

Jr., started the violence that accompanied the civil rights movement. Both charges are outrageous.

During his 8-month government, President Aristide reduced crime in the city and started to bring the military under civilian control. More importantly, the civil society that sprang up in the rural regions of Haiti after 1986 flourished under President Aristide's rule. Again, he wanted people to have more power, to empower the poor, to give them some control over their lives. Peasant cooperatives, church groups, students, literacy programs, rural development programs, and other popular organizations began to take control of their own lives.

During the 8-month period of Aristide's government, there was a marked decline in violence and murders in Haiti. Only 25 deaths were recorded by human rights observers—25 during his 8-month period versus 241 murders in the 10 months of the Trujillo government that preceded Aristide and 83 deaths recorded during the 10 months of the Avril government before that. Our State Department has stated that there were no reported cases of disappearances during Aristide's period in power whereas dozens of disappearances have occurred since the coup.

During the coup that overthrew Father Aristide on September 30, 1991, the State Department claims over 300 were killed, while Amnesty International says the toll was well over 1,500 killed by the military during that coup.

Since President Aristide was driven from the nation that he was elected to lead, human rights violations escalated in Haiti. The Lawyers Committee for Human Rights stated, in September 1992, that "the human rights situation in Haiti is worse than at any time since the Duvalier era." Again, this report from the Lawyers Committee for Human Rights went on to say:

The military has executed, tortured, and illegally arrested countless Haitians. Government harassment and intimidation of journalists, human rights monitors and lawyers, priests, nuns, and grassroots leaders is intense. Popular expressions of support for ousted President Aristide are routinely met with violent reprisals by the military.

That is a report of the Lawyers Committee on Human Rights.

Similarly, Amnesty International stated, in October 1992:

The security forces and thousands of civilians acting in collusion with them carry out a wide range of abuses with total impunity. The old repressive structures, which the deposed [Aristide] government had partly succeeded in dismantling, are back in place.

Again, from Amnesty International.

Mr. President, these statistics on death do not begin to tell the full story of the horror ripping Haiti today, threatening it with a return to the Duvalier past. Fully 70 percent of Haitians live in rural areas. Although they pay most of the taxes, these impover-

ished citizens receive virtually no Government services.

After "Baby Doc" Duvalier was driven into exile by a popular uprising in 1986, the rural peasants began to organize. They began to build silos to store their grain until prices increased. They began literacy programs. They formed trade unions and even started independent radio stations. Church programs and self-help activities expanded. In other words, the Haitians began to construct a civil society.

Much of this newly developed civil society was a threat to the military elites who gained their power through control of the peasant population. After the September 1991 coup, the army systematically attacked this civil structure with arrests, beatings, torture, disappearances, and murder.

After the 1991 coup that sent President Aristide into exile, all meetings were banned. Grain silos that the peasants had constructed to store their grain were systematically destroyed. Rooms where these groups were meeting were gutted and doors torn off their hinges so they could not close the doors. The army stole the weapons of these peasant groups. I do not mean guns and weapons, because they did not have any. What the army took away from them were typewriters, printing presses, and other equipment that they used to communicate with the people.

Nine independent radio stations, the main vehicle of communication with the peasant population, were closed after the September 1991 coup. Nine radio stations just closed. Remaining radio stations are under Government control or no longer broadcast news or information critical of the military regime.

The popular organizations, which were the backbone of the support for President Aristide, were driven underground. Many have been meeting secretly in small groups, but most have disbanded, giving up the power over their own lives that they had gained. This, Mr. President, is the real tragedy of the military control of Haiti. The destruction of the civil society that is necessary for the self-development, self-rule, education, and economic development of the Haitian peasants.

Mr. President, let me turn now to the Governor's Island accord. As the violence grew and constant calls for President Aristide's return to power were ignored by the Haitian military and police, the July 3, 1993, agreement signed by President Aristide and General Cedras seemed to offer some hope. This 10-step program would require General Cedras and the more dangerous police chief, Col. Michel Francois, to step down and would lead to the return to power of President Aristide on October 30, just 10 days from now. The accord also called on the United Nations to provide training for both the military and the creation of a new police force.

While General Cedras signed this accord, as did President Aristide, Colonel Francois did not, and his 2,500-person police force and his thousands of quasi-police attachés have been responsible for another round of escalating violence.

Since the Governors Island accord was signed on July 3, over 100 Haitians have been murdered, including, as we know all too well, the public execution of Antoine Izmerly, who was dragged out of church during mass and shot in cold blood while the military and police stood watching. And just recently, the Justice Minister Guy Malary was killed with his bodyguards and assistant; again, gunned down in cold blood. Worse yet, Duvalierists are filtering back into Haiti, ready to pick up where they left off in 1986, when "Baby Doc" Duvalier was overthrown.

Frank Roumaine, the former mayor of Port-au-Prince, returned in September. He has remained one of the most notorious members of the Tonton Macoutes, one of the most vicious of the killers in Haiti and Haitian history. He returned in September and, reportedly, is now organizing the old Tonton Macoutes. Reportedly, he was responsible for the attack on Father Aristide's St. Jean Bosco Roman Catholic Church that left 12 people dead.

An openly Duvalierist party has been formed, called the Front for Restoration of Democracy—how about that one for a play on words; it should be called the Front for the Restoration of Duvalierism—to restore the old Duvalier Tonton Macoutes regime.

Since General Cedras and Colonel Francois were not able to maintain order and quell the violence, the return of President Aristide is in great doubt.

At this critical juncture, some of my colleagues would have us throw in the towel and give up on the first democratically elected leader of Haiti—elected with 67.5 percent of the vote. Give up on democracy? Give up on the hundreds of thousands of Haitians who risked their lives to support President Aristide, who have worked for his return?

Mr. President, I do not believe that abandoning Haiti is in the best interests of our own national security. Haiti is no Somalia. We have no strategic interests in Somalia. Our military operation there was purely humanitarian, or should have been. Quite frankly, I was very proud almost a year ago when President Bush sent 25,000 American troops to Somalia to stop the starvation. And we did. I think that is a great story that we ought to be proud of, that we went there and stopped hundreds of thousands of people from starving to death. We have taken seed and fertilizer, and we have them growing crops in Somalia. We should have maintained a purely humanitarian effort in Somalia.

Be that as it may, Haiti is much more important to the United States of America. Haiti is in this hemisphere, 800 miles off the coast of Florida. Our national security would be degraded in at least three aspects if we let Haiti fall back into the hands of the murderers, the police, the military, and the Duvaliers.

First, a return to chaos would dramatically increase Haitian refugees beyond anything we have ever seen. Hundreds of thousands of Haitians are already preparing to flock to this country, flocking to airports to flee. Are we ready? Are we ready and prepared to clothe and feed a half million Haitian refugees? They will come. First of all, they will hit the Bahamas and sink them, and then move on to the United States.

Will President Clinton send destroyers out there to stop their boats, to sink them and let them drown? Will President Clinton turn them around and take them back to Haiti and dump them off? For surely he knows they will be killed. No, I do not think so. We would not stand for it.

What will happen when those 500,000 refugees come fleeing to America? Are we prepared to deal with that? In no way are we prepared. Again, Haiti is of great concern to our national interests.

Second, Haiti is a significant part of the drug highway from South America. A return to corruption and military rule will increase the flow of illegal drugs to our streets across America. Already, estimates are that over \$500 million a year goes into Haitian military coffers because of the illicit drug trade from Haiti into America.

Are those who say we have no interests there, and those who say that the return of President Aristide is not worth one American life, saying that stopping the flow of drugs into this country is not important and not worth the loss of one American soldier? Well, Mr. President, what about Panama? Why did we go there? Twenty-two American soldiers and three U.S. civilians lost their lives in Panama. Why? To go after Noriega and get him because he was sending drugs from South America to the United States. Twenty-five Americans lost their lives there.

American people and this Congress said that was all right because we were stopping the flow of drugs. The amount of drugs coming from Panama into the United States is minuscule compared to the amount of drugs coming through Haiti right now, this very minute, into the United States of America.

Who is behind it? It is not the peasants; they do not have the wherewithal. We know who it is. Our CIA knows, and so does the State Department. It is the military leaders and some of their friends in high places in the police forces that are conducting these drugs right into the streets of America, killing our young people.

Yes, Mr. President, we have a national security interest in Haiti; and, yes, we have a national interest in making sure that President Aristide is returned to power, if for no other reason, because President Aristide will stop the flow of drugs into this country. He will stop the drug trafficking.

We just learned that the President has seized or frozen all of the assets of their military in the United States. You wonder, because military people in Haiti, as I understand it, make less than about \$20,000 a year in United States money, how some of them have bank accounts in this country worth millions of dollars. That is quite a savings account. I do not know how you save up millions of dollars in bank accounts in this country when you are paid less than \$20,000 a year.

Where are they getting their money? We know where they are getting it. They are getting it from the drug trade. I say it is time to stop them. It was worth going after Manuel Noriega. It is worth 10 times as much to go after the ruthless killers and drug cartel in Haiti, who are shipping death and destruction to our streets in America even as we speak.

Third, Mr. President, if we abandon Haiti to the military dictators, we will be sending a strong signal to the rest of this hemisphere that the United States has lost the guts and the will to support and protect democratically elected governments in our backyard.

What they will learn is that all they have to do is send a few thugs to the docks to scare away the U.S. military, and we will turn around and run and tuck our tails between our legs. This is indeed a sad message for newly emerging democracies in this hemisphere and elsewhere around the world.

So, Mr. President, I oppose the underlying message and the substance of the Helms amendment. This amendment suggests that we should abandon Haiti at this critical juncture in its history; and, in our leadership in this hemisphere, abandon our efforts to stop the drug trade from coming into this country, as we surely know it is coming through Haiti.

This would send exactly the wrong message to the rest of our hemisphere. The President should have the option of using or threatening the use of force if the killers and thugs in Haiti's military and police forces continue their rampage in Haiti.

If we tie the President's hands at this point, then Haiti military will be given a green light to continue the torture and the murder with impunity. They will be given the green light to continue their drug trafficking to this country with impunity.

President Clinton must have the authority as Commander in Chief to protect the 1,000 or so Americans in Haiti. By leaving the President the option of using force to protect Americans, the

military leaders in Haiti will have cause for concern and may curb some of their worst excesses and I hope will lead to a reimposition of the Governors Island accord.

Mr. President, we have vital interests in what happens in Haiti. It is not like Somalia. And I daresay it is not even like Bosnia. While I abhor what happened in Bosnia, and I think we could have taken a different course of action a long time ago, we must, I think, put the burden on our European allies to pay attention to what is happening in Bosnia. That is in their national interest. But here Haiti is in our national security interest.

There has been a lot said about some words President Aristide has used in speeches he has given. I have tried to read as much as I can about President Aristide, who he is and what kind of an individual he is.

I have met him on two occasions. I was impressed at the time in my meetings with him by his intelligence, by his sincerity, and by his demeanor. He did not appear to me to be anyone who incited violence. But I heard so much about it I decided to start reading.

Mr. President, if you really want to know what someone is about, especially if it is someone who has attained a high position in life, a President, maybe a Senator, take a look at what they were before. What did they do? What has their life history been? Where did they come from? What has been their intellectual development?

I picked up this book called "In The Parish of the Poor." I recommend it to everyone. It was written by Jean-Bertrand Aristide before he was elected President of the Republic of Haiti. It was written while he was a parish priest. And I think if you read this you will get an idea of just who President Aristide is and where he is coming from.

I am going to read a small part of this because I think it is important. I cannot read the whole book, and I would not put the whole book into the RECORD, but I would recommend it for anyone to read. Basically the whole book is talking about his parish that he ran for the poor in Haiti and how the people were beaten and tortured, the disappearances, the murders, the brutal repression of the people in his parish. But I think there is one passage in here that sort of says something about who Aristide is. Remember, this was written before he was President, before he probably had any idea that he would ever be President.

I will not read the whole chapter, but he talks about the poor in Haiti, and he talks about Haiti as being the parish of the poor. He talks about being a Christian and what it means to be a Christian.

Here is, I think, the most telling passage:

Open your eyes with me, sisters and brothers. It is morning. The night has been a long

one, very long. Now, the dawn seems to be climbing up slowly from beneath the horizon. Wisps of smoke are rising up from the little houses of the village, and you can smell good cornmeal cereal cooking. The sky grows pink. An hour later, the children in their tidy, well-fitting uniforms run off to school, clutching new books in their arms. Women wearing shoes head off to market, some on horseback and donkey, others on motorcycle and bicycle. They all take the new paved road, down which buses take other women and men to market for the day. If you listen closely, you can hear the sound of running water, of faucets being turned on in houses. Then the men emerge, carrying shiny new tools, laughing together, their bodies strong and well fed. They head off for the fields. A new irrigation project has been installed and the crops are growing where before there was almost a desert. Throughout the village, you can hear laughter and the sound of jokes being told and listened to.

This is the village I call Esperancia. The day is coming when this village will exist, though now it is called Despair and its residents wear rags and never laugh. Yet when we look around this village I call Esperancia, we can see that not very much has changed since it was called Despair. This is what has changed: Everyone now eats a decent poor man's breakfast. There is a new road. The children now have books. The women have shoes. There is water, and running water. There is an irrigation project.

This is not very much to change. Yet just those few changes can turn Despair into Hope, and all it takes to change them is organization. In a year, the village of Esperancia could exist in any of our lands. Esperancia, El Salvador; Esperancia, Honduras; Esperancia, Guatemala. It is an honorable address in the parishes of the poor.

Let us leave our old homes of cardboard and mud floors. Let us make a plan to douse them with gasoline, and burn them to the ground. Let us turn our backs on that great fire and on that way of life, and hand in hand, calmly, intelligently, walk forward into the darkness toward the sunrise of Hope. Let us trust one another, keep faith with one another, and never falter.

That says more than anything who President Aristide really is, someone who wants to turn his back on the despair and ravages of the hundreds of years of hatred and violence, misery and suffering, and lead his people into a new village.

Mr. President, I would also suggest another book, "Jean-Bertrand Aristide, An Autobiography." I am only halfway through that. But again there is another passage in here I think that says something about who this individual is. He talks about Gandhi and Martin Luther King. He said that they are:

\* \* \* in a class I will never attain, and fighting for a long time, a very long time against the same enemy, but under other skies.

He is talking about Martin Luther King and Gandhi.

Both were killed by assassins.\* \* \* I do not aspire to martyrdom. Those heroes were not my contemporaries, but my strategy is the same as theirs: nonviolence. Nonviolence is collective resistance, not resignation.

A good lesson, right? Nonviolence is collective resistance, not resignation.

The gospel demands it. I very quickly discovered the congruence between the attitude

of Jesus and nonviolence: his way of loving his enemies, his way of giving dignity to the outsiders, of pardoning those who injured him, of speaking word of truth whether it was pleasant or not—all of these things harbor an unbelievable power.

So again, someone who admires Gandhi and Martin Luther King preaching the gospel of nonviolence. It does not say resignation. Martin Luther King never preached that either. He did not say to the African-Americans of this country: Just sit down and go home, do not demonstrate, do not sit in the front of the bus, do not demand your rights as human beings and as citizens of this country.

Through the nonviolence demonstration of collective power, Martin Luther King organized black Americans to demand their rightful place in our own country. Yet it was Bull Connor and so many others and even, yes, J. Edgar Hoover, the head of the FBI, accusing Martin Luther King of inciting the violence.

It was not Martin Luther King that incited the violence, it was the segregationists. It was those who wanted to keep black Americans in a lower level, who did not want them to exercise not only their God-given rights, but their constitutional rights in the country. They were the ones inciting the violence, not Martin Luther King.

It is the military in Haiti, it is the police in Haiti, it is the attachés and the Tonton Macoutes Duvaliers who are inciting the violence. It is not President Aristide. President Aristide is simply showing a nonviolent way of giving dignity and hope to the Haitian people.

