

side of the debate. As in 1974, abortion remains highly controversial and a threat to the support of the program. It would be inappropriate for Congress to fund either side of the right to life/right to abortion struggle.

Prohibits training for political purposes (Section 18)

This prohibition has been in appropriation riders since 1982 and reflects Congress' concern about political activity by legal services attorneys.

Elimination of the regional resource centers (Section 14)

These regional resource centers have proven to be a bed of controversy where research, training and technical assistance have been used to promote a particular agenda, not necessarily to the benefit of the poor. The Legal Services Administration Act practically gave these Centers carte blanche authority to pursue their social agendas.

ACCOUNTABLE

Requires local boards to set and enforce priorities (Section 10)

Our bill requires local boards of directors of LSC recipients to set and monitor priorities for the use of recipient resources. We feel strongly that deviating from those priorities should be the exception, not the rule; our bill would require staff attorneys to follow an established procedure when an emergency requires taking a case that is outside the specific priorities set by the local Board.

Allows clients to affect priorities by modest co-payments (Section 19)

Some observers of the Federal legal services programs see the number of cases taken by LSC recipients involving drug dealers as a symptom that programs are often out of touch with client concerns. Requiring a modest co-payment will help insure that resource allocations reflect client priorities. Co-payments would allow clients to feel a sense of dignity and control and the lawyers would be held accountable by their clients.

Requires keeping time by type of case and source of funds (Section 9)

Today—no one—not Congress, not the LSC, not the recipients themselves, can determine whether one program is more or less efficient than another. It may take one program 4 lawyer hours to handle a type of case which takes another program 12 lawyer hours to handle. The taxpayers have a right to know exactly what they are getting for their money. Accountability depends on knowing where a grantee spends its time and money. Currently no one knows.

Organizations to compete periodically to obtain federal funding (Section 13)

The genesis of protection Congress gave to existing LSC recipients was concern that a hostile Administration would replace grantees on ideological grounds. To the extent that threat ever existed it has passed. The presumption that a grantee will be refunded has meant an existing grantee will be funded again no matter how poorly it performs or complies with Congressional mandates.

Competition generally produces innovation, efficiency and excellence. It is hard to believe that, if competition involving complex weapons systems—long resisted by the defense industry—has produced the F15, the best fighter of its generation and the Advanced Tactical Fighter—then competition will not produce better delivery systems for legal services to the poor.

We have defined our proposed competitive bidding system in Section 13 where we note that this competition is not in the sense of the least cost program that might be offered but rather competition in the sense of quality and variety in the type of service that a program might offer.

Application of waste, fraud and abuse laws (Section 5)

There is no disagreement that the federally funded legal service program should be subjected to the same rules as other federal programs.

Prevention of evasion of congressional restrictions (section 24)

In 1981 the GAO found that a number of legal services recipients had set up mirror corporations to evade Congressional restrictions. That must not happen again. If a group of lawyers want to engage in activities which Congress prohibits, they should not be set up and controlled by federally funded recipients.

Attorney client privilege defined

Recently the GAO was asked to investigate legal services practices in a particular industry but reported it was unable to reach any conclusions because it was denied access to records and documents by LSC grantees. While we do not want to preclude legitimate claims of attorney client privilege, we should not allow exaggerated claims to shield programs from legitimate oversight.

Appointment of corporation president (Section 23)

This section changes the way in which the president of the Corporation is appointed making him serve at the pleasure of the President of the U.S. upon the advise and consent of the Senate. Presently, the president of the corporation is elected by the Board. This will serve to bring more accountability to the LSC.

Naming plaintiffs and statements of fact (section 7)

Private parties who are sued by Federally funded LSC attorneys are often at a tremendous disadvantage. They are generally not lawyers and must bear the often considerable expense of hiring legal counsel. Demands for money damages often strain or exceed their ability to pay. Our bill attempts to help such citizens by requiring, under most circumstances, that they know who is bringing the complaint and that a statement of facts by the plaintiff is on file. The potential defendant can then intelligently evaluate whether to settle or litigate.

No attorneys fees from private defendants (section 14)

Private parties who are sued by Federally funded attorneys pay four times: (1) their taxes, (2) their own attorneys fees, (3) a money judgement and (4) the attorney's fees of taxpayer funded attorneys who sued them. We don't think that is fair. Our bill provides that while government defendants would still be liable for attorneys fees, taxpayers would not be required to pay the attorneys fees of taxfunded lawyers.

ELEVENTH ANNIVERSARY OF THE MASSACRE AT THE GOLDEN TEMPLE

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 1995

Mr. BURTON of Indiana. Mr. Speaker, this past Saturday, June 3, marked the 11th anniversary of a very dark day in India's history—the Indian Army's assault on the Sikhs' Golden Temple in Amritsar. On that date in 1984, the Golden Temple in Amritsar, the holiest shrine of the Sikh nation, was brutally attacked by 15,000 Indian troops.

The brutal assault on the temple was timed to occur on a Sikh holiday. Simultaneously, 38

other Sikh temples throughout Punjab were attacked. Over 20,000 Sikhs, mostly civilians, were killed during the month of June.

At the Golden Temple, hundreds of people were herded into tiny rooms, where many died of asphyxiation. Many Sikh women were raped and then murdered. One hundred Sikh students between the ages of 8 to 12 were lined up in front of the temple's sacred pool and asked one by one to denounce the movement for an independent Sikh nation named Khalistan. One by one the children refused to do so and were shot in the head.

These types of horrible atrocities have become routine in Punjab, in Kashmir, and in other areas under India's control. India has over a half-a-million troops in Punjab and another half-a-million in Kashmir who are brutalizing those people—raping women, torturing prisoners, murdering civilians. Countless thousands of Sikhs, Moslems, and Christians have been murdered by Indian soldiers and paramilitary forces. This brutality has led the Sikhs of Punjab to seek independence so that they can enjoy the blessings of life, liberty, and the pursuit of happiness. The Indian Government should understand that its brutal campaign of terror will not wipe out this movement, it will only add fuel to the fire.

The Indian Government must be called to account for its crimes and human rights violations. It has become notorious for its disrespect for sacred religious sites. In 1992, Hindu mobs sacked the Mosque at Ayodhya. Just last month, Indian forces in Kashmir gutted the ancient Moslem shrine at Charar-e-Sharief on a Moslem holiday. The democracies of the world must not turn a blind eye on these heinous acts.

I hope all of my colleagues will join me in making the 11th anniversary of the attack on the Golden Temple by calling on India to begin to respect the human rights of all people.

THE WELFARE SYSTEM

HON. RON PACKARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 1995

Mr. PACKARD. Mr. Speaker, today President Clinton suggested that Republican welfare proposals would give States incentive to cut loose the poor in order to save money simply by throwing people off the welfare rolls. Frankly, nothing could be further from the truth and the Clinton administration knows it.

The President has expressed skepticism of plans that give more authority to the States, yet the States have a proven track record on welfare reform and we should move the responsibility for welfare programs out of Washington and back to the States. The only examples of successful welfare reform have come at the State level, led by Republican Governors. Furthermore, as Governor of Arkansas, the President urged increased authority to the States.

The President continues to defend a failed system that even most welfare recipients do not believe in. The current system has resulted in increased poverty, dependency, and violence. The poverty rate today is higher than it was when Lyndon Johnson launched the war on poverty in 1965, even though trillions