

The Corporation for Public Broadcasting has already suffered an 11.8 percent cut in the re-scissions bill passed earlier by this House. This further reduction proposed by the Labor/HHS/Education appropriations bill will be devastating.

One needs only to consider the impact these funding cuts will have upon rural television stations, primarily in areas where access to cable television is extremely limited and where the only educational television and radio programs come from public broadcasting. In Kentucky, the majority of residents rely on public broadcasting for all educational programming, including programs which enable individuals to obtain high school equivalency degrees and attend college courses via television. Public broadcasting also provides invaluable children's programs to help educate children at home as well as in school.

I urge my colleagues to consider the impact these funding cuts would have upon those who rely on public broadcasting the most. I urge my colleagues to oppose these cuts and work together to protect the Corporation for Public Broadcasting.

#### INTRODUCTION OF A BILL TO REDUCE POLITICAL ASYLUM ABUSE

**HON. BOB FRANKS**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, August 3, 1995*

Mr. FRANKS of New Jersey. Mr. Speaker, today I am introducing a bill to root out fraud and abuse in our current system of political asylum.

Throughout the world, the human rights of prisoners of conscience and political opponents are casually exploited. Amnesty International's annual report, released last month, cites the fact that 78 countries still hold "prisoners of conscience."

For those people, the United States must extend its hand and offer refuge through political asylum.

Our Nation has always been a beacon of hope for people around the world seeking a safe haven from political, ethnic, racial, or religious persecution.

But it is important to keep the doctrine of political asylum in perspective. It represents only one element of America's immigration policies.

Last year, for example, our Government allowed more than 800,000 aliens to legally enter the United States. Of that total, only 11,784 were granted political asylum.

And until 1980, political asylum was a treasured and sparingly-used provision in our immigration laws, enabling our Nation to fulfill its commitment to protect those fleeing their homelands because of oppression.

But changes made in the asylum laws in the 1980s opened up the system to widespread abuse.

These well-intended but ill-conceived reforms included providing an unintended economic incentive for aliens to seek entry into the United States by claiming political asylum.

Most importantly, it gave asylum seekers permission to legally work in the United States while their claims were being considered by officials of the Immigration and Naturalization Service [INS].

Although President Clinton recently modified the work-permit provision, the floodgates had already been opened.

Asylum seekers have been pouring into the United States in staggering numbers.

Prior to 1980, less than 5,000 people a year sought political asylum in the United States. But last year alone, a record number, 150,000 in all—filed claims of political asylum. The New York-New Jersey metropolitan region is becoming a magnet for individuals seeking the protected status of political asylum. During the first quarter of this year, 8,165 people applied for asylum through the Newark District Office. Another 8,795 aliens made the same claim at the New York INS office.

The political asylum process has spun out of control.

Moreover, political asylum has become an increasingly popular route to circumvent safeguards in the law that help us to weed out bogus and fraudulent claims.

Contrary to popular opinion, it is not easy to gain legal entry into the United States. That fact can be attested to by the 3.4 million people around the world who are waiting for visas to be issued by our Government in order that they can legally come to the United States. Some of those people, depending on their home country and the immigration quota that applies to it, wait up to 10 years before they are issued a visa.

While many of those who arrive on our shores seeking political asylum have an arguable basis for their claim, others use it as an opportunity to leap frog over those 3.4 million people who are waiting in line for the issuance of their visa.

Even though the criteria are lax, the law on political asylum is clear when it says that the asylum candidate "must face a reasonable fear of persecution."

Today, there are people boarding planes and boats around the world, hoping to start a new life in the United States with phony claims of political asylum. And the odds are they'll be successful.

Political asylum has become a popular backdoor entrance to the United States. And with good reason. The system is easy to exploit.

By simply stepping off a plane and proclaiming the magic words "political asylum," an individual gains special status that enables him to stay in the United States until his claim is verified. The lengthy and cumbersome process of reviewing asylum cases is filled with opportunities for an individual, with no legitimate claim of political asylum, to slip away and become part of our Nation's ever-increasing population of illegal immigrants.

New Jersey has become a major center for illegal immigrants. The INS ranks my State sixth in the Nation in the number of illegal immigrants.

Of the thousands of people who arrive each year in the New York-New Jersey area seeking political asylum, only 1.6 percent are actually detained until the outcome of their claim is determined.

The sheer volume of asylum claims and the severe shortage of detention facilities, has forced the Immigration and Naturalization Service to release a vast majority of those awaiting adjudication of their claim of political asylum. They are set free—released on their own recognizance and told to return on a specified date for a hearing.

At least one-third of those set free will never be seen again. They simply disappear, joining the ranks of the illegal immigrant population in our area.

Of all the political asylum claims, only 10 to 15 percent are found to be legitimate by the INS and are granted permission to remain in the United States. The others are ordered back to their homeland.

