While Hawaii prides itself as a multicultural State, Samoans and Native Hawaiians continue to be overrepresented in our juvenile's system. Hawaiians and part-Hawaiians represent only 31 percent of the population across the State, while accounting for 35 percent of juvenile arrests and 53 percent of juveniles in the Hawaii Youth Correctional Facility. By strengthening and clarifying the disproportionate minority confinement core requirement, states may continue to take the necessary steps to properly address this problem.

I am glad to see that H.R. 1818 continues to provide funding to the programs that have proven their effectiveness in reducing juvenile crime. Programs such as mentoring, truancy prevention, recreation, job training, and drug rehabilitation to name a few will be streamlined into one block grant.

Having said that, I must express some concern over the prevention block grant formula. While it will streamline the discretionary grants in the JJDPA, we also must make sure it received adequate funding. Historically, block grants end up receiving less money once consolidated than the original program before consolidation. These discretionary grants go to the people on the front lines of juvenile justice, working day to day and reaching out to these children who need their help. We must make sure they are not short-changed.

I am glad to see bipartisan agreement that we must pass a strong comprehensive bill that will ensure that we take a balanced approach to juvenile crime. The passage of H.R. 1818 will ensure we have proper prevention to augment the purely punitive legislation passed earlier this year.

AMENDMENT TO H.R. 2107

HON. ENI F.H. FALEOMAVAEGA

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 16, 1997

Mr. FALEOMAVAEGA. Mr. Speaker, I spoke yesterday in opposition to Representative ISTOOK's amendment to H.R. 2107, the appropriations bill for the Department of the Interior and related agencies. The amendment would have prohibited new lands from being placed into trust for American Indians unless the tribes entered into agreements concerning the collection of certain taxes with local and State governments. I was not able to give my entire statement in the time allotted, and had submitted my entire statement to be included in the CONGRESSIONAL RECORD. This was not done. The following is my entire statement as I intended it to be entered in the RECORD:

MR. CHAIRMAN. I rise in strong opposition to the Istook/Visclosky amendment which would prohibit the use of BIA funds to transfer any new land into trust unless a binding agreement is reached between Indian tribes, states, and local governments regarding state and local excise taxes on retail sales to non-Indians on new trust land.

There are many reasons to oppose this amendment. First, as a matter of procedure, this is more than a matter of setting a level of appropriations. This amendment sets legislative policy on a subject under the jurisdiction of the Committee on Resources.

The issue of whether any additional statutory conditions should be placed on transfers of land into trust for Indian tribes deserves public hearings and the deliberations of the committee of jurisdiction. The subject of this amendment has not been considered by the Committee of jurisdiction. By proceeding with an appropriations rider, we lose the value of public input to Congress available through committee hearings, and those of us who serve on authorization committees are again locked out of the full deliberative process.

Many of you have seen the conflicting statements of the many ''Dear Colleague'' and other letters which have been circulated over the past ten days. In many cases, these letters are in direct conflict with one another. This is happening because there have been no hearings through which facts can be sought and properly reported from the committee of jurisdiction to the House. Now I ask you, is this the best way to set the nation's policy? When voting on a subject of this significance, wouldn't you be more comfortable having the benefit of prior legislative deliberations?

Turning now to the merits of the legislation, I believe it is not controverted that current law and regulations mandate that the Secretary of the Interior provide notice to state and local governments prior to making a final determination on taking Indian land into trust status. Additionally, the Secretary must consider the impact on state and local governments of removal of the land from the tax rolls.

Furthermore, state and local governments who disagree with a decision of the Secretary can appeal adverse decisions within the Department of the Interior and in the federal courts. If the land proposed to be transferred into trust is not part of a current reservation and the proposal is for economic development, the transfer is subject to a higher standard of scrutiny. This is a sufficient regulatory scheme already in place to protect the rights of state and local governments, and it keeps the negotiations between the Indian tribes and the United States, which is consistent with our government to government relationship.

If this amendment were enacted into law, state and local governments would be given an absolute veto over all future transfers of land into trust status. This is a significant change in national policy, and as I noted earlier, this change would be made with our only deliberations being today's debate.

Finally, Mr. Chairman, as a matter of equity, I find it very disturbing that we are debating today, yet another attack on the American Indian. I fear that efforts like this are a renewal of the efforts of Congress' in prior decades when actions were taken to make sure our first Americans are never given the opportunity to achieve success.

There was a recent advertisement I heard that pretty well summed up our treatment of this country's Indians. It went something like this: two hundred years of exploitation and neglect, more than 700 broken treaties, $2 billion in tribal trust funds lost or mismanaged, $200 million in funding cuts last year, and now politicians want to levy new taxes against tribal governments. Haven't they paid enough?

The ad was a brutally-accurate summary of our past treatment of the American Indians. The question for today is, do we continue along that destructive line of reasoning, or do we provide today's tribes with the opportunity to determine their future through their own self-initiative.

