While we have seen a growing awareness of this problem in recent years, we still fail to adequately compensate the victims of crime. This bill requires full financial restitution.

H.R. 665 instructs Federal courts to award restitution to crime victims and allows courts to order restitution to people harmed by unlawful conduct. Although victims may receive temporary relief from insurance, the criminal must ultimately pay the amount. If a victim receives compensation from a civil suit, that amount must be reduced by the amount of the restitution order.

For the first time, we establish that criminals must comply with restitution orders made by the court as a condition of probation, parole, or supervised release. H.R. 665 gives judges the authority and leeway to take any action necessary to insure that victims receive proper compensation.

Under H.R. 665, Federal judges must order compensation when sentencing for convictions of Federal crimes. The judge may also order compensation to any other person who was physically, emotionally, or financially harmed by the unlawful conduct.

Judges are given the leeway to consider indirect costs to victims, such as lost income, child care, and other expenses arising from the need to be in court. The judge is not to consider the income or resources of the offender or victim when determining the amount of compensation.

Mr. Chairman, H.R. 665 is an important component in our battle to restore commonsense to our judicial system. It will act as a deterrent to crime and more importantly, shows that Congress is serious about recognizing and addressing the needs of the victims of crime. I urge passage by the House.

TURKEY ESCALATES WAR ON FREE EXPRESSION

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 9, 1995

Mr. SMITH of New Jersey. Mr. Speaker, last October, a Helsinki Commission delegation met with Turkish officials and others in Ankara. With one exception, each and every official, including the Speaker of Parliament, produced a copy of the pro-Kurdish newspaper Ozgur Ulke and waved it in the air as proof that, despite what critics alleged, free expression was alive and well in Turkey.

Last week, Mr. Speaker, Turkish officials decided that the costs of allowing the paper to air its pro-Kurdish sentiments outweighed its value as a token of free expression. On February 3, a Turkish court forced the paper to shut down. This blatant assault on free speech comes within a week of the decision to prosecute Turkey's most widely known author, Yasar Kemal, for publicly stating his thoughts on the government's handling of the Kurdish situation. He now faces charges of separatist propaganda, and now, even those who favor the government's uncompromising hardline towards the Kurds are beginning to question whether the government hasn't gone too far.

Mr. Speaker, Ozgur Ulke's closure culminates an orchestrated campaign which began as soon as the newspaper appeared to fill the void left when a likeminded predecessor was forcibly closed. Censorship of the paper included violent attacks that left 20 reporters and distributors killed by unidentified death squads. At least four others have been kidnapped. The tortured, bullet-ridden body of one reporter was found weeks after he had disappeared. At least 35 journalists and workers of the newspaper have been imprisoned and 238 issues seized. The campaign against the newspaper went into high gear on November 30, 1994, when Prime Minister Ciller issued a secret decree, which was leaked and published, calling for the complete elimination of the newspaper. On December 3, 1994, its printing facility and headquarters in Istanbul and its Ankara bureau were bombed. One person was killed and 18 others were injured in the explosions.

On January 6, 1995, policemen started to wait outside the printing plant to confiscate the paper as soon as it was printed. Copies were taken directly to a prosecutor who worked around the clock to determine which articles were undesirable. Often some three to four pages of the paper, mostly articles about security force abuses, were censored and reprinted as blank sections. Since December, five reporters, who were detained and later released, spoke of being tortured by police attempting to force confessions against the newspaper's editorial board.

Mr. Speaker, last week, the State Department issued its annual human rights report, and only China had as many pages devoted to it as Turkey. While the report indicated that human rights conditions in Turkey had worsened significantly over the past year, the publication of Ozgur Ulke was cited as a positive example of press freedom. Responding to the report, an official spokesperson dismissed its report as biased and based on one-sided information. The spokesperson, repeating assertions made whenever Turkey is criticized for human rights violations, insisted that significant improvements had taken place and other important reforms were being undertaken. Given the countless times we have heard such assertions, it is a wonder that Turkey is not a model of freedom and democracy.

Mr. Speaker, now that Turkish officials do not have copies of Ozgur Ulke to wave at visiting delegations, they will likely search for other props to convince skeptics of their good intentions. I would suggest, Mr. Speaker, that instead of tolerating certain types of expression in order to placate foreign observers, Turkish officials should take real steps to bring policies in line with stated human rights commitments. Free expression and other rights cannot be viewed simply as products of public relations campaigns. If Turkish officials are unwilling to work seriously towards implementing such rights to bring their laws into conformity with international standards, then they cannot expect their pronouncements on human rights to be viewed sympathetically. In this context, Turkish denunciations of the State Department human rights report are as puzzling as they are absurd.

TRIBUTE TO LAWRENCE J. SCHWARTZ

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 9, 1995

Mr. FILNER. Mr. Speaker and colleagues, I rise today to honor a good friend and community leader who passed away this week—Lawrence Schwartz, or Larry to all of his many friends.