Mr. President, earlier today the Senator from North Carolina took the floor. I was watching with interest in my office as the Senator alluded to a speech given by President Aristide on September 27, 1991, given in Port-au-Prince at the National Palace. References were made at that time about President Aristide talking about using necklacing—putting rubber tires around people's necks and dousing them with gasoline and lighting them.

I think the remarks made at that time and that were attributed to President Aristide were as if President Aristide said that this is what we should do. There were allusions made to "Isn't it a wonderful smell and a pretty sight."

Later, about an hour ago, I went to the recording studio to view a videotape that the Senator from North Carolina had. He was kind enough to let me see it. I wanted to see the actual speech of President Aristide where he said we should use necklacing.

Well, I watched it. It is not a very good tape. What is interesting is the tape is spliced with speeches—a part of a speech by President Aristide and then a picture of burning tires. There are some other pictures, of a mutilated human body. I could not quite tell. It

was pretty gruesome. Then there was some part of a McLaughlin Group and a short speech by Pat Robertson. I did not watch it beyond that. But I listened to the speech and, of course, I do not understand Creole, so there was a translation put at the bottom of bits and pieces of the speech.

Mr. President, I have here in my hand the translation of that speech given by President Aristide on September 27, 1991, given on the occasion of his return from the United Nations to Haiti. Remember, it was only 4 days after he gave this speech that the coup occurred. And remember that at this time the coup was really already underway. The coup was already underway when President Aristide returned to Haiti on that day on the 27th of September 1991. So what I have here is a translation by FBIS, that is the Foreign Broadcasting Information Service, by our State Department. I cannot vouch for anything more than the translations they have given us. And so here is all the speech.

I ask unanimous consent that this FBIS translation of the speech of President Aristide on September 27, 1991 be printed at this point in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD as follows:

#### ARISTIDE ADDRESS AFTER VISIT TO UN

[Address by President Jean-Bertrand Aristide at the National Palace in Port-au-Prince on 27 September, on his return from the United Nations—live or recorded]

[Excerpts] [passage omitted including indistinct portions] to repent and say: I acknowledge that I made this money through malpractice and, from now on, watching the national pride dancing like a flag. I will cooperate by using the money [word indistinct] to create work opportunities, and to invest in economic activity so more people can get jobs.

If you [referring to bourgeoisie] do not do so, I feel sorry for you. Really I do. [laughter from crowd] It will not be my fault because this money you have is not really yours. You acquired it through criminal activity. You made it by plundering, by embezzling. You got it through the negative choices you made. You made it under oppressive regimes. You acquired it under a corrupt system. You made this money through means that you knew were wrong. Today, seven months after 7 February, on a day ending in seven, I give you one last chance. I ask you to take this chance, because you will not have two or three more chances, only one. Otherwise, it will not be good for you. [applause]

If I speak to you this way, it is because I gave you a seven-month deadline for making amends. The seven-month deadline expires today. [applause] If I speak to you this way, it does not mean that I am unaware of my power to unleash public vindication, in the name of justice, against all these thieves, in an attempt to recover from them what is not theirs. A word to the wise is enough. You understand me because you and I speak Creole. [applause]

The saying goes: God's justice is slow. It appears that justice is going too slow. It is, however, a reasonable justice because seven months—during which people have been hungry and unemployed, while you had the

power to reduce unemployment and hunger—have passed. As I told you, the deadline expires today. The ball is in your court. The 7 February ball is at your feet. If you want to shoot; go ahead. [applause]

Did all of the bourgeoisie make their money through ill practices? [crowd shouts "no"] [repeats sentence twice] Congratulations, intelligent people! [repeats sentence three times] [applause] We call the bourgeoisie who made their money through foul practices, and who refuse to invest in the country, false patriots [patrilocchi]. We call the bourgeoisie who earned their money through honest work, and who are cooperative, patriots. [applause] Congratulations to the patriotic bourgeoisie. Congratulations to the bourgeois patriots. They are few. Unfortunately, they are not the majority. Nevertheless they do exist. [passage omitted]

I want to use this very occasion to also address political parties. I want to hail and encourage them to walk on in unity—unity among them and with the entire population—to consolidate themselves so that, in accordance with the Constitution, we will build together a strong opposition on the basis of the law. We will thus foster democracy, unity in political pluralism, unity in political diversity.

Therefore, political leaders, I am passing to you the ball of understanding with great love as usual. If you do not catch the ball, dribble, and score goals, do not later accuse me because you will have failed to live up to expectations in order to gain in popularity than that you [word indistinct]. [crowd cheers] I wish you all good luck, good luck to all the [words indistinct] parties.

I hope that deputies and senators will continue to work together with the people in order to personally feel the joy of working to satisfy the aspirations of the masses, because we prefer to fail with the masses than succeed without them, but with the masses, we cannot fail. [crowd cheers] I am encouraging all the ministers [crowd cheers] I know, I know, all right! For those of you who are outside the palace, the brother here said that the deputies cannot do me any harm. I told them I know that. [loud cheers from crowd]

I am encouraging every minister to continue with the purge that we have already started. I am also encouraging each state employee [words indistinct] because you are the ones pressing on the economic pedal now, so that the economic car can run twice as fast. I am encouraging each state employee—please, I am speaking to you as a brother of yours—I encourage you to realize that, as a state employee, you must work twice as much so that the job can be done well and fast. You will thus increase, if not double, the output of public administration. We will all benefit from the increased effort that you all make. I encourage you to do so in the provinces and in the capital, wherever state employees work. If you feel that your work goes slowly, speed it up. You do not need anyone to supervise you. Be your own supervisor. This is because contrary to the past, when people used to say that embezzling state money is not stealing, today we know very well that diverting state money is stealing, and thieves do not deserve to stay in public administration. [crowd cheers] [passage indistinct].

You must greet visitors in the same warm way that Haitians are greeted—with the type of welcome we received abroad. Greet people with a smile in state offices. Give people the information that they need with a welcoming smile of understanding. You too, address the state employee with great courtesy so

that we will make double economic effort. [passage omitted]

However, if I catch a thief, a robber, a swindler, or an embezzler, if I catch a fake lavalas, if I catch a fake... [changes thought] If you catch someone who does not deserve to be where he is, do not fail to give him what he deserves. [crowd cheers] Do not fail to give him what he deserves! Do not fail to give him what he deserves! Do not fail to give him what he deserves!

Your tool is in your hands. Your instrument is in your hands. Your Constitution is in your hand. Do not fail to give him what he deserves. [loud cheers from crowd] That device is in your hands. Your trowel is in your hands. The bugle is in your hands. The Constitution is in your hands. Do not fail to give him what he deserves.

Article 291 of the Constitution, which is symbolized by the center of my head where there is no more hair, provides that macoutes are excluded from the political game. Macoutes are excluded from the political game. Macoutes are excluded from the political game. Do not fail to give them what they deserve. Do not fail to give them what they deserve. You spent three sleepless nights in front of the National Penitentiary. If one escapes, do not fail to give him what he deserves. [loud cheers from crowd]

You are watching all macoute activities throughout the country. We are watching and praying. We are watching and praying. If we catch one, do not fail to give him what he deserves. What a nice tool! What a nice instrument! [loud cheers from crowd] What a nice device! [crowd cheers] It is a pretty one. It is elegant, attractive, splendidorous, graceful, and dazzling. It smells good. Wherever you go, you feel like smelling it. [crowd cheers] It is provided for by the Constitution, which bans macoutes from the political scene.

Whatever happens to them is their problem. They should not look for it. [crowd cheers] As such, under the same flag of pride, dignity, and solidarity, and hand in hand, we will encourage one another, so that starting today, we will all receive due respect—the type of respect I share with you—and fulfill common aspiration for justice. Words will thus cease to be just words and will instead be translated into action.

Action on the economic front required me to get the ball and pass it over to you. You should dribble and kick hard at the ball once you are in front of the goal, and make sure to score a goal because if the people do not see the ball in the net, as I told you, it would not be my fault; if you are given what you deserve, as provided for in the Constitution. Alone we are weak, together we are strong, tightly united we are an avalanche. Are you feeling proud? Are you feeling proud? Go home now as your hearts are full of happiness, energy, and joy and show that you are working for the progress of the country, and to make it elegant, graceful, and dazzling, show that you want to restore its former image. [loud cheers from crowd]

(Mr. CAMPBELL assumed the chair.)

Mr. HARKIN. Mr. President, it is quite a rambling speech. Obviously, he was not speaking from a prepared text. But I want to read some parts of it to put it in context.

He said:

I want to use this very occasion to also address political parties. I want to hail and encourage them to walk on in unity—unity among them and with the entire population—to consolidate themselves so that, in

accordance with the Constitution, we will build together a strong opposition on the basis of the law.

Let me repeat that—

We will build together a strong opposition on the basis of the law. We will thus foster democracy, unity in political pluralism, unity in political diversity.

Does this sound like someone who wants to take over and be a dictator and burn people with tires? He is telling people to form political parties.

He says:

Therefore, political leaders, I am passing to you the ball of understanding with great love as usual. If you do not catch the ball, dribble, and score goals, do not later accuse me because you will have failed to live up to expectations in order to gain in popularity \*\*\* I wish you all good luck, good luck to all of the parties.

Now I have heard it said that President Aristide did not want other political parties forming. He just said there he wished them luck.

But let me get to the part that has been misinterpreted, I believe, as saying that somehow he was encouraging necklacing, this idea of putting rubber tires around people's heads and burning them.

I asked President Aristide about this situation. He said that he never advocated that, and, second, during his 8 months as President, there was not one recorded incident of necklacing. Let me repeat that. During President Aristide's 8 months as President, there was not one recorded incident of necklacing. We have challenged the State Department and everyone else to find it. No one can find any instance of necklacing. There was some before he came to power, before he became President, but not while he was President.

But I want to read this passage, because I believe it was not only taken out of context, words were taken out. Let us look at the exact translation. He said:

However if I catch a thief, a robber, a swindler, or an embezzler, if I catch a fake lavalas.

That is someone belonging to his party—

If you catch someone who does not deserve to be where he is, do not fail to give him what he deserves. Do not fail to give him what he deserves. Do not fail to give him what he deserves.

Your tool is in your hands. Your instrument is in your hands. Your Constitution is in your hand.

This phrase "Your Constitution is in your hand" is left out. That is what is conveniently left out every time I have seen this speech repeated. There is this illusion of your tools in your hands, your instruments in your hands, give them what he deserves, but that part is left out.

Your Constitution is in your hand. Do not fail to give him what he deserves. That device is in your hands. Your trowel is in your hands. The bugle is in your hands. The Constitution is in your hands. Do not fail to give him what he deserves.

Article 291 of the Constitution, which is symbolized by the center of my head where there is no more hair, provides that macoutes are excluded from the political game. Macoutes are excluded from the political game. Do not fail to give them what they deserve. Do not fail to give them what they deserve. You spent three sleepless nights in front of the National Penitentiary. If one escapes, do not fail to give him what he deserves.

Then he goes on to say this:

What nice tool! What a nice instrument. What a nice device. It is a pretty one. It is elegant, attractive, splendid, graceful, and dazzling. It smells good. Wherever you go, you feel like smelling it. It is provided for by the Constitution, which bans macoute from the political scene.

I asked President Aristide about this. He said you must understand that in Creole we speak in poetic terms. And when I read his book "In the Parish of the Poor," there is a lot of poetry, speaking in poetic terms. So when he was talking about the tool, it was the fact that the Constitution—the Constitution—banned the Tonton Macoutes from political power. And he said, "Isn't it wonderful? Isn't it dazzling? It smells good. It is graceful. It is dazzling that finally our constitution bans those murderous Tonton Macoutes from our political structure?" He says, "It is provided for by the constitution, which bans macoutes from the political scene."

Yet, those who would continue to support the military in Haiti, who would support those who traffic in drugs, I know unknowingly—no one here would support anyone who traffics in drugs, but it is well known that the military in Haiti do traffic in drugs—but they have taken this speech of Aristide and they have made a mockery of it by taking it out of context. If you read it, you can see what he was talking about.

But if there are those who say that Aristide was provoking violence, promoting violence, read the last sentence of his speech. Mind you, he is standing in the National Palace. He has a huge crowd around him. The coup was already basically underway. He has just returned from the United Nations. He has told the people go out and organize political parties, it is your right. He has told them you have the constitution in your hands, it bans the Macoutes from the political process. And then what does he tell them? Does he tell them to go out and riot? Does he tell them to go out and kill people? No. Listen to this. He says:

Action on the economic front required me to get the ball and pass it over to you. You should dribble and kick hard at the ball once you are in front of the goal and make sure to score a goal because if the people do not see the ball in the net, as I told you, it would not be my fault if you are given what you deserved as provided for in the Constitution. Alone we are weak. Together we are strong, tightly united we are an avalanche. Are you feeling proud? Are you feeling proud? Go

home now as your hearts are full of happiness, energy, and joy, and show that you are working for the progress of the country, and to make it elegant, graceful, and dazzling; show that you want to restore its former image.

Does this sound like someone inciting his people to violence? He tells them to go home with your hearts full of pride, with the constitution in your hands. He says, "Go home."

He did not say march down the street. He did not even tell them that. And, yet, this is the very speech we are told incited the military to overthrow him and send him out of the country. I am glad we got the translation. I am glad we have this, because if we did not have this, all we would have is some of the interpretations by those who obviously do not want to see President Aristide returned to his rightful place as the elected President of Haiti.

Oh, yes, one other thing. Earlier today the Senator from North Carolina put a picture on an easel over there. I saw it on my television screen in my office. It was a picture of a chair with some burning tires in front of it, a bottle that reportedly contained gasoline, a book of matches, a fire, a picture of Aristide over in one corner, some writings. It was kind of a montage. I do not see it here now.

A couple of hours ago I asked President Aristide about that picture. He absolutely had no knowledge of it.

I asked Ambassador Bob White. I called him up at that time and I said, "Had you ever visited President Aristide when he was in office as President, during his 8 months?"

He said, "Many times I have been in his office at Port-au-Prince."

I told him about this painting. "Have you ever seen a painting like this in his office?"

"To the best of my recollection I have never seen anything like that. If I had, I probably would have asked him about it."

President Aristide says it never was in his office. So I do not know where this picture comes from.

Again, I think perhaps the picture was given to the Senator from North Carolina, by those who do not have the best interests, of this country at heart in terms of making sure that President Aristide is returned to his rightful place as President of Haiti.

I wanted to take this time, first of all, to describe, why we have a national interest, a security interest in Haiti; why the Helms amendment ought to be defeated overwhelmingly; and, lastly, why I believe we ought to, again, fall back on the Governors Island accord.

This summer, in July, President Aristide and Lt. Gen. Raoul Cedras, commander in chief of the Armed Forces of Haiti, signed an agreement. It has 10 steps to it. To this date and at this point in time, this Governors Island accord has never been overtly thrown out by General Cedras or the

military. There has been no overt rejection of the Governors Island accord by the Haitian military. So as far as this Senator is concerned it is still in force and effect. It was signed by President Aristide. It was signed by General Cedras.

I think it was wrong, I think it was absolutely wrong, for President Clinton to order that ship, the *Harlan County*, to turn around.

I read in the New York Times just about that same time, that the U.N. commanders had given orders to our forces and to their forces down there that, at the first sign of trouble, they were to turn away from it and run. All I can say is I am proud I was in the U.S. military at a time when we were not told to turn and run. The sight of that ship leaving—because of a few thugs on the dock creating a little disturbance—sent the wrong signal. I think it was a terrible mistake for President Clinton to do that. It not only sends the wrong message, I think it demoralizes our military.

But it is not too late. I speak directly to the President of the United States. President Clinton, it is not too late. Pick up the ball where you left off. The Governors Island accord is still in force and effect. It provides for the introduction of U.N. forces and for security forces into the Republic of Haiti. It provides that we can also send our forces to Haiti. I will read this right here.