But when the time comes to report for deportation, the vast majority—more than 90 percent—do not show up. And in all likelihood will never be found. They too have joined the illegal immigrant population.

The backlog of pending asylum applications has swelled to almost 450,000 cases, leading to extensive delays. Those unfortunate individuals with legitimate claims of political asylum are forced to spend months and even years in this country living with the uncertainty of not knowing whether they will be forced to return to their homeland.

The facts leave little doubt that the current system of political asylum is out of control.

Today, I am introducing legislation that will significantly modify how the INS deals with claims of political asylum. It is designed to send a clear signal around the world that fraudulent claims of political asylum will no longer be tolerated. The goal of my legislation is to preserve the fundamental principle of political asylum, while closing up the giant loopholes that are corrupting the process.

My bill targets individuals who escape or leave their homeland and travel to another country before coming to the United States.

It establishes a series of procedures which will have the effect of deterring those with no legitimate claim of political asylum from ever venturing to the United States.

Let me explain the key provisions of the bill.

It seems to me that an individual who fears for his safety because he is suffering severe discrimination or life-threatening treatment should be required to stop at the first country that would offer him "safe haven."

But under the current law, these refugees most often choose to pass by the first country that could offer safe haven and continue their journey to the United States. Fifteen years and hundreds of thousands of claims for political asylum later has taught us that many of these individuals are not seeking a safe refuge that comes from political asylum, they are actually looking for the economic opportunities that America has to offer.

Under my legislation, anyone who passes through another country that could offer a safe haven for political asylum would not be allowed to travel through to the United States and remain here while their claim is being adjudicated.

Upon entering the U.S., these asylum seekers would be sent back within hours to the country they passed through that would offer them political asylum. European countries have been following a similar course of action for many years.

In 1990, The European Community convened the Dublin Convention to establish a uniform standard for examining applications for asylum seekers that travel through several countries. The purpose of the Convention was to ensure that an application was examined by only one Member State, ignoring the preferences of asylum seekers that results in "nation shopping." Members incorporated the "country of safe haven" principle which requires asylum requests to be reviewed by the

first country which the applicant arrives in outside his country of origin.

In July of 1993, Germany overhauled their asylum law, effectively reducing their monthly asylum application load from 37,000, after an explosion of asylum applications that increased from 20,000 in 1983 to 438,000 a decade later. Germany's asylum laws also include a "country of safe haven" provision making certain asylum applicants ineligible.

It's time the United States follow the lead of the European Community and adopt the "first safe haven" approach. By doing so, we would eliminate the incentive for aliens to "nation shop," looking around for the country they believe offers them the best opportunity for economic prosperity, not political freedom.

In order to ensure that those with legitimate claims for asylum are protected and find a safe haven, my bill provides added protection for legitimate asylum seekers. Under special circumstances, it allows them to stay in the United States awaiting a hearing. An alien who returned to the first country they passed through which could offer a safe haven, but was denied entry, would be allowed to remain in the United States pending a hearing. In addition, if an individual can demonstrate that being returned to the first country of safe haven could subject him to further persecution, he too would be allowed to stay. But the bill attaches a significant condition to asylum-seekers who are returned to the United States—one that further discourages abuse of the system. While they are in the United States awaiting a hearing on whether they can stay here legally, they must be held in a detention facility.

This fall Congress is expected to take up the issue of immigration reform. In the coming weeks, I will work to make sure this new approach to granting political asylum is included in the immigration reform package to be considered by the House.

The United States is a Nation of immigrants. We should continue to embrace people of different races and cultures who want to make America their new home. Their presence enriches our culture and makes our nation a very special place.

America should continue to be the land of opportunity for legal immigrants but not for those who take advantage of our generosity and our compassion to enter the country illegally. I urge my colleagues to cosponsor my legislation.

#### THE CONGRESSIONAL ASSAULT ON TRIBAL SOVEREIGNTY

### HON. BILL RICHARDSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1995

Mr. RICHARDSON. Mr. Speaker, I share the grave concerns of my colleagues and the more than 550 American Indian and Alaska Native tribes of this Nation regarding the unprecedented budgetary cuts and assaults on tribal sovereignty currently underway in the 104th Congress. As the former chairman of the House Subcommittee on Native American Affairs, I find it especially difficult to watch as this body attempts to undermine the hard fought victories that Indian tribes have won in the past 30 years.

It is hard to understate the enormity of the cuts in this year's appropriations bills. For instance, the House Interior appropriations bill cuts BIA and Department of Education funding for Indian education by \$61 million, eliminates important scholarships and adult education, and restricts funding of self-determination contracts and self-governance compacts. The Interior bill fails to include enough funding for the Indian Health Service to maintain its current level of services. And, the House Interior report penalizes tribal self-determination and economic growth by requiring the Secretary of the Interior to prepare a means testing report on Indian tribes who conduct gaming operations.