Most Indian reservations contain lands which are inholdings, plots of land within the reservation which were sold out of trust decades ago pursuant to the 1887 General Allotment Act. In many instances these plots contain homes occupied by tribal members who have inherited them or acquired them but have not had them taken back into trust by the Secretary of the Interior. Many tribes are extremely poor and have been in the process of having these homesites taken back into trust for decades.

The tribes are not doing this to set up truck stops or tobacco shops or any other form of commercial operation. Usually the tribes are merely working to reacquire their lands and to insure that those lands and the Indians who live on them will be eligible to participate in the various Bureau of Indian Affairs programs which apply only to trust lands.

Tribes are doing this for reasonable, practical purposes. The Bureau of Indian Affairs operates road maintenance programs, environmental services programs, real estate services programs, water resources programs, and a large number of other programs which only apply to trust lands. Tribes want their members to participate in and benefit from these programs.

However, if the Istook amendment is adopted and the Secretary of the Interior is precluded from taking any of these former trust lands back into trust, we will eventually have a new second class of citizen in this Nation. If the Istook amendment is adopted we will have some Indians living the life of the poorest of the poor who don't even qualify for various Bureau of Indian Affairs programs. We will have Indians living on Indian reservation land which does not qualify for any Indian program.

This is absurd, Mr. Chairman.

The gentleman from Oklahoma is trying to prevent a handful of Indians from setting up businesses which do not collect State and local sales and excise taxes. He is trying to resolve a problem that exists in a very few instances in a few States.

The vast majority of lands taken into trust by the Secretary of the Interior have nothing whatsoever to do with diesel fuel or tobacco or tax advantages. Instead of solving a problem common to only a few individuals, this amendment would create a whole new level of second-class citizens. This amendment would create a class of Indian which lives on lands within a reservation but receives no Bureau of Indian Affairs services; a class of Indian which receives no State sewer, no State water, no State police protection, no State fire protection, on other State services except State tax collection services.

Mr. Speaker, few lands have ever been enacted which would do so much damage while solving so few problems.

The gentleman from Oklahoma apparently is trying to stop Indian Tribes from setting up businesses which do not collect State and local sales and excise taxes. He is trying to resolve a problem that exists in a very few instances in a few States.

However, this limitation on appropriated funds would impact all Indian tribes in all States. The way I understand this amendment, not a single acre of land could be taken into trust, anywhere, for any reason. If that is not the first step toward ending any possibility of economic development for the poorest of this Nation's poor, I don't know what is.

In my opinion, this draconian limitation on appropriated funds is far worse than the problem.

I understand that a few Indian businesses are selling diesel fuel and tobacco and a few other types of merchandise without collecting

State and local sales and excise taxes. I can appreciate how this gives a competitive advantage to a handful of Indian businesses. I will support a bill which will cure this problem to the satisfaction of all of the interested parties.

But, the vast preponderance of land being taken into trust by the Secretary of the Interior has nothing whatsoever to do with tax advantages. Most parcels of land being taken into trust are small tracts consisting of an acre or two which lie within an existing Indian reservation, non-trust land scattered like a checkerboard between trust lands. Economically fencing, accessing, monitoring, and developing these checker boarded lands is extremely expensive, almost impossible.

The Interior Department spends millions upon millions trying to block up these lands and put them into useful production. But because of the 1887 General Allotment Act which allowed Indian lands to be sold and thereby taken out of trust, the Department has to take these lands back into trust.

The effect of the Istook amendment would be catastrophic for any Indian tribe which is trying to have even the smallest plot of land taken back into trust.

This spending limitation is aimed at solving a commercial problem which many of the States have already solved. Even Oklahoma has worked out most of its problems with these tax havens owned by an Indian tribe.

However, this limitation on appropriated funds ignores all of these solutions. Instead, this language would completely eliminate the Secretary of the Interior's ability to take any land into trust, in any State.

Mr. Chairman, this amendment is not only unnecessary but also wrong. The Indians of this Nation suffer the highest unemployment anywhere. Health care, child care, economic opportunity, and just about any other social service available to the average American is barely available on a marginal basis to Native Americans.

What we do not need is this strangle hold on the Secretary of the Interior.

I urge my colleagues to oppose the Istook amendment.

TRIBUTE TO FRANK PARKER

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 16, 1997

Mr. THOMPSON. Mr. Speaker, I rise today to honor the late Mr. Frank Parker who died on Thursday, July 10, 1997. He was born in Mount Pleasant, PA. He graduated from Oberlin College in 1962 and then spent 2 years at University College, Oxford University, England. In 1966, he received his juris doctorate degree from Harvard Law School.

After law school, he began his distinguished career in the Office of the General Counsel of the U.S. Civil Rights Commission. He wrote the commission's report, ''Political Participation'' in 1968.

