brought whole cartels of drug dealers down in his work, and he was dedicated. Every day he worked the longest hours, did the best job, and as Louis Freeh said, the FBI Director who came to his funeral in Montgomery County, PA, this week, he said this was a fallen hero, a man who is a role model for all FBI agents. He was the first FBI agent to be killed from the Philadelphia area in the history of the department. He is someone who is a great loss because he was a wonderful father, a loving husband, and a great community leader, and he epitomizes for me what is great about America.

The war against drugs will go on, and there will be awards named in his honor because as an American hero, I salute him, this Congress salutes him, and a grateful Nation says we will keep the fight up, we will prevail, because of the agents like Chuck Reed, who really make a difference and their lives have meant so much to so many. God bless you, Chuck Reed.

A TRIBUTE TO PFC. FLOYD E. BRIGHT

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas [Ms. JACKSON-LEE] is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I want to reach out today to Mr. and Mrs. Floyd Bright of my community in Houston, TX, and speak to them on behalf of this Nation and this Congress to acknowledge that along with the entire Houston community this Nation is saddened and diminished by the loss of one of our finest young citizens, Pfc. Floyd E. Bright, who lost his life in the service of his country on March 22, 1996, while on duty in Bosnia and Herzegovina.

In behalf of myself, my congressional colleagues, and fellow Houstonians, I would like to express our heartfelt condolences and sympathy for the family of Private Bright and to say to them that we share their loss.

Neither his country nor the community will ever forget Private Bright's sacrifice, and we hold his memory in the highest honor.

We also honor and hold in the same high esteem the supreme sacrifice that has been made by his family. We share their grief and feel deeply what it means to lose a child, a shining light gone out far too soon. Private Bright was a graduate of Lamar High School in Houston and attended San Jacinto Community College. All who knew him would acknowledge him as a person of extreme curiosity, friendliness, and a willingness to serve. How lucky we are as Americans that we have the kinds of young people that will go forth and serve their country.

It reminds us of the very special and solemn responsibility of this Government, this President, this U.S. Congress to ensure in all times that we stand for what is right in this world, that we respect the fact that we must respect and love our young men and women and acknowledge that anytime that we can assist them in staying away from harm's way, we should take up the charge.

To the family of Private Bright, let me again say we honor you and respect you and love you, and we shall remain forever proud of him and so shall his country which he served so very well.

The entire Houston community is saddened and diminished by the loss of one of our finest young citizens, Pfc. Floyd E. Bright, who lost his life in the service of his country on March 22, 1996 while on duty in Bosnia and Herzegovina. On behalf of myself, my congressional colleagues, and fellow Houstonians, I would like to express our heartfelt condolence and sympathy for the family of Private Bright and to say to them that we share their loss. Neither his country nor this community will ever forget Private Bright's sacrifice, and we hold his memory in the highest honor. We also honor and hold in the same high esteem the supreme sacrifice that has been made by his family. We share their grief and feel deeply what it means to lose a child, a shining light gone out far too soon.

Private Bright was a graduate of Lamar High School in Houston and attended San Jocinto Community College. We shall remain forever proud of him, and so shall his country, which he served well.

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THE MICHAEL NEW CASE

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentleman from Maryland [Mr. BARTLETT] is recognized for 60 minutes as the designee of the majority leader.

Mr. BARTLETT of Maryland. Mr. Speaker, we want to spend a few minutes this afternoon looking at the very special case of Specialist Michael New. His name is out to a number of our people, but some may not be familiar with this case and the issues involved here.

Michael New is the son of missionary parents. He was home schooled. He volunteered for the military. He was stationed in Germany. The group he was with was being moved to Macedonia. As a part of that move, they were told that they had to wear the insignia of the United Nations.

Specialist New took the position that the oath he took when he entered the military was to defend and protect the Constitution of the United States; that he had not taken an oath to defend and protect the charter of the United Nations.

Now, in the helicopter accident over Iraq, when several of our military personnel were killed, the Vice President, AL GORE, went to their parents and told them they should be proud of their sons who died as U.N. soldiers. Specialist New had the conviction that if he were to wear the insignia of the United Nations, that he would become, as the Vice President indicated, he would become a U.N. soldier, and he thought that this was a violation of the oath he took to protect and defend the Constitution of the United States.

