

In addition, Michelle will be traveling to Poland this summer for the purpose of meeting with Polish teens and helping them with their English proficiency. This trip illustrates Michelle's commitment not only to her immediate community, but to all of humanity. Not only is Michelle incredibly active within the community, but she has also maintained outstanding grades, and she is currently ranked second in her academic class. Michelle continuously shines as a model student and citizen.

I wish to congratulate Michelle for all of her accomplishments, and especially for being a distinguished recipient of the Discover Card State Tribute Award. It is an honor to represent Michelle K. Franke in the United States Senate.●

**TRIBUTE TO GRAZIELLA G. MATTY OF NEW HAMPSHIRE, 1998 DISCOVER CARD STATE TRIBUTE AWARD SCHOLARSHIP RECIPIENT**

● Mr. SMITH of New Hampshire. Mr. President, I rise today to commend Graziella G. Matty of New Hampshire for receiving the Discover Card State Tribute Award Scholarship for 1998.

Established in 1992, the Discover Card Tribute Award program honors outstanding high school juniors and seniors across the United States and overseas schools. The Tribute Award Program honors excellence in community service, leadership, special talents, unique endeavors and obstacles overcome. Of nearly 11,000 students nationwide who applied this year, only those who most exemplify these characteristics receive the scholarships. Winners may use their scholarships for any type of post-high school education or training.

Gold, silver, bronze and merit State Tribute Award scholarships are awarded in three categories of study: Arts and Humanities, Trade and Technical or Science, Business and Technology. Due to her outstanding personal statement, Graziella received a silver award in the category of Arts and Humanities Studies.

It is no wonder Graziella is one of the recipients of such a competitive award. As a member of the National Honor Society, captain of the Debate Team, and ambassador for the Hugh O'Brian Youth Foundation, she has demonstrated her leadership abilities continuously at Salem High School in Salem, New Hampshire. Graziella has also displayed a marked interest in archaeology by excelling in an archaeologic methods collegiate level course at Plymouth State College, and she was named the "New Hampshire Archaeology Rookie of the Year" in 1997.

In addition, Graziella finds time to participate in the Model UN and play soccer for the varsity team. In various facets of her school life and greater community, Graziella has successfully

illustrated her importance as a model student and citizen.

I wish to congratulate Graziella for all of her accomplishments, and especially for being a distinguished recipient of the Discover Card State Tribute Award. It is an honor to represent Graziella G. Matty in The United States Senate.●

**UNANIMOUS CONSENT AGREEMENT—NOMINATION OF SUSAN MOLLWAY**

Mr. WARNER. As in executive session, I ask unanimous consent that on Monday, June 22, at a time determined by the majority leader, after consultation with the Democratic leader, the Senate proceed to executive session for the consideration of Calendar No. 596, the nomination of Susan Mollway. I further ask unanimous consent there be 2 hours for debate equally divided between the chairman and ranking member of the Judiciary Committee. I finally ask unanimous consent that following the conclusion of that time, the Senate proceed to a vote on the confirmation of the nomination, and following that vote the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

**50TH ANNIVERSARY OF THE INTEGRATION OF THE ARMED FORCES**

Mr. WARNER. I ask unanimous consent that the Senate proceed to the immediate consideration of S. Con. Res. 104 introduced earlier today by Senator MOSELEY-BRAUN.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A resolution (S. Con. Res. 104) commemorating the 50th anniversary of the Armed Forces.

There being no objection, the Senate proceeded to consider the resolution.

Ms. MOSELEY-BRAUN. Mr. President, I am honored today to offer a resolution that celebrates the 50 year anniversary of the integration of the U.S. Armed Forces. This resolution commemorates that historic day, July 28, 1948, when this country took a bold new step toward ensuring that our Armed Services reflected the tenets of democracy that this country stands for.

Dr. Martin Luther King once said that the Declaration of Independence was a Declaration of Intent. By that he meant that the commitments of that eternal document, when written, did not at the time apply to all Americans, but only to some of them. Women are excluded altogether, native Americans and poor had less rights than landowners, and blacks were counted as three-fifths of a person. And yet, the vision and the truth of the principles set forth in the Declaration and Con-

stitution of this great country have been the bedrock foundation of the patriotism of all Americans over time, no matter their condition at the time of its crafting, and no matter how difficult the struggle for equality and realization of that intent.

"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness."

The rights so eloquently articulated in the Declaration defined in the Constitution could only be established, and later defended, by a strong military. Our armed forces, indeed all Americans, owe a debt of gratitude to President Truman, who fifty years ago strengthened our military and our society by issuing Executive Order No. 9981 thereby integrating the U.S. Armed Forces.