Implementation, following the agreements of the constitutional Government, of international cooperation:

(a) technical and financial assistance for development;

(b) assistance for the administrative and judicial reform;

(c) assistance for modernizing the Armed Forces of Haiti and establishing a new Police Force with the presence of United Nations personnel in these fields.

It is still in force and effect.

So I say to President Clinton, pick it up. This is what we have to do—pick up the Governors Island accord, get the U.N. forces back there, put our engineers back there again.

But the Governors Island accord envisions a security force, a security force to basically do two things: Protect the people of Haiti from the military and the police, but also to protect the military from the people of Haiti. It is in everyone's best interests.

We can send our forces back there with the United Nations, send our engineers back and our trainers back, but send them back with United States military personnel, well armed, only to protect them—not to engage the Haitians in military activities; not to shoot Haitians; but United States military personnel to make sure that none of them shoot us.

If we do that, then I believe the Governors Island accord can go forward. I believe some of the well-meaning people who are in the military of Haiti

will come forward because then they know they are going to be secure and they will not be afraid. There are good Haitians in the military. There are some good Haitians in the police. But they are afraid to act. They are afraid to come forward.

So this really is our course of action. Reject the Helms amendment.

I understand the leader will be offering a leadership amendment after that dealing with Haiti.

I read it, and I believe that it provides for the President of the United States, as I said, to pick up the Governors Island accord and to implement it. It is not dead. It was put on hold for a while because of the *Harlan County* being turned around, but it is not dead. I hope that the President will pick it up and reimplement it.

I think now is the time for President Clinton to look beyond the opinion polls and to realize that we have serious interest in Haiti, very serious interest in Haiti. It is time for the President of the United States to pick up the Governors Island accord and act accordingly by, once again, introducing the U.N. forces that are called for, our forces that are called for, for training and modernizing the police and also sending the requisite number of United States military forces to protect those of our forces that are there, so that we do not run into the situation like we ran into in Somalia.

I see the majority leader wanting the floor. I wanted to take this time to express my thoughts on Haiti and to correct some of the misperceptions and some of the misstatements made about President Aristide, to put into the RECORD the full translation of the speech he gave on September 27, 1991.

Mr. President, with that, I hope we can defeat the Helms amendment and adopt the bipartisan, leadership amendment that will be offered.

Mr. MITCHELL addressed the Chair.

The PRESIDING OFFICER. The majority leader.

#### UNANIMOUS CONSENT AGREEMENT

Mr. MITCHELL. Mr. President, I ask unanimous consent that Senator HELMS' amendment be temporarily laid aside; that Senator MITCHELL be recognized to offer an amendment on behalf of himself, Senator DOLE, and others, on Bosnia; that there be 40 minutes, equally divided between the two leaders, for debate on the Bosnia amendment; that upon the conclusion or yielding back of time, the Senate vote on the amendment; that upon the disposition of the Bosnia amendment, Senator DOLE be recognized to offer an amendment, on behalf of himself and Senator MITCHELL and others, on the subject of Haiti; that there be 60 minutes for debate tonight on both the Helms and Dole Haiti amendments, equally divided between Senators DOLE and HELMS; that when the Senate resumes consideration of the Department

of Defense appropriations bill tomorrow at 9:30 a.m., there be 90 more minutes for debate on both the Dole and Helms Haiti amendments, equally divided between Senators DOLE and HELMS; that at the conclusion or yielding back of that time, the Senate vote on the Helms amendment No. 1072, followed by a vote on the Dole-Mitchell Haiti amendment; that no other amendments or motions be in order prior to the disposition of these three amendments; that the preceding all occur without any intervening action or debate.

Mr. GORTON. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Washington.

Mr. GORTON. Reserving the right to object, Mr. President, I say to the majority leader that this Senator has been here for some time wishing to speak on the Helms amendment, almost certainly on the same side of that issue represented by the Senator from Iowa and by the majority leader. But this Senator wants to make it very clear, while he will vote the same way the Senator from Iowa will, that he disagrees quite profoundly with the rationale which has been expounded at length by the Senator from Iowa.

The Senator from Washington does not find anything in the unanimous consent agreement that will allow him, will guarantee him that ability, a time relatively close to the time which the Senator from Iowa has spoken.

Under those circumstances, at least for a relatively brief period of time, this Senator will have to object, unless the distinguished majority leader would be willing to make the effective time of his unanimous consent agreement, say, to begin in 10 minutes or so, during which the Senator from Washington can easily conclude his remarks.

Mr. MITCHELL. Mr. President, I have no objection to that. This has been drafted to accommodate Senators on the Republican side. If the Senator wants to speak for 10 minutes now and delay the implementation of this for 10 minutes, push everything back 10 minutes—

Mr. DOLE. Why do we not just give you 10 minutes—I will give him 10 minutes out of the Bosnian time, because many of our colleagues have appointments starting at about 7. So we are trying to accommodate about 15 people.

Mr. GORTON. The remarks of this Senator are not on Bosnia.

Mr. DOLE. You can make them on anything. The Bosnia amendment will be pending.

Mr. GORTON. If the minority leader wants to take 10 minutes of his time immediately or very shortly after this unanimous-consent agreement to give me to speak on an entirely different subject, I think he may be accommodated.

dating other Members. The Senator from Washington is willing to accept that and thinks it probably would be preferable if he spoke now before this began.

Mr. DOLE. I think in the long run, it will be accommodating more Senators.

The PRESIDING OFFICER. Is there objection?

Mr. GORTON. Excuse me, reserving the right to object, am I to understand then the distinguished minority leader will yield me his first 10 minutes as soon as this debate begins?

Mr. MITCHELL. We will do better than that. As soon as I offer the Bosnia amendment, I will not say a word. The Senator from Washington then can have 10 minutes.

Mr. GORTON. That is certainly a fine accommodation to the Senator from Washington.

Mr. MITCHELL. My life is one of accommodations. I renew my request.

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

#### AMENDMENT NO. 1073

(Purpose: To express the sense of Congress on funding for United States Armed Forces in Bosnia-Herzegovina)

Mr. MITCHELL. Mr. President, in accordance with the prior agreement, in behalf of myself, Senator DOLE and others, I send an amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Maine [Mr. MITCHELL], for himself, Mr. DOLE, Mr. THURMOND, Mr. SIMPSON, Mr. WARNER, Mr. DOMENICI, Mrs. Hutchison and Mr. D'AMATO, proposes an amendment numbered 1073.

Mr. MITCHELL. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place in the bill insert the following:

SEC. . (a) It is the sense of Congress that none of the funds appropriated or otherwise made available by this Act should be available for the purposes of deploying United States Armed Forces to participate in the implementation of a peace settlement in Bosnia-Herzegovina, unless previously authorized by the Congress.

(b) It is the sense of Congress that the limitation set forth in subsection (a) should not preclude missions and operations initiated on or before October 20, 1993, including the provision of any humanitarian assistance by the Department of Defense.

Mr. GORTON addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington is recognized.

Mr. GORTON. Mr. President, it is said that in public policy, as in science, nature abhors a vacuum. I believe it is the existence of that vacuum in public policy which has caused so much of the time of this Senate to have been devoted during the last 2 weeks or so on a defense appropriations bill on military and foreign policy questions.

To be very blunt, the military foreign policy of the Clinton administration has been, at the very least, an uncertain trumpet. As a consequence, we have debated or will debate extensively our policies in Bosnia, in Somalia, and now in Haiti.

In Somalia, which we debated last week at length, for example, there have apparently been five switches in the number of our armed services sent to or withdrawn from that unhappy nation during the course of the last 2 weeks, and almost as many changes in the instructions with which they were burdened during their stay. And yet, Mr. President, we have had, we have debated here, we have largely agreed on a set of rules which ought to be considered and adopted by the people of the United States before they put the men and women of our armed services at risk, which are essentially those established by Secretary of Defense Weinberger a number of years ago.

To paraphrase the most important of them, first, before such a risk is undertaken, we must find that the country in question represents a vital national security interest to the United States.

Second, of course, we need clear and attainable goals, both as we go in, as we determine what we have accomplished and with a very clear way to get out of such engagements.

Third, and quite obviously, there should be no reasonable alternative, no other successful alternative to the risking of the lives of our men in uniform who have enlisted in the armed services.

And fourth, it is obvious that once we go in, we have to use force that is amply sufficient to meet those goals, not send people in under restrictive instructions in dribs and drabs risking them without the ability to attain their goals.

Mr. President, it is the view of this Senator and of many others that not one of those considerations was present with respect to our intervention in Somalia, at least after it moved from providing food for the starving to creating a new and different political atmosphere in that nation.

On the other hand, and I think relevant to this debate, there is a very considerable difference with respect to Haiti. Vital interests of the United States are clearly present in that nation. It is relatively close to our shores, and overwhelmingly the disturbances, the violence, the lack of security in Haiti threatens the United States with the onset of literally hundreds of thousands of refugees seeking freedom, seeking security in a way with which we all sympathize but in a place which simply does not have room for them. We cannot be the recipient of literally hundreds of thousands of people from one small country when there is any remote other alternative to provide security there.

Second, there is at least some goal which this administration has articulated in this case, the restoration of an elected government for a government which took power by a military coup.

It is in this respect that I want to disagree respectfully but most profoundly with the extended statements of the junior Senator from Iowa, who almost sanctified President Aristide of that country in a way with which this Senator rather profoundly disagrees. This Senator is not at all certain that the situation in Haiti will be any more peaceful, that there will be any more justice in Haiti after the restoration of President Aristide than there is today. But he was the duly elected President of that country, and there is at least some chance that some change might take place, so it does seem to me that is an appropriate goal.

Whether or not there is no alternative to military intervention is an open question, and clearly the administration in its abortive attempts of a week or so ago did not provide amply sufficient force to enforce the Governors Island decision. The disgraceful dispatch of some 200 American troops unarmed in an unarmed ship to Haiti and its withdrawal in the face of a mob is discreditable to this administration and shows a lack of foresight or concern for the fate of our Armed Forces that is reprehensible.

Now, having said all of this, dealing with vacillation in Haiti in Bosnia, in Somalia, one would think, I suppose, that this Senator would speak in favor of the Helms amendment, but he does not. He finds the Helms amendment much too drastic, greatly oversimplified, not itself reflecting the considerations, the multiple considerations, of the Weinberger rules or of any appropriate substitute for those Weinberger rules.

This Senator believes that the President of the United States would be very well advised to seek authority from this Congress before he attempts to put any of our Armed Forces at risk in that country. It would be wise for him to seek the advice and consent of the Senate and of the Congress as a whole.

But at the bottom, it seems to me far more likely that we can find an alternative which does not risk our soldiers, our sailors, our marines, and our airmen if we do not tie the hands of the President in the way in which the Helms amendment does. If we do not require it, he does have more flexibility. I wish I had a greater degree of confidence in the ability of this President to conduct foreign policy of this sort than I do. But I do recognize the fact that we have only one President. I voted and spoke for the immediate withdrawal of our troops from Somalia because they were at risk and are at risk there today. Right now, American men and women in uniform are not at

risk in Haiti. As a consequence, I think the President ought to have the broadest possible authority to see to it that we can succeed in reaching our goals in Haiti without their use.

I hope he will come to us and ask for our permission to use them if he deems that necessary and that he comes with a plan in which we can have a degree of confidence. But each of those is more likely to be the case if we reject the Helms amendment and take a somewhat more moderate and somewhat more bipartisan action.

For those reasons, I will oppose the Helms amendment.

Mr. DODD. Will my colleague yield at this point?

Mr. GORTON. I certainly will.

Mr. DODD. I wish to commend my colleague from Washington. I agree with his analysis on this. I have no reason not to believe that President Clinton would certainly consult with Congress before taking any dramatic action in Haiti or any action militarily. But the Senator's analysis of the particular approach being advocated by our colleague from North Carolina is that it would have the opposite effect. So I just wanted to associate myself with his remarks and approach on this.

Mr. GORTON. I thank my friend.

Mr. HARKIN. If the Senator will yield again, I wish to compliment the Senator, my good friend from Washington, for a very thoughtful statement.

I guess we are under some time constraints. I wish we were not.

The Senator from Washington is a very thoughtful, considerate individual. Quite frankly, I do not disagree with anything he said either. I do not think I am trying to sanctify anyone. I am just trying to give a different picture here of an individual through his writings and things.

But again I say to my friend from Washington, I would like to ask the Senator to take a look at the Governors Island accord, which it seems everyone supported on both sides of the aisle. The military signed off on it, Aristide. Everyone seemed to sign off on it. It seemed to point the way toward a more peaceful—I do not say totally peaceful—Haiti.

The PRESIDING OFFICER. The time of the Senator from Washington has expired. Who yields time?

Mr. GORTON. I do not mind having the Senator go on. I wish he would go on on the time of the other side.

Mr. HARKIN. Can I ask for 2 more minutes?

Mr. MITCHELL. Mr. President, we have time limited on the Bosnia amendment. Both Senators, from Iowa and Washington, have already talked on the subject of Haiti longer than the time that I have allotted to me on Bosnia.

I will yield to the Senator an additional 2 minutes out of my time with the understanding that this is the last

of this and we can get on to the pending amendment.

Mr. HARKIN. I just want to say I can associate myself with his remarks, too, because I thought them very thoughtful and very straightforward.

If the Senator wants to say anything else, I yield my 2 minutes to him.

Mr. GORTON. I thank the Senator.

The PRESIDING OFFICER. Who yields time?

Mr. MITCHELL addressed the Chair.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. MITCHELL. How much time remains on the pending amendment?

The PRESIDING OFFICER. The majority leader has 19 minutes 43 seconds. The Senator from Kansas [Mr. DOLE], has 9 minutes 29 seconds.

Mr. MITCHELL. Mr. President, I ask that the clerk read the pending amendment, which we interrupted to accommodate the Senator from Washington earlier.

The PRESIDING OFFICER. Without objection, the clerk will read the amendment.

The legislative clerk read as follows:

At the appropriate place in the bill insert the following:

SEC. (a) It is the sense of Congress that none of the funds appropriated or otherwise made available by this Act should be available for the purposes of deploying United States Armed Forces to participate in the implementation of a peace settlement in Bosnia-Herzegovina, unless previously authorized by the Congress.

(b) It is the sense of Congress that the limitation set forth in subsection (a) should not preclude missions and operations initiated on or before October 20, 1993, including the provision of any humanitarian assistance by the Department of Defense.

Mr. MITCHELL. Mr. President, there are two notable facts about this amendment. First, it is a sense-of-the-Congress amendment. It does not impose legally binding restrictions upon the President in advance. That is very significant, and it distinguishes this amendment sharply from the amendment previously debated, which attempts to do so in what I believe to be an unwise fashion.

The Congress regularly expresses its opinion in sense-of-the-Senate, sense-of-the-House, or sense-of-the-Congress resolutions. Everyone should understand that these are just that, opinions. They have no legally binding effect although obviously any Chief Executive should, and sensibly in his self-interest, will take into account the opinions of Congress.

So that should be clear. This amendment is a sense of the Congress. It is not a legally binding document.

The second is that this is consistent, where indeed responsive to the prior statements and requests of President Clinton himself.

Earlier today the President delivered to me a letter on this subject.

I ask unanimous consent, Mr. President, that this letter be placed in the CONGRESSIONAL RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE WHITE HOUSE,  
Washington, October 20, 1993.  
Hon. GEORGE MITCHELL,  
U.S. Senate,  
Washington, DC.

DEAR MR. LEADER: The violent conflict in the former Yugoslavia continues to be a source of deep concern. As you know, my Administration is committed to help stop the bloodshed and implement a fair and enforceable peace agreement, if the parties to the conflict can reach one. I have stated that such enforcement potentially could include American military personnel as part of a NATO operation. I have also specified a number of conditions that would need to be met before our troops would participate in such an operation.

I also have made clear that it would be helpful to have a strong expression of support from the United States Congress prior to the participation of U.S. forces in implementation of a Bosnian peace accord. For that reason, I would welcome and encourage congressional authorization of any military involvement in Bosnia.

