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TELECOPY

TO: Helen Delich Bentley

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524992

FROM: Marcia O'Hagan/Office of Milan Panic

DATE: April 13, 1992

TOTAL NUMBER OF PAGES, INCLUDING THIS COVER LETTER: 1

OUR TELECOPY NUMBER IS: 714/641-7276 OPERATOR: _____

MESSAGE: Mrs. Bentley: Mr. Panic called me today from Yugoslavia and asked me to contact you to find out the name of the hotel and the time of your meeting with he and Mr. Dejan Karaklajic on Wednesday evening in Washington DC. They also asked me to see if I could obtain from you a complete agenda for Thursday's meetings. I tried to contact you today in Chicago, but was unsuccessful. Mr. Panic and Mr. Karaklajic arrive to Washington Wednesday evening at 6:35 pm. Thank you for your assistance.

Regards,

Marcia O'Hagan
Marcia O'Hagan

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048
Nyatt

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To: Milan Panich
From: Helen Delich Bentley
Date: August 26, 1992
RE: URGENT REQUEST FOR HOLOCAUST MUSEUM

The Serbian Community stands a good chance of being forever excluded from the United States Holocaust Memorial Museum, but there is still a way of preventing this from happening.

This Washington Museum -- only one of three like it in the world (the others are Yad Vashem in Tel Aviv, and in Los Angeles) -- is completing its permanent displays within the next 30 days. Despite numerous requests to the Yugoslav Government for help, to date there is little or nothing among these displays pertaining to Yugoslavia.

We have 30 days to supply the Museum with these materials, and preserve this vital history for posterity. Otherwise, nothing that we may ever contribute in the future will be made part of the permanent displays. TIME IS OF THE ESSENCE. Dr. Radu Ioanid, Director of the Photo Research Department, asserts that the permanent displays will be expanded to include film and pictures from Yugoslavia if received in time.

Dr. Ioanid believes that such materials are available from UDBA, the Yugoslav Secret Police, but that they have not been released so far because of the former, Titoist policy making this subject a taboo. As noted above, the Museum has approached the Yugoslav Government on many occasions for these materials but with no success. The Yugoslavs, aside from some artifacts obtained by Clara Mandich, have been nonresponsive.

WE NEED AN EXECUTIVE ORDER (OR WHATEVER OTHER PAPERS ARE APPROPRIATE ACCORDING TO YUGOSLAVIA'S FEDERAL RULES OF PROCEDURE) FROM YOU TO UDBA AND ANY AND ALL OTHER APPROPRIATE GROUPS OR PARTIES DIRECTING THE IMMEDIATE RELEASE OF ALL WAR-ERA FILM FOOTAGE AND PHOTO STILLS PERTAINING TO SERB VICTIMS OF THE HOLOCAUST. Radio Television Belgrade may also be able to help. I will speak to you about transport and other details -- in the future we will also need books, articles, records of personal stories, private pictures, etc...

We also need to arrange funding for Dr. Jovan Mirkovic, former director of the Holocaust Museum in Jasenovac (now a refugee in Belgrade), to come to Washington and make sure that all these materials are correctly identified.

For now, the release of this film footage and pictures is the only detail which requires IMMEDIATE ATTENTION.

I think that you will agree that this is of vital importance.



FEDERAL REPUBLIC OF YUGOSLAVIA
Federal Government
Prime Minister

TO: Congresswoman
BENTLEY

DATE: 10/5/92

FROM: D. CALEF

SENDER'S FAX: 38-11-637-185

FAX NO: 202/225-4251

NO OF PAGES: 2

SUBJECT:

Mr. Milosevic and his regime as the new Nazis of Europe.

This legislation sends a necessary warning to those who continue to carry on the carnage in former Yugoslavia, and I strongly urge my colleagues to join me in supporting this resolution.

Mr. CRANE. Mr. Speaker, I yield 2 minutes to our colleague, the gentleman from New York [Mr. GILMAN].

(Mr. GILMAN asked and was given permission to revise and extend his remarks.)

Mr. GILMAN. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I rise to express my strong support for H.R. 5258, a resolution to provide for the withdrawal of most-favored-nation status from the Federal Republic of Yugoslavia, and to provide for the restoration of such status if certain conditions are fulfilled. I commend the gentleman from Virginia [Mr. WOLF] for his outstanding and timely work on this measure.

For months we have watched the European community attempt to broker peace in the former Yugoslavia, but despite the efforts of Lord Carrington and our distinguished former Secretary of State, Cyrus Vance, the European community and the international community have been unable to bring about a permanent cessation of hostilities in Bosnia-Herzegovina.

