the enemies of peace and justice in Northern Ireland. Her death is a loss felt not just by her family and friends, but by all of us who advocate fundamental human rights.

I first met Rosemary Nelson in August, 1997, when she shared with me her genuine concern for the administration of justice in Northern Ireland. She explained how, as an attorney, she has been physically and verbally assaulted by RUC members and how the RUC sent messages of intimidation to her through her clients. Many of her clients were harassed as well.

Notwithstanding these threats, Rosemary Nelson still carried an exhaustive docket which included several high profile political cases. She became an international advocate for the rule of law and the right of the accused to a comprehensive defense and an impartial hearing. She also worked hard to obtain an independent inquiry into the 1989 murder of defense attorney of Patrick Finucane.

For this, Rosemary Nelson was often the subject of harassment and intimidation. For her service to the clients, on March 15, 1999, Rosemary Nelson paid the ultimate price with her life—the victim of a car bomb.

Last September, 1988, Rosemary testified before the subcommittee I chair, International Operations and Human Rights. She told us she feared the RUC. She reported that she had been ''physically assaulted by a number of RUC officers'' and that the RUC harassment included, ''at the most serious, making threats against my personal safety including death threats.'' She said she had no confidence in receiving help from her government because, she said, in the end her complaints about the RUC were investigated by the RUC. She also told us that no lawyer in Northern Ireland can forget what happened to Pat Finucane, nor can they dismiss it from their minds. She said one way to advance the protection of defense attorneys would be the establishment of an independent investigation into the allegations of collusion in his murder.

Despite her testimony and her fears, the British government now wants to entrust the investigation of Rosemary Nelson's murder to the very agency she feared and mistrusted most, the RUC. Instead, I believe that in order for this investigation to be beyond reproach, and to have the confidence and cooperation of the Catholic community that Rosemary Nelson adeptly represented, it must be organized, managed, directed and run by someone other than the RUC. It just begs the question as to whether or not we can expect a fair and impartial investigation when the murder victim herself had publicly expressed deep concern about the impartiality of RUC personnel.

Mr. Speaker, the major international human rights groups, including Amnesty International, Laywers Committee for Human Rights, British/Irish Human Rights Watch Committee for the Administration of Justice, and Human Rights Watch have all called for an independent inquiry. Param Cumaraswamy, U.N. Special Rapporteur on the independence of judges and lawyers, who completed an extensive human rights investigative mission to the United Kingdom last year, has also called for an independent inquiry of Rosemary Nelson's murder.

At our September 29, 1998 hearing, Mr. Cumaraswamy stated that he found harassment and intimidation of defense lawyers in Northern Ireland to be consistent and systematic. He recommended a judicial inquiry into the threats and intimidation Rosemary Nelson and other defense attorneys had received. It's hard not to wonder if the British government had taken the Special Rapporteur's recommendations more seriously, Rosemary Nelson might have been better protected and still with us today.

I express my hearfelt condolences to the Nelson family and I urge my colleagues to support the following resolution.

THE ENDANGERED SPECIES ACT MUST BE REFORMED

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1999

Mr. CALVERT. Mr. Speaker, the Endangered Species Act was originally enacted in 1973 with overwhelming support in the House by a vote of 355 to 4 and in the Senate 92 to 0. The original intent: to conserve and protect American species of plant and wildlife that are threatened with extinction, with species taken off the list when their numbers have recovered. However, during ESA's 25 years, over 1,154 animals and plants have been listed as endangered or threatened yet only 27 species have been removed from the list. ESA has protected important species, including our Nation's most prized symbol—the bald eagle which is one of the few actually removed from the list. Today, it appears as though the Fish and Wildlife Service, especially within California, is working outside of the ESA and essentially undermining its original intent. Fish and Wildlife in California has overstepped their bounds.