The conflict in Bosnia ultimately is a matter for the parties to resolve, but the nations of Europe and the United States have significant interests at stake. For that reason, I am committed to keep our nation engaged in the search for a fair and workable resolution to this tragic conflict.

I want to express my lasting gratitude for the leadership you have shown in recent days as we have worked through difficult issues affecting our national security. With your help we have built a broad coalition that should provide the basis for proceeding constructively in the months ahead. Once again you have earned our respect and appreciation.

Sincerely,

BILL CLINTON.

Mr. MITCHELL. Mr. President, I wish to quote from this letter. I will not quote the letter in its entirety but read what I believe to be the pertinent part.

In the letter addressed to me the President says:

The violent conflict in the former Yugoslavia continues to be a source of deep concern. As you know, my Administration is committed to help stop the bloodshed and implement a fair and enforceable peace agreement, if the parties to the conflict can reach one. I have stated that such enforcement potentially could include American military personnel as part of a NATO operation. I have also specified a number of conditions that would need to be met before our troops would participate in such an operation.

I also have made clear that it would be helpful to have a strong expression of support from the United States Congress prior to the participation of U.S. forces in implementation of a Bosnian peace accord. For that reason, I would welcome and encourage congressional authorization of any military involvement in Bosnia.

The conflict in Bosnia ultimately is a matter for the parties to resolve, but the nations of Europe and the United States have significant interests at stake. For that reason, I am committed to keep our nation engaged in the search for a fair and workable resolution to this tragic conflict.

The letter continues but with provisions that are not immediately relevant to this discussion.

So, Mr. President, I hope our colleagues will support this amendment, both as an expression of congressional opinion, not as a legally binding prior restraint upon the President, and because the President himself has indicated both in prior oral statements, and today in a letter, that he welcomes and regards as helpful expressions of support from the Congress prior to any such participation by U.S. forces.

The amendment is simple. It is straightforward. It has the support of the President and the administration. It is authored by the majority leader and the minority leader. I hope very much that my colleagues will support the amendment.

Mr. President, I reserve the remainder of my time. I note the presence of the minority leader.

I yield the floor.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The minority leader, Mr. DOLE, is recognized.

Mr. DOLE. Mr. President, I am sorry I did not hear all of the majority leader's remarks. We have been upstairs for a briefing in S. 407.

But I would just say initially we have been working for several days trying to narrow differences on this amendment and on the Haiti amendment. Obviously, the constitutional question is very difficult. They are not going to be resolved today. Maybe they will never be resolved. But we have come to an understanding on the Bosnian amendment, and I think also on Haiti.

In my view, the lesson of the Somalia debate and the Senate's vote last week is that congressional approval should be obtained in advance of a significant deployment, so that we avoid congressional moves to abruptly terminate an operation after our troops are already engaged in a mission.

Mr. President, I am not seeking to place a straitjacket on the President's powers as Commander in Chief, as some former executive branch officials have suggested. Indeed, I am trying to construct a political flak jacket to protect against congressional artillery once a deployment is underway.

Some have suggested that I am offering my amendments because there is a Democrat in the White House. Well, I would call to their attention an Associated Press story from November 13, 1990—a story which said a Senator called on the President to call Congress back into session and seek its approval for United States troop deployments in the Persian Gulf. The President was George Bush, the Senator was the Senate Republican leader. I said, "I think it ought to be put to the Congress, put up or shut up." It was my view that obtaining congressional support for our Persian Gulf policy would help build a consensus among the public. Mr. President, my views have not changed.

My amendments are not designed to tie the President's hands or to limit his ability to act in the protection of American interests. Having read their numerous editorials in support of thousands of pages of congressional restrictions on assistance to Nicaragua, and certifications on United States troops in El Salvador, I find it fascinating that the New York Times and the Washington Post are new converts to the doctrine of Presidential flexibility. It is certainly a 180-degree turnaround from their support for congressional amendments during the 1980's which precluded military, intelligence, and other options with respect to United States policy toward Central America. I do not know if the editorial writers read my amendments, but if they did, they ignored the flexibility in the text. In any case, I welcome the Post's and Times' conversion and hope it will continue when a Republican returns to the White House.

Mr. President, I do not believe that we should tie the President's hands, but I do not believe the Congress should sit on its hands, either.

It is a big, big responsibility; Congress has a lot of responsibility. If more people would listen to the briefing in S. 407, we would probably understand that responsibility more. I suggest to my friends who did not get the briefing today that you ought to get that briefing before we vote on any Haiti amendments.

What I am seeking to do is to find the right balance between Presidential prerogatives in committing U.S. forces to military operations, in particular, multilateral and peacekeeping operations, and congressional prerogatives in appropriating funds for those activities.

To remind those outside the Congress who are watching and commenting on this debate, it is the Congress which has the power of the purse. It is the Congress which appropriates funds for foreign aid, for military bases abroad, for NATO, and for the United Nations, among other things.

It has not been my intention to usurp the President's authority in foreign policy—and in my view even my original amendments did not do so. Indeed, I would not have directed my staff to meet with administration staff to listen to the President's concerns and to make changes in the amendments to address those concerns if that were the case.

But, as the debate last week on Somalia demonstrated, the Congress will not go along and quietly foot the bill, especially if Americans are sent into harm's way for missions that are questionable, unclear, or do not reflect United States interests.

Some of my colleagues say that the Congress should not seek to give approval prior to a deployment, that we should wait and pull the plug later, if

necessary. Mr. President, there is no constitutional requirement for Congress to wait for body bags before we make our views on a particular mission of operation known.

I cannot for the life of me say that we have a right to bring them home or to cut off funding, but we do not have the right to say they should not go in the first place. If it is a bad idea, if it is a bad operation, if it is putting Aristide back in power, for example, which has now been suggested, then I think we ought to speak up ahead of time. We ought to do it in advance, in fairness to the President, fairness to the American people, and certainly to all of us who should have a role in foreign policy as explained by many of my colleagues on both sides of the aisle in the past week.

Moreover, I believe that it is in the President's interest to have congressional approval in advance.

A few weeks ago, following his meeting with Bosnian President Izetbegovic, President Clinton was asked by reporters whether he would agree to the Bosnian Government's request for a guarantee of United States participation in implementation of a potential peace settlement. President Clinton responded and I quote:

I've been willing to do that since February. But in order to do it, we have to have fair peace that is willingly entered into by the parties. It has to be able to be enforced or, if you will, be guaranteed by a peacekeeping force from NATO, not the United Nations, but NATO. And, of course, for me to do it, the Congress would have to agree.

Last week, the Foreign Relations Committee held a hearing on United States policy toward Bosnia and Herzegovina at which Assistant Secretary Stephen Oxman and Ambassador Victor Jackovich testified. The distinguished chairman of the Foreign Relations Committee, Senator PELL, offered to hold this hearing during the Senate's debate on the foreign operations appropriations bill. At that time, I was considering offering an amendment which would have called on the President to seek congressional approval prior to committing United States forces to implement a peace settlement in Bosnia.

The Chairman agreed to hold hearings.

In light of the distinguished chairman's offer to hold hearings on United States policy toward Bosnia, I decided not to offer my amendment. I would like to thank Senator PELL for acting so quickly. Unfortunately, in his testimony, Secretary Oxman seemed to walk back the President's remarks.

Mr. President, I believe that it is critical that the Congress thoroughly consider United States policy toward Bosnia, especially since the President has made a tentative commitment to send as many as 25,000 United States troops to enforce a possible Bosnian settlement. Such a debate, in addition

to congressional authorization would be necessary, in my view, even if a smaller number of ground troops were to be deployed.

And so, I am pleased that as a result of my discussions with the White House, the President has sent a letter to me which states that, and I quote:

I have also made clear that it would be helpful to have a strong expression of support from the United States Congress prior to the participation of United States forces in implementation of a Bosnian peace accord. For that reason, I would welcome and encourage congressional authorization of any military involvement in Bosnia.

In view of the President's letter welcoming congressional authorization prior to sending United States troops to Bosnia to implement a settlement, I have removed the funding prohibition from my amendment. Therefore, my amendment now states that it is the sense of the Senate that none of the funds appropriated by this bill should be available for the purposes of deploying United States Armed Forces to participate in the implementation of a peace settlement in Bosnia and Herzegovina, unless previously authorized by the Congress. It also states that such authorization should not apply to missions and operations initiated on or before today, such as the humanitarian airlifts into Sarajevo, the NATO no-fly zone, current NATO overflights, or NATO airstrikes designed to stop the shelling of Sarajevo, which has dramatically increased over the past few days.

Mr. President, I believe that I was not alone in thinking that the President had committed to seeking congressional approval, and, I believe that I am not alone in thinking that the President should receive congressional approval in advance of sending United States ground forces to Bosnia. I am pleased that the President has taken the same view.

Mr. President, sending 25,000 troops to Bosnia is not a minor matter. This is a massive undertaking which would put American lives in harm's way for a dubious and, in my view, unprincipled purpose. This proposal must be thoroughly considered by the Congress and voted on.

I have long believed that the United States has clear interests in Bosnia and Herzegovina. I believe that the integrity of international laws and principles, including the Helsinki accords and the United Nations Charter, are at stake in Bosnia. I believe that regional stability is also at stake in Bosnia.

However, I do not believe that the current Owen-Stoltenberg plan protects or promotes those interests. This U.N.-mediated plan rewards aggression—and in so doing, it undermines the international order and fundamental international principles, such as the territorial integrity of internationally-recognized states.

And so, if the Bosnians succumb to international pressure and agree to

this plan, what the Congress will have to decide is whether to send thousands of American men and women into a dangerous environment, to protect territorial gains made through the most deplorable means of ethnic cleansing.

Mr. President, my hope is that as we discuss this issue further, the administration will realize what some of us here already realize: that the Owen-Stoltenberg plan is fatally flawed, but that there are still other options—options which would support the sovereignty of the Bosnian State, promote its survival, are less costly in lives and in dollars, and which would not undermine the very values and principles that this country stands for.

There have been consultations with the Congress on Bosnia, and in those meetings, Members have raised moral, political, and military concerns about the current Owen-Stoltenberg plan. Yet, in those same meetings and in House and Senate legislation, the Congress has supported the President on lifting the arms embargo—unilaterally, if necessary—and we have authorized the necessary funds to provide arms and other military equipment to the Bosnian Government. It seems to me that the administration, until recently, has listened more to the United Nations and Europeans, and less to the Congress.

I hope that through this amendment, and my amendment on Haiti we will have started a process of genuine consensus-building between the executive branch and the Congress, not just on Bosnia and Haiti, but on all of these difficult post-cold-war foreign policy matters. I hope that we can come to a mutual understanding on the appropriate role of the United Nations in U.S. foreign policy, as well. I would like to thank the President and his staff for working with me on these amendments and look forward to continuing such a dialog and constructive relationship on foreign policy in the future.

I guess the final point I would make, this is a very, very gray area. It is not going to be easily resolved. But Congress does have some authority. I do not fault the President of the United States. Every President of the United States has always said that any encroachment upon his power as Commander in Chief or President of the United States as outlined in article 1 of the Constitution, would be inappropriate, whether it is President Bush, or President Carter or, I suppose it goes back to George Washington.

If we are talking about sending 25,000 Americans to Bosnia to keep a peace, that may be forced on this small country of Bosnia at a cost of a couple billion dollars a year, if Congress does nothing, if we do not have something on the record to indicate at least we wanted prior authorization, then I believe we would be making a mistake.

And then I believe the American people can properly say, "Where was Congress? They waited until the 25,000 Americans were there. They waited until some were killed, or wounded, and then they said, 'Bring them home.'"

My view is that it helps the President, and it also brings together the American people, just as it did in the gulf crisis when we voted to authorize the use of U.S. military force in that region.

So, Mr. President, I do not want to overuse my time, but I think the majority leader discussed the President's letter, and I appreciate that very much.

This is a sense-of-the-Senate resolution, not a statute, but it is still a very clear message from the Congress on what we believe should happen. I have every confidence that the President will respect that.

We have changed the amendment, and I thank my colleague, the majority leader for his initial efforts and for the efforts of the past couple of days. We make it very clear what missions this does not apply to in our amendment. It does not apply to humanitarian airlifts in Sarajevo, the NATO no-fly zone, current NATO overflights, or NATO air strikes, which have been talked about by the administration, to stop the shelling into Sarajevo, which has increased in the past few days.

I reserve the time I have left.

Mr. MITCHELL. Mr. President, the Constitution assigns to the President the sole authority as Commander in Chief of the Armed Forces of the United States. The very same Constitution assigns to the Congress the sole authority to declare war and the authority to raise, in our terminology, "appropriate" funds for the maintenance of any Armed Forces.

This is one part of an overall constitutional scheme that is intended to prevent the accumulation of power in any one branch of Government, in any institution, or individual. The war-making power cannot be properly evaluated in isolation from the entire division of the powers which underlies the entire Constitution.

The men who wrote the American Constitution had as their central purpose the prevention of tyranny in America. They were brilliantly successful, and in more than 200 years of national history, we have had 42 American Presidents and no American kings. But, inevitably, the division of power creates ambiguities, it creates problems and inefficiencies that lead to tension and conflict between the two branches of Government, and nowhere has that tension been repeated more often, and been less capable of final resolution than in the area of war-making powers.

It has been especially a problem in recent years when we have repeatedly

encountered circumstances in which conflict occurs, but falls short of a general war. The War Powers Resolution, adopted by the Congress in 1973, was an attempt to bring the war-making powers of the Constitution up to date. It was a well-intended, well-meaning effort; it plainly was defective. No President, Democrat or Republican, has ever acknowledged the validity or the effectiveness of the act, and no Congress has been able to implement the act in all the time since then. The result is that we now have the current situation.

I support this amendment because it is an expression of congressional opinion, a right which every Congress, of course, has, indeed, every American has. I also support it because it does not purport to impose prior restraints upon a President performing the duties assigned him under the Constitution. Any President acting in self-interest and in the interest of the country, must and will take into account the views of Congress—that is just plain common sense—as I am confident this President will.

But I think it is a very different matter, and everyone should understand the significance of the difference, for the Congress to say, "Mr. President, here is what we think you ought to do." It is very different for the Congress to say, "Mr. President, by law, we prohibit you from doing this." This falls in the former category. This is not a prior restraint. I do not favor prior restraints. I believe they plainly violate the Constitution.

But this is an important matter. This is an area of substantial conflict, and it is conceivable that Americans may be called upon to participate in the implementation of a peace settlement there. The President has said, both orally and today in writing, that he welcomes congressional support prior to any major action and, therefore, this amendment is not only appropriate as an expression of congressional view but is consistent with the previously expressed view of the President himself.

I think we all ought to be careful when we get into the areas of trying to legislate, by law, prior legal restraints upon a President's authority. And so, Mr. President, I hope very much that Members of the Senate will support this amendment in the context, and in the spirit, which I have described and in which it has been offered.

I say further that a few years ago, I, and a group of other Senators, proposed a series of substantive changes to the War Powers Resolution. Senator BIDEN, who is present on the floor, is perhaps the Senate's leading expert on the subject, and he himself had other suggestions with respect to that same resolution. I hope before we finish, we will take action on an expression by the Senate of our desire to revisit that subject in the light of what is occurring in the world today.

Mr. President, how much time do I have left?

The PRESIDING OFFICER. The majority leader has 8 minutes 10 seconds.

Mr. MITCHELL. I would like to comment on that, if I might, in a minute. If no other Senator wishes to use part of my time on this subject, otherwise—

Mr. NUNN. I wanted to comment on the War Powers Act.

Mr. MITCHELL. I will make a brief further comment on that, Mr. President. I believe this to be particularly significant in light of the unique situation in world history and the unique status of the United States in the world.

The United States now has the most powerful military force in the world. Indeed, it is the most powerful military force in all of human history. The United States is regularly referred to as the sole superpower, and that is clearly the case.