The Commerce, Justice appropriations bill eliminates the line-item for Indian legal services. The Agriculture appropriations bill calls for the termination of the commodities program. The VA-HUD appropriations bill cuts funding for new Indian housing by two-thirds. The Labor-HHS appropriations bill eliminates additional Indian education funding, funding for the protection of tribal elders, reduces meals for tribal elders by \$845,000, and eliminates the low-income heating assistance program. In addition, the Labor-HHS bill would put sharp curbs on the amount of political or legal advocacy that tribal governments or organizations could undertake at the Federal level.

The tribal outcry that has arisen because of these actions and others should tell us that we need to seriously examine and rethink our relationship with Indian country. In order to do so, we must:

Recognize that tribes are sovereign entities and not merely another set of minority or special interest groups.

Acknowledge our moral and legal responsibility to protect and aid Indian tribes.

Adhere to a set of principles that will enable us to deal fairly and honestly with Indian tribes.

From the founding of this Nation, Indian tribes have been recognized as distinct independent, political communities exercising the powers of self-government, not by virtue of any delegation of powers from the Federal Government, but rather by virtue of their own inherent sovereignty. The tribes' sovereignty pre-dates the Constitution and forms the backdrop against which the United States has entered into relations with the Indian tribes.

The United States also has a moral and legal trust responsibility to Indian tribes. Since the founding of the country, the U.S. has promised to uphold the rights of Indian tribes, and serve as the trustee of Indian lands and resources. The U.S. has vowed, through treaties such as the 1868 Navajo treaty, that Indians would be housed, educated, and afforded decent health care. We have failed on nearly every count.

Perhaps we need to look to the past in order for us to understand our proper relationship with Indian tribes. More than two centuries ago, Congress set forth what should be our guiding principles. In 1789, Congress passed the Northwest Ordinance, a set of seven articles intended to govern the addition of new States to the Union. These articles served as a compact between the people and the States, and were to forever remain unalterable, unless by common consent. Article three set forth the Nation's policy towards Indian tribes:

The utmost good faith shall always be observed towards the Indians; their land and

property shall never be taken away from them without their consent \* \* \* but laws founded in justice and humanity shall from time to time be made, for preventing wrongs to them \* \* \* ."

Each of us should memorize these words. Our forefathers carefully and wisely chose these principles to govern the conduct of Congress in its dealing with American Indian tribes. Over the years, but especially in this Congress, we have strayed from these principles—the principles of good faith, consent, justice and humanity. It is time for us to return to and remain faithful to these principles.

#### U.S.S. INDIANAPOLIS MEMORIAL

### HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 4, 1995

Mr. JACOBS. Mr. Speaker, all Americans will be grateful to the Congress and to the President for adopting last year the following resolution commanding the noble service to our country rendered by the U.S.S. *Indianapolis* and its crew. The death of the *Indianapolis* and very many of its hands represents one of the more poignant tragedies of World War II inasmuch as it all happened shortly before the end of hostilities with Japan.

At long last a suitable monument has been erected in the city of Indianapolis. The monument was dedicated on the second day of August of this year. In addition to the resolution itself which follows, I insert a story from the *Indianapolis News* and a story from the *Indianapolis Star* about this touching occasion.

Special tribute should be paid to Patrick J. Finneran, Capt. James Holds, USN retired, Dr. Giles G. McCoy and Robert H. McKinney, who together with other pillars in the *Indianapolis* community, worked tirelessly and lovingly to bring all of this well deserved remembrance about.

THE CONGRESS OF THE UNITED STATES OF AMERICA, THE 103d CONGRESS ASSEMBLED, LAW No. 103-337

SEC. 1052 U.S.S. *Indianapolis* (CA-35) For gallantry, sacrifice and a decisive mission to end world War II.

1. The U.S.S. *Indianapolis* served the people of the United States with valor and distinction throughout World War II in action against enemy forces in the Pacific Theater of Operations from 7 December 1941 to 29 July 1945.

2. The fast and powerful heavy cruiser with its courageous and capable crew, compiled an impressive combat record during her victorious forays across the battle-torn reaches of the Pacific, receiving in the process ten hard-earned Battle Stars from the Aleutians to Okinawa.

3. This mighty ship repeatedly proved herself a swift hard-hitting weapon of our Pacific Fleet, rendering invaluable service in anti-shipping, shore bombardments, anti-air and invasion support roles, and serving with honor and great distinction as Fifth Fleet Flagship under Admiral Raymond Spruance, USN, and Third Fleet Flagship under Admiral William F. Halsey, USN.

4. This gallant ship, owing to her superior speed and record of accomplishment, transported the world's first operational atomic bomb to the Island of Tinian, accomplishing her mission at a record average speed of 29 knots.

5. Following the accomplishment of her mission, the *Indianapolis* departed Tinian for