1940, when the number of African-American lawyers barely exceeded 1,000 nationwide, the NBA attempted to establish ''free legal clinics in all cities with a 'colored' population of 5,000 or more.'' The NBA was only 25 years old when the Supreme Court outlawed segregation in Brown versus Board of Education. This decision culminated a long struggle by African-American lawyers such as Thurgood Marshall, the first African-American U.S. Supreme Court Justice, and U.S. District Court Judge Constance Baker Motley, the first African-American female Federal judge.

In the 1980's, the NBA was signatory on two *amicus curiae* briefs in cases decided by the U.S. Supreme Court: a title VII case in which a female associate brought suit against a large law firm and the justices ruled that partnership decisions must comply with Federal employment discrimination laws; and a brief protesting the criminal contempt conviction of Howard Moore, Jr., a nationally prominent civil rights attorney cited for criminal contempt and fined $5,000 on the basis of a single question asked of a witness to determine racial bias during his cross-examination in the case. The conviction of Mr. Moore, if allowed to stand, would have had a chilling effect upon the African-American lawyer's right to fairly and strenuously advocate on behalf of his client.

In recent years, the membership of the National Bar Association have been concerned with a wide range of projects:

Conducted commercial law seminars in urban centers throughout the U.S. pursuant to a grant from the Minority Business Development Agency, U.S. Department of Commerce.

Condemned South African apartheid and called for immediate economic sanctions against this racist regime.

Held the first national black-on-black crime conference.

Launched the NBA minority bar involvement project, with funding from the Legal Services Corporation, which awarded grants to 12 subgrantee organizations for the delivery of *pro bono* or reduced legal fee services.

Cosponsored a voting rights conference with Operation PUSH and the NAACP Legal Defense Fund, which was aimed at mapping litigation and enforcement strategies.

The National Bar Association deserves to be commended for its efforts as they continue to labor in the vineyard for equal justice under the law. Members of the NBA serve their communities as judges, legislators, and public servants. Today, I congratulate the National Bar Association and its membership for their leadership role in the legal profession and their respective communities across the country.

CELEBRATING SGT. MAJ. PHILLIP HOLMES ON HIS RETIREMENT

HON. ESTEBAN EDWARD TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 4, 1995

Mr. TORRES. Mr. Speaker, I rise today to recognize Sgt. Maj. Phillip J. Holmes, who is retiring after 30 years of distinguished service to the U.S. Marine Corps Reserves.

Sergeant Major Holmes entered the Marine Corps in July 1962 and served with distinction until December 1965. Upon his release from active duty he returned to his native Wisconsin. However, in August 1971, a call to duty resulted in his reenlistment with the Marines as a reservist with F Company, 2d Battalion, 24th Marines, USMCR Milwaukee, WI.

In July 1973, he moved to Whittier, CA. Sergeant Major Holmes moved through the ranks of the Marine Corps Reserves quickly. He was promoted to sergeant, August 1972, staff sergeant, October 1974, gunnery sergeant, May 1978, 1st sergeant, January 1984, and finally to sergeant major in January 1990.

Throughout his tenure with the Marine Reserves he also has been an active member of the Whittier community. With five children who grew up and attended Whittier Union High School, Sergeant Major Holmes and his lovely wife Barbara, were supportive and involved parents in many school activities.

Sergeant Major Holmes also earned various awards and honors for his service to our country. He was presented with the Marine Corps Good Conduct Medal, Armed Forces Expeditionary Medal, Vietnam Service Medal, National Defense Medal with Four Stars, Armed Forces Reserve Medal, Navy Unit Commendation Medal, and the Meritorious Unit Commendation with One Star.

Mr. Speaker, it is with great pleasure that I thank Sergeant Major Holmes for his years of service to our country, and ask that my colleagues join me in wishing him continued success in all his future endeavors.

DEFENSE AND HIGH TECHNOLOGY

HON. WAYNE ALLARD

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 4, 1995

Mr. ALLARD. Mr. Speaker, I believe that our job is to ensure that the United States maintains the strongest and best defense in the world. When constructing a defense budget, we must always give top consideration to the needs of the men and women in the armed services who put their lives on the line to keep this country free. These men and women deserve the best technology and protection that we can give them.

Obviously, at this time of fiscal restraint and budget tightening, we need to consider how we can best make use of our limited defense dollars. Since 1985, defense spending has fallen 35 percent in real terms. Now, that the Soviet threat is gone, some have argued that we can slash our defense budget without any consequence. I disagree with this. We do not know which regional power will be the next threat. Today, we have more rogue states with more firepower than ever before. There are also an increasing number of destructive weapons available for the highest bidder.

The new world does not have a single threat, but many. That is why the United States needs to retain a top-notch military. I believe the best way to do this is by using the best and most advanced technology at our disposal. Rather than just replacing old weapons and machines, the priority should be on developing new technologies for more enhanced equipment.

I strongly endorse balancing the budget and reducing the size of Government. The Pentagon should not be exempt from this process. By using technology and smart business practices, the Pentagon can keep our soldiers and country safe with a smaller budget.

INTRODUCTION OF BILL TO HONOR SERGEANT RUBEN RIVERS WITH THE CONGRESSIONAL MEDAL OF HONOR

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 4, 1995

Mr. MILLER of California. Mr. Speaker, together with 63 other Members of the House, today I introduce a bipartisan bill that would enable the President to award posthumously the Congressional Medal of Honor to Sgt. Ruben Rivers.

In 1944, a serious injustice occurred. Although Sgt. Ruben Rivers showed extraordinary courage and sacrificed his life for his country during World War II, he nonetheless was passed over by his superiors for the Congressional Medal of Honor. It is most appropriate that we reconsider Sergeant Rivers for the medal this year, while we are commemorating the 50th anniversary of the end of World War II.

Sergeant Rivers was part of the all-black 761st Tank Battalion. The battalion was called upon by General Patton to liberate Bougaltroff, France from Nazi control. During a fierce battle, Rivers drove his tank over a mine and was injured, his thigh lacerated to the bone. Rivers was ordered by his commander to retreat to safety for medical treatment. Sergeant Rivers not only refused to abandon his fellow soldiers, he also refused morphine so that he could remain alert and continue fighting. Rivers fought on for days until he was killed during another battle while trying to knock out Nazi positions firing on his company. Rivers, from Tecumseh, OK was 25 years old. Sergeant Rivers' nephew, former Richmond Mayor George Livingston, lives in Richmond, CA, in my district.

Capt. David Williams, a white officer, immediately recommended to his superiors that Rivers receive the Medal of Honor posthumously. As was the case with other black soldiers, the recommendation for Rivers was never acted on. The Department of the Army establish a 1952 deadline for conferring the Medal of Honor for service in World War II. This bill waives that deadline for Sergeant Rivers, thereby enabling the President to present the medal to Rivers' sister, who is still alive and is fighting for this recognition.

To date, no African-American has received the Congressional Medal of Honor for service in World War II, even though over 1.2 million black soldiers served in that war. This blemish on our Nation's history should be wiped clean, and we should start by allowing the Department of the Army to reconsider Sergeant Rivers for the Congressional Medal of Honor.