If you go back through history, the time of domination of the so-called British Empire, the Hapsburg Empire, the Ottoman Empire, Roman Empire, rarely, if ever, in history, has the dominant military power been invited by other countries to send its military forces onto their lands. Indeed, almost always throughout history, the dominant military power had to fight its way onto other's soils. It had to gain control of other peoples by force and maintain control by force.

Because of what I believe to be the greatness of American ideals, because of the greatness of America as a country which does not seek control and dominion over other people, people the world over trust us.

I have met with the leaders of almost every country in Europe, including the leaders of the current Republics that used to make up the Soviet Union. I asked each of them since the Soviets are withdrawing their forces from Western Europe, do they believe Americans should withdraw military forces from Western Europe. The answer unanimously has been "No." They want American military forces on their soil.

It is a situation unique in history, but it also is one that means we are going to be called upon over, and over, and over again to deploy forces to other countries, and we have to think about that very carefully. We have to try to devise standards or criteria by which we can measure such requests, to be able to say "no" when it is appropriate, to be able to say "yes" when it is appropriate.

That is why I think we want to get back to a careful and thorough review of the War Powers Resolution. I hope we will do that.

Before I use up my time, I yield 2 minutes to the Senator from Georgia.

The PRESIDING OFFICER (Mr. WOFFORD). The Senator from Georgia.

Mr. NUNN. Mr. President, I commend the majority leader for his leadership in working this matter out. I, myself, if I had my preference, I see no need to legislate on Bosnia because the President of the United States has made a public commitment that he is going to seek the authority of the Congress before he makes a large troop deployment in Bosnia. He has made that commitment. He has reiterated this in a letter that I believe the majority leader has already put in the RECORD. But if we are going to speak on this subject, I think this is the way to do it: A sense-of-the-Senate resolution.

This is not a part of law, but it is part of a political statement and an expression of expectations by the United States Senate that I think has a considerable amount of sway and certainly reiterates what the President of the U.S. has already committed in this respect.

So if we are going to speak on the subject, the sense-of-the-Senate resolution, I think, is the appropriate way to handle it.

On the War Powers Act, the majority leader, Senator MITCHELL, and I, Senator BYRD, and Senator WARNER—and I believe Senator LUGAR and others—about 2 years ago introduced a revision, a very substantial revision of the War Powers Act. I welcome the opportunity to revisit that legislation and to see if it is appropriate for the circumstances today.

But one thing is for sure, Mr. President: The War Powers Act, as it is now constructed, will never work, because the War Powers Act basically says if Congress does not act, the President of the United States has to remove American forces from countries where they are to be committed. In other words, the omission by Congress, or the non-feasance by Congress, would require the executive branch to make troop movements out of a commitment already made by the Commander in Chief.

If Congress is going to deal with these matters, we have to deal with them by affirmative action, and I think that is the heart of the revision we need to think about on war powers. Plus, we need to strengthen the consultative mechanism so we have much more consultation between the executive branch and Congress.

Mr. President, I thank the majority leader, and I yield back any time I have.

The PRESIDING OFFICER. The majority leader.

Mr. MITCHELL. Mr. President, I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. MITCHELL. Mr. President, I yield 2 minutes to the Senator from Delaware.

Mr. BIDEN. Mr. President, I thank the majority leader. I will just take 30 seconds.

I share the view expressed by everyone here on the floor that it is time for us to address in an institutional sense the relationship between the executive and legislative branch relative to the conflict in the Constitution. We tried it through the War Powers Act.

For all the reasons the majority leader said, it has not functioned; it has not worked. Our discussions, all of us on this floor, with the administration, as well as among ourselves, has led us to the conclusion this is a propitious time for us to revisit that subject, and it should be done in that comprehensive manner.

I wish we were not even doing these piecemeal efforts here. They are necessary as a political requirement, as well as a substantive requirement. But I hope tomorrow we will have available for the Senate a similar resolution calling on the Congress, with the consent of the administration, to work out a new mechanism over a period of time resulting in a piece of legislation to come back at some point for the consideration of the Senate.

I thank the leader. I appreciate his yielding me the time.

I yield the floor.

Mr. DOLE. Mr. President, do I have any time remaining on this side?

The PRESIDING OFFICER. The Senator has 51 seconds.

Mr. DOLE. Mr. President, I want to quote from a letter from the ACLU, which I have rarely done in my lifetime. In fact, they will probably close up if I do this.

But this is what the paragraph says:

The ACLU believes that the Constitution requires prior congressional authorization for the President to use any type of military force in Haiti—

The same to apply to Bosnia—other than in self-defense or to protect the lives of Americans. The general constitutional war powers embodied in Article I, section 8, clause 11—which grants to Congress "the power to declare war [and] grant letters of marque and reprisal"—applies to all situations in which U.S. forces are authorized to use military force abroad, except "to repel sudden attacks."

The Clinton Administration has suggested that any congressional limitation on the use of force would interfere with the President's Commander in Chief powers. The President claims that the "Constitution leaves to the President, for good and sufficient reasons, the ultimate decision-making authority" on when to use force. This is a gross misinterpretation of the Constitution. The decision on whether to commit the United States to military action abroad is explicitly Congress's to make. Once the initial decision has been made, then the President does have full authority as Commander in Chief to decide how to use them. In addition, the President can act unilaterally in emergency situations involving attacks on U.S. territory, U.S. forces, or U.S. persons held abroad.

This is the last time I may quote the ACLU for some time.

I ask my colleagues to weigh their opinion very carefully, because it is precisely what we suggest in our amendment.

Mr. LEVIN. Mr. President, I support this sense-of-the-Senate resolution on the subject of potential deployment of United States Armed Forces as part of any effort to support a peace accord in Bosnia and Herzegovina.

Relatively thereto, I believe that President Clinton has made it very clear that he would consult fully with Congress and would seek expression of support from Congress.

I also believe that this resolution's goals would be satisfied if President Clinton makes a good faith effort to give Congress a chance to approve or disapprove any deployment of U.S. forces if Congress is not in session at the time, by giving the congressional leadership an opportunity to call Congress back into session for that purpose.

If a majority of Congress supports a deployment or shows an unwillingness to disapprove a deployment, I believe that would also constitute good faith compliance with the intent of this amendment. Otherwise, a filibuster in the Senate could deny the President the expression of majority sentiment this resolution contemplates.

Mr. WARNER. Mr. President, I am pleased to support the Dole-Mitchell amendment, which expresses the sense of the Congress that the President should seek prior congressional approval for any deployment of United States troops to participate in the implementation of a peace settlement in Bosnia.

I have long advocated a cautious approach to United States military involvement in the tragic civil war in Bosnia. United States military personnel should not be put at risk in Bosnia unless Congress authorizes United States military involvement.

If the three warring factions in Bosnia are able to conclude a peace agreement—and they are truly committed to implementing it—the United States should consider providing troops, along with our allies, to help monitor the implementation of that peace plan.

Congress must play a major role in making any decision to commit United States forces to Bosnia to implement a peace agreement, because those troops may find themselves in harm's way.

The administration has discussed the possibility of sending 25,000 United States troops to Bosnia for such a peacekeeping mission. The administration has conditioned U.S. troop participation in such an operation on a number of factors, including the following: NATO command and control for the operation; an agreed exit strategy; an understanding about which nations will contribute forces and who will bear the financial responsibilities for the opera-

tion; and congressional authorization prior to the deployment of United States ground troops to Bosnia.

Regardless of the fact that U.S. troops participating in a peace plan implementation mission would technically be considered peacekeepers, peacekeeping troops in volatile situations can quickly find themselves in a hostile and deadly environment.

The Dole amendment is intended to allow the Congress to play its appropriate role in the decision to deploy U.S. troops to such a hostile environment.

When and if all sides in Bosnia agree to a peace plan, the President should present his plan for United States troop deployments to the Congress for approval.

As the Republican leader noted, debate has occurred for 200 years over the respective military and foreign affairs powers of the President and the Congress under the Constitution. He referred to this as a gray area. I see it as an area of shared powers. Our goal is to find the best way to advance the Nation's interest through the coordinated exercise of these shared powers. The Dole-Mitchell amendment is designed to accomplish this on the question of support for implementation of a peace plan for Bosnia. I urge support of the Dole-Mitchell amendment.

Mr. MACK. Mr. President, I want to be clear about my reasons for supporting this amendment.

I recognize and support absolutely the power of the President to make and carry out foreign policy. However, I am mindful of the consequence of this particular action by the Senate.

This amendment represents the sense of Congress. It lacks the force of law. Thus, it is utterly devoid of meaning insofar as it restricts the ability of the President to act as he sees fit. However, the message behind this action is unmistakable.

The President has lost the confidence of the Senate and the American people in his ability to create and administer foreign and military policy. In coming to this judgment, I am filled with sadness and anger that the brave men and women of the U.S. Armed Forces should be sent into harm's way under these conditions.

This amendment, though toothless, is a clear warning shot directed at the Clinton administration's foreign and military policy team. They would do well not to try the patience of the Congress and American people any further.

The PRESIDING OFFICER. The majority leader.

Mr. MITCHELL. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. One minute.

Mr. MITCHELL. Mr. President, I conclude by thanking the Republican leader for his cooperation on this matter, and the Senators involved—Senator

BIDEN, Senator DODD, Senator NUNN, Senator GRAHAM, and Senator PELL, who has been very much involved in this effort in a most constructive way—and many others.

Mr. President, I yield the floor and I yield back the remainder of my time.

The PRESIDING OFFICER. The question occurs on amendment No. 1073, offered by the Senator from Maine [Mr. MITCHELL]. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 99, nays 1, as follows:

[Rollcall Vote No. 320 Leg.]

#### YEAS—99

Akaka	Faircloth	McCain
Baucus	Feingold	McConnell
Bennett	Feinstein	Metzenbaum
Biden	Ford	Mikulski
Bingaman	Glass	Mitchell
Bond	Gorton	Moseley-Braun
Boren	Graham	Moynihan
Boxer	Gramm	Murkowski
Bradley	Grassley	Murray
Breaux	Gregg	Nichols
Brown	Harkin	Nunn
Bryan	Hatch	Packwood
Bumpers	Heflin	Pell
Burns	Helms	Pressler
Byrd	Hollings	Pryor
Campbell	Hutchison	Reid
Chafee	Inouye	Riegle
Coats	Jeffords	Robb
Cochran	Johnston	Rockefeller
Cohen	Kassebaum	Roth
Conrad	Kempthorne	Sarbanes
Coverdell	Kennedy	Sasser
Craig	Kerry	Shelby
D'Amato	Kohl	Simon
Danforth	Lautenberg	Simpson
Daschle	Leahy	Smith
DeConcini	Levin	Specter
Dodd	Lieberman	Stevens
Dole	Lott	Thurmond
Domenici	Lugar	Wallop
Dorgan	Mack	Warner
Durenberger	Mathews	Wellstone
Exon		Wofford

#### NAYS—1

Hatfield

So the amendment (No. 1073) was agreed to.

Mr. GLENN. Mr. President, I move to reconsider the vote.

Mr. DOLE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Ohio.

#### ORDER OF PROCEDURE

The PRESIDING OFFICER. Under the previous order, the Republican leader is to be recognized to offer an amendment on Haiti on which there will be 60 minutes of debate tonight.

The majority leader is recognized.

October 20, 1993

## MORNING BUSINESS

Mr. MITCHELL. Mr. President, I ask unanimous consent that there be a period of morning business for 15 minutes, with Senators permitted to speak therein for up to 5 minutes each.

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

The Senator from Arizona.

## FREEDOM OF THE PRESS

Mr. DECONCINI. Mr. President, there is no doubt President Yeltsin faced a grave crisis 2 weeks ago when armed insurgents threatened to take Moscow by force, but the army's backing of Yeltsin demonstrated that he has the power to crush his opposition. There is also no doubt that Mr. Yeltsin retains real popularity among most Russians while his opponents in the Parliament were held in very low esteem.

Mr. President, as history clearly demonstrates, power and popularity will not necessarily lead to democracy and reform. I regret Mr. Yeltsin has been acting very much the authoritarian in dealing with the opposition party. One specific instance is a government decree that has closed 13 opposition newspapers. Two other newspapers have been ordered to change their names and to fire their editors.

Granted, some of these newspapers were detestable, filled with rabid nationalist and antisemitic ravings. But there are laws in Russia to deal with slander and libel and such matters should be handled by an independent judiciary, not executive fiat.

These moves against the press and the barring of certain parties from participating in the upcoming parliamentary elections are ominous. As chairman of the Helsinki Commission, I urge Mr. Yeltsin to reconsider these ill-conceived and undemocratic attempts to silence his opposition.

I fully recognize the nature of the provocation and danger that President Yeltsin has faced. Even much better established democracies ban political parties on occasion. Germany does not allow the Nazi party to function, and last spring banned several neo-Nazi parties after antiforeign violence and criticism outside Germany of judicial leniency toward pro-Nazi perpetrators was paramount.

Much of the international community welcomed these moves, but Germany did not confront an armed attempt to overthrow the state, as took place in Moscow on October 3 and 4. It is understandable that the urge to push such fringe groups and individuals out of the political process will be much stronger in Russia. But President Yeltsin must distinguish between truly marginal hate groups and those that represent more serious constituencies and political perspectives that simply are at variance with his own. Despite Yeltsin's disapproval, Pravda, for ex-

ample, is a mainstream publication even if it longs for the U.S.S.R., a planned economy and social guarantees.

The issues Pravda addresses speaks to many Russian citizens whose living standards have plunged. Yeltsin's planned reforms, which will lead to bankruptcies of large state enterprises and unemployment, affect millions of people who have the right to voice their disagreement, plain and simple, and Pravda was that voice.

Merely demanding that editors step down will not change that fact. I firmly believe President Yeltsin still offers the best hope for reform. The reform process itself must be driven objectively, in my judgment, in order to have credibility with the United States and other foreign nations.

For that reason, Congress and the administration must voice concern when Russia's reformer No. 1 uses unacceptable means to achieve those reforms.

A Washington Post article quoted the head of Mr. Yeltsin's security ministry—formerly the KGB—as saying that "his agency would monitor political opponents more carefully." This is an unpromising beginning and a dangerous thing. If we do not say so, we will not help Yeltsin and could, in fact, strengthen the hardliners.

The critical preelection period should be an open political process. Opposition parties must be allowed to freely conduct their campaigns within the limits of Russian law. The Helsinki Commission, like many other election monitoring groups, will observe the balloting on election day. But the Commission also intends to send staff to Russia before voters go to the polls to study the opportunities candidates have to campaign freely.

President Yeltsin has often demonstrated his courage in the past. I urge him now to demonstrate his leadership by restoring an essential component of any democracy and any reform process—freedom of the press—to Russia. Without this, I see little hope that the upcoming Russian elections will yield anything more than further instability in that troubled country. The dreams and talents of the Russian people deserve better.

## IRRESPONSIBLE CONGRESS? HERE IS TODAY'S BOXSCORE

Mr. HELMS. Mr. President, anyone even remotely familiar with the U.S. Constitution knows that no President can spend a dime of Federal tax money that has not first been authorized and appropriated by Congress—both the House of Representatives and the U.S. Senate.

So when you hear a politician or an editor or a commentator declare that "Reagan ran up the Federal debt" or that "Bush ran it up," bear in mind that it was, and is, the constitutional

duty of Congress to control Federal spending. Congress has failed miserably in that task for about 50 years.

The fiscal irresponsibility of Congress has created a Federal debt which stood at \$4,403,899,372,803.47 as of the close of business yesterday, October 19. Averaged out, every man, woman, and child in America owes a share of this massive debt, and that per capita share is \$17,145.20.