He would gladly have gone to Macedonia as a U.S. soldier assisting in a U.N. operation. Our military personnel did that by the thousands in Korea. We were there and lost many lives over a number of years, but not one of our soldiers there was a U.N. soldier. They were all U.S. soldiers.

What Specialist New was asked to do was something he felt was very different than this. He felt that he was being required to change his allegiance to the Constitution of the United States to the charter of the United Nations, and he was not willing to do this.

He was told in his training that he was not to obey an unlawful order. Let me read to you from the 1990 Army field manual. U.S. soldiers are instructed that, quoting from the manual,

> Moral courage is as important as physical courage. Do not ease the way for others to do wrong. Stand up for your beliefs and what you know is right. Do not compromise your professional ethics or your individual values and moral principles. If you believe you are right after sober and considered judgment hold your position.

This is precisely what Specialist New did. He had no problem in going to Macedonia. He would have willingly gone. As a matter of fact, he is a decorated soldier, once for saving the life of a comrade, and a second time for saving the eyesight of a comrade. So he was not trying to avoid a dangerous situation.

His concern was the concern of conscience, that he could not in good conscience transfer his allegiance from the Constitution of the United States to the charter of the United Nations. He was court-martialed for this, and it is now under review within the military, but he was court-martialed, and he is to be given a bad conduct discharge.

I have some charts here that will help us to understand how we got where we are. Let me put the first one up.

As you can see in this chart, this defines the relationship between the U.N. charter and the law that regulates or controls how we relate to the United Nations. This is the United Nations Participation Act of 1945.

In the U.N. charter, there are two chapters of relevance here. The first of those chapters is chapter 6. Chapter 6 relates to peace observations. It defines the role of the United Nations in peace observations. Chapter 7 defines the role of the United Nations in peace enforcement. There are significant differences between peace observation and peace enforcement.

Now, the United Nations Participation Act of 1995 is the law which determines how we as a country relate ourselves to these two chapters of the United Nations. Interestingly, the two sections of this law, the Participation Act, are section 6 and section 7. But as you can see from the chart here, section 6 relates to chapter 7, which is

peace enforcement, and it clearly requires prior congressional approval.

Section 7 of the United Nations Participation Act, as you can see, relates to chapter 6, and this requires no congressional approval. But there are some limitations here. There cannot be more than 1,000 troops worldwide, and they have to be noncombatant troops.

Now, which was this operation? Macedonia is a part of the overall ex-Yugoslavia operation. There have been a number of U.N. resolutions relative to it. Which one was this?

This is a letter from the President, written by Bill Clinton to then Speaker of the House Thomas Foley, and this is justifying his order to deploy U.S. troops to Macedonia as a part of the overall effort in what used to be Yugoslavia, which, of course, includes Bosnia.

Here is the significant statement. The President said that this was under chapter 6 of the U.N. charter.

But let us look now at the position that the United Nations has taken relative to this. There have been 97 U.N. Security Council resolutions and 13 U.N. Secretary General reports that relate to the Yugoslavia situation and Bosnia and all of the missions, including Macedonia, which are associated with that. Of these 97 U.N. Security Council resolutions, 27 of these resolutions specifically refer to chapter 7. They say that it is a chapter 7 operation.

Interestingly, not one of them, not one of them refers to this operation as the chapter 6 that the President said it was. So we have now a major difference between what the President said it was and what 27 resolutions of the United Nations said this operation was.

Now, if it in fact was, and let me go back to the first chart here, if in fact it was a chapter 6 operation, then no congressional approval would be required. But the United Nations in their 27 resolutions said very clearly that it was a chapter 7, and if it was chapter 7, then it clearly requires prior congressional approval. There has been no congressional approval.

This next chart is from some of the specific resolutions, and this is language which makes it even clearer that they have not made an error in designating it a chapter 7, determined to ensure the security of UNPROFOR and its freedom of movement for all of its missions, and to these ends under chapter 7. So this is another clear indication from 1 of the 27 resolutions that I mentioned, a clear indication that the United Nations felt that this was clearly a chapter 7 activity.