Media accounts of the atrocities being perpetrated against the civilian population of Bosnia-Herzegovina are heart wrenching. We have heard of the despicable acts known as ethnic cleansing of regions inhabited by non-Serbs. We have seen human skeletons incarcerated in detention centers which are eerily reminiscent of the World War II concentration camps.

Throughout this crisis, officials of the International Committee of the Red Cross have been denied access to these camps, as well as prisoner of war camps throughout Bosnia-Herzegovina, despite article 143 of the 1949 Geneva Convention relative to the protection of civilian persons in time of war.

Humanitarian aid—food, medications, and other critically important goods, which are so badly needed to sustain life in Bosnia-Herzegovina are simply not getting through. They are not getting through because of the Serbian military and irregulars. I believe it is time for this body to take decisive action.

Mr. Speaker, this legislation will not have much of an effect on trade. But denying MFN status to Yugoslavia will send a strong signal to Mr. Milosevic and his fellow outlaws. Enough is enough. It is time to do whatever we can to pressure Belgrade politically and isolate Belgrade economically. Accordingly I urge the unanimous adoption of this measure.

Mr. CRANE. Mr. Speaker, I yield 2 minutes to our colleague, the gentleman from New Jersey [Mr. SMITH].

Mr. SMITH of New Jersey. Mr. Speaker, I thank my friend for yielding me the time.

Mr. Speaker, I want to thank Congressman FRANK WOLF for his superb leadership on pushing for this withdrawal of MFN from the Federal Republic of Yugoslavia. We all know Serbia over the last year has been engaged, despite its repeated denials, in an effort to create a greater Serbia.

As the gentleman from Virginia [Mr. WOLF] pointed out, over a year ago when we were in Serbia and Croatia, and met President Milosevic, he denied having any designs on a greater Serbia. The facts over this last year, Mr. Speaker, clearly contradict those kinds of statements.

This has been a war of aggression. It has been a bloody war. There have been tens of thousands of people who have died or have been maimed, hundreds of thousands who have been left homeless. I would suggest that this kind of sanction bill is a good first step. It puts the House again on record as being against such terrible atrocities.

I would also remind my colleagues that much more has to be done. The United Nations for its part is trying to broker peace. The EC has tried repeatedly with cease-fires, only to fail in the end when the war would erupt again.

It has been largely one sided, although there is blame, as has been pointed out, to go all around. But again, the aggressor clearly has been Serbia, with Milosevic at the helm.

I ask Members to vote yes on this important bill. I think it sends a very clear message that aggression will not be tolerated by this body. Hopefully we will see that war come to an end as quickly as possible.

Mr. Speaker, I rise in opposition to H.R. 5258. Introduced in response to the expansionist actions of Serbian leader, Slobodan Milosevic, H.R. 5258 would deny MFN status to the Federal Republic of Yugoslavia, which consists solely of Serbia and Montenegro.

While Milosevic's atrocities in Bosnia have received the spotlight of world attention, Franjo Tudjman, the current dictator of Croatia and former Communist, continues to conduct himself in an equally lawless and despicable manner. He, too, controls military units which have been moving on Bosnia in an attempt to persecute ethnic Serbs and Moslems living there, and to carve out areas to incorporate under Croatia's control.

Indeed, I submit for the RECORD editorials from the New York Times and Washington Post condemning Tudjman's role in the devastation of Bosnia and endorsing the extension of the same sanctions to Croatia currently imposed against Serbia.

Not only is this legislation an inappropriate use of the most-favored-nation trade status, it will have absolutely no effect on trade with Yugoslavia. The United States has already imposed a trade embargo against the Milosevic regime. This bill unfairly

singles out Serbia with no other purpose than to politicize an already tragic and gruesome war.

Last week in committee, I offered an amendment, which received bipartisan support, to expand this bill to include a denial of MFN for the products of Croatia. In my view, Croatia also bears significant responsibility for the blatant denial of democratic principles and the loss of innumerable innocent lives in the Republic of Bosnia-Herzegovina.

If Milosevic is to be internationally deplored for his aggression, Tudjman's wanton disrespect for the territorial and political integrity of Bosnia, and for the rights of ethnic minorities must also be condemned by this body. Lawless aggression should be severely sanctioned wherever it occurs in Eastern Europe. This legislation fails in that objective when Croatia is excluded. Therefore, I urge my colleagues to vote "no" on H.R. 5258.

Mr. CRANE. Mr. Speaker, I yield myself the remaining time.

The editorials referred to follow:

[From The Washington Post, July 7, 1992]

THE STAKES IN BOSNIA

A bitter irony unfolds in Sarajevo. Just as the United Nations opens up a humanitarian air bridge to the beleaguered city, the country—Bosnia—of which it is the capital is disappearing. Two-thirds of its territory is held by Serbs, who have proclaimed an independent ethnic Serbian state that looks to federation with Serbia. The other third is held by Croats, who have now proclaimed their own independent ethnic Croatian state that looks to federation with Croatia. Muslims, the largest community in Bosnia and the one with most to gain from keeping Bosnia multi-cultural and multi-religious, have been killed in the thousands, uprooted in the hundreds of thousands and reduced territorially and politically to near zero.