## A TRIBUTE TO BROTHER AUGUSTINE PHILIP NELAN, FSC

Mr. D'AMATO. Mr. President, on October 5, 1993, Brother Augustine Philip Nelan, FSC passed away in New York at the age of 88 years. Brother Philip had returned to Manhattan College in New York City from Washington last November after completing his work as an adviser to the National Restaurant Association on the hiring of the handicapped in the food service industry. For 14 years, Brother Philip worked closely with food service companies, State vocational rehabilitation programs, and private training agencies to encourage the employment of people with disabilities. He testified before Congress during the consideration of the Americans With Disabilities Act and served on the President's Committee on Employment of People With Disabilities. His contributions to advancing the cause of handicapped workers were great, but they were only one part of a lifetime vocation to serve.

Brother Philip returned to Manhattan College to pursue his fourth career as art curator. In this capacity Brother Philip worked to catalog and prepare for sale art that had been donated to the college in order to further Manhattan's role as a first class institution. At the end of the summer Brother's health began to fail and after a courageous fight to recover he passed from us. At Brother Philip's wake his good friend Brother Luke Salm, FSC delivered a beautiful eulogy that I ask unanimous consent to be included in the RECORD.

## BROTHER AUGUSTINE PHILIP NELAN, FSC

It is common at the wake of elderly persons to hear that death has come as a mercy, sometimes even with the implication that the entry into the possession of an eternal reward was long overdue. Except for the last week or two, that was hardly the case with Brother Philip Nelan. His rapid decline and sudden death came as a shock to us who knew so well his vigor and vitality, his wide-ranging interests, and his zest for life. It is as if we were mourning the loss of a young man cut down in his prime.

Brother Philip did not speak very much about his early childhood. An outsider can only reconstruct what the source of young Thomas Nelan's zest for life must have been in the family of his parents, Philip and Hannah Nelan. The subsequent history of the siblings gives a clue: witness the religious vocations of his sister Margaret and his brother Fred, the vibrant families raised by his sister Helen and her husband Stephen

Schweitzer, those of his brothers and their wives, John and Kathleen, Philip and Mae, Joseph and Marie, Raymond and Marguerite. The Nelan grandchildren now grow in the glow of ancestral love and life.

Baptized in the Church of the Ascension and educated in Holy Name School, Thomas Nelan must have developed something of his competitive edge in the famous rivalry that developed between those two New York Irish parishes. Upon graduation from Holy Name School in 1920, he responded with typical and youthful generosity to God's call to share in the mission entrusted by the Church to the Institute of St. John Baptist de La Salle. After two years in the Juniorate at Pocantico Hills, he entered the Novitiate and on September 7, 1922, was invested with the religious habit, and given the name Brother Augustine Philip. In those days it was not uncommon for Brothers to be given names like Aquilinus or Berthulian or Castors. But Brother Philip was lucky, and all his life he preferred to sign himself and be known as Augustine Philip.

It didn't take long for the superiors to recognize that they had a talented young man on their hands. After only one year of teaching grade school in Newburgh, Brother Philip was assigned to the big time. At Bishop Loughlin High School in Brooklyn (later named St. Augustine's), a scholarship school, he joined a distinguished faculty, many of whom later became his confreres at Manhattan College. In the course of seven years in Brooklyn in an age before specialization, the record shows that he taught courses in math, chemistry, English, Latin, and, of course, Religion. Teaching religion, and teaching it with creativity and verve, remained a passion with him right through his college teaching career.

In 1933 he came to Manhattan College. For the next thirty years, he exercised his talent for vigorous and imaginative leadership. As professor and chair of the English department, executive vice-president, and then president, he used his intelligence, vision, and clout to bring into being an impressive list of new academic ventures: the innovative program in the liberal arts, the beginnings of the full time faculty in the theology, an independent department of psychology, a program in nuclear physics, a new department of chemical engineering, a program in forensic psychology for the police, and the air force officers training program. In the days of fiscal conservatism he prevailed over the nervous nancies among the higher superiors and his own financial officers to build Jasper and Thomas Hall.

In the midst of all this, he never lost his love of learning and letters. Ever the omnivorous reader, for more than thirty years he met regularly and informally with a circle of faculty, their wives, and some of the Brothers to discuss and dissect everything from Oedipus to Undset.

As Director of the Brothers' community, Brother Philip was considerate of the needs of the Brothers and, despite the pressures of college affairs, was ever available to them. His Sunday morning conferences to the community were well prepared and models of their kind. He had the courage and the tact to deal effectively with the divisions among the Brothers, the faculty, and the resident clergy over the issues that surfaced during the McCarthy hearings. At the end of his term as president and Director in 1962, he could look backward on a mighty achievement and would have been excused if he sought a sinecure assignment to disguise a well deserved retirement.

But retirement was not on his mind. His experience was at first brought to bear on a proposal for a new college in the LI-NE District. When that project, through no fault of his, came to naught, he answered the call of the Pacific to become Auxiliary Visitor in charge of the Philippines. Shaken out of their complacency, both the missionary and the Philippine Brothers entered into a period of modernization and development that has yet to run its course. Back in the States, Brother Philip turned his experience, his faith, and zeal to direct the Foreign Services Council (FSC) designed to assist the missionary activities of the Brothers in Latin America, Asia, and Africa. In that capacity he participated actively in the mission commission of the 1967 General Chapter.

Brother Philip celebrated his golden jubilee in 1972. No sign of retirement. Soon he was actively engaged in bringing to a successful conclusion the negotiations for the sale of De La Salle College, Washington. In 1978 at the age of 72 he became involved with the National Restaurant Association and its programs for rehabilitating the handicapped. For the next fourteen years, with amazing determination and energy, he logged tens of thousands of miles annually, flying from coast to coast and remote places in between, to find jobs for the handicapped in the food industry. Not only did this effort restore a sense of usefulness and dignity to countless handicapped persons nationwide, but the restaurant owners and managers themselves were enriched by the presence of this black-suited witness to the living Christ. We can be sure Saint De La Salle would have approved.

In 1992 Brother Philip returned to Manhattan, but not to retire. He was able and anxious to help in the development program and agreed as well to take charge as curator of the College's art collection. He continued his daily walks, to read everything he could get his hands on, and would enter into earnest conversation with anyone who will listen. One would have thought that he could live forever.

Joining last August with a group of Brothers in a week of relaxation at Monteauk, Brother Philip began to experience weakness and loss of appetite. The eventual diagnosis indicated by-pass surgery, which, at 87 years old, he survived with remarkable resiliency and so pursued an apparently successful program of rehabilitation. Meanwhile, the doctors prescribed a new course of treatment for a chronic skin problem. The side effects of the medication proved to be painful and debilitating and ultimately too much for his noble heart.

The theme that was stressed in the celebration of Brother Philip's 70th anniversary a year ago was vision and vitality, his zest for life. Despite his death, these perdure. His vision, we believe in faith, must now be beatific, his life now eternal, his zest for life fulfilled in the full possession of the dynamic life of his living and ever-loving God.

LUKE SALM, FSC.

#### TRIBUTE TO MR. ARCHIE D. GRIMMETT

MR. SIMON. Mr. President, I rise today to salute my constituent Archie D. Grimmett on the occasion of his retirement from the Federal Government.

Mr. Grimmett, a native of East St. Louis, IL, will retire as Assistant Deputy Chief of Staff, Civilian Personnel, of the U.S. Army, Europe and 7th Army

Unit 29351 this week. The Federal personnel community is indeed far richer as a result of Mr. Grimmett's contributions. From his early days at the U.S. Commission on Civil Rights to his many programmatic innovations while at Army, Mr. Grimmett has embodied what it means to be a true human resource professional.

A culminating achievement of Mr. Grimmett's outstanding career as a Federal executive is the way in which he has supported the drawdown of our forces in Europe. His humanity and concern for people marked every phase of the initiative, requiring a complete reorganization of the civilian personnel office structure to support the entire effort. All of this was achieved in a climate of caring and concern, with people's needs being the primary value. This was indeed a true accomplishment in a difficult time.

Mr. Grimmett is one of those very special people who exemplifies the spirit of what it means to be a public servant to America. I would like to offer my sincere congratulations and thanks to him for his enormous contribution over a distinguished career and I wish both him and his family well in their future endeavors.

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Edwin R. Thomas, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

#### MESSAGES FROM THE HOUSE

At 10:22 a.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 914. An act to amend the Wild and Scenic Rivers Act to designate certain segments of the Red River in Kentucky as components of the national wild and scenic rivers system, and for other purposes.

The message also announced that the House agrees to the report of committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 2491) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and

offices for the fiscal year ending September 30, 1994, and for other purposes; it recedes from its disagreement to the amendments of the Senate numbered 18, 57, and 129 to the bill and agrees thereto; and that the House recedes from its disagreement to the amendments of Senate numbered 38 and 113 to the bill, and has agreed thereto, each with an amendment, in which it requests the concurrence of the Senate.

The message further announced that pursuant to the provisions of section 3(a) of Public Law 86-380, the Speaker appoints to the Advisory Commission on Intergovernmental Relations the following Members on the part of the House: Mr. PAYNE of New Jersey, Mr. MORAN, and Mr. SCHIFF.

The message also announced that the House disagrees to the amendments of the Senate to the bill (H.R. 2401) to authorize appropriations for fiscal year 1994 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes, and agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon; and that the following Members be appointed as the managers of the conference on the part of the House:

From the Committee on Armed Services, for consideration of the entire House bill and the entire Senate amendment, and modifications committed to conference: Mr. DELLUMS, Mr. MONTGOMERY, Mrs. SCHROEDER, Mr. HUTTO, Mr. SKELTON, Mr. MCCURDY, Mrs. LLOYD, Mr. SISKY, Mr. SPRATT, Mr. MCCLOSKEY, Mr. ORTIZ, Mr. HOCHBERUECKNER, Mr. TAYLOR of Mississippi, Mr. ABERCROMBIE, Mr. ANDREWS of Maine, Mr. EDWARDS of Texas, Mr. UNDERWOOD, Ms. HARMAN, Mr. SPENCE, Mr. STUMP, Mr. HUNTER, Mr. KASICH, Mr. BATEMAN, Mr. HANSEN, Mr. WELDON, Mr. KYL, Mr. RAVENEL, Mr. DORNAN, Mr. HEFLEY, and Mr. MACHTLEY.

As additional conferees from the Permanent Select Committee on Intelligence, for consideration of matters within the jurisdiction of that committee under clause 2 of rule XLVIII: Mr. GLICKMAN, Mr. RICHARDSON, and Mr. COMBEST.

As additional conferees from the Committee on Banking, Finance and Urban Affairs, for consideration of sections 812 and 1316 of the House bill and sections 1087, 2854, and 2908 of the Senate amendment, and modifications committed to conference: Mr. GONZALEZ, Mr. NEAL of North Carolina, Mr. KANJORSKI, Mrs. ROUKEMA, and Mr. RIDGE.

As additional conferees from the Committee on Education and Labor, for consideration of sections 373, 1303, 1331, 1333-1337, 1343, 1344, and 3103 of the House bill and sections 338, 532, 1088,

and 2853 of the Senate amendment, and modifications committed to conference: Mr. FORD of Michigan, Mr. CLAY, Mr. WILLIAMS, Mr. PETRI, and Mr. GOODLING.

As additional conferees from the Committee on Energy and Commerce, for consideration of sections 267, 382, 601, 1109, 1314, 2816, 2922, 2829, 2830, 2839, 3105 (b) and (c), 3132, 3137, 3140, and 3201 of the House bill and sections 322, 325, 327, 705, 822, 1088, 2802, 2803, 2833, 2842, 2844, 2913, 3106 (c), (d), (j), and (l), 3131, 3132, 3133, 3136-3147, 3149, 3150, 3201, and 3202 of the Senate amendment, and modifications committed to conference: Mr. DINGELL, Mr. SHARP, Mr. SWIFT, Mr. MOORHEAD, and Mr. OXLEY: Provided, That Mr. BLILEY is appointed in lieu of Mr. OXLEY solely for the consideration of sections 267, 601, and 1109 of the House bill, and sections 705 and 3106 of the Senate amendment: Provided further, That Mr. BILIRAKIS is appointed in lieu of Mr. OXLEY solely for the consideration of sections 1314, 3137, 3140, and 3201 of the House bill, and sections 322, 2802, 2803, 3132, 3136, 3139-3147, 3149, 3150, 3201, and 3202 of the Senate amendment: Provided further, That Mr. STEARNS is appointed in lieu of Mr. OXLEY and Mrs. COLLINS of Illinois is appointed in lieu of Mr. SWIFT solely for the consideration of section 822 of the Senate amendment: Provided further, That Mr. SCHAEFER is appointed in lieu of Mr. OXLEY solely for the consideration of section 3138 of the Senate amendment.

As additional conferees from the Committee on Foreign Affairs, for consideration of sections 234, 237, 241, 1005, 1008—relating to funding structure for contingency operations—1009—relating to report on humanitarian assistance activities—1021, 1022, 1034, 1038, 1041, 1043-1045, 1048, 1051-1055, 1105, 1107, 1108, 1201-1203, 1205-1208, 1360, 1501-1510, and 3136 of the House bill and sections 216, 221, 223, 224, 241-245, 547, 1041, 1042, 1051-1054, 1061, 1067, 1077, 1078, 1083-1085, 1087, 1093, 1094, 1101-1103, and 1105-1107 of the Senate amendment, and modifications committed to conference: Mr. HAMILTON, Mr. GEJDENSON, Mr. LANTOS, Mr. GILMAN, and Mr. GOODLING.

As additional conferees from the Committee on Government Operations, for consideration of sections 818, 829, 1023, 1050, 2816, 2821, 2823, 2839, and 3140 of the House bill and sections 825, 2843, 2844, and 2902-2908 of the Senate amendment, and modifications committed to conference: Mr. CONYERS, Mrs. COLLINS of Illinois, Mr. ENGLISH of Oklahoma, Mr. CLINGER, and Mr. McCANDLESS.

As additional conferees from the Committee on the Judiciary, for consideration of section 262 of the House bill, and modifications committed to conference: Mr. BROOKS, Mr. SYNAR, Mr. BERMAN, Mr. FISH, and Mr. MOORHEAD.

As additional conferees from the Committee on the Judiciary, for con-

sideration of section 1022 of the House bill, and modifications committed to conference: Mr. BROOKS, Mr. SCHUMER, Mr. CONYERS, Mr. SENSENBRENNER, and Mr. FISH.

As additional conferees from the Committee on the Judiciary, for consideration of section 1082 of the Senate amendment, and modifications committed to conference: Mr. BROOKS, Mr. MAZZOLI, Mr. BRYANT, Mr. FISH, and Mr. MCCOLLUM.

As additional conferees from the Committee on Merchant Marine and Fisheries, for the consideration of sections 1351, 1352, and 1354-1359 of the House bill and sections 654 and 3501-3506 of the Senate amendment, and modifications committed to conference: Mr. STUDDS, Mr. TAUZIN, Mr. LIPINSKI, Mr. FIELDS of Texas, and Mr. BATEMAN.

As additional conferees from the Committee on Merchant Marine and Fisheries, for consideration of sections 265, 1314, and 3137 of the House bill and sections 328, 2841, 2851, 2915, 3103, and 3135 of the Senate amendment, and modifications committed to conference: Mr. STUDDS, Mrs. UNSOELD, Mr. REED, Mr. FIELDS of Texas, and Mr. BATEMAN.

As additional conferees from the Committee on Natural Resources, for consideration of section 2818 of the House bill and sections 2855, 3132, 3139, and 3147 of the Senate amendment, and modifications committed to conference: Mr. MILLER of California, Mr. VENTO, Mr. LEHMAN, Mr. YOUNG of Alaska, and Mrs. VUCANOVICH.

As additional conferees from the Committee on Post Office and Civil Service, for consideration of sections 364, 901, 934, 943, and 1408 of the House bill and sections 523, 1064, and 3504 of the Senate amendment, and modifications committed to conference: Mr. CLAY, Mr. MCCLOSKEY, Ms. NORTON, Mr. MYERS of Indiana, and Mrs. MORELLA.