We now go to several more of these. They used the kind of words that are consistent only with a militarized peace enforcement activity, or chapter 7. ''Demilitarization, protect, interpose, prevent hostilities.'' These are not descriptions of an observation force. These are descriptions of an enforcement force. So it is very clear from all of these resolutions in the United Nations that the United Nations felt this was a chapter 7, not a chapter 6.

It is interesting that the administration has now admitted that it was a chapter 6, but they say, surprisingly, and let me go back to the first chart here, they say surprisingly it can be a chapter 6, but it can still relate to section 7 of this act. This, of course, is impossible. There is no way that you can construe section 6 of the United Nations Participation Act to be consistent with chapter 6 of the U.N. charter.

So here we have the basis of the problem, Specialist New taking the position that he should not have to wear the insignia of the United Nations, that that transfers his allegiance, and his problem with this order which has led to the larger question of whether or not this was a lawful order.

There are two levels of whether it is lawful. The first is even if it was a lawful mission, and it would appear that the President did not have the right to send the troops there because he had not had congressional approval and the United Nations said clearly it was a chapter 7, but even if he had the right to send the troops there, there is still the question of whether or not he could send our troops there as U.N. soldiers.

Now, this gets into a third area, which is a broader one and a very interesting one, and that is one which has needed resolution for quite a while now. The Congress tried to do this in the so-called War Powers Act.

There is in the Constitution the clear prescription of the responsibility of the Congress, and there is the clear prescription of the responsibility of the President. But between those two clearly defined areas there is a major gray area. I think that this has occurred because the Framers of our Constitution could not have anticipated the kind of world that we would be living in in 1996.

Let me read from the Constitution the responsibilities of the Congress, because I think it is well to go back to the original language. The responsibility of the Congress is to declare war. It is to raise and support armies. It is to provide and maintain a Navy. Then, very significantly, to make rules for the government and regulation of the land and naval forces. I am reading from article I, section 8 of the Constitution.

Now, if I go to the powers of the President, let me read the powers of the President relative to the military. They are taken from article 2, section 2. ''The President shall be commander-in-chief of the Army and the Navy of the United States and the militia of the several states when called into actual service of the United States.''

Now, there may be a grammarian's argument as to ''when called into the actual service of the United States,'' what does that refer to? Does it refer to the Army and the Navy and militia, or is it restricted to the militia alone?

To determine what our forefathers had in mind, one needs to go back to put their statement in the context of the time. Remember when this was written, the fastest way one could travel on land was on horseback. Ordinarily armies marched. The fastest way to travel at sea was in a sailing boat. Clearly, nothing was going to happen very quickly in this kind of a world. I doubt that our forefathers ever envisioned that there would be a need to commit the troops before Congress had the opportunity to discharge its responsibilities.

Again, let me read the responsibilities of the Congress to discharge its responsibilities. Let me read the responsibilities of the Congress to declare war. Now, sending troops in harms's way, where a number of thousands of them, as happened in Korea, could be killed, I am sure, and were killed, I am sure our forefathers would have envisioned this as the equivalent of declaring war.

Now, to decide to send our troops to Macedonia in this operation there, I am sure they felt would come under either that declaration of war, or under to make rules for the government and regulation of the land and naval forces.

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So we have a problem today, and that problem is that our military today must act in a fashion that our forefathers could never have imagined that they would need to act. For example, if an enemy in Asia were to launch an intercontinental ballistic missile and we knew the moment they launched it, it would be here in half an hour, that is clearly not time for the Congress to be convened and to make a declaration of war. Clearly our President has to have the ability to respond to that threat.

Nobody wants to deny the President the opportunity to respond to that threat and others that may not be so severe and imminent but may not permit the Congress to convene and to go through the formal declaration of war.

But there are many activities that our troops have been engaged in in the past and are now being engaged in which fall in this gray area. Clearly, clearly it was no great urgency that we send our troops to Somalia, no great urgency that we send them to Haiti, no great urgency that would have precluded the Congress from meeting that we sent our troops to Macedonia or to Bosnia. Yet in each of these instances, the President felt as Commander in Chief that he had the authority to commit our troops there.

So this case of Specialist New has unearthed this much larger area, and that is what are the constitutional prerogatives of the Congress and what are the constitutional prerogatives of the President. This case is now going to foster a debate on this very important subject.