Americans of African descent were eager to defend the ideal and the promise of this noble experiment in self-government from the very beginning. During the Revolutionary War, more than 5,000 free blacks fought to establish these United States of America. Rhode Island had a black battalion, and African-American men and women served in units from the various states as laborers, spies, nurses, cavalry, and infantrymen. During the Civil War, Harriet Tubman served as a union spy, a volunteer nurse, and a freedom fighter. So often was she in the field, that some soldiers affectionately dubbed her "General Tubman."

In no military conflict were Americans of African descent unwilling to offer their very lives to the service of their country, no matter the condition of their citizenship. My own grandfather served in the Army in World War I, and I have vague recollections of stories of the experiences he had in France during that world-shaping cataclysm. He left, and returned to an America of Jim Crow apartheid, but was proud to have done his part to preserve freedom. His service, and that of others was founded on their sincere love of America, and their belief in its ideals. He believed in the Declaration of Intent, and was prepared to give his life in behalf of its promise.

Continuing that tradition, my father served in World War II. Up until World War II, enlistment of Americans of African descent had been limited, but one year after Pearl Harbor, there were approximately 400,000 African Americans in the Army. By the end of the war, there were more than 150,000 in the Navy. In 1948, Harry Truman moved the Declaration of Intent closer to reality when he integrated the armed forces. He made it possible for Americans of color to participate as Americans in defense of the ideal liberty. By Executive Order 9981, he was able to breathe life into the promise of equality, and in so doing gave added honor to the valor and commitment of all Americans.

In all branches of the military service, the decision to end the divisions

based on color and race allowed this country to tap the talents of 100% of her people, and in so doing, expand and strengthened the pool of talent in defense of the liberties of us all.

The audacity of Truman's decision and his vision, were controversial at the time, but the wisdom of it paved the way not only for a winning military, but a nation's opportunity to live up to its promise. The valor of many of those who served was overlooked or downplayed at the time, as the nation undertook the slow adjustment to the change Truman encouraged. We are just now, after a Shaw University study and the reexamination of some of their contributions, acknowledging the role and heroism of some of those soldiers. Just last year, the President awarded medals of honor to seven black Americans for their valor in World War II.

Truman recognized the value of diversity. It lay not only in the singular talent and contributions of some, but in the collective vigor of the whole. Our great nation has been forged by the sacrifice of Americans of every stripe, by the values which define us as one people. The military services have led the country in providing opportunities for excellence, and the defense of our country has benefitted from that leadership. Excellence and honor, valor and patriotism are values which bring us together as Americans, and shape our national character. Truman's decision made us a "More Perfect Nation" and continues to this day to be a shining example of leadership.

I urge my colleagues to join me in sponsoring this resolution, and in doing so celebrating the diversity of our nation's Armed Forces.

Mr. WARNER. I ask unanimous consent that the resolution and preamble be agreed to en bloc, the motion to reconsider be laid upon the table, and any statements relating to the concurrent resolution be printed in the RECORD at the appropriate place as if read.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution was agreed to.

The preamble was agreed to.

The resolution (S. Con. Res. 104), with its preamble, reads as follows:

Whereas 50 years ago on July 28, 1948, President Truman issued Executive Order No. 9981 that stated that it is essential that there be maintained in the Armed Services of the United States the highest standards of democracy, with equality of treatment and opportunity for all those who serve in our country's defense;

Whereas President Truman declared that there shall be equality of treatment and opportunity for all persons in the Armed Services without regard to race, color, religion, or national origin;

Whereas soon after the Executive order was issued American soldiers fighting in Korea led the way to a fully integrated Army;

Whereas after the enactment of the Civil Rights Act of 1964, the Armed Forces resolved to implement the legislation as a new opportunity to provide all members of the

Armed Forces with freedom from discrimination within and outside its military communities;

Whereas the efforts of the Armed Forces to ensure the equality of treatment and opportunity for its members contributed significantly to the advancement of that goal for all Americans;

Whereas minorities serve today in senior leadership positions throughout the Armed Forces, as officers, senior non-commissioned officers, and civilian leaders; and

Whereas the Armed Forces have demonstrated a total and continuing commitment to ensuring the equality of treatment and opportunity for all persons in the Total Force, both military and civilian: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring), That Congress—*

(1) commends the United States Armed Forces for its efforts, leadership, and success in providing equality of treatment and opportunity; and

(2) recognizes the commemoration by the Department of Defense on July 24, 1998, of the 50th anniversary of the integration of the Armed Forces.