As additional conferees from the Committee on Public Works and Transportation, for consideration of sections 2816 and 2841 of the House bill and sections 1068, 1087, 2833, 2842, and 2917 of the Senate amendment, and modifications committed to conference: Mr. MINETA, Mr. APPLEGATE, Mr. WISE, Mr. SHUSTER, and Mr. CLINGER.

As additional conferees from the Committee on Rules, for consideration of section 1008 (relating to funding structure for contingency operations) of the House bill, and modifications committed to conference: Mr. DERRICK, Mr. BEILENSEN, Mr. FROST, Mr. SOLomon, and Mr. QUILLION.

As additional conferees from the Committee on Science, Space, and Technology, for consideration of sections 215, 262, 265, 1303, 1304, 1312-1318, and 3105 of the House bill and sections 203, 233, 235, 803, and 3141-3148 of the Senate amendment, and modifications

committed to conference: Mr. BROWN of California, Mr. VALENTINE, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. WALKER, and Mr. FAWELL.

As additional conferees from the Committee on Small Business, for consideration of section 829 of the House bill, and modifications committed to conference: Mr. LAFALCE, Mr. SMITH of Iowa, and Mrs. MEYERS of Kansas.

As additional conferees from the Committee on Veterans' Affairs, for consideration of sections 1071 and 1079 of the Senate amendment and modifications committed to conference: Mr. MONTGOMERY, Mr. SANGMEISTER, and Mr. STUMP; Provided, That Mr. SLATTERY is appointed in lieu of Mr. SANGMEISTER solely for the consideration of section 1079.

As additional conferees from the Committee on Ways and Means, for consideration of sections 653, 705, and 1087 of the Senate amendment, and modifications committed to conference: Mr. ROSTENKOWSKI, Mr. GIBBONS, Mr. PICKLE, Mr. ARCHER, and Mr. CRANE.

At 2:08 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House insists upon its disagreement to all amendments of the Senate to the bill (H.R. 2492) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1994, and for other purposes, and asks a further conference with the Senate on the disagreeing votes of the two Houses thereon; and appoints Mr. DIXON, Mr. STOKES, Mr. DURBIN, Ms. KAPTUR, Mr. SKAGGS, Ms. PELOSI, Mr. NATCHER, Mr. WALSH, Mr. ISTOOK, Mr. BONILLA, and Mr. McDADE be the managers on the part of the House.

At 5:58 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 2519) making appropriations for the Department of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1994, and for other purposes; it recedes from its disagreement to the amendments of the Senate numbered 7, 11, 62, 79, 80, 99, 120, 137, 145, and 171, and has agreed thereto; and that the House recedes from its disagreement to the amendments of the Senate numbered 3, 5, 10, 21, 22, 23, 27, 30, 31, 34, 37, 44, 52, 63, 64, 67, 71, 73, 75, 78, 81, 84, 93, 97, 101, 110, 111, 113, 114, 115, 122, 129, 130, 132, 133, 135, 138, 139, 140, 141, 142, 147, 148, 149, 150, 159, 161, 162, 166, 169, 170, 174, and 175 to the bill, and has agreed thereto, each with an amendment, in which it requests the concurrence of the Senate.

#### MEASURES REFERRED

The following measure was read the first and second times by unanimous consent, and referred as indicated:

H.R. 914. An act to amend the Wild and Scenic Rivers Act to designate certain segments of the Red River in Kentucky as components of the national wild and scenic rivers system, and for other purposes; to the Committee on Energy and Natural Resources.

The following bill, previously received from the House of Representatives for concurrence, was read, and referred as indicated:

H.R. 2677. An act to authorize the Board of Regents of the Smithsonian Institution to plan, design, and construct the West Court of the National Museum of Natural History building; to the Committee on Rules and Administration.

The following concurrent resolution, previously received from the House of Representatives for concurrence, and referred as indicated:

H. Con. Res. 143. Concurrent resolution expressing the sense of the Congress concerning the historic opportunity for peace in the Middle East; to the Committee on Foreign Relations.

#### MEASURES PLACED ON THE CALENDAR

The following bills were read the first and second times by unanimous consent, and placed on the calendar:

H.R. 2351. An act to authorize appropriations for fiscal years 1994 and 1995 to carry out the National Foundation on the Arts and the Humanities Act of 1965, and the Museum Services Act.

H.R. 2632. An act to authorize appropriations for the Patent Trademark Office in the Department of Commerce for fiscal year 1994.

H.R. 2840. An act to amend title 17, United States Code, to establish copyright arbitration royalty panels to replace the Copyright Royalty Tribunal, and for other purposes.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-1657. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report of the study of buoy chain procurement practices; to the Committee on Commerce, Science, and Transportation.

EC-1658. A communication from the Acting Chairman of the Nuclear Regulatory Commission, transmitting, pursuant to law, a report of abnormal occurrences at licensed nuclear facilities for the period April 1 through June 30, 1993; to the Committee on Environment and Public Works.

EC-1659. A communication from the Acting General Counsel, Department of Commerce, transmitting a draft of proposed legislation entitled "Fair Trade in Auto Parts Extension Act of 1992"; to the Committee on Finance.

EC-1660. A communication from the Chairman of the Merit Systems Protection Board,

transmitting, pursuant to law, a report entitled "Whistleblowing in the Federal Government: An Update"; to the Committee on Governmental Affairs.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. RIEGLE, from the Committee on Banking, Housing, and Urban Affairs, with amendments:

S. 483. A bill to provide for the minting of coins in commemoration of Americans who have been prisoners of war, and for other purposes.

S. 1159. A bill to require the Secretary of the Treasury to mint coins in commemoration of women who have served in the Armed Forces of the United States.

#### EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. KENNEDY, from the Committee on Labor and Human Resources:

William B. Gould IV, of California, to be a member of the National Labor Relations Board for the remainder of the term expiring August 27, 1993;

William B. Gould IV, of California, to be a member of the National Labor Relations Board for the term of 5 years expiring August 27, 1998;

John Calhoun Wells, of Texas, to be Federal Mediation and Conciliation Director; and

Martin John Manley, of California, to be an Assistant Secretary of Labor.

(The above nominations were reported with the recommendation that they be confirmed, subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. WELLSTONE:

S. 1570. A bill to amend title 18, United States Code, to prevent persons who have committed domestic abuse from obtaining a firearm; to the Committee on the Judiciary.

By Mrs. FEINSTEIN (for herself and

Mrs. BOXER):

S. 1571. A bill to improve immigration law enforcement; to the Committee on the Judiciary.

By Mr. HATFIELD:

S. 1572. A bill to amend the Family Violence Prevention and Services Act to authorize the Secretary of Health and Human Services to administer a Federal demonstration program to coordinate response and strategy within many sectors of local communities for intervention and prevention of domestic violence; to the Committee on Labor and Human Resources.

By Mr. SIMON:

S. 1573. A bill to provide equal leave benefits for adoptive parents; to the Committee on Labor and Human Resources.

By Mr. BRADLEY:

S. 1574. A bill to authorize appropriations for the Coastal Heritage Trail Route in the State of New Jersey, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. MIKULSKI:

S. 1575. A bill to amend title 5, United States Code, to provide for the establishment of programs to encourage Federal employees to commute by means other than single-occupancy motor vehicles; to the Committee on Governmental Affairs.

By Mr. WOFFORD:

S.J. Res. 146. A joint resolution designating May 1, 1994, through May 7, 1994, as "National Walking Week"; to the Committee on the Judiciary.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. WELLSTONE:

S. 1570. A bill to amend title 18, United States Code, to prevent persons who have committed domestic abuse from obtaining a firearm; to the Committee on the Judiciary.

#### THE DOMESTIC VIOLENCE FIREARM PREVENTION ACT OF 1993

• Mr. WELLSTONE. Mr. President, today, I am introducing a bill to take guns out of the hands of people who are violent toward their spouse or children. The Domestic Violence Firearm Prevention Act is one more important step toward breaking the cycle of domestic violence. I am proud to say that Minnesota was the first State to enact this type of legislation on a State level.

This is critical legislation. We know that the only difference between a battered woman and a dead woman is a gun. According to the FBI a woman is beaten every 12 seconds in the United States. Over 4,000 women are killed each year at the hands of their batterers. An estimated 150,000 incidents of domestic violence involve a weapon. A recent study in the New England Journal of Medicine found that battered women and others who have been physically abused in a previous family fight are almost five times more likely to be murdered or involved in a fatal shooting.

Currently, under Federal law, there is a list of circumstances, including conviction of a felony and mental incompetence, that prevent individuals from legally owning a gun. This legislation would add to that list those who have been convicted of domestic violence. Under this bill, anyone who has been convicted of abusing their spouse or child, or who has a restraining order issued against them because of threatened abuse, would be prohibited from obtaining a firearm. This bill would also prohibit anyone from selling or giving a gun to someone they know, or should know, is a perpetrator of domestic violence or has a court issued restraining order.

Just this past weekend in Minnesota, it was reported that a man fatally shot his girlfriend at his apartment after

she tried to break up with him. He then shot and killed himself.

Representative TORRICELLI, along with Representatives SCHROEDER, LOWEY, and DELAUBRE, is introducing a companion bill in the House of Representatives.

My wife Sheila and I have worked together over the past several years on strategies to protect victims of domestic abuse and to break the cycle of violence.

Earlier this year I introduced two other bills that deal with prevention of domestic violence—the Child Safety Act, S. 870, a bill to establish supervised visitation centers for families that have a history of violence, and the Violence Reduction Training Act, S. 869, a bill to train health care providers to identify and refer victims of domestic abuse.

Next week we are having a hearing on domestic violence. One of the witnesses was herself a victim of domestic violence. She was shot by her ex-husband as was her 6-year-old son. She now lives with an artificial leg as a result.

Next week Sheila and I are sponsoring an art exhibit from Minnesota called the Silent Witness. This exhibit is an extraordinary visual display of the impact of domestic violence. It is a traveling memorial honoring the 26 women who were murdered in Minnesota during 1990 in acts of domestic violence. The exhibit is made up of 27 life-size silhouettes. Twenty-six of them represent women whose lives ended violently at the hands of a husband, ex-husband, partner, or acquaintance. The 27th figure represents those uncounted women whose deaths went unreported or unacknowledged. Ten of the twenty-seven died from gunshot wounds.

We must stop the violence—in homes as well as in the streets. This bill takes a strong step toward stopping the crime of domestic violence.

I urge my colleagues to join me in sponsoring this important legislation.

I ask unanimous consent that the full text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1570

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Domestic Violence Firearm Prevention Act".

#### SEC. 2. FINDINGS.

The Congress finds that—

(1) domestic violence is the leading cause of injury to women in the United States between the ages of 15 and 44;

(2) firearms are used by the abuser in 7 percent of domestic violence incidents; and

(3) individuals with a history of domestic abuse should not have easy access to firearms.

#### SEC. 3. PROHIBITION AGAINST DISPOSAL OF FIREARMS TO, OR RECEIPT OF FIREARMS BY, PERSONS WHO HAVE COMMITTED DOMESTIC ABUSE.

(A) PROHIBITION AGAINST DISPOSAL OF FIREARMS.—Section 922(d) of title 18, United States Code, is amended—

(1) by striking "or" at the end of paragraph (6);

(2) by striking the period at the end of paragraph (7) and inserting ";" or"; and

(3) by inserting after paragraph (7) the following:

"(8)(A) has been convicted in any court of the United States of an offense that—

"(i) has as an element the use, attempted use, or threatened use of physical force against a spouse, former spouse, domestic partner, child, or former child of the person; or

"(ii) by its nature, involves a substantial risk that physical force against a spouse, former spouse, domestic partner, child, or former child of the person may be used in the course of committing the offense; or

"(B) is required, pursuant to an order issued by a court of the United States in a case involving the use, attempted use, or threatened use of physical force against a person described in subparagraph (A), to maintain a minimum distance from the person so described."•

(B) PROHIBITION AGAINST RECEIPT OF FIREARMS.—Section 922(g) of title 18, United States Code, is amended—

(1) by striking "or" at the end of paragraph (6);

(2) by inserting "or" at the end of paragraph (7); and

(3) by inserting after paragraph (7) the following:

"(8)(A) has been convicted in any court of the United States of an offense that—

"(i) has as an element the use, attempted use, or threatened use of physical force against a spouse, former spouse, domestic partner, child, or former child of the person; or

"(ii) by its nature, involves a substantial risk that physical force against a spouse, domestic partner, child, or former child of the person may be used in the course of committing the offense; or

"(B) is required, pursuant to an order issued by a court of the United States in a case involving the use, attempted use, or threatened use of physical force against a person described in subparagraph (A), to maintain a minimum distance for the person so described."•

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. 1571. A bill to improve immigration law enforcement; to the Committee on the Judiciary.

#### IMMIGRATION LAW ENFORCEMENT ACT OF 1993

Mrs. FEINSTEIN. Mr. President, I rise today to introduce to the Immigration Law Enforcement Act of 1993, which sets forward a plan for the Federal Government to effectively enforce our Nation's borders.

Mr. President, I am proud that this legislation is coauthored by my colleague and friend, Senator BARBARA BOXER.

A few days prior to July 4, I think a very special holiday for all of us in America because we celebrate our heritage of independence and the growth of our Nation, I first spoke out on the

issue of immigration, an idea which is really at the core of our Nation's identity.

I spoke out for one fundamental reason: Concern that America's inability to control her borders, to adequately deter and prevent illegal immigrants from flocking to the United States, could—and most probably would—cause a backlash against all immigrants.

According to a House Government Operations Committee report released in August of this year, 77 percent of all of the legal immigrants of this country reside in six States. They are California, Texas, New York, Florida, Illinois, and New Jersey.

So, essentially, six States are home to 77 percent of all the immigrants in our country.

It is also estimated that almost 9 million, 8.9 million, people have come to this country legally over the past 10 years. But another 3 million have entered our country illegally. According to unofficial Census Bureau figures, California is home to 52 percent of all of the undocumented immigrants of this Nation. That is 2,083,000 illegal immigrants in my State alone.

This steady stream of illegal immigrants across our borders, particularly in the Southwest region, has resulted in many immigrants, including those here quite legally, feeling decidedly unwelcome.

To encourage a rational discussion of what is an emotionally charged issue, I advanced seven moderate steps this summer to enforce our borders, to begin to streamline the asylum process, and to deport illegal immigrants convicted of aggravated felonies to serve their prison time in their country of origin rather than in our jails.

I have discussed these proposals with the President, the Attorney General, INS Commissioner-designee Doris Meissner, my colleagues on the Senate Judiciary and Appropriations Committee, Hispanic-American and Asian-American elected officials and community leaders, and many others.

Additionally, I have written to President Salinas of Mexico urging that his country to step up efforts, which are now nonexistent, to enforce its borders and received a response stating that the Mexican Government is amenable to discussing these matters. I ask unanimous consent that a copy of this letter and the Mexican Government's response be printed in the RECORD following my remarks.

There being no objection, the material was ordered to be printed in the RECORD as follows:

WASHINGTON, DC.

August 17, 1993.

His Excellency, CARLOS SALINAS DE GORTARI,  
President of the Republic of Mexico, Mexico  
City, Mexico.

DEAR MR. PRESIDENT: On June 30th of this year I took the floor of the United States Senate to speak at length about immigra-

tion, a subject of great importance to the United States and my State of California. As the daughter and granddaughter of immigrants, I expressed concern that—unless the United States took immediate and effective steps to control illegal immigration—frustration with the economic burden of that influx could cause a retreat from our nation's longstanding commitment to legal immigration.

It is the responsibility of our respective governments to prevent such a tragedy, Mr. President. That is why I have written to you today.

According to United States Census figures just released, of the 4 million undocumented persons now estimated to be living in the United States, over half (2,083 million or 52%) are living in California. Moreover, the U.S. Immigration and Naturalization Service reported in 1992 (the last year for which figures are now available) that 95.8% of all persons apprehended entering the United States illegally were Mexican citizens.