I count Larry as one of my closest personal friends and mentors. He was, first and foremost, an educator—like myself, a history professor. He taught U.S. history and political science at San Diego City College from 1966 to 1987, when he left to become president of the San Diego Community College Guild, Local 1931, of the American Federation of Teachers.

As the nation's chief negotiator, Larry established a degree of civility in negotiation that has carried through to today. Faculty salaries at San Diego community colleges increased by 40 percent between 1987 and 1991, due in large part to Larry's rapport and negotiation with administrators.

He never lost touch with students, however. They recognized that Larry's deep involvement with the issues of the day gave depth, conviction, and meaning to his teaching. They responded to the substance of Larry's courses precisely because he gave life to traditionally dry and purely academic exercises.

We both had roots in New York, and our lives converged again in the 1960's when we joined the civil rights movement. Larry was active for years in Democratic political campaigns and served as a delegate to the National Democratic Convention in 1972. He served on the local executive board of the American Civil Liberties Union. He led protests against the Vietnam war.

He was held in high esteem by his students, well respected by his peers, and recognized statewide for his work. He was dearly loved by his friends and his family. My thoughts and prayers are with his wife, Rosalie, and his children.

Educator, union negotiator, activist, husband, father, and friend—Larry had a special bond with everyone he met. He believed, as I do, that one person can make a difference—and his life was a living example of that belief.

We need many more people like Larry Schwartz. He will be missed.

HONORING MORRIS L. SIMON

HON. VAN HILLEARY

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 9, 1995

Mr. HILLEARY. Mr. Speaker, I rise today to honor the memory of Mr. Morris L. Simon, cofounder of the Tullahoma News in Tullahoma, TN, and honorary lifetime vice chairman of the University of Tennessee Space Institute Support Council. It is both an honor and a privilege to ask that this body join me in tribute to Morris L. Simon, an extraordinary man who made a very significant impact on the lives of numerous people in middle Tennessee and who served his fellowman so admirably through the years.

Morris L. Simon was born in Bristol, TN, on June 12, 1911. Mr. Simon originally planned to become a lawyer and entered the University of Tennessee at Knoxville when he was 18 years old. But times were rough in east Tennessee and throughout the country, and the Great Depression dealt Morris' father Mr. Jake Simon, a Bristol merchant, a bitter hand.

Eager to help with the family's finances, Morris walked into the newsroom of the Knoxville News-Sentinel and informed the editors that he wanted to learn to be a reporter. Sorry, they said, they were not hiring.

''You don't understand,'' the young Simon said. ''I said I want to learn to become a reporter.'' They agreed he could go to work, but without pay. As a green reporter, Simon was given night assignments. A lack of sleep and an increasing work load forced him to abandon his studies at UTK after about 2 years.

While at the News-Sentinel, Simon earned a reputation for being an aggressive and competent reporter. By 1945 he was acting managing editor. In spite of his success, he was restless, and the next year he and J. Ralph Harris founded the Tullahoma News, a twice-weekly newspaper that would become the flagship paper of several weeklies started by Simon.

Simon was hard-nosed about news coverage, but he was known as a staunch supporter of projects benefiting the Tullahoma area. After the Air Force established the Arnold Engineering Development Center [AEDC] on the outskirts of town, several efforts were made to establish a graduate school and research institute there. In 1956, UT began a graduate program at AEDC for employees. The success of this program provided the basis for what became the UT Space Institute on September 24, 1964.

When efforts to raise private funds for an institute had failed, Simon became a strong advocate for State involvement. He worked closely with his friend, the late Dr. B.H. Goethert, and community leaders to garner public and political support for the Space Institute. It was Simon's idea to create the UTSI Support Council. He was the group's first vice chairman and now holds the honorary position of lifetime vice chairman.

In addition to supporting the Space Institute financially—he contributed enthusiastically to the establishment of a chair of excellence at UTSI and helped make the B.H. Goethert Professorship a reality—Simon has tirelessly championed causes to foster UTSI's growth and autonomy. In the early 1970's Simon convinced the Tennessee Higher Education Commission to complete the final phase of UTSI's Industry/Student Center. He led efforts in 1975–76 to have the institute recognized as a distinct funding entity within the State's budget process. And in the late 1980's he argued that the institute should be granted full campus status within the university system and that it's chief executive officer be deemed a vice president. in 1987 the UT Board of Trustees approved elevating the institute's chief officer to vice president rank.

UTSI has honored Morris Simon many times over the years. Most recently, the institute's faculty recognized his leadership and vision by contributing more than $20,000 toward establishment of the Morris L. Simon Fellowship. The fellowship announcement at a lecture on November 12, 1993, took Simon by surprise. he accepted the applause in silence, prompting old friends to remark that it was the first time they had seen him speechless. After recovering himself, Simon said simply, ''You could not have done anything to please me more.''

