

HONORING THE LIFE OF PETTY OFFICER 3RD CLASS NATHAN BRUCKENTHAL

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 29, 2004

Mr. ISRAEL. Mr. Speaker, I rise today to honor the life of Nathan B. Bruckenthal, a life that he gave for his country. P03 Bruckenthal, U.S. Coast Guard, was killed in action at the Khawr Al Amay Oil Terminal off the coast of Iraq on 24 April 2004 in a terrorist-suicide bombing. DC3 Bruckenthal became the first Coast Guardsman to lose his life in combat since Vietnam.

P03 Bruckenthal was born on July 17, 1979. Growing up in Stony Brook, Long Island, he had a strong sense of service from his earliest years. A member of the Junior ROTC while in high school and later a volunteer firefighter in Ridgefield, Connecticut, Bruckenthal later returned home to Long Island where he joined the Coast Guard.

Bruckenthal went on to serve at Coast Guard stations in Montauk, New York; Yorktown, Pennsylvania; and Neah Bay, Washington. Having volunteered to become a damage control officer, Bruckenthal made an even greater commitment to continued service by reenlisting, a decision he made with his new wife Pattie whom he had met while serving in Washington. Bruckenthal was subsequently selected for the elite Coast Guard tactical law enforcement program and assigned to TACLET South, housed at the Coast Guard's Miami Air Station.

Lauded for his leadership by his commanding officers and continually decorated for his achievements, P03 Bruckenthal was selected for deployment to Iraq where he would work not only with the Coast Guard but with the Navy and numerous foreign services. His dedication to service was needed in what would soon be a war zone; his leadership was needed to make working with so many disparate services a success. P03 Bruckenthal went on to work in and around the critical Iraqi port of Um Qasar before being redeployed to the United States. But one tour of duty was not enough for a man who always sought greater service. He volunteered to go back to Iraq.

While serving on his second tour, Bruckenthal learned his wife was carrying his unborn child. Still he soldiered on. While patrolling in the Persian Gulf and training two Navy seamen on intercept operations, P03 Bruckenthal noticed a suspicious vessel. When the vessel would not heed his commands, Bruckenthal moved with his crew to intercept the vessel. The vessel exploded and P03 Bruckenthal and his two crewmates were killed. Their selfless action saved the U.S.S. *Firebolt* and its sailors as well as the off shore oil platform and terminal at Khawr Al Amaya. P03 Nathan Bruckenthal had now made the ultimate sacrifice for his country: he gave his life.

P03 Bruckenthal had been well decorated during his career, earning the USCG Marksmanship Ribbon, the Unit Commendation Award, the Coast Guard Sea Service Ribbon, National Defense Service Medal, the Coast Guard Merit Team Commendation and the Combat Action Medal. He will not know of his

final two decorations but they speak directly to his characteristics of selflessness, leadership and sacrifice. For his heroic intercept of the suicide vessel, P03 Bruckenthal was posthumously awarded the Bronze Star with Valor and the Purple Heart.

Words do not easily capture the greatness of a young man like Nathan Bruckenthal nor can they do justice to his sacrifice or to the deep loss of his family. However, it is our duty to ensure that the legacy of this great American, like that of many who have fallen with him, is known and honored. Tom Brokaw wrote not so long ago about what he termed "The Greatest Generation." He illustrated that they were people who knew there was a need for service and then quietly answered that call. They were people who sacrificed so much but complained very little. They were people who labored far away while penning letters to loved ones at home speaking only of happiness, their love and their future. Nathan Bruckenthal may not have served with the men and women who are part of that WWII generation, but I can tell you he would be right at home with them.

PERSONAL EXPLANATION

HON. CHRISTOPHER SHAYS

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 29, 2004

Mr. SHAYS. Mr. Speaker, on September 28, inclement weather delayed the train I was riding back to Washington and, therefore, I missed three 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 "yes" on recorded vote number 473, "yes" on recorded vote 474, and "yes" on recorded vote 475.

BHOPAL RESOLUTION

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 29, 2004

Mr. PALLONE. Mr. Speaker, I introduced a resolution today in recognition of the 20th anniversary of the Union Carbide Corporation gas leak that took place in Bhopal, India, in December 2004. This 1984 Bhopal Gas Leak Disaster is widely regarded as the worst peacetime environmental catastrophe in world history, and this important resolution expresses the commitment of the United States Congress to work with the Government of India and others to ensure that Union Carbide provides environmental and medical rehabilitation in Bhopal and is held responsible for its actions.

On the night of December 2, 1984, 27 tons of poisonous gas including methyl isocyanate leaked from a storage tank at the Union Carbide Corporation's pesticide plant in Bhopal and quickly spread to the surrounding residential areas. Official estimates indicate a death toll of 3,000 lives in the aftermath of the disaster, with unofficial estimates putting the toll much higher at 8,000. To date, the death toll has climbed to more than 20,000 lives.