As the Congressman for western Riverside County in southern California, ESA enforcement is an important issue for me and my constituents because southern California is home to one-third of all listed endangered species. I have received a large number of complaints about the overzealous enforcement of ESA from landowners, farmers, former Fish and Wildlife employees, and community leaders. Complaints have increased dramatically in the last year compared to what I was hearing when I was first elected 6 years ago. A lot of my colleagues have been asking me about Fish and Wildlife's questionable enforcement of the ESA in southern California and in my district. I am here to share some clear examples of Fish and Wildlife's outrageous conduct in their enforcement of the ESA. Riverside County led the charge in working with the Federal Government to comply with the ESA, and had the original Stephen's kangaroo rat plan which ultimately took 8 years to get approval and cost over $42 million. Later on, Riverside County formed the Western Riverside County Multiple Species Habitat Conservation Plan Advisory Committee in order to ensure a strong working relationship with conservation agencies and Fish and Wildlife.

Yet, it seems to be a cardinal rule in dealing with the Fish and Wildlife Service that ''No Good Deed Goes Unpunished.'' Riverside County, the Riverside County Habitat Conservation Agency, several cities, and Fish and Wildlife all signed a planning agreement which laid out a conservation plan for the entire western half of Riverside County. Under that agreement, Fish and Wildlife would be required to provide the benefits and the ultimate cost of the plan within 6 months of signing the agreement. Now, 2 years later, Fish and Wildlife is refusing to provide this information to the planning agency which they had contractually agreed to do. This was a bad faith effort on the part of Fish and Wildlife.

Specifically, there are two recent cases where Fish and Wildlife has shown how destructive they can be in southern California. The first case is the Delhi-sands flower-loving fly. A handful of flies were discovered at the proposed site for the San Bernardino County hospital. Fish and Wildlife ordered the county to move the building 300 feet, at a cost of $3.5 million. That's about $10,000 a foot. The Galena Interchange, a freeway construction project in my district is being held hostage by this fly. The Galena Interchange is not an expansive new highway program—we are not talking about building the Golden Gate Bridge. It's a simple project connecting Interstate 15 to Galena Street and it received $20 million in Federal, State, and local funds last year for a desperately needed project. After the plans were designed and the funds allocated, Fish and Wildlife now claims the county needs to establish a preserve for the Delhi-sands flower-loving fly. Fish and Wildlife wants as many as 200 acres of the Inland Empire's priciest industrial land for habitat mitigation. Two hundred acres could cost as much as $32 million; $32 million for a $20 million project. On top of all of this, not one fly has been found in this area. Apparently, the Branch Chief of the Carlsbad Fish and Wildlife Office heard the buzz of the fly, but did not see it, and now wants $32 million. In testimony before the Riverside County Board of Supervisors, this person said—and I quote—''. . . if you hear a car down the street that's your favorite model, you kind know the engine sound and you know that it's the car that you like—so you know for someone that studies this sort of species you get a feel for the noise.'' This is ludicrous. Fish and Wildlife is using Dr. Seuss methods from ''Horton Hears a Who'' to make policy for millions of citizens. At the very least, we should amend the ESA to require than an endangered species must actually be seen, not just heard.

The other case involves the Quino checkerspot butterfly. Once again, after poorly handling several listings, Fish and Wildlife has precipitated another crisis in southern California. Recently the Service published a ''survey protoco'' for the Quino checkerspot butterfly, which requires landowners to survey their property for the Quino before beginning any development. They did so less than a month before the beginning of the butterfly's very short flying season. However, Fish and Wildlife went a step further and issued a survey protocol that prohibited development of all land until at least early June 2000. The other day, in a seeming reversal of this earlier position, Fish and Wildlife is allowing surveys to be done this year. But, the Service still reserved the right to invalidate any survey due to the shortened flying season. This is like the IRS giving you your tax bill and noting that they have the right to charge you more later—which is something they have actually done and why Congress passed IRS reform legislation. Fish and Wildlife should take notice. So, the Service is allowing landowners to spend thousands of dollars to conduct a survey that they may or may not consider valid next year.

