

ONE STRIKE YOU'RE OUT FOR  
ASSISTED HOUSING

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1996

Mr. MORAN. Mr. Speaker, I am pleased to introduce legislation extending the "One Strike You're Out" provisions to screen and evict drug and alcohol abusers in public and tenant-based section 8 housing to all types of low-income, rent-subsidized housing.

For too long, drug dealers and other criminals have plagued low-income housing projects. Despite Federal policies that date back to 1988, a number of legal loopholes have enabled criminals to evade eviction. The new law closes these loopholes and grants housing authorities new powers to screen and evict problem tenants. I was pleased to see that the Housing Opportunity and Extension Act [S. 1494] included my language closing several legal loopholes that enabled drug dealers and problem tenants to evade the expedited eviction procedures in public housing.

I have a personal interest in the expedited eviction procedure dating back to my service as mayor of the city of Alexandria. Unfortunately, it took the tragic death of Alexandria police officer Charlie Hill in 1989 before HUD responded with an expedited eviction procedure for public housing residents. I tried to deal with his death in the most constructive way possible and sought a waiver from then Secretary Jack Kemp to expedite the eviction of known drug dealers from public housing.

The police and the community knew who the drug dealers were, but every time they attempted to do something, they were stymied by the legal aid advocates. Fortunately, Alexandria was successful and the city's public housing units are a far different place to live today. The expedited eviction procedure works but it needed to be strengthened further.

The work begun following officer Hill's death, however, is not yet complete. The new law fails to cover residents living in federally-assisted housing. Residents in project-based section 8 and FHA insured multifamily housing have no similar protection today when drug dealers threaten their health and safety. There are approximately 1.4 million public housing units, while there are more than 2.1 million section 8 publicly assisted housing units. Residents of these 2.1 million units deserve equal protection under the law.

With enactment of this legislation, tenants, victimized by drug dealers and others who threaten their safety and well being, will receive equal protection. With enactment of this legislation, drug dealers in project-based section 8 housing will no longer be able to ply their trade outside the project's boundary where they were erroneously exempt from the expedited eviction procedure. And, ignorance of a fellow tenant's illegal drug activity will no longer be exclusive grounds to exempt a lease-holder from the expedited eviction procedure. Ignorance of illegal drug activity should not, by itself, be grounds for exempting a tenant from the expedited eviction procedure.

Too often the actual knowledge standard is an easy way out for the tenant. It also encourages lease holders to avoid knowing what members of their family or other persons under their roof are doing.

Mr. Speaker, this legislation is good public policy. It's good for the tenants, it's good for the neighbors and it's good for the managers and owners.

It is also important that as we shift from Government-run public housing to community-based vouchers and assistance, we need to provide communities with the tools to enforce the laws and foster good responsible neighbors.

This legislation helps bring us closer to this goal.

HOUSE CONCURRENT RESOLUTION  
165 HONORS THE POLISH CONSTITUTION OF 1791 AND PROMOTES DEMOCRACY IN EAST-CENTRAL EUROPE

HON. LUIS V. GUTIERREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1996

Mr. GUTIERREZ. Mr. Speaker, I rise today to honor the 205th anniversary of Poland's first Constitution on May 3. The Polish Constitution of 1791 was the first liberal Constitution in Europe, narrowly preceded by our own Constitution in 1787.

I would also like to announce my cosponsorship of the House Concurrent Resolution 165, to honor the Polish Constitution of 1791 and to promote democracy in East-Central Europe.

Throughout our Nation's history, the sons and daughters of Poland have immigrated to our shores. In fact, a native son of Poland, Thaddeus Kosciuszko, fought alongside General Washington during the Revolutionary War. Upon returning to Poland, after his heroic efforts for American liberty, Mr. Kosciuszko helped draft the Polish Constitution. The American concept of constitutional democracy was thus born in Europe in 1791.

However, just as American independence had threatened the colonial establishment and balance of power, Poland's early democratic experiment threatened the autocratic regimes of its neighbors, imperial Russia and the Hapsburg Austro-Hungarian Empire. Two years after Poland embarked on its bold path the Russian and Austrian armies conquered Poland and ended constitutional rule.

Today, 205 years after it began, the democratic experiment in Poland has been restored. A free Poland has experienced its first real open elections in several generations and the positive economic successes it has achieved are unparalleled in its history.

Poland is looking to cement its economic and political achievements by joining the North Atlantic Treaty Organization [NATO] and the European Community. Poland's efforts to exercise civilian control over its military and its cooperation with the NATO alliance through the Partnership for Peace and in Bosnia are important steps toward greater military and economic integration with the rest of Europe and the United States.

Today, I salute and congratulate Polish people around the world, including the thousands of Polish-Americans in the Fourth Congressional District of Illinois and in the Chicago area, as we commemorate the adoption of the first Polish Constitution. I also urge my colleagues and the people of the United States to

recognize Poland's rebirth as a free and independent nation in the spirit and legacy of the Polish Constitution of 1791.

SMUGGLING BANNED CHLOROFLUOROCARBONS IN THE UNITED STATES

HON. LINCOLN DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1996

Mr. DIAZ-BALART. Mr. Speaker, I rise today to address smuggling activities occurring in the United States by Indian chemical manufacturing companies. A report, published in the Washington Times earlier last month cites India as the source of a multimillion-dollar ring, which is smuggling banned chlorofluorocarbons, or CFC's into the United States.

According to this report, tons of banned CFC's are being smuggled into the United States by Indian manufacturers with government patronage, generating huge profits in illegal sales.

CFC importation has become a serious problem. The Customs Service says that it is now the No. 2 problem behind illegal drugs. Until it was banned under the Montreal Protocol, CFC-12, or freon gas, was widely used to run refrigerators and car air conditioners. According to the article, Customs recently broke up an operation that was smuggling \$52 million worth of CFC-12. The newspaper said that a substantial portion of CFC-12 in U.S. commerce has been smuggled. Much of it appears to have been produced by Mafatnal, an Indian chemical company. The report goes on to say that one Indian CFC smuggling operation involved 2,750 tons of gas. In this article, the newspaper reports that by labeling the CFC-12 for transshipment to a third country or identifying it as another gas, "the smugglers can avoid the ban by delivering CFC-12 to unscrupulous distributors, auto chains, and others and make a fat profit."

In this light, it becomes more important than ever for the United States to stop providing assistance to the Indian Government. I urge my colleagues to pass H.R. 1425, which will end American development aid to India until human rights are respected, and House Concurrent Resolution 32, which calls for self-determination for Khalistan, the independent Sikh country declared on October 7, 1987. Both bills should be passed as soon as possible. We must make it clear to the Indian regime that smuggling, genocide, and repression are not acceptable.

I am entering into the RECORD a press release issued by the Council of Khalistan, the government in exile of Khalistan, which deals with this scandal.

[News release from the Council of Khalistan]

INDIA SMUGGLES BANNED CFCs TO U.S.

WASHINGTON, DC, April 23.—The Associated Press reported recently that chlorofluorocarbons, or CFC gas, which is banned in the United States, is being heavily smuggled from India. CFC gas was widely used in car air conditioners, but environmentalists contend that the gas is harming Earth's ozone layer. Under terms of the 1987 Montreal Protocol, industrial nations agreed to phase out CFCs. CFCs have been banned in the United States since January 1. According