Although it is now 20 years since the disaster, approximately 10–30 people continue to die every month in Bhopal from toxic exposure and 150,000 people continue to suffer long-term health consequences from the disaster. The effects of the toxic gases also appear to be harming the next generation, as more overwhelming evidence is surfacing that points to higher incidence of health effects and birth-defects among children born to gas-affected people.

A host of international organizations and independent investigators have concluded that Union Carbide's inadequate technology, double standards in safety and emergency-preparedness compounded by a reckless cost-cutting drive at the plant were the principal causes of the disaster. Based on these investigations and other evidence, the authorities in India brought criminal charges against Union Carbide, its Indian subsidiary as well as local managers in 1987 for criminal negligence and reckless indifference leading to death.

In 1989, Union Carbide negotiated a settlement of \$470 million with the Indian government that was based on inaccurate statistics about the scale and magnitude of the disaster in addition to being widely condemned by the media and responsible jurists in India as insufficient, even when compared to compensation awards provided for under Indian law. The Supreme Court of India in its judicial review of the settlement in October 1991 held that the criminal charges could not be overturned or dismissed based on the civil settlement and directed that the criminal prosecution against Union Carbide and the Indian accused must proceed in the courts of India.

When Union Carbide was served with a summons in the criminal case by the Bhopal District Court in 1992, and a notice to appear for trial was published in the Washington Post, Union Carbide's spokesmen responded with a public statement that the company was not subject to the jurisdiction of India's courts in disregard of universally accepted international law regarding criminal jurisdiction acknowledged by both the United States and India. Based on its refusal to appear to face criminal charges against it, the Bhopal District Court issued non-bailable arrest warrants for Union Carbide, ordered that its remaining properties in India be attached to secure its appearance and declared that the company was a "proclaimed absconder" or fugitive from justice.

Union Carbide has recently become a wholly-owned subsidiary of The Dow Chemical Corporation, which made the decision to acquire the company with full knowledge, according to its own public statements, of the criminal charges pending against it and Union Carbide's status as an absconder or fugitive from justice. Despite repeated public requests and protests around the world, Dow Chemical has refused to make its new subsidiary appear before the Bhopal District Court to face the criminal charges pending against it for the disaster.

Like Union Carbide before it, Dow Chemical has, to date, continued to refuse to release all scientific research on the leaked gas, claiming that this information constitutes a commercial "trade secret". Like Union Carbide before it, Dow Chemical has also continued to refuse to release all of its own medical research on the toxicology of the leaked chemicals and gases to date. The lack of information on the gas has not only hindered the study of the long-

term health and medical effects of exposure, but has left doctors with few options besides symptomatic treatment of the hundreds of thousands of gas-affected individuals and children. The devastating health effects of the gas, the birth defects of their children and inability to work because of illness have forced many Bhopali families in desperate need of medical help into insurmountable debt.

Since 1999, at least three independent environmental surveys, including one conducted by state authorities in India, have shown that the former Union Carbide plant has badly polluted the soil and groundwater aquifer beneath it resulting in severe contamination of the drinking water supply of as many as 20,000 people living in residential colonies near the plant. One study found the presence of a large number of highly toxic pollutants in drinking water samples tested by the University of Exeter in the U.K. that were matched with chemicals found in soil samples from the Bhopal plant, including one carcinogenic chemical whose presence in the drinking water exceeded by 1,705 times the maximum limit allowed by the World Health Organization.

Another environmental survey was able to trace chemicals from the former Union Carbide plant in the breast milk of mothers living in the residential areas in the vicinity of the badly polluted site, which continues to leach pollutants into the groundwater aquifer to date. The land for the plant was leased from the State of Madhya Pradesh in India which stipulated that, upon termination, the land would be returned to the State in the condition that it was first leased and suitable for the use prescribed by the zoning regulations. The State discovered that clean-up of the site until 1998 had been insufficient leaving thousands of metric tons of toxic wastes, chemical by-products, effluents, and other hazardous materials both above-ground on the premises of the factory and below ground in burial pits and landfills, all of which posed a grave threat to the surrounding population.

At least 10 residential areas in the vicinity of the former Union Carbide plant were found to have severely polluted drinking water according to these environmental studies and no substantive effort has been undertaken for environmental remediation of the area leaving water that has high levels of mercury, dichlorobenzenes, chloroform, carbon tetrachloride, and other pollutants, toxins, and heavy metals. Soil samples from the area have found abnormal amounts of lead, nickel, copper, chromium, hexachlorocyclohexane, and chlorobenzenes. Tainted water and the generally toxic living environments have led to premature cancer, deformities, chromosomal aberrations, and other disorders for Bhopali children.

There is a "polluter pays" principle enshrined in the domestic laws of both India and the United States as well as both domestic and international law which states that the polluter rather than the public agencies or taxpayers should be held responsible for its environmental pollution in its entirety. International trade and ethical practices compel Dow Chemical to treat this matter very seriously and ensure that equitable treatment be afforded to the victims and their progeny.