The current Fish and Wildlife problem has become so large, expensive, and harmful to our community that it cannot be overlooked any longer. In 1995, ESA costs exceeded $325 million of Federal money. However, the cost to local and State governments was billions and billions of dollars. Taxpayer funding has increased 800 percent since 1989. This is a call to common sense. Fish and Wildlife's district offices at the very least have the responsibility to balance the rights of species with the rights of landowners and taxpaying citizens of the United States. Local bureaucrats are undermining of Americans' desire to save truly endangered species by engaging in arbitrary and unreliable rulemaking. Our citizens and our endangered species deserve better. While we build a consensus in the Congress on how to update the Endangered Species Act, we should, at the very least, expect two things: (1) Fish and Wildlife must keep its commitments; and, (2) Fish and Wildlife should use its discretion, under the law, not as a weapon against landowners, but as a tool to help communities comply with the law.

COMMENDATION OF MARGARET GONTZ

HON. GEORGE W. GEKAS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1999

Mr. GEKAS. Mr. Speaker, I would like to commend Ms. Margaret Gontz, who at the age of 72, gave up something that most people look forward to: her retirement. That was 10 years ago. Today, at 81, Ms. Gontz is one of the top employees in the Pennsylvania Higher Education Assistance Agency in Harrisburg. She came back for family: to help her grandson pay for college. And she came back for herself: she just wanted to be on the job. Ms. Gontz has been cited as an exemplary employee at PHEAA—where most of her coworkers are in their 20s and 30s. Now she is being honored as ''Pennsylvania's Outstanding Older Worker,'' and is being recognized as part of Prime Time Awards, a national celebration of the contributions of older workers taking place this week in Washington. Ms. Gontz cites accuracy, timeliness and productivity as contributing to her success. ''I rate myself as a normal person doing my job like I should do,'' she says. Ms. Gontz, you are not a ''normal'' person. You are very rare indeed.

THE URGENT NEED FOR A NATIONAL DRUG EXPERT

HON. JOE BARTON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1999

Mr. BARTON of Texas. Mr. Speaker, I submit the following paper as a request for a constituent of mine from Burleson, Texas. His name is Kenneth Hunter and he collaborated with Prof. Rinaldo DeNuzzo on the following article which cites a need for a federal office with a national drug expert. This is not an endorsement either for or against their effort, but a submission of their idea.

THE URGENT NEED FOR A DRUG EXPERT

In recognition of the dynamic changes which continue to occur in the delivery of health care services in the United States and globally, it is suggested that the President and/or Congress re-establish the office of Apothecary-General which disappeared from the United States Army in the first quarter of the nineteenth century. This skilled health care professional of equal status, while working in tandem with the Surgeon-General, would provide advice and counsel to the office of the President, the Congress and others. This professional with offices in Washington, DC, will serve to coordinate and oversee all aspects of mandated and other programs involving drug use or abuse by the general public, military, veterans, and others.

Originally, the Office of Apothecary was created by action of the American Congress in 1775. The need for such an official became evident to Dr. John Morgan, the second of four Medical Directors of the American Revolutionary Army. Morgan recognized the need for coordination of the valuable skills provided by the apothecaries as well as those by the surgeons. The Congress also established a military hospital to care for the 20,000-man militia involved in the Revolutionary War. As with other medical care personnel, the apothecaries were directed to visit and tend to the needs of those who were sick or wounded.

Dr. Morgan, physician-apothecary, as director of the Department of Hospitals wrote to Dr. Jonathan Potts, deputy director, informing him that ''a warrant to Mr. Andrew Craigie to act as an apothecary'' had been issued. Potts was advised that the appointment of Craigie will be particularly useful due to his experience. ''Without such a one, I know not how you could either procure sufficient medicines for your department or dispense them when got.'' Dr. Morgan was an influential advocate for the separation of medicine and pharmacy in America. He taught pharmacy and is credited with the introduction of prescription writing in America.

