

the Law Library of Congress, "Destruction of Cultural Property in the Northern Part of Cyprus and Violations of International Law" was released at the briefing.

Helsinki Commission staff traveled throughout the region, visiting numerous churches, each in various stages of deterioration, all plundered, stripped of religious objects, including altars, iconostasis and icons. Other sites have been turned into tourist resorts, storage warehouses or other purposes, including stables, shops, and night clubs. Among photos on display at the briefing were those showing the desecrated ruins of graves with all of the crosses broken off of their bases and smashed. A nearby shed was stacked with broken headstones. A number of Jewish cemeteries in the region, according to reports, have likewise been vandalized and left in shambles. Finally, even the rare occasions when Orthodox services that are allowed to be conducted in the north such exceptional events are occasionally marred by security forces preventing worshipers from crossing into the area or the disruption of religious services.

The Commission recently received an update from Dr. Charalampos Chotzakoglou, one of the experts who testified at our 2009 briefing. He reports a number of disturbing developments over the past year, including road construction through a church yard; transport of grave markers robbed from desecrated cemeteries, reportedly to be recycled as scrap metal; the further looting of artifacts from churches; and the known conversion of another church building into a night club. Dr. Chotzakoglou also reports on the continued difficulties in securing permission to conduct religious services at some of the sites in the north.

The events of 1974 have taken a tremendous toll in so many areas, including Cyprus' rich religious cultural heritage. As we mark this 36th anniversary, let us join in the hope that a resolution of the Cyprus question hammered out, by the Cypriots and for the Cypriots, will be found.

Ms. SNOWE. Mr. President, I rise in remembrance of a deeply tragic anniversary for the Cypriot-American community, their friends and relatives in Cyprus, and for people everywhere who believe in timeless values such as liberty and human dignity. Thirty-six years ago today, the armed forces of Turkey invaded Cyprus in flagrant violation of international law, occupied the north of the island state, and put in place a heavily armed force that continues to occupy nearly 37 percent of Cyprus' territory.

There are more than 43,000 Turkish troops on Cyprus—that is approximately one Turkish soldier for every two Turkish Cypriots. Meanwhile, the occupation, expropriation, and destruction of Greek Cypriot-owned property in the north of the island continues unabated. Indeed, thousands of U.S. citizens of Cypriot descent have claims

to such properties. So too continues the egregious desecration of Greek Orthodox churches and sacred religious artifacts that are not only sacred to hundreds of millions of faithful believers but beautiful and historic sites and objects of inherent cultural value to all of humanity.

The international community, speaking through resolution after resolution by the United Nations Security Council and General Assembly, has since 1974 called for an end to the division of Cyprus and the return of refugees to their homes. After 36 frustrating years of diplomatic stops and starts, a cavalcade of U.N. special representatives and envoys, and untold hours of negotiations, the time has come for Turkey to concede that the Cyprus question is one that can only be resolved through mutual agreement on a solution, not the imposition of one. It is essential for Turkey to contribute practically and substantively to the negotiating effort and embrace in concrete terms a reunified and prosperous Cyprus where Greek Cypriots and Turkish Cypriots can live together in peace.

Unfortunately, in a world that has witnessed the collapse of the Berlin Wall and the fall of communism, Cyprus remains as the last divided country in Europe. Yet despite a generation of suffering such injustices, the Greek Cypriot community continues to demonstrate remarkable magnanimity in seeking a fair solution to the division of the island. Cyprus and the U.S. share a deep and abiding commitment to upholding the ideals of freedom, democracy, justice, human rights, and the international rule of law. We must, in our solemn role as a nation that champions human rights and adherence to the rule of law, stand with the Cypriots to bring peace and stability to their island.

I therefore urge my colleagues to join me today in bearing witness to the 36 years of injustice wrongfully brought upon the people of the Republic of Cyprus, and in recommitting ourselves to the urgent task of fairly and finally reuniting the island.

REQUEST FOR CONSULTATION

Mr. COBURN. I ask unanimous consent to have printed in the RECORD a letter dated July 20, 2010, to Senator MCCONNELL.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
July 20, 2010.

Hon. MITCH MCCONNELL,
Senate Minority Leader,
U.S. Senate, Washington, DC.

DEAR SENATOR MCCONNELL: I am requesting that I be consulted before the Senate enters into any unanimous consent agreements or time limitations regarding S. 3466, the Environmental Crimes Enforcement Act. My concerns with this bill include, but are not limited to, those outlined in this letter.

Individuals and corporate entities who commit environmental crimes must be held

accountable for their actions. However, while this bill is well-intentioned, I believe current law provides sufficient penalties for environmental wrongdoers, and I am concerned this bill goes too far in increasing enforcement provisions by mandating restitution to victims of environmental crimes.

