whirlpool that literally sucked the life of the refugees. Among the dead were 2-year-old Sixdy Rodriguez, 3-year-old Angel Rene Abreu, and dozens of other women and children. The death toll is estimated at 42, but we will never know the exact number.

This is the brutality that the Cuban people have faced daily for the past 38 years and it is why this Congress and this Government must continue to do all it can to help the Cuban people in their struggle to achieve freedom.

THE ROLE OF GOVERNMENT

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 16, 1997

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for Wednesday, July 16, 1997, into the CONGRESSIONAL RECORD.

THE ROLE OF GOVERNMENT

The key question in American democracy has always been the proper role of government: what it can do, what it should do. Some people believe that government should solve problems and protect people. Others think that government should stay out of people's lives. Still others believe it should help people equip themselves to solve their own problems.

President Reagan said that government is the problem. President Clinton has said that government is neither the problem nor the solution but the instrument by which we give each other the tools to make the most of our own lives. Throughout our history we've been trying to find the right balance between what the state does and what is best left to the individual or the private market.

Changing attitudes: There has been a major shift in attitude toward the role of government in recent decades. In the early 1960s many were brimming with optimism over the potential of federal programs to solve all kinds of problems: alleviating poverty, curbing racial discrimination, extending health insurance, and rebuilding America's cities. More recently the mood has shifted toward pessimism about what government can achieve that is worthwhile. Many believe that government creates more problems than it solves, and some people today loathe or even fear the government. As is often the case, the truth is probably somewhere between the gloom and the euphoria about government's role.

Skepticism toward government has always been a healthy strain in American thinking. The Constitution with its emphasis on measures to check official power reflects that view. But overall, most Americans probably recognize that government has several important roles.

Meeting important needs: One role of government is meeting important needs. Polls show that programs like Medicare and Social Security, which have greatly improved the lot of older Americans, remain very popular. There is also widespread support for a strong national defense, public education, law enforcement, environmental protection, and immigration control.

America is an individual-centered society, but when violence spreads and prisons explode with new inmates, when social divisions widen between society's have's and have not's, when the schools lag behind those in other countries, then part of the way to cope with these problems more effectively is to have government action.

Providing opportunity: Government also helps provide equality of opportunity. Over the years it has stepped in through civil rights laws, free public education, progressive taxation, and transfer programs to moderate some of the inequality in our market-based economy.

Most of us recognize that the notable achievements of our nation occur where individual talent and creativity blossom. Often that happens without government, but sometimes government is important in ensuring that individuals receive the opportunity and the backing they need to get ahead if they work hard.

Reflecting core values: Another role of government is to reflect important values. Government steps to prohibit child labor, preserve endangered species, or help keep older Americans out of poverty give expression to important social values.

Often people judge government policies less in economic terms than in moral terms of right and wrong. For example, they support Head Start, not because of its impact on the economy but simply because it is right to give a child a chance to get an education. They talk about protecting the environment as a way of preserving certain values for future generations, and urge campaign finance reform to remove corruption from the system.

Curbing excesses of market: Government is also needed to curb excesses of the market. Government doesn't replace the market but it can on occasion usefully complement it. The market clearly was not working well in the Great Depression, and the government stepped in to promote maximum employment and purchasing power.

We should rely on private sector markets but we should also be aware of market imperfections. Left to themselves markets can produce too little of some goods like scientific research and too much of other goods like pollution. They can leave behind large parts of society, particularly in the inner cities or in remote areas.

Limited, efficient government: Although government plays several important roles, most Americans also recognize its weaknesses. They clearly favor a limited, more efficient, less costly government.

Certainly there is a lot wrong with government. It can be wasteful, make mistakes, and be paralyzed by gridlock. It can fail to deal successfully with issues of great importance to the American people. Problems of cooperation can crop up repeatedly among the various levels of government. Yet we have a very difficult time shifting through the many activities of government and discarding programs that are no longer needed or are ineffective. Once established, government programs tend to keep going, protected by affected constituents, lobbies, and congressional committees. Many people will tell you that the functions of government must be kept to a bare minimum but then casually accept the benefits of many government programs, such as driving on a federally built highway. However difficult, we must continue our efforts to streamline government.

Conclusion: The character, initiative, and resourcefulness of the American people are still key to the nation's success. But so are various government activities like good education, basic research, and infrastructure. Good policy choices by the government, the skill with which legislation is crafted and implemented, and the effectiveness of government can make a big difference and can help restore confidence in our national institutions.

Government may be part of the problem for the United States, but it is also part of the solution. I don't see any way out of many of the difficulties that confront us without enlightened public policies. Whether we like it or not, government will play a significant role in our lives. We have to work harder at making that government work better and cost less.