Mr. Speaker, I thank you for this opportunity to bring to the attention of the House the accomplishments of Mr. Morris L. Simon, a truly extraordinary individual whose legacy runs deep in the State of Tennessee.

THE LAW ENFORCEMENT OFFICERS' BILL OF RIGHTS OF 1995

HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 9, 1995

Mr. STUPAK. Mr. Speaker, today, Congressman JIM LIGHTFOOT and I are introducing the Law Enforcement Officers' Bill of Rights.

It will surprise some to find that the same law enforcement officials who lay their lives on the line every day in protecting the rights of American citizens are denied many of these same rights in their workplace. Further, the absence of a standard for investigating police officers for non-criminal activities has, in some cases, subjected law enforcement officials to threats and coercion by superiors or internal affairs divisions, and to arbitrary and unfair remedies to any charges.

Mr. LIGHTFOOT's and my bill is very simple: it would set the time and location for interviews regarding violations; it would require the appointment of counsel to represent the officer under investigation; it would mandate that only one interrogator be allowed to question the suspect during any single session—to avoid the questioning method known as Good Cop/Bad Cop; it would mandate that no questions be asked about an officer's family or financial status; it would put forth a system for reviews; and it would require that the officer being investigated be made aware of the charges he or she is facing, among other fundamental due process rights. Again, this legislation would only apply to officers being investigation for noncriminal offenses.

As noncriminal disciplinary procedures vary widely from State to State, I believe that this important piece of legislation will go a long way to ending these ad hoc approaches to such proceedings and the often arbitrary and misplaced remedies that officers face. Under this legislation, States will have a guide path for such investigations and the rights of an officer, guilty or innocent, will be insured.

Mr. Speaker, this bill could not have been introduced today without the hard work of the Fraternal Order of Police and the National Association of Police Organizations, our country's two largest organizations representing law enforcement officials. Their hard work in this effort reiterates the need and widespread support for such an initiative. Furthermore, President Clinton, as Governor of the State of Arkansas, signed similar legislation into law to apply to officers in Arkansas; and Attorney General Janet Reno testified in the Senate in 1993 that such a bill is working effectively in her home State of Florida and that she has seen no disadvantages to it at all.

In a bipartisan effort, Senators MCCONNELL, from Kentucky, and BIDEN, from Delaware, have introduced this proposal in the Senate. Congressman LIGHTFOOT and I are continuing this bipartisan support in the House of Representatives. This is not a partisan issue. This is a constitutional issue. Law enforcement officials facing disciplinary actions deserve the same fundamental protections granted to every American and I believe that the Law Enforcement Officers' Bill of Rights of 1995 will go a long way to ensuring that these rights are protected.

H.R.—

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Law Enforcement Officers' Bill of Rights Act of 1995''.

SEC. 2. RIGHTS OF LAW ENFORCEMENT OFFICERS.

(a) IN GENERAL.—Part H of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3781 et seq.) is amended by adding at the end the following new section:

''RIGHTS OF LAW ENFORCEMENT OFFICERS

''SEC. 819. (a) DEFINITIONS.—In this section—

'''disciplinary action' means the suspension, demotion, reduction in pay or other employment benefit, dismissal, transfer, or similar action taken against a law enforcement officer as punishment for misconduct.

'''disciplinary hearing' means an administrative hearing initiated by a law enforcement agency against a law enforcement officer, based on probable cause to believe that the officer has violated or is violating a rule, regulation, or procedure related to service as an officer and is subject to disciplinary action.

'''emergency suspension' means temporary action imposed by the head of the law enforcement agency when that official determines that there is probable cause to believe that a law enforcement officer—

''(A) has committed a felony; or

''(B) poses an immediate threat to the safety of the officer or others or the property of others.

'''investigation'—

''(A) means the action of a law enforcement agency, acting alone or in cooperation with another agency, or a division or unit within an agency, or the action of an individual law enforcement officer, taken with regard to another enforcement officer, if such action is based on reasonable suspicion that the law enforcement officer has violated, is violating, or will in the future violate a statute or ordinance, or administrative rule, regulation, or procedure relating to service as a law enforcement officer; and

''(B) includes—

''(i) asking questions of other law enforcement officers or nonlaw enforcement officers;

''(ii) conducting observations;

''(iii) evaluating reports, records, or other documents; and

''(iv) examining physical evidence.

'''law enforcement agency' means a State or local public agency charged by law with the duty to prevent or investigate crimes or apprehend or hold in custody persons charged with or convicted of crimes.

'''law enforcement officer' and 'officer'—

''(A) mean a member of a law enforcement agency serving in a law enforcement position, which is usually indicated by formal training (regardless of whether the officer has completed or been assigned to such training) and usually accompanied by the power to make arrests; and

''(B) include—