This bill expands the list of crimes which require mandatory restitution by adding environmental crimes covered by the criminal enforcement provisions of the Clean Water Act. Currently, the list of crimes subject to mandatory restitution is limited to violent crimes, certain offenses against property under the Controlled Substances Act, and crimes relating to tampering with consumer products. No environmental law is listed under the mandatory restitution statute.

It is clear this bill is intended as a response to the current oil spill in the Gulf of Mexico. However, it should be noted there is already a basis for holding BP liable for the Deepwater Horizon oil spill, if it is found to be negligently or willfully responsible—the Oil Pollution Act of 1990. The Oil Pollution Act allows for liability up to all removal costs plus \$75 million, and would eliminate any cap whatsoever if the spill was a result of "gross negligence or willful misconduct" or a "violation of an applicable Federal safety, construction, or operation regulation."

There are also criminal penalties for violations of the Clean Water Act. These penalties, which may be enforced for negligent, knowing, and "knowing endangerment" violations, include up to 3 years in prison and up to \$1 million in fines for each violation. Finally, according to Attorney General Holder, BP may also face civil and criminal action under the Migratory Bird Treaty Act and the Endangered Species Act.

If Congress feels these civil and criminal penalties are insufficient, we should consider increasing them by amending the relevant penalty provisions. Similarly, if Congress believes mandatory restitution should be expanded into areas beyond the limited crimes to which it currently applies, we should address restitution as a whole, rather than singling out certain issues or individual crimes. Legislation expanding victim restitution has been introduced in the past, and if Congress now believes expansion is appropriate it should take the time to consider broad legislation on the topic, rather than a specific, targeted response to a current event.

Furthermore, I believe this bill is overly broad, as it will criminalize ordinary Clean Water Act violations. For example, this bill would create mandatory restitution as a response to: a property owner who constructed feeder ditches and discharged fill without a permit; a mining company that discharged drainage into navigable creeks without a federal permit; and coastal landowners who discharged sand and dirt in their ditching activities without a permit. While these actions are all violations of the Clean Water Act, I do not believe they are intended to be brought under the mandatory restitution statute. Nevertheless, as currently constructed, this bill would indeed expose the violators to mandatory restitution.

I am concerned the changes specified in this legislation may be unnecessary, overly broad, and may contribute to the over-criminalization of federal law. In addition, adding the Clean Water Act to the mandatory restitution statute will create increased liability, additional private rights of action, and increased litigation. Finally, it does not appear this bill is needed in order to prosecute legitimately liable companies for violations of the Clean Water Act. Nevertheless, this bill has been expedited through the legislative process, with no hearings scheduled to explore its need and little time allowed to properly evaluate the consequences of the mandatory restitution provision.

In the end, I believe there are more appropriate responses Congress should pursue if current penalties for environmental wrongdoers are insufficient, and I believe expedited, targeted legislation of this nature is likely to create unintended consequences which outweigh any positive value it may add to our environmental law matrix.

Sincerely,

TOM A. COBURN, M.D.,
United States Senator.

ADDITIONAL STATEMENTS

NATIONAL ASSOCIATION OF CLEAN WATER AGENCIES

• Mr. CARDIN. Mr. President, I wish to take this opportunity to congratulate the National Association of Clean Water Agencies, NACWA, on the occasion of its 40th anniversary. NACWA is a dynamic national organization, involved in all facets of water quality protection. As a key stakeholder in the legislative, regulatory, and legal arenas, NACWA has built credible collaborative relationships with Members of Congress, the Environmental Protection Agency, the Federal courts and other governmental bodies.

The emergence of NACWA as a nationally recognized leader in environmental policy and a sought-after technical resource on water quality and ecosystem protection issues has paralleled the maturation of one of the Nation's most successful environmental laws—the Clean Water Act. NACWA was established in 1970 by a group of individuals representing 22 large municipal sewerage agencies to secure Federal funding for municipal wastewater treatment and serve as a forum to discuss the emerging national interest in improving the quality of the Nation's waters. Based upon the shared goal of effectively representing the interests and priorities of public clean water agencies and the communities they serve, they formed NACWA.

Over the past 40 years, NACWA has expanded its member base and issue platform. It has changed its name, replacing the word "sewerage" with "clean water" to better reflect the end-product of its members' treatment services—clean water. The organization also partners with diverse stakeholders while always advocating for sound science in advancing water quality protection. Today, as the leading clean water association, NACWA represents nearly 300 member organizations.

Recent years have reflected heightened involvement for the association in a broadening array of complex 21st century water quality issues, including green infrastructure, climate change, watershed-based approaches, and clean water funding and financing. As chairman of the Senate's Water and Wildlife Subcommittee, under the Environment and Public Works Committee, I am in a good position to observe that NACWA has met the goal that its founders established 40 years ago. NACWA con-

tinues to pursue every opportunity to develop and implement sound water quality policies that advance clean water and a healthy environment.

