

A modest advance took place in the late 1960's with the adoption of Resolution 1503, which provided authority for the first time to investigate complaints of "a consistent pattern of gross violations of internationally recognized human rights." Gradually the Commission lost its inhibition against scrutinizing and criticizing individual countries.

Still later, the Commission began to establish "rapporteurs" or expert investigators to examine complaints in individual countries and in human rights areas such as summary executions, religious intolerance, freedom of expression, and violence against women.

After many years of frustrating debate, a UN High Commissioner for Human Rights was finally established in 1994, with the authority to conduct investigations and bring reports of human rights abuses to the attention of UN bodies. The High Commissioner is assisted in this work by a small UN Center for Human Rights in Geneva, which also provides advisory services to governments on how to implement the growing body of human rights standards.

The collapse of Communism removed a core group of UN members who could be counted on to oppose all efforts to apply human rights standards to individual countries in an objective and principled way. Nevertheless there are still countries that claim that many "Western" concepts of human rights are not appropriate for non-Western societies.

It is significant that this claim was resoundingly rejected at the World Conference on Human Rights in Vienna in 1993, which reaffirmed that human rights are "universal" and must be protected by all governments "regardless of their political, economic and cultural systems."

As the massive "ethnic cleansing" in Bosnia and the genocide in Rwanda have reminded us, the UN still lacks any way of preventing large-scale violations of human rights or even of investigating them adequately as they occur. It will continue to lack this capability until UN members agree to provide it with the necessary legal authority and financial resources.

In the meantime, we can at least take satisfaction at the creation of the War Crimes Tribunals for Yugoslavia and Rwanda that are investigating gross violations of international humanitarian law after the fact. It remains to be seen, of course, whether the principal perpetrators of these crimes will ever be brought before these tribunals for trial and punishment.

It is perhaps to be expected that a universal body composed of governments could be only partially successful in implementing the human rights vision of Franklin and Eleanor Roosevelt. Governments are the problem, and their commitment to human rights varies enormously in different parts of the world. Fortunately, we can also pursue human rights progress through regional instruments (such as the European Court of Human Rights and the Organization for Security and Cooperation in Europe) and through the growing body of non-governmental organizations (such as Freedom House, Amnesty International and Human Rights Watch) that are making their influence increasingly felt at both the international and the country level.

CONCLUSIONS

Let me suggest three conclusions from this undoubtedly imperfect effort to examine FDR's concept of world order and the extent to which it has been realized today.

First, it is clear that the institutions of global cooperation that we work with today were shaped more by Franklin Roosevelt than by any other individual. Indeed, it is obvious that without Roosevelt we would

have no United Nations, no International Monetary Fund and World Bank, no WTO or GATT, and no treaties embodying minimum standards of human rights or procedures, however weak and tentative, to implement them. We all know what these international institutions have failed to achieve, but how much more dangerous, disagreeable and hopeless our world would be without them!

Second, I suggest that Roosevelt's basic philosophy of practical internationalism can still be a guide for mankind today, and nowhere more importantly than in the United States.

It is the policy of the Clinton Administration to strengthen international institutions for cooperative action in peace and security, trade and development and human rights, and to make use of these institutions whenever possible. This does not mean, in today's imperfect world, that the United States will never act except through international organizations. Our approach, as President Clinton put it in his 1992 election campaign, must rather be, "with others when we can, by ourselves when we must." It is a practical approach that FDR, that idealist without illusions, would surely have understood.

But there are some in our country who do not believe in this kind of practical internationalism. They think that with the Cold War behind us there is no need to dedicate significant attention or resources to international affairs. And there are others who see the UN and other international organizations as a threat to American sovereignty and advocate unilateral action not as a last but as a first resort.

FDR knew better. He saw as far back as 1941 that the United States could not pursue its vital interests or realize its highest values through isolation or a policy of acting alone. Isolationism and unilateralism, he knew, would not be sufficient to protect our fundamental interests—not in keeping the peace, not in controlling dangerous weapons, not in furthering currency stability or open markets, not in promoting fundamental human rights.

Were he alive today, I am confident he would tell us that isolationism and unilateralism would not enable us to cope with the new challenges that have emerged since FDR's time—the destruction of the global environment, population growth and migration, international drug trafficking, international crime, and international terrorism.

Third, I believe this idealist without illusions, this man whose spirit overcame the handicap of a devastating paralysis, would ask us not to abandon hope in the face of our current disappointments, nor seek refuge from our frustrations in a cynical passivity, but to meet our daunting challenges through creative and cooperative action.

As he himself put it in the speech he was preparing at the time of his death: "The only limit to our realization of tomorrow will be our doubts of today. Let us move forward with strong and active faith."

The best way we can honor his memory is to work together with that "strong and active faith" to strengthen the institutions of a better world order which he has bequeathed to us.