Mr. Speaker, India is the largest democratic country in the world and enjoys a close and mutual friendship with the United States based on common values and common interests,

and as a result, our countries should come together to recognize the gravity of the Bhopal disaster and the ongoing environmental problems in Bhopal caused by Union Carbide's policies and practices.

I encourage my colleagues in the U.S. Congress to support this resolution and commit to working together with the Indian government, Dow Chemical Corporation, and the victims to ensure that Union Carbide provides complete medical, social, and economic rehabilitation to the victims of the disaster. In addition, we should work together to ensure that Union Carbide undertakes a complete environmental remediation that restores the badly polluted plant site affected by this disaster to a habitable condition and fully remediates the drinking water supply of affected residential communities. Lastly, we need to ensure that Union Carbide appears before the Bhopal District Court for prosecution on the criminal charges pending against it there, in accordance with principles of international law regarding criminal jurisdiction accepted by the world community including India and the United States.

HONORING IRVING B. HARRIS

HON. RAHM EMANUEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 29, 2004

Mr. EMANUEL. Mr. Speaker, I rise today to mark the passing of one of Chicago's greatest philanthropists and most successful businessmen, Irving B. Harris. Since the creation of his first nonprofit foundation, Irving Harris' generosity touched the lives of the people, and particularly the children, of Chicago for nearly 60 years.

As co-owners of Toni Home Permanent Company, Irving Harris and his brother Neison were pioneers in the at-home hair wave craze of the mid-20th century. By 1948, the Harris' company had become so successful as to sell it to Gillette for \$20 million. Irving went on to become the chairman of Pittway Corporation, a multi-billion dollar corporation his family ran until 2000.

But as Irving's wife Joan said "He liked business, and he was good at it. But I think in the end, what really yanked his chain was his work with the not-for-profits." Chicago's cultural and education scene was forever changed by this love.

During Irving Harris' lifetime, his foundations and generosity led to the creation and development of several noteworthy Chicago institutions charged with early childhood development. These include the Erikson Institute for Advanced Study in Child Development, the Ounce of Prevention Fund, Illinois' first public-private partnership to develop and monitor programs aimed at preventing family dysfunction, and the Beethoven project, which provides assistance and help to at-risk families in Chicago's most disadvantaged neighborhoods.

Irving Harris was also very committed during his lifetime to higher education. The University of Chicago opened the doors on the Irving B. Harris School of Public Policy in 1988, committed to shaping and understanding public life by conducting policy relevant research and preparing talented individuals to become leaders and agents of social change.

Right until the end of his life, Irving Harris left his mark on the city he loved. A Center-

piece of Chicago's grand new Millennium Park is the Joan W. and Irving B. Harris Music and Dance Theater, which was made possible by Irving's tremendous donation of \$39 million toward the \$52 million cost.

Mr. Speaker, on behalf of the people of Chicago, I am privileged to honor the memory of Irving B. Harris, one of Chicago's greatest humanitarians. My family and I would like to express our deepest condolences to Irving's wife Joan, his sister, June Barrows, his 6 children, 10 grandchildren, and 26 great grandchildren.

FOURTH ANNIVERSARY OF THE PALESTINIAN INTIFADA

HON. JOSEPH CROWLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 29, 2004

Mr. CROWLEY. Mr. Speaker, on the fourth anniversary of the Palestinian Intifada, I would like to send my condolences to all the families that have lost a loved one or suffered from a terrorist attack.

These have been a long four years of violence since the Palestinian Intifada began on September 28, 2000. Today, on the fourth anniversary of this terrorist war waged against our ally Israel, I believe it is important for us all to reflect on these past 4 years.

What has this terrorist war achieved—the answer to that question is only blood shed.

Since the start of the Intifada, 940 innocent Israelis have been murdered and thousands more injured by terrorist attacks. Even with all the blood on the hands of these terrorists, they have been unable to come close to achieving their goal of destroying the state of Israel or creating a Palestinian state. The only thing these terrorists have achieved is the murder of so many and causing pain to their own people.

A state for the Palestinian people will never be achieved while terrorists continue to strike Israel. Whether they come from territory controlled by the Palestinian Authority, through Lebanon, Syria, or Iran peace can never be achieved while extremists wage this terrorist war on Israel.

It is time for the governments of the Middle East to step up and work with the Palestinian leadership to end all support for terrorism and assist a Palestinian government that can provide the security that is needed to realize their dream of a state. The first step toward achieving this goal is for Palestinian Prime Minister Ahmed Qurei to crack down on terrorists who continue to strike Israel. To do this Yassir Arafat must be removed from any position of power and control of the security forces must be centralized.

Mr. Speaker, this anniversary is something I hope we do not have to recognize at this time next year. I hope that peace can be achieved but until then we must continue our support of Israel and her fight against these extremist elements.