TRIBUTE TO THE LIFE AND ACHIEVEMENTS OF COMMISSIONER CHARLES H. ''CHUCK'' SHOUDY

HON. MICHAEL R. McNULTY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 16, 1997

Mr. McNULTY. Mr. Speaker, the life and achievements of the Honorable Charles H. ''Chuck'' Shoudy, Commissioner of the Albany Department of Human Resources, were an inspiration to many. It is with great sadness that I inform the House that Chuck Shoudy died in a car accident on June 30, 1997. He was 50 years old.

With Chuck's death, the City of Albany, NY, lost a much loved and valued public servant—and I lost a good friend. His life was motivated by a tireless and creative commitment to helping economically disadvantaged individuals help themselves.

Chuck Shoudy was named director of the Albany County Neighborhood Youth Corps in July 1971—a program he helped to develop. In 1974, he was appointed director of the city of Albany's Department of Human Resources, holding such positions as deputy commissioner and executive deputy commissioner before becoming commissioner of the department in July 1990.

Born in Albany, he knew every nook and cranny of the city but, above all, he knew the people—the young and the elderly—and he was devoted to them. He reached out to the jobless and sought to help them by providing them with education, skills training, and jobs.

Chuck believed that everyone—given the opportunity—would choose to be a productive citizen. Over the years, he enabled tens of thousands of men and women to enter the workforce. At the time of his death, he was administering and coordinating 10 programs, including On-the-Job Training, Albany Service Corps, Services for Dislocated Workers, an older worker program—Club 55, Training for Trades, and a youth internship program.

He was a devoted father to his children, Elizabeth and Daniel—and a devoted brother to his only sister, Linda C. Martin.

Chuck Shoudy made a difference, and he will be sorely missed.

SALUTE TO CORNELIUS ''NEAL'' GREEN, JR.

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 16, 1997

Mr. THOMPSON. Mr. Speaker, I rise today to pay tribute to the late Mr. Cornelius ''Neal'' Green, Jr. On April 21, 1997, Mr. Green departed this life at the age of 49 due to an extended illness.

He attended Jackson public schools and graduated from Jim Hill High School. After

high school he enlisted in the U.S. Army and served 3 years of active duty and he remained active in the Army Reserve until January 1990. His last duty assignment was with the 185th Aviation Battalion where he was the communications section leader and attained the rank of sergeant first class.

After his 3 years of active duty, he returned to Jackson and enrolled in Jackson State University where he received a bachelor of arts in political science and masters of science in counseling. Cornelius was an active member of Phi Beta Sigma Fraternity, Inc. Cornelius began a career with the Travelers Insurance Co. as a financial services sales representative and continued his career as a marketing associate, agency supervisor, production supervisor and senior account analyst. He had an outstanding career and received many awards for his job.

Mr. Green's memory will be forever cherished by his devoted and loving wife of 24 years, Tomie Zean Turner Green; two children: Nikisha and Synarus, and a host of relatives. Mr. Speaker will you join me today in honoring late Mr. Cornelius ''Neal'' Green, Jr.

THE INTERNATIONAL ARBITRATION ENFORCEMENT ACT OF 1997

HON. BILL McCOLLUM

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 16, 1997

Mr. McCOLLUM. Mr. Speaker, last week I introduced the International Arbitration Enforcement Act of 1997, H.R. 2141, a bill designed to protect the investments of U.S. citizens overseas. It will provide a civil remedy in U.S. courts for damages suffered from a violation of the New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards by a foreign state.

The New York Convention is a multilateral international treaty drafted in New York in 1958. The United States joined the convention in 1970. Binding arbitration clauses are frequently used in international business contracts, providing a prompt and relatively inexpensive dispute resolution mechanism. Signatories to the convention commit themselves to enforcing awards of foreign arbitration panels in their domestic courts. Failure to enforce an award, unless based on one of the limited defenses specified in the convention, in my opinion, raises an obligation on the part of the offending signatory to satisfy the debt at issue.

Arbitration clauses such as those governed by the convention are especially important in countries that do not have a tradition of adhering to the rule of law as we know it. There, if a conflict arises triggering arbitration, a neutral third-country forum enables resolution of the dispute free from the biases of local courts and the vagaries of an unresponsive judiciary. The usefulness of this mechanism depends, however, on the commitment of signatories to the convention to provide a process through their courts when the prevailing party returns to enforce and collect. When a signatory fails to provide such a process or otherwise impairs the ability of parties to collect on foreign awards, U.S. citizens often find themselves without any remedy notwithstanding an award in hand obtained through process measure of protection to U.S. citizens against economic injury resulting from violations of the New York Convention by foreign states by creating a civil remedy against the foreign state in U.S. courts and providing for enforcement of any resulting judgments against certain assets of the foreign state in the United States.