OMNIBUS APPROPRIATIONS BILL

• Mr. ABRAHAM. There is a section in H.R. 4278, the omnibus appropriations bill regarding which I am wondering if I could seek some clarification from the distinguished chairman of the Commerce, Justice, State, and Judiciary Subcommittee of the Appropriations

Committee. My inquiry is directed to section 306 of the Commerce, Justice, State, Judiciary Title. That provision prohibits the use of any funds appropriated in fiscal 1996, fiscal 1997, or thereafter for costs related to the appointment of special masters in prison conditions cases prior to April 26, 1996. That was the date when the Prison Litigation Reform Act, which required that such expenses be paid from funds appropriated for the Judiciary, was signed into law.

First, I was wondering if section 306 is intended to operate as an exception to the requirement of the PLRA that expenses, costs, and compensation for special masters be paid by the courts.

Mr. GREGG. No, it is certainly within the discretion of the courts whether they see a need for a special master and wish to assume the responsibility for such payments.

Mr. ABRAHAM. From the Senator's response, I surmise that it was not his intention in the omnibus appropriation bill to allow the courts, contrary to 18 U.S.C. 3626(f)(4) as amended by the PLRA, to impose costs, expenses or compensation amounts for special masters appointed prior to April 26, 1996 on the parties to the litigation?

Mr. GREGG. No, we did not intend to override any portion of the PLRA or impose such costs on anybody else.

Mr. ABRAHAM. Finally, is it envisioned under the omnibus appropriation bill that special masters originally appointed before and subsequently reappointed after April 26, 1996 would be treated in the same fashion as those appointed after that date?

Mr. GREGG. That is correct.

Mr. ABRAHAM. Thus if a court wants to retain a special master appointed before that date and pay that individual, all it need do is reappoint that person consistent with the PLRA.

Mr. GREGG. Yes, it is my understanding that the interpretation of my colleague from Michigan of the PLRA is consistent with the omnibus appropriation bill. •

SECTION 1102 OF THE COAST GUARD AUTHORIZATION ACT OF 1996

Mr. STEVENS. As chairman of the Senate Oceans and Fisheries Subcommittee, I wish to comment on section 1102 of S. 1004, my bill to reauthorize the U.S. Coast Guard which was recently passed by both the House and Senate.

Section 1102 provides funding for the Prince William Sound Oil Spill Recovery Institute [OSRI] located in Cordova, AK. The OSRI was created under section 5001 of the Oil Pollution Act of 1990 [OPA '90] to identify the best available techniques, equipment, and material for dealing with Arctic and Subarctic oil spills and to assess the effects of the Exxon Valdez spill on Prince William Sound's natural resources and on the environment, economy, and lifestyle of its residents.

Section 1102 of S. 1004 amends OPA '90 so that the National Pollution Funds Center will make payments directly to the OSRI for these activities, rather than through the National Oceanic and Atmospheric Administration or annual appropriations. The OSRI will conduct its mission over the next 10 years using annual interest from \$22.5 million that was transferred from the Trans-Alaska Liability Pipeline Fund to the Oil Spill Liability Trust Fund. The initial payment to OSRI, which will occur within 60 days after the enactment of S. 1004, will include the interest that has accrued from the date of the first transfer of funds from the Trans-Alaska Pipeline Fund to the Oil Spill Liability Trust Fund pursuant to section 8102(a)(2)(B)(i) of OPA '90.

Section 1102 makes other changes to enhance the effectiveness of the OSRI. It reduces the size and changes the composition of the OSRI Advisory Board, broadens the OSRI's mission, and allows the OSRI Advisory Board to request a scientific review every 5 years by the National Academy of Sciences to be performed by the Academy in carrying out section 7001(b)(2) of OPA '90.

The conferees intend for the Interagency Coordinating Committee on Oil Pollution Research (established under section 7001 of OPA '90) to coordinate with the OSRI and the Arctic Research Commission in developing and overseeing the national oil spill research plan. By involving these two entities, the Interagency Committee will be able to ensure that Arctic and Subarctic prevention and mitigation research needs are being fully identified and met. The Interagency Committee should include relevant recommendations of the OSRI in its reports to Congress, and should include OSRI representatives in meetings and other activities regarding oil pollution.