Mr. Speaker, I first met this giant of a man in 1968 while he was a lawyer in the Mississippi office of the Lawyers' Committee for Civil Rights Under Law. He served courageously in the protection of civil rights of black Mississippians in this office for 13 years. Mr. Parker was a strong advocate for voting rights and worked vigorously for passage of the Motor Voter Act. His tireless fight for justice and equality is one of the defining principles of his life.

Mr. Parker was a MacArthur Foundation Distinguished Scholar at the Joint Center for Political Studies in Washington, DC, in 1985 and 1986 and spent the year doing research for ''Black Votes Count.'' The book was honored by the American Political Science Association, the Mississippi Historical Society, and the Gustavus Myers Center for the Study of Human Rights in the United States.

In 1992 and 1993, Mr. Parker returned to the Joint Center for Political Studies and did research for a book supporting affirmative action. Mr. Parker taught at the District of Columbia School of Law from 1992 to 1995. He taught law at American University for a year before leaving to take a position as a visiting professor of constitutional law at Washington and Lee University in Lexington, VA.

Mr. Parker leaves a proud legacy as a husband, father, brother, mentor, civil rights leader, community activist, and great American.

Mr. Speaker, I ask you to join me in saluting the late attorney Frank Parker for his outstanding contributions to this Nation.

INTRODUCTION OF THE CHILD ABUSE NOTIFICATION ACT

HON. BOB FRANKS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 16, 1997

Mr. FRANKS of New Jersey. Mr. Speaker, today I rise to introduce the Child Abuse Notification Act of 1997. Children are solicited by pedophiles on the Internet everyday, and child pornography rings are doing a thriving business peddling their filth over the Internet. These actions are crimes. However, few perpetrators are apprehended because law enforcement can't effectively police the Internet, and Internet crimes are frequently not reported.

Federal law requires photo developers, doctors, teachers, and therapists to report incidents of suspected child abuse to law enforcement. However, Internet service providers [ISP's] are not currently held to that same standard. As a result, ISP's often respond to complaints of criminal activity against children by simply removing the offender from their system. Perpetrators are free to move to a new system or re-register under a new name. Either way, children are no safer.

That's why I hope you will join me as a cosponsor of the Child Abuse Notification Act. This bill would add Internet service providers to the categories of professionals who must report suspected child abuse to law enforcement. This simple and effective legislation will help make the Internet safer for our children.

I hope my colleagues will join me by cosponsoring this important legislation. We must not allow a small band of criminals take the opportunities provided by the Internet away from our children.

RECOGNIZING THE RETIREMENT OF SISTER FRANCINE NOLAN

HON. RON KLINK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 16, 1997

Mr. KLINK. Mr. Speaker, I rise today to congratulate Sister Francine Nolan on her retirement after 48 years of service to the Diocese of Pittsburgh and Greensburg, PA.

Sister Francine graduated from St. Xavier in 1948 and has been touching people's lives ever since. Having been raised in Pittsburgh's St. Paul Orphanage, Sister Francine devoted her life to giving back to the diocese and to teaching God's children. Since 1949, she has taught at various area schools.

Throughout her career Sister Francine has been recognized for her achievements. In 1975 Sister Francine was recognized as the National Teacher of the Year and in 1976 she was named the Pennsylvania Teacher of the Year. The people of western Pennsylvania are truly blessed to have had sister Francine as a part of their education community.

Sister Francine Nolan epitomizes the spirit of sharing and caring that makes our Nation great. Her legacy of teaching children will live on through those who have had the opportunity to work and learn with her. The French satirist Voltaire said that ''We must cultivate our garden.'' Sister Francine, you have cultivated your garden and now it is time to sit back and enjoy the fruits of your labor.

So my fellow colleagues, it is with great pleasure that I urge you to join me in commending Sister Francine for her achievements. She has touched the lives of all who have known her and has demonstrated a commitment to service that the Diocese of Pittsburgh and Greensburg, as well as the entire fourth congressional district, can be proud of.

IN REMEMBRANCE OF THE VICTIMS OF THE ''13TH OF MARCH'' TUGBOAT MASSACRE

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 16, 1997

Ms. ROS-LEHTINEN. Mr. Speaker, we recently marked the third anniversary of one of the many heinous crimes committed by the Castro regime against the enslaved people of Cuba.

It was on July 13, 1994, that a group of 72 Cuban refugees boarded the ''13th of March'' tugboat in an effort to find freedom in the shores of the United States. But shortly thereafter their vessel was ambushed and savagely attacked by Cuban gunboats while still in Cuban waters.

Survivors tell the tale of how Cuban authorities mercilessly fired water cannons at the liberty seeking refugees, while at the same time ramming the tugboat in an effort to destroy it. Women and children screamed for pity—for mercy—but their cries for help went unanswered.

As the boat sank, refugees scrambled for their lives in the deep, warm ocean of the Caribbean, but it was all in vain for the Cuban gunboats circled the sinking ships creating a