Mr. Speaker, there have been disagreements among Presidents and Congresses. When we had a Republican President and Democrat Congress, we had a disagreement. We have that same

disagreement now that we have a Democrat President and a Republican Congress. So Specialist New unwittingly, I think, has opened up this larger venue, an issue that really needs to be addressed. The Congress has the responsibility of funding the military, to raise and support armies, to provide and maintain a Navy.

If the President can commit our troops to have expensive ventures, then it could be argued that he has wandered into the congressional area of responsibility because we cannot commit troops without committing the moneys that are necessary to support them. So these are some very important issues that need to be addressed.

Also there is another area of the Constitution that those who are pursuing legally the Specialist New case have mentioned. That is article I, section 9, which they think made the command that he got to put on the U.N. insignia not only a lawful command but a United States constitutional command.

Let me read that and my colleagues use their judgment as to what they think our forefathers meant by this. Let me read the whole paragraph. It is the last short paragraph in article I, section 9: No title of nobility shall be granted by the United States, and no person holding any office of profit or trust under them—that certainly includes the military—shall, without the consent of the Congress, accept of any present, emolument, office, or title, of any kind whatever, from any king, prince, or foreign state.

Specialist New made the argument, we will remember, that he felt that being required to put on the insignia of the United Nations and then fighting as a United Nations soldier and, as the Vice President has said, dying as a United Nations soldier if dying in that fight, that he transferred his allegiance from the oath he took to defend and protect the Constitution of the United States to the charter of the United Nations. He felt this to be an unlawful order. He felt that this was a violation, and those who are pursuing his case agreed, that this is a violation of article I, section 9 of the Constitution that prohibits this action without the consent of the Congress.

There has been no consent of the Congress.

Mr. Speaker, this case is now going through the military court process. It is going through the appeals there. It is now being reviewed by a senior officer who will indicate shortly whether or not he concurs with the decision that was made by the court-martial.

Let me mention, by the way, to make something very clear here that in this court-martial, the judge in the court-martial instructed the jury that it was beyond their pay grade to consider whether or not this was a lawful order. The word he used was that this had some political overtones and that this could not be decided in the military courts. So he instructed his jury that they had to consider that this was a lawful order.

Mr. Speaker, if we consider it was a lawful order, obviously he did not go by the order. So the court-martial was no great surprise once we have the prescription that the jury had to consider this a lawful order. But the judge has made the point, as I read earlier, that he is willing to hear this argument after it has gone through the military courts. It is not that he has rejected the argument of Specialist New. It is just that he does not think this is an appropriate time for this to be heard in the civilian courts, in the Federal court system.

As a matter of fact, in that last statement I read, he held the door open not just a little but he held the door open a great deal. He said, once the military proceedings are completed, and I would gather that he does not expect because of the position of the military that Sergeant New is going to get the kind of decision he wants, once the military proceedings are completed, Specialist New may either move to reopen this proceeding or file a new petition for a writ of habeas corpus.

He had earlier said in his conclusions, just the page before, that the court takes his allegations very seriously. The court has taken them seriously, he says.

So where we are now is that this case is proceeding through the military courts. It is now being reviewed by the senior officer. If that review, if he upholds the court-martial decision, then there is a formal appeals process and Specialist New's lawyers—who, by the way, are providing their services pro bono; they have recognized that this is a case that goes far beyond the heartfelt conviction of this young man—that this is a case that will be important in defining, helping to define the relationship between the President and the Congress and may go a long way to avoiding the kind of indiscriminate deployment of our troops around the country that many view are not necessarily in our vital national interest and would sap large amounts of money from the limited funds that we have to maintain a military that we desperately need to protect us against real enemies now and in the future.

I hope that in the military courts that Sergeant New gets satisfaction. If they continue to take the position that his order was lawful, then he will not get satisfaction there, and it will move in due time into the Federal courts. We need a dialog all across America. The great wisdom of the country is not the 545 people who are inside the Halls of the Congress here, inside the beltway. The great wisdom of the country is out all across America.