In the West, Serbia is commonly seen as the villain of the Yugoslav piece. Certainly the extremist government of Slobodan Milosevic so deserves. But do not overlook the extremist Croatian government of Franjo Tudjman. It has enjoyed largely uncritical favor on the basis of lying on the Western, anti-Communist, Christian side of Yugoslavia's cultural divide. But, in fact, President Tudjman has conspired as an equal with President Milosevic to carve up Bosnia, although his depredations are less well known.

Bosnia now is close to being erased from the map. Increasingly in respect to Yugoslavia the policy question is framed as a choice between military intervention and hand-wringing. But there are other alternatives. Right now the seven most powerful nations of the world, democracies all, are meeting in Munich; Boris Yeltsin is about to drop by. The eight could make the simple electrifying statement that they will not accept as a fact the forceful disappearance of the state of Bosnia, any more than they accepted the eradication of Kuwait. They could extend to Croatia the economic sanctions now in force against Serbia, and on the same grounds of a violation of a basic international rule compelling one nation to respect another's territorial and political integrity.

Let no one imagine that Muslim Bosnians, swallowed by Serbia and Croatia, will go gently into the night. The carving up of Bosnia means virtually endless war there

and the almost certain escalation to Kosovo and Macedonia. Up to now it has been a matter of the relative standing of this ethnic group or that. Now it becomes a matter of the fate of nations. Coming to grips with the change is the task before the eight at Munich.

[From the New York Times, July 8, 1992]

CROATIA, THE BUTCHER'S APPRENTICE

Croatia, once seen as a victim of Serbian aggression, has now become a villain itself. While the Serbian strongman Slobodan Milosevic carves up most of the tiny neighboring republic of Bosnia, Franjo Tudjman of Croatia is trying to slice off his own slab.

His brazen lawlessness threatens to throw away what little international good will Croatia may have built up. If Mr. Tudjman does not withdraw his troops from Bosnia, he will deserve a stern international rebuke, including sanctions as tough as those imposed on Serbia.

Croatia's troops, which have held onto Croat-dominated areas of Bosnia near its borders, have now stormed into the interior and seized Mostar, a scenic city of Muslim mosques and Turkish bridges that is populated by Slavs of all backgrounds—Muslim, Serbian and Croatian. They're also moving on Sarajevo, still besieged by Serbian troops, putting U.N. peacekeepers in an even more precarious position.

As part of his expansionist program, Mr. Tudjman has encouraged Croats in Croatian-occupied Bosnia to proclaim their own "independent" republic, opening the way to incorporating that piece of Bosnian territory into Croatia at the expense of Muslim Slavs, the country's largest group.

Meanwhile, the United Nations is trying its best to prevent Bosnia from being carved up. It's not about to let Croatia become the protector of Croats in Bosnia, any more than it can permit Serbia to be the savior of Serbs there.

Within Croatia itself, Mr. Tudjman has unleashed his army against Serbian villages in the region of Krajina, disrupting the fragile cease-fire in the area. For that bit of bloody-mindedness he has justly earned the condemnation of the U.N. Security Council.

A statesman would seek to reassure the Serbs who still reside in Croatia by prosecuting violations of their rights. But Mr. Tudjman is instead encouraging the expulsion of Serbs from some Croatian-held areas. That means Serbs won't feel safe without a sustained international police force throughout Croatia.

Mr. Tudjman is behaving like the Communist general he once was, not the democrat his supporters like to portray. He's muscling what's left of the independent press in Croatia by threats of imprisonment, and stifling election opponents by denying them television time.

Mr. Milosevic, the Serbian dictator, surely deserves the bulk of the blame for turning Bosnia into a slaughterhouse. The may be the butcher of Bosnia, but Franjo Tudjman is now his blood-spattered apprentice.

Mrs. VUCANOVICH. Mr. Speaker, I rise in opposition to H.R. 5258.

The current human rights situation in the Balkans is deplorable. Detention camps, ethnic cleansing campaigns, massacres, and atrocities are documented as having been perpetrated by all sides in the violence racking former Yugoslavia.

If the Helsinki Final Act is to be used as a yardstick against the actions of one group in the Balkans, it must also be applied to the others in the interest of obtaining a lasting peace in this area of the world. I repeat, all groups

involved in the current fighting stand in blatant violation of the Helsinki accords.

In addition, the stipulations incorporated in this bill for removal of MFN status from the Federal Republic of Yugoslavia regarding the sanctity of borders also apply, in both word and deed, to the Republic of Croatia.