REGARDING S. RES. 304

• Mr. LOTT. Mr. President, I would like to make some clarifying remarks regarding the resolution recently agreed to by the Senate, S. Res. 304. This resolution will approve certain regulations to implement provisions of the Congressional Accountability Act. These regulations are approved to the extent they are consistent with the Congressional Accountability Act. In that regard, section 220(c)(3) of that act allows for judicial review of negotiability issues, although it limits who may seek review. Also, the term "any matter" under section 220(c)(1) of that act clearly includes any and all petitions and other submissions submitted to the board under section 220(c)(1) of the act. •

ANNIVERSARY

• Mr. ASHCROFT. Mr. President, families are the cornerstone of America. The data are undeniable: Individuals from strong families contribute to the

society. In an era when nearly half of all couples married today will see their union dissolve into divorce, I believe it is both instructive and important to honor those who have taken the commitment of "till death us do part" seriously, demonstrating successfully the timeless principles of love, honor, and fidelity. These characteristics make our country strong.

For these important reasons, I rise today to honor Bill and Alice Wynkoop of Aldrich, Missouri who on Saturday, October 26, 1996 will celebrate their 50th wedding anniversary. My wife, Janet, and I look forward to the day we can celebrate a similar milestone. Bill and Alice's commitment to the principles and values of their marriage deserves to be saluted and recognized. •

CONGRATULATIONS TO LAWRENCE SMITHSON CELEBRATING HIS 100TH BIRTHDAY

• Mr. ASHCROFT. Mr. President, I rise today to encourage my colleagues to join me in congratulating Lawrence Smithson of Chilhowee, Missouri who celebrated his 100th birthday on Wednesday, October 16, 1996. Lawrence is a truly remarkable individual. He has witnessed many of the events that have shaped our Nation into the greatest the world has ever known. The longevity of his life has meant much more, however, to the many relatives and friends whose lives he has touched over the last 100 years.

Lawrence's celebration of 100 years of life is a testament to me and all Missourians. His achievements are significant and deserve to be recognized. I would like to join Lawrence's many friends and relatives in wishing him health and happiness in the future. •

HEARTFELT THANKS

• Mrs. FRAHM. Mr. President, I want to take just a moment to extend my heartfelt thanks to Chairman MURKOWSKI, Senator JOHNSTON, and their respective staffs on the Energy and Natural Resources Committee for including the designation of Nicodemus, KS, as a national historic site in the omnibus parks bill.

During the 1870's, Kansas was the scene of a great migration of southern blacks seeking their fortune in what some African-American leaders described as the "Promised Land." One of the most important settlements founded during that time was Nicodemus. From sod "burrows" carved out of the prairie by the original "colonists," Nicodemus flourished into a leading center of black culture and society through the turn of the century.

Today, a cluster of five buildings is all that remains of that once vibrant community. National historic landmark status has not halted the gradual decay of this monument to the struggle of African-Americans for freedom and equality. In fact, in its report entitled "Nicodemus, Kansas Special Resource

Study," the National Park Service indicated that "[i]f Nicodemus is not protected and preserved by a public or private entity, it seems inevitable that the historic structures will continue to deteriorate and eventually be razed." It was that finding that prompted Senator Dole's original legislation granting the town of Nicodemus, KS, national historic site status.

Senators Dole and KASSEBAUM and Representative ROBERTS pursued historic site status for Nicodemus for years. As Kansans, they recognized that this little-known oasis of hope for blacks on the long road to true emancipation was on the verge of being lost forever to the ravages of time. Progress, however, was agonizingly slow. Familiar as I was with Nicodemus—it is located in my old Kansas senate district—I vowed to continue the fight. Ably assisted by Janet Sena, whom I was lucky enough to briefly inherit from Senator Dole, we piggybacked our freestanding bill onto the larger omnibus parks package to get it through the Senate and succeeded in incorporating it into the conference report to assure passage in the House.

Now, after a long and arduous struggle, the fight is won and we have taken the essential step toward saving this unique piece of American history. Descendants of the original Nicodemus settlers are convinced that historic site status will give the town the prestige necessary to raise preservation funds. I agree. For them, and for myself, let me once again offer my thanks to all who made the inclusion of Nicodemus possible. •

OMNIBUS PARKS BILL

• Mr. SMITH. Mr. President, I rise to speak in support of the Omnibus Parks and Public Lands Management Act, which was adopted unanimously by the Senate. This legislation contains numerous provisions affecting 41 States to preserve and protect our Nation's scenic rivers and historic land areas. I am pleased that, after many days of negotiations, we have reached agreement on this important environmental legislation.

Included in this comprehensive package is legislation that Senator GREGG and I introduced on August 10, 1995, to designate the Lamprey River in New Hampshire as part of the National Wild and Scenic Rivers System. The Lamprey Wild and Scenic River Act, S. 1174, will designate an 11.5-mile segment of the Lamprey River as wild and scenic. Following introduction, the Senate Energy and Natural Resources Committee held a hearing on the Lamprey bill, which was later approved unanimously by the committee.

The history of this legislation goes back almost 5 years when Senator Rudman and I introduced the Lamprey River study bill in February 1991, which was signed into law by President Bush later that year. Once the National Park Service determined the