The case of the Ross Manufacturing Corp. of Florida illustrates the need for the remedy provided for in this bill. In July 1993, Revpower Limited, owned by Ross Manufacturing Corp.—f/k/a Ross Engineering Corp.—obtained a unanimous arbitral award in the amount of US$4.49 million against its Chinese State-owned trading partner, the Shanghai Far East Aero-Technology Import and Export Corp.—SFAIC. With interest the award now totals almost $9 million. Since that time, Revpower has been trying to enforce its award through the Chinese court system with essentially no success. Indeed it was only after enlisting the interest and support of the United States State and Commerce Departments and numerous Members in both Houses of Congress that the Chinese court even accepted Revpower's enforcement action for filing. A review of Revpower's 4-year effort to enforce its award makes it abundantly clear that the Chinese Government has, by failing to provide a viable enforcement mechanism in accord with its obligations under the New York Convention, effectively blocked and delayed Revpower's enforcement efforts and rendered its arbitral award worthless for all practical purposes.

By its actions in this dispute, China has signaled that it is no longer bound by the terms of the New York Convention and, consequently, Revpower and Ross Manufacturing are without any remedy to redress their economic injuries. This bill would provide that remedy to Ross Manufacturing and all citizens and corporations of the United States who encounter foreign nations unwilling to live up to their obligations under the New York Convention.

Mr. Speaker, I invite my colleagues to join me in supporting this bill and, in so doing, underscore the importance of the rule of law and respect for international treaty obligations.

THE 250TH ANNIVERSARY OF SAWYER FARM IN ORANGE COUNTY, NY

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 16, 1997

Mr. GILMAN. Mr. Speaker, I rise today in order to call to the attention of our colleagues the 250 anniversary of the Sawyer Homestead and Farm, in Orange County, NY. It is my unique pleasure to rise before the House today and call upon my colleagues to join with me in congratulating the Sawyer family in maintaining a heritage which extends back so many generations.

It was on the fourteenth day of September, 1747, that an indenture was made, allowing Richard Sawyer to acquire the initial properties at Maple Avenue, on which the Sawyer Homestead and Farm rest to this very day. This homestead is one of the oldest in the state, still retained by the original family. This is made all the more unique due to the fact that it has never in its 250 year history gone out of the original surname.

Maintaining a homestead and the traditions that become attached to it, throughout the generations, through political upheavals and monumental changes in the world and in society should be admired by all. The value of the family, both present and past, is at the core of this establishment, and is an example to us all.

The descendants of Richard Sawyer are celebrating this anniversary on the weekend of August 2, 1997 at Sawyer Farm, where so many generations were born and raised. On this auspicious occasion, I would especially like to mention Ethel Sawyer Martin, who will reach the age of 99 on November 11, 1997, and is the oldest living Sawyer family member. My heartfelt congratulations go to her, and may she have many more happy years on the Sawyer Homestead and Farm.

Mr. Speaker, in joining the celebration on this important occasion, I invite our colleagues to join with me in extending greetings and congratulations, and the best of luck for the next 250 years.

TRIBUTE TO A FALLEN HERO

HON. BOB ETHERIDGE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 16, 1997

Mr. ETHERIDGE. Mr. Speaker, I rise to pay tribute to Det. Paul Hale of the Raleigh Police Department who was killed in the line of duty last Friday. Detective Hale is survived by his wife, Connie, and their daughters, Jessica Anne, age 10, and Stephanie Lynn, age 7.

Mr. Speaker, I did not know Detective Hale personally, but I know well of his work and that of his brother police officers. Law enforcement officers in North Carolina serve day-in and day-out on the frontlines in the battle to secure safe streets and communities. As this tragic event illustrates, too often this battle is waged against long odds.

Paul Hale excelled at his dangerous, often thankless, job. His 7 years of exemplary service won him a promotion just last week to the esteemed rank of police detective. Recognized for his skills in pursuing lawbreakers, Detective Hale was hot on the trail of a murder suspect when a 9-millimeter bullet to the head snuffed out his young life. The perpetrator of this terrible crime is reported to be a teenager with a history of criminal activity.

Mr. Speaker, the tide of youth violence is rising at a rapid rate. I have spent several days in recent months on patrol with North Carolina's men and women of law enforcement as they endeavor to thwart this growing threat. Although statistics tell us overall violent crime is down some 5 percent nationwide, youth violence has risen by 6 percent in my home State.

We must adopt a tough and smart new approach to stem this rising tide of youth violence. Law enforcement is struggling hard to do the job, but they cannot do it alone. They need and deserve our help and support.

Mr. Speaker, last week, Paul Hale made the ultimate sacrifice to serve and protect the people of North Carolina. I call on this Congress to take aggressive action to crack down on violent criminals and demonstrate that this North Carolina hero did not die in vain.