### NAZI WAR CRIMES DISCLOSURE ACT

Mr. WARNER. I ask unanimous consent that the Senate now proceed to the consideration of Calendar No. 323, S. 1379.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The legislative clerk read as follows:

A bill (S. 1379) to amend section 552 of title V, United States Code and the National Security Act of 1947 to require disclosure under the Freedom of Information Act regarding certain persons, disclose Nazi war criminal records without impairing any investigation or prosecution conducted by the Department of Justice or certain intelligence matters, and for other purposes.

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on the Judiciary, with an amendment to strike all after the enacting clause and inserting in lieu thereof the following:

#### SEC. 4. EXPEDITED PROCESSING OF REQUESTS FOR NAZI WAR CRIMINAL RECORDS.

(a) DEFINITIONS.—In this section, the term—

(1) "Nazi war criminal record" has the meaning given the term under section 552(h)(1) of title 5, United States Code (as added by section 2(a)(2) of this Act); and

(2) "requester" means any person who was persecuted in the manner described under section 552(h)(1)(A) of title 5, United States Code (as added by section 2(a)(2) of this Act), who requests a Nazi war criminal record.

(b) EXPEDITED PROCESSING.—For purposes of expedited processing under section 552(a)(6)(E) of title 5, United States Code, any requester of a Nazi war criminal record shall be deemed to have a compelling need for such record.

#### SEC. 5. EFFECTIVE DATE.

[The amendments made by this Act shall apply to requests under section 552 of title 5, United States Code (known as Freedom of Information Act requests) received by an agency after the expiration of the 90-day period beginning on the date of enactment of this Act.]

#### SECTION 1. SHORT TITLE.

*This Act may be cited as the "Nazi War Crimes Disclosure Act".*

#### SEC. 2. ESTABLISHMENT OF NAZI WAR CRIMINAL RECORDS INTERAGENCY WORKING GROUP.

(a) DEFINITIONS.—In this section the term—

(1) "agency" has the meaning given such term under section 551 of title 5, United States Code;

(2) "Interagency Group" means the Nazi War Criminal Records Interagency Working Group established under subsection (b);

(3) "Nazi war criminal records" has the meaning given such term under section 3 of this Act; and

(4) "record" means a Nazi war criminal record.

(b) ESTABLISHMENT OF INTERAGENCY GROUP.—

(1) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the President shall establish the Nazi War Criminal Records Interagency Working Group.

(2) MEMBERSHIP.—The President shall appoint to the Interagency Group the heads of agencies who the President determines will most completely and effectively carry out the functions of the Interagency Group within the time limitations provided in this section. The head of an agency appointed by the President may designate an appropriate officer to serve on the Interagency Group in lieu of the head of such agency.

(3) INITIAL MEETING.—Not later than 90 days after the date of enactment of this Act, the Interagency Group shall hold an initial meeting and begin the functions required under this section.

(c) FUNCTIONS.—Not later than 1 year after the date of enactment of this Act, the Interagency Group shall, to the greatest extent possible consistent with section 3 of this Act—

(1) locate, identify, inventory, recommend for declassification, and make available to the public at the National Archives and Records Administration, all Nazi war criminal records of the United States;

(2) coordinate with agencies and take such actions as necessary to expedite the release of such records to the public; and

(3) submit a report to Congress describing all such records, the disposition of such records, and the activities of the Interagency Group and agencies under this section.

#### SEC. 3. REQUIREMENT OF DISCLOSURE OF RECORDS REGARDING PERSONS WHO COMMITTED NAZI WAR CRIMES.

(a) NAZI WAR CRIMINAL RECORDS.—For purposes of this Act, the term "Nazi war criminal records" means records or portions of records that—

(1) pertain to the activities of any person with respect to which the United States Government, in its sole discretion, has grounds to believe—

(A) occurred, during the period beginning on March 23, 1933, and ending on May 8, 1945, under the direction of, or in association with—

(i) the Nazi government of Germany;

(ii) any government in any area occupied by the military forces of the Nazi government of Germany;

(iii) any government established with the assistance or cooperation of the Nazi government of Germany; or

(iv) any government which was an ally of the Nazi government of Germany; and

(B) involved the ordering, incitement, assistance, or other participation in the persecution of any person because of race, religion, national origin, or political opinion; or

(2) pertain to any transaction as to which the United States Government, in its sole discretion, has grounds to believe—

(A) involved assets taken from persecuted persons during the period beginning on March 23, 1933, and ending on May 8, 1945, by, under the direction of, on behalf of, or under authority granted by the Nazi government of Germany or any nation then allied with that government; and

(B) such transaction was completed without the assent of the owners of those assets or their