We need a dialog across America so that we have an input from our constituents in all of our districts across the country because we may need legislation in the Congress. We may need legislation here in the Congress to solve the problems that are brought out by Specialist New's courageous action. We would like our citizens to become very knowledgeable on this subject. We would like them to research the Constitution. We would like them to search their conscience, and we would like them to communicate with their legislators so that we have the advantage of an input from our constituents when we come to the point that we make a decision whether or not we are going to offer legislation and the kind of legislation that we are going to offer.

There is, apart from the legal arguments here, the recognition that here we have a brave young man, who has been twice decorated, once for saving the life of one of his fellows, and secondly for saving the eyesight of another. He is a medic, by the way. And he has now taken a position of conscience. In an America where increasingly anything goes and where we are more appalled each day by the kind of fare that we get over our radios and our televisions, we ought to stand up and applaud a young man who at great risk to his future takes a courageous position like this.

However this comes out, and I have to believe that not only is Specialist New going to be exonerated but that we are going to have the opportunity to enact some very important legislation that will define the roles of the Congress and the President so we do not have the kinds of misunderstandings that have come up not just during this administration but previous administrations as well, but whatever happens in this, I think that we need to remember that this is a brave young man who has taken a position of conscience.

Mr. Speaker, how many of us would have had the same kind of courage to risk a bright future by taking a position of conscience like this? He could have rationalized it: This is somebody else's problem. I am just a lowly specialist. I do not need to take, to dig my heels in and take this position.

He did not do that. He did what I hope more and more of us across the country do every day. That is to recognize that we have a responsibility.

Let me read again, let me read again from the Army field manual. I will close with this because I think this speaks the minds and the hearts of most of our people:

Moral courage is as important as physical courage. Do not ease the way for others to do wrong. Stand up for your beliefs and what you know is right.

America, we need more of this. Do not compromise your professional ethics or your individual values and moral principles. If you believe you are right after sober and considered judgment, hold your position.

Mr. Speaker, this was not only great advice for Specialist New and every other brave young person who has volunteered for our military, it is also great advice for all the rest of us. My hat is off to Specialist New and his position of courage.

I hope that everyone out there will become better informed about this and will convey to their Representatives what they would like them to do in solving the problems that have been brought up by this very special case of Specialist New.

THE GOLDEN EAGLE AND VULTURE AWARDS ''COME SHOP WITH ME CAMPAIGN'' UPDATE

The SPEAKER pro tempore (Mr. GUTKNECHT). Under the Speaker's announced policy of May 12, 1995, the gentlewoman from Ohio [Ms. KAPTUR] is recognized for 60 minutes as the designee of the minority leader.

Ms. KAPTUR. Mr. Speaker, a little over a year ago, our Jobs and Fair Trade Caucus brought together a small coalition of working women, consumer groups, and Members of Congress to launch what we have called the come shop with me campaign, a campaign to educate the American consumer about the link between the loss of U.S. jobs here at home, high prices, static wages, sweatshop working conditions in the developing world and even in some places here in this country and the record profits being made by certain multinational companies which keep U.S. prices high while relentlessly moving our jobs offshore.

We illustrated this link between loss of U.S. jobs and trade by targeting specific corporations, going to stores and checking prices, scouring annual reports and newspaper clippings, and most importantly, talking to consumers and workers, getting their side of the story.

Mr. Speaker, today we embark on a golden eagle campaign to recognize and reward fine U.S. companies that exemplify the best that is in us as a nation. Simultaneously, we will identify those companies and chief executive officers whose behavior is not exemplary and deserve to be labeled only as corporate vultures.

The corporate vulture label will be given to American corporations which are in need of vast improvement. These are the ones which exploit our marketplace yet have downsized their work forces, which have outsourced most of their production to foreign countries, which use sweatshop labor abroad and then import these transshipped goods back to the United States, keeping their prices high here at home and maintaining a shell company in our country, even while enjoying all of the benefits of being called an American company.

The vulture, a predator and a scavenger, is an appropriate symbol for identifying U.S. corporations that exploit foreign workers while getting fat on the backs of American consumers and giving back almost nothing in return.

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But let us begin on the positive side of the ledger with our first award, the Golden Eagle Award, and we will do one of these each month between now and the end of this fiscal year. This very prestigious Golden Eagle Award recognizes a U.S. firm and its chief executive officer who exemplified the best in business behavior. We are proud of them as citizens of this great country. The Golden Eagle Award will be presented to a U.S. firm that treats its workers with dignity while making decent profits, resists the tide of downsizing and outsourcing production, contributes to the strengthening of our communities, charges a reasonable price for its products, and remains and prospers in the United States of America.