While the international community has been focused on Sarajevo and the actions of the Serbian minority in Bosnia-Herzegovina, the Croatian minority—openly aided by the Republic of Croatia and the Croatian military—has been participating in its own cynical land grab.

Ethnic Croats have proclaimed their own Republic of Herceg-Bosna and are active in ethnically cleansing this area. The Republic of Croatia has done the same to ethnic Serb enclaves in its territory.

These types of actions on the part of the Croatian Government and the three groups involved in the fighting in Bosnia-Herzegovina should not be tolerated by the United States. Passage of this bill would give tacit approval on the part of the United States to the abuses currently being perpetrated by the Republic of Croatia and the other two sides involved in the fighting in Bosnia-Herzegovina.

I urge my colleagues to vote no on H.R. 5258.

Mr. CRANE. Mr. Speaker, I yield back the balance of my time.

Mr. ROSTENKOWSKI. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. MAZZOLI). The question is on the motion offered by the gentleman from Illinois [Mr. ROSTENKOWSKI] that the House suspend the rules and pass the bill, H.R. 5258.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

CONFERENCE REPORT ON H.R. 2194, FEDERAL FACILITY COMPLIANCE ACT OF 1992

Mr. ECKART submitted the following conference report and statement on the bill (H.R. 2194)—to amend the Solid Waste Disposal Act to clarify provisions concerning the application of certain requirements and sanctions to Federal facilities:

CONFERENCE REPORT (H. REPT. 102-886)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2194) to amend the Solid Waste Disposal Act to clarify provisions concerning the application of certain requirements and sanctions to Federal facilities, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

TITLE I—FEDERAL FACILITY COMPLIANCE ACT

SEC. 101. SHORT TITLE.

This title may be cited as the "Federal Facility Compliance Act of 1992".

SEC. 102. APPLICATION OF CERTAIN PROVISIONS TO FEDERAL FACILITIES.

(a) *IN GENERAL.*—Section 6001 of the Solid Waste Disposal Act (42 U.S.C. 6961) is amended—

(1) by inserting "(a) *IN GENERAL.*—" after "6001.";

(2) in the first sentence, by inserting "and management" before "in the same manner";

(3) by inserting after the first sentence the following: "The Federal, State, interstate, and local substantive and procedural requirements referred to in this subsection include, but are not limited to, all administrative orders and all civil and administrative penalties and fines, regardless of whether such penalties or fines are punitive or coercive in nature or are imposed for isolated, intermittent, or continuing violations. The United States hereby expressly waives any immunity otherwise applicable to the United States with respect to any such substantive or procedural requirement (including, but not limited to, any injunctive relief, administrative order or civil or administrative penalty or fine referred to in the preceding sentence, or reasonable service charge). The reasonable service charges referred to in this subsection include, but are not limited to, fees or charges assessed in connection with the processing and issuance of permits, renewal of permits, amendments to permits, review of plans, studies, and other documents, and inspection and monitoring of facilities, as well as any other nondiscriminatory charges that are assessed in connection with a Federal, State, interstate, or local solid waste or hazardous waste regulatory program.";

(4) by inserting after the second sentence the following: "No agent, employee, or officer of the United States shall be personally liable for any civil penalty under any Federal, State, interstate, or local solid or hazardous waste law with respect to any act or omission within the scope of the official duties of the agent, employee, or officer. An agent, employee, or officer of the United States shall be subject to any criminal sanction (including, but not limited to, any fine or imprisonment) under any Federal or State solid or hazardous waste law, but no department, agency, or instrumentality of the executive, legislative, or judicial branch of the Federal Government shall be subject to any such sanction."

(b) *ADMINISTRATIVE ENFORCEMENT ACTIONS.*—Such section is further amended by adding at the end the following new subsections:

"(b) *ADMINISTRATIVE ENFORCEMENT ACTIONS.*—(1) The Administrator may commence an administrative enforcement action against any department, agency, or instrumentality of the executive, legislative, or judicial branch of the Federal Government pursuant to the enforcement authorities contained in this Act. The Administrator shall initiate an administrative enforcement action against such a department, agency, or instrumentality in the same manner and under the same circumstances as an action would be initiated against another person. Any voluntary resolution or settlement of such an action shall be set forth in a consent order.

"(2) No administrative order issued to such a department, agency, or instrumentality shall become final until such department, agency, or instrumentality has had the opportunity to confer with the Administrator.

"(c) *LIMITATION ON STATE USE OF FUNDS COLLECTED FROM FEDERAL GOVERNMENT.*—Unless a State law in effect on the date of the enactment of the Federal Facility Compliance Act of 1992 or a State constitution requires the funds to be used in a different manner, all funds collected by a State from the Federal Government from penalties and fines imposed for violation of any