It is my sincere pleasure to congratulate NACWA on the occasion of its 40th anniversary. This committee has relied on NACWA's strategic input for decades and will undoubtedly continue to do so as we shape the course of environmental protection for our Nation's waters in the decades to come.●

REMEMBERING SYL METZGER

• Mr. DORGAN. Mr. President, last week I received notice from a North Dakota constituent about a funeral that was held on Friday. The funeral was for Syl Metzger from Langdon, ND. Reading about the life of this extraordinary man reminded me again about how much we owe to people we seldom thank.

Syl Metzger was not a politician or a business executive or celebrity. But he was a hero. He was one of what Tom Brokaw called the "greatest generation." He was one of those young Americans who seven decades ago was called on by his country to put on a uniform, pick up a rifle, and wage the fight for freedom half way around the world.

Syl Metzger landed on the beaches of Normandy during the D-day invasion. He fought in the campaign in northern Europe, including the Battle of the Bulge. The fights that he and his fellow soldiers waged have become legendary.

Following the Second World War, all across our country those young soldiers returned home and lived down the street, up the block, or out on the farm, and seldom spoke of their experiences in World War II. They became the members of the community who you could count on to do things. They built homes, schools, and communities and became the glue that made America work. Because they knew the horrors of war and the pain of losing fellow soldiers in the battlefield, they perhaps more than any other Americans treasured the freedoms that they had risked their lives to save.

Now with the passage of time those young soldiers have become older Americans, in many cases reaching their ninth decade of life. Every day across this country, friends and neighbors gather in the sanctuary of a local church to say goodbye to a relative or an old friend. In many cases, only then do they remember and celebrate the heroic commitment of service to our country by those American patriots.

It was Syl Metzger's son who informed me of his father's death. I had met Syl Metzger only once last fall when he and a group of World War II veterans came to Washington, DC, on an Honor Flight to see the World War II Memorial. So our lives touched only briefly. But when his son sent me the e-mail about his funeral, it reminded me again that he and his fellow soldiers did things for our country that

touched all of our lives. Yet we seldom understand the magnitude of their sacrifice and the benefit of their courage that was a gift to all Americans.

God bless the memory of Syl Metzger and the rest of the "greatest generation." America says thank you.●

REMEMBERING FIRST SERGEANT NICK BACON

• Mr. PRYOR. Mr. President, today I pay tribute to the life, service, and memory of 1SG Nick Bacon, U.S. Army (Ret.). First Sergeant Bacon, the last living Medal of Honor recipient from Arkansas, passed away July 17, 2010, at the age of 64. His life will be remembered not just for his heroic military service, which earned him the prestigious Medal of Honor, but also for his work on behalf of veterans in Arkansas and across this Nation.

Narrowly surviving a helicopter crash in his first tour of duty, then Staff Sergeant Bacon volunteered for a second tour of duty in Vietnam; this time he was leading a squad with the 1st Platoon of B Company of the 4th Battalion, 21st Infantry, 11th Infantry Brigade, Americal Division. On August 26, 1968, in an operation west of Tam Ky, Staff Sergeant Bacon and Company B drew heavy resistance from enemy forces. In the ensuing action, Bacon led two platoons in stifling the enemy assault, singlehandedly killing multiple enemy soldiers, destroying an antitank weapon, and directing fire on enemy positions as Company B rescued multiple soldiers trapped to the front.

Due to these brave actions, President Nixon awarded Bacon the Medal of Honor on November 24, 1969. The Medal of Honor is the highest military decoration awarded by the U.S. Government. It is reserved for those members of the United States Armed Forces who distinguish themselves "conspicuously by gallantry and intrepidity at the risk of his or her life above and beyond the call of duty while engaged in an action against an enemy of the United States." That definition most certainly fits the heroism that Nick Bacon, then a staff sergeant, took the night of August 26, 1968.

Nicky Daniel Bacon was born November 25, 1945, in Caraway, AR. Following his family's move to Arizona, he joined the army to escape the difficulties of farm labor. He forged his mother's signature so that he could join the army at age 17. He served in the U.S. Army from 1963 to 1984, retiring at the rank of first sergeant.

First Sergeant Bacon returned home to Arkansas in 1990, where he continued to seek opportunities to serve his community, particularly the men and women of the U.S. military. He was appointed director of the Arkansas Department of Veterans Affairs in 1993 and was essential to the development of the Arkansas State Veterans Cemetery, the Arkansas State Veterans Cemetery Beautification Foundation and the founding of the Arkansas Veterans' Coalition.