I am very pleased to present the first Golden Eagle Award on behalf of our caucus, along with a new U.S. flag flown over our Capitol, to Malden Mills in Methuen, MA, and more specifically I would like to present the first Golden Eagle Award to Aaron Feuerstein, the 70-year-old owner of Malden Mills whom the local press there has hailed as the saint in New England.

On December 11 last year a major fire struck Malden Mills, the company Mr. Feuerstein's grandfather founded in 1906, burning down 3 of 9 buildings and idling 1,800 employees, three-quarters of the work force at that company. But instead of laying off his work force and pulling up stakes for Mexico, as so many other textile and apparel firms have done across this land, Mel Feuerstein promised he would pay the workers their wages and, even more incredibly, their health care benefits, for 30 days, and when it became obvious that more time was needed, he extended the period to 60 days and then to 90 days.

When asked why he did it, Mr. Feuerstein replied simply, ''Because I consider the employees standing in front of me as the most valuable asset Malden Mills has. I don't consider them as just an expense which can be cut.''

What makes Mr. Feuerstein's story all the more remarkable is that he stayed in Methuen, MA, even in the face of adversity while most of his much larger competitors, some of the names you will even recognize, Sara Lee, Fruit of the Loom, continue to close plants in this country and give pink slips to workers and move their production offshore.

Over the past 20 years 292,300 workers, mostly women, have lost their jobs in our Nation in the textile and apparel industries. Forty percent of that industry in our country is without a job. But Aaron Feuerstein, and he is not a multinational, has tried to hold out, treated his workers well and has continued to make a profit. He is a shining example of what it means to be a good corporate citizen in the United States and try to struggle uphill against the vultures of the mega corporations that would like to snuff him out of business.

Mr. Feuerstein truly deserves our praise as a patriotic citizen. Along with our first Golden Eagle Award, we will mail to him today this brand new flag flown in his honor and his firm's honor over this Capitol of the United States. Mr. Feuerstein, thank you, thank you for your decency and for your leadership as a corporate citizen of this Nation.

By contrast, we have chosen to designate the Nike Corp. as the first recipient of our corporate vulture label. Nike has shut down all of its production in this country. It does not even produce one athletic shoe in the United States of America, even while it earns billions in profits off this marketplace. In fact, their profits have quadrupled, gone up over 4 times over the past 5 years, by aggressively marketing, and I underline the word ''marketing,'' many of their shoe products and marketing them to some of our most impressionable young people.

The company now commands over one-half, one-half of the men's athletic shoe market in this country. Not a bad racket if you are Nike, paying your women workers in Indonesia and China 12 cents an hour while charging our kids and our families $135 to $150 a pair for shoes, but not a good deal if you are a downsized American worker who used to make those shoes in Maine or in California, or a consumer who has to pay those high prices. Not a good deal for them. Or how about if you are an anonymous Chinese woman worker whose government makes its money off the sweat of your work? Not a good deal for you either.

Now Nike would like you to believe that they are a great American company. In fact, they have been spending $250 million a year out of the money they make off of you trying to convince you how good they really are. They bought so much advertising it is hard to turn on television without seeing it. Nike has virtually bought off the entire American sporting world to delude the American consumer about what is really going on here.

The truth of the matter is that all of Nike's 75,000 production workers, mostly poverty-stricken women and hungry girls, are in countries like Indonesia, Thailand, China, and South Korea, countries which are notorious for their sweat shop working conditions and bleeding all they can out of their people until they are finished with them. Then they throw them out the door, and there is another million people who are hungry, lined up to replace them to work for 10 cents an hour.

Now here at home Nike threatens to tear up our communities with their relentless marketing to our most vulnerable kids. You know what is happening. In some places in this country our children are killing one another for these shoes. As Phil Mushnick, a sports writer for the New York Post, courageously pointed out when he refused to endorse Nike shoes, he said, ''I saw the prices going from $40 to $90 to $100 and then $150, and in full cognizance that people were dying for these shoes, inner city kids, too, the kids that Nike was