, health, services for the youth and the elderly in order to satisfy international regulations imposed elsewhere.

That, by any measure, is unfair and counter-productive. The U.S., Britain and the G-8 industrialized nations must put this matter on their agenda and agree to fund some of the equipment acquisition programs and the training necessary to keep Third World states in the international arena.

COUNCIL OF KHALISTAN WRITES TO UN HUMAN RIGHTS COMMISSION TO EXPOSE REPRESSION OF MINORITIES IN INDIA

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 14, 2004

Mr. TOWNS. Mr. Speaker, recently Dr. Gurmit Singh Aulakh, President of the Council of Khalistan wrote to the United Nations Commission on Human Rights in Geneva to ask them to help keep the world aware of the repression of minorities, including Sikhs, Christians, Muslims, and others, in India.

The letter pointed out that over 250,000 Sikhs have been murdered by the Indian government, along with more than 300,000 Christians in Nagaland, over 88,000 Muslims in Kashmir, Muslims and Christians throughout India, and other minorities such as Dalits, the dark skinned aboriginal people of the subcontinent, Assamese, Bodos, Manipuris, Tamils, and others. Over 52,000 Sikhs and tens of thousands of other minorities are being held as political prisoners. The letter pointed out that the government has been involved in atrocities such as the massacre of Muslims in Gujarat and the massacre of Sikhs in Delhi and that it has not punished those who have carried out atrocities against Christians nor the killer of Jathedar Gurdev Singh Kaunke.

Such atrocities are unacceptable in any country, but especially in one that claims to be democratic. We must take a stand for freedom. It is time to stop our aid to India and go