Morgan, additionally admonished Dr. Potts ''to make it a part of the duty of mates to assist the apothecary in making up and dispensing medicine.'' He states, ''The Apothecary to all intent is to be looked on in rank as well as pay in the light of the surgeon and respected accordingly and if he is capable, he should in return, do part of the surgeon's duty.'' During the period of 1775–1780, there were several Apothecary-Generals serving in three of the four Revolutionary War Districts. In 1780, a reorganization of the military medical department concentrated all authority in one medical staff, and Andrew Craigie became sole Apothecary-General. He served as such until the end of the War when a treaty with Britain was signed in 1783.

Many apothecaries played vital roles in the American Colonies' struggle for independence. Among them was American military hero Dr. Hugh Mercer, physician-apothecary, who operated a pharmacy in Fredericksburg from 1771 until the beginning of the Revolution. General Mercer suffered wounds and died on the battlefield in 1777. Following his death, the Congress approved a monument to be erected in Fredericksburg with the following inscription:

''Sacred to the memory of Hugh Mercer, Brigadier-General in the Army of the United States. He died on the 12th of January, 1777, of the wounds he received on the 3rd of the same month, near Princeton, NJ, bravely defending the liberties of America. The Congress of the United States, in testimony of his virtues and their gratitude, has caused this monument to be erected.''

Dr. Mercer's historic apothecary shop is currently maintained by the Association for the Preservation of Virginian Antiquities in Fredericksburg, VA. It is open to the public.

Apothecary Christopher Marshall was commissioned by the Continental Congress in 1776, the year the Declaration of Independence was signed, to oversee service given to the needs of soldiers in Philadelphia hospitals. Two years later, the first Military Pharmacopea was issued in Philadelphia.

It is noted that the American Revolutionary War served to provide us with independence and a foundation upon which the practice of pharmacy in America is based. For example, we had shops where medicines for consumer use were used to provide necessary supplies for militia. The role of apothecary was defined by Dr. Morgan as ''Making and dispensing medication.'' Dr. Craigie facilitated the establishment of laboratories and storehouses where medicines were prepared and implemented, and the army apothecary visited (counseled) the sick. From those humble beginnings, we have a pharmaceutical industry which is second to none in the world.

The last Apothecary-General, Colonel James Cutbush was also an author and a teacher. He was appointed in 1814 as assistant Apothecary-General of the United States Army and served admirably during the War of 1812. By an act of Congress in 1815, the Army was reduced to a minimum and many officers were retired. President Madison, the same year, directed that the Apothecary-General and two assistants be retained in the ''Military Peace Establishment of the United States.'' The office of Physician and Surgeon General was abolished and the Apothecary-General became the ranking officer in the Medical Department until 1818, when the first Surgeon General was appointed. As a professor at West Point Military Academy, James Cutbush became a pioneer in the chemistry of explosives.

In support of the proposal to re-establish the office of Apothecary-General nationally, pharmacy practitioners with expertise in drug use and misuse (abuse) make daily contributions to the delivery of medical care. Pharmacists are the most readily available and approachable professionals, often working seven days a week and sometimes 24 hours a day. Frequently, they are the initial portal of entry into medical care by advising the appropriate non-prescription drug for non-serious ailments, championing healthy life styles, and making referrals to other or professionals for needed care when appropriate.

Pharmacists provide the greatest number of professional daily exposures to the population as more than two billion prescriptions are dispensed annually. They also provide a high level of pharmaceutical care by monitoring prescription and non-prescription drug use to insure that therapeutic objectives are achieved. Additionally, for the tenth successive year, the Gallop Poll found that the American consumer ranks the pharmacy practitioner as the most trusted professional in the land.

During the 1986–96 decade, alcoholism and drug addiction were key elements in the explosion in our national prison population. In a recent Columbia University study, the number of inmates in federal, local, and state prisons tripled from 500,000 to 1,700,000. Drugs and alcohol were involved in 80% of the incarcerations. The President's appointments of the last two drug Czars consisted of an educator and a military officer which led to a spirited attempt to solve our war on drugs with *limited positive results*. It is time to appoint a drug expert to solve the problems. Pharmacists' specialty lies in the