We both understand the tremendous economic burden of caring for these people placed upon border states like California. I respectfully submit, Mr. President, that neither of our nations can tolerate any longer the inadequately regulated illegal outflow of Mexican citizens into the United States.

As detailed in my recent remarks, a copy of which are attached, I will continue to work to build further support in Congress for the expansion, equipment and professionalization of the United States Border Patrol. It is clear to me that the United States cannot—and, frankly, should not—unilaterally bear the burden of substantially curtailing illegal immigration from Mexico.

Consequently, I have urged President Clinton and Ambassador Kantor to make Mexico's affirmative commitment to help control the border with the United States a precondition of America's endorsement of the North American Free Trade Agreement. Such a commitment would, I believe, facilitate Senate ratification of the Agreement. It certainly would encourage my affirmative support.

As a matter of equity and economics, Mr. President, I feel strongly that working together to control our border is the right thing for both of our nations to do. Accordingly, in my capacity as an individual Member of Congress, I respectfully ask that you and your government make control of our mutual border as high a priority in Mexico as it clearly has become, and will remain, in the United States today.

If I or my staff can assist you in any way, Mr. President, please do not hesitate to call on us. I look forward to an ongoing and productive dialogue with you on this and other matters of common concern.

Respectfully yours,

DIANNE FEINSTEIN,  
U.S. Senator.

EMBASSY OF MEXICO,

Washington, DC, September 15, 1993.

Hon. DIANNE FEINSTEIN,  
Senate Hart Office Building,  
Washington, DC.

DEAR SENATOR FEINSTEIN: Please find enclosed a letter addressed to you by Mr. Fernando Solana, Secretary of Foreign Relations of Mexico.

Yours sincerely,

JORGE MONTAÑO,  
Ambassador.

[Translation]

SECRETARY OF FOREIGN RELATIONS,

Tlalnepantla, Mexico, September 10, 1993.

Hon. SENATOR FEINSTEIN: I am writing in reference to your considerate letter of August 17th, in which you addressed your concerns with respect to the migration of illegal immigrants from Mexico to California.

Mexico respects the right of Mexicans to emigrate as a constitutional guarantee. At the same time, however, the Mexican government wants to export merchandise to the United States, not people. This goal was essential in the decision to open up negotiations for a North American Free Trade Agreement. Only through the advancement of mutual prosperity can we administer, together, this purpose.

We should recall that the report by the Bipartisan Commission of the United States Congress on the Study of International Migration and Cooperative Economic Development of July 1990, shows the economic aspect as one of the principal causes of the problem.

Nevertheless, my government has been and is in the best disposition to continue an honest and open dialogue with the government of the United States to confront the immigration problem while protecting the human rights of the Mexican migratory workers.

In sum, through the Group on Immigration Issues of the Binational Mexican-American Commission, the Mexican Government will continue to maintain high level contact with the government of the United States and is also disposed to continue a dialogue with you and other Congressional Representatives as well as the Executive Body of the State of California with respect to this issue.

Cordially Yours,

FERNANDO SOLANO.

I have also made two visits to the border in the past 4 months, one with Attorney General Janet Reno and Senator BARBARA BOXER. Both trips have reinforced the need for Federal action.

There I saw literally hundreds of illegal immigrants lined up on one side of the border, waiting for night to fall to play a cat-and-mouse game with a vastly outnumbered Border Patrol. In many places on that border, a single Border Patrol agent is responsible for securing up to 3 miles of border with literally hundreds of people standing atop buildings waiting to see when his back is turned so that they can sneak across. And about 2,000 a day do just that.

I saw helicopters, 25 years old and so rickety that the Border Patrol would not take a civilian up in them.

I saw an underground tunnel, 65 feet deep with air-conditioning and lighting, going from the inside of a warehouse on one side of the border to the inside of another warehouse on our side of the border, built for one purpose: to smuggle drugs from Mexico to the United States.

I saw border gates at San Diego running at half staff—just 12 out of the 24 lanes in use—with miles of backed-up traffic pumping pollution into the air, costing untold dollars as people waited hour after hour to be legally authorized to cross the border.

The facts are clear: Our immigration laws are meaningless without the resources to enforce them. And the resounding conclusion is that the men

and women of the Immigration and Naturalization Service, its Border Patrol, and the Customs Service—the three agencies primarily responsible for enforcing our borders—are overwhelmed.

During testimony earlier this summer, before a House committee, I heard Henry Wray, of the General Accounting Office, state:

We have effectively lost control of the Southwest border, and I think there are tremendous shortages in staff on the part of the Border Patrol.

The recent Operation Blockade experiment in El Paso, where 450 agents working overtime saturated a 20-mile strip of border, has shown that illegal immigration can be reduced. It is simply not true that we cannot enforce our borders. Arrests have dropped substantially, from about 1,000 a day to just about 100.

While I would like to see a variation of Operation Blockade along the southwest border in California as an interim measure, I think the long-term Federal Government solution must be a different one.

I rise today, therefore, to introduce the Immigration Law Enforcement Act of 1993, which is designed both to implement a number of proposals that I made this summer and to complement President Clinton's asylum reform and antismuggling initiative introduced by Senator KENNEDY in late July.

First and foremost, this legislation will provide the resources clearly needed to enforce our borders. Specifically, in addition to the 700 new agents for which we have obtained funding in this year's appropriations cycle, it would add 1,400 Border Patrol agents over the next 2 fiscal years.

It would dedicate a lion's share of the new agents to the southwest border.

It would give bilingual applicants priority in the hiring process.

And it would authorize the Attorney General to obtain, from other Federal agencies and the private sector, aircraft, vehicles, detection devices, and other equipment needed for the Border Patrol to function effectively.

When I visited the border between San Diego and Tijuana, while 2,000 people were coming over illegally a night, there was just one infrared detection system available to the Border Patrol.

Second, it is my hope and expectation that this legislation will help reduce cases of abuse by the small minority of Border Patrol agents responsible for them. Reports by the American Friends Service Committee and America's Watch documented over 1,000 incidents of abuse in immigration law enforcement over the last 3 years. These incidents involved verbal and physical abuse, illegal searches, and the destruction of property. They can and should be curtailed by the additional training-in-service ongoing of current agents and enhanced training of new

agents funded by this bill. In addition, the Attorney General will be required to report annually to the Congress under this legislation on the status of the Department of Justice's effort to reduce Border Patrol abuse.

Third, this legislation provides additional resources to boost efforts to interdict drugs along the border.

In 1990, along California's southern border, the INS, Customs, and Drug Enforcement Agency, working together in Operation Alliance, seized nearly 400,000 pounds of marijuana with a minimum street value of \$1.2 billion and 34,000 pounds of cocaine conservatively valued at \$326 million if sold on our streets. In just one night at the border, I myself saw a car that had just attempted to enter the United States whose entire interior was rimmed with kilos of marijuana.

The legislation I am introducing today authorizes additional funds, to be spent at the discretion of the Attorney General, for the Organized Crime Drug Enforcement Task Force program. Since its inception in 1982, this interagency program has put almost 25,000 drug traffickers and criminals behind bars and seized cash and property worth more than \$2.5 billion. It is exactly the kind of interdiction effort worth an additional investment by our Government, an investment that this bill can help fund.

Fourth, this legislation will speed legal crossings at all land borders of our country by fully staffing existing border gates and authorizing the construction of new facilities needed to handle the transborder crossing volume.

Today in San Diego, commuters and tourists often wait 2 and 3 hours to pass through our busiest port of entry—often times, because only half of the available gates are staffed.

This legislation would provide for the staffing of all land border crossing lanes along the southwest border during peak hours within 3 years; established lanes for frequent border crossers; build additional facilities, if needed, to speed border crossing; and fund construction of the fences, buildings and infrastructure needed by the INS, Customs and DEA to more effectively monitor the border.

Fifth, the Immigration Law Enforcement Act complements the President's asylum reform efforts by revoking part of the 1990 Executive order granting enhanced consideration in the political asylum process for persons claiming that they are fleeing restrictive birth control policies.

In other words, now all somebody has to do is say "abortion," and they are granted political asylum. That is not what political asylum was meant to be. Such persons, in my opinion, are not the refugees that the asylum process was meant to shelter.

Sixth, this legislation addresses a costly problem that affects prisons in

several States. Today, if an illegal immigrant is convicted of an aggravated felony and sentenced to our prison system, the prisoner can veto any attempt by our Government to deport him or her, even if we have a reciprocal treaty with the prisoner's country of origin to do so. That option should be removed, and prisoner transfer treaties negotiated or renegotiated with our neighbors and other nations, so that convicted alien felons can be returned to their countries of origin to serve their prison time.

The California Department of Corrections reported on January 7 of this year that over 21,000 of the 109,000 inmates in California prisons are foreign born, and an estimated 16,000 of these inmates are subject to deportation once they complete their sentences. In 11 percent of the cases, the criminal aliens are in prison for murder, while 37 percent have been found guilty of the sale, manufacture, or possession or sale of drugs.

Almost 50 percent of them therefore, either committed murder or sold drugs. The Los Angeles County Board of Supervisors estimates that criminal aliens account for about 11 percent of the L.A. County jail population, resulting in over \$75 million a year in criminal justice system costs. I say that it is time to help local government and require that illegal immigrants, convicted of aggravated felonies—murder, gun or drug trafficking, or any violent crime that carries a prison sentence of 5 years or more—serve their jail time in their countries of origin.

This legislation addresses this problem in two ways. It allows Federal judges, at the time of sentencing, to authorize the deportation of illegal immigrants convicted of these crimes once they serve their time in an American prison. Believe it or not, today, there must be a second deportation hearing often held after the prisoner has been released.

Also, it would empower the Secretary of State and the Attorney General to negotiate agreements allowing the United States to return for incarceration in their home countries any illegal immigrants convicted of a deportable offense.

Seventh, the Immigration Enforcement Act also includes a funding mechanism, a modest and reasonable border crossing fee, to make these improvements. The bill establishes a revolving fund within the Treasury to accept revenues generated by a border crossing fee of \$1 to be paid by anyone, whether citizen, tourist or immigrant, entering the United States at any land border crossing or seaport: north, south, east, or west.

Based on 1992 Customs Service figures, a dollar crossing fee could raise more than \$400 million annually. This bill also provides the Attorney General with the authority to adjust the fee

from time to time and to institute discount fee programs for frequent border crossers.

I am pleased to say that the border fee concept is under serious consideration by the administration, has been endorsed by newspapers such as USA Today and the Los Angeles Times; my colleague, Senator BARBARA BOXER; the Governor of the State of California; California Treasurer, Kathleen Brown, and the Boards of Supervisors of Los Angeles and San Diego County. A recent Los Angeles Times poll shows that more than 70 percent of the people of the State of California support such a fee.

Finally, in addition to accomplishing the primary purposes of the bill just outlined, the Immigration Law Enforcement Act also authorizes the use of border fee revenues to fund asylum reform and antismuggling measures in the administration's proposals, if needed. Funds may also go to fight drug smuggling and to assist legal immigrants to become naturalized American citizens—something we should all want to see.

When I took the floor on June 30 to address the importance of preserving legal immigration by controlling illegal breaches of our borders, and to outline the program which is now at the core of the Immigration Law Enforcement Act, I did so not simply as a U.S. Senator, but as the daughter of an immigrant and the granddaughter of immigrants.

It is my belief that this legislation, in conjunction with the administration's complimentary efforts to remake our troubled asylum system, and to heavily punish alien syndicate smugglers, constitutes a substantial step toward regaining control of our borders. Such control is a prerequisite to silencing the anti-immigration rhetoric now being heard from California to Washington.

I urge my colleagues to join me in supporting this legislation and, in doing so, to protect the thousands of men and women who risked everything to make America their own.

**By Mr. HATFIELD:**

S. 1572. A bill to amend the Family Violence Prevention and Services Act to authorize the Secretary of Health and Human Services to administer a Federal demonstration program to coordinate response and strategy within many sectors of local communities for intervention and prevention of domestic violence; to the Committee on Labor and Human Resources.

**DOMESTIC VIOLENCE COMMUNITY INITIATIVE ACT**

Mr. HATFIELD. Madam President, today I am introducing legislation that speaks to one of the most pervasive and devastating of the root causes of crime and violence in our society: violence in the home. Throughout history we have known that violence begets vi-

olence. This truth was illustrated sharply in a comprehensive study last year by the National Institute of Justice which stated that being abused or neglected as a child increased the likelihood of arrest as a juvenile by 53 percent, and increased the chance of arrest for violent crime by 38 percent.

Domestic violence is the single largest cause of injury to women in America—up to 4 million women suffer its consequences annually; every 15 seconds a woman is beaten in this country, and each day 10 women die from its effects according to a report by the Department of Health and Human Services. But, men are often its victims also. Violence can be initiated by or suffered by any member of the family. It does not limit itself within gender, racial, or economic lines. It is a disease that, in our society, is repulsively rampant.

In Portland this year, almost twice as many people have been murdered from domestic violence as those killed in gang-related murders. We like to cite statistics because they often prove useful in the business of setting national policies. However, these staggering statistics eventually begin to bounce off of us like so many nightly news tallies of the day's worldwide carnage. It is not easy to reach out, to get personally involved in a sensitive issue that welcomes denial. But, in this instance we must reach out—in our schools, our hospitals, our churches, and our civic groups. This is a problem national in scope but embedded in the most private of settings; the home. Without widespread individual involvement, any attempt by Government to tackle the issue will fail.

The Domestic Violence Community Initiative Act of 1993 which I introduce today would address a need currently unmet by any existing program. The purpose of this bill is to facilitate a coordinated community-based response to domestic violence. It would establish a Federal demonstration program authorizing grants to organizations in communities throughout the country to coordinate strategies amongst all sectors including the education community, health-care providers, the justice system, the religious community, business and civic leaders, State children services divisions, and domestic violence program advocates.

In meetings with community representatives in my State I found that there was a lack of interaction, communication, and coordination among the various sectors attempting to break this cycle of tragedy and violence. Each specialty area is working on a piece of the puzzle, but there is not a comprehensive approach to this problem which cuts across all specialties. For example, those in the medical and education communities tell me that there is now some training to recognize abuse, but that there is often no

coordination with other professionals on when, how, or to whom signs of abuse should be reported. Efforts at coordination are being made in many communities, but there is a noted lack of resources for such organization.

This proposal would tie these groups together to share information, enhance awareness of the problems surrounding this issue, and coordinate action plans for intervention and prevention of domestic violence. Specifically, it would authorize \$20 million to allow the Secretary of Health and Human Services to make grants to assist these efforts. This would enhance the effectiveness of current statewide programs which focus on providing shelter and counseling. And, as with other programs under the Family Violence Prevention and Services Act, this demonstration project would be periodically evaluated for effectiveness by the Secretary of HHS. The eventual goal is to form a commitment by communities and the families who live in them to take positive action to stop this cycle of abuse.

The extent of family violence is frightening. In Oregon, domestic crisis centers take over 51,000 crisis calls per year. In Multnomah County alone, shelters and hotlines logged over 13,000 domestic violence crisis calls. Even more horrifying is the fact that over 40 percent of child fatalities in Oregon occur in homes where there is adult domestic violence. When I visit shelters in Oregon I am struck by the tragedy of women trying to keep their lives together, by the faces of the innocent children at the shelter who feel the effects of this violence so poignantly, and by the knowledge that these are the lucky ones—that Portland area shelters must turn away 9 of 10 requests for help because they are filled to capacity.

In recent years we have made some progress in recognizing the extent of this problem. In the Appropriations Committee we have overseen an increase in funding for shelter and counseling programs from \$8.2 million in 1989 to \$24.7 million last year. All across the country during the month of October an effort is being made to enhance the awareness of domestic violence. Upon this foundation of will, we must continue to build our resolve to eradicate violence in the home.

I am also a cosponsor of the Violence Against Women Act and applaud the general funding for domestic violence programs included in that bill by Chairman BIDEN and others. The bill I introduce today is a natural enhancement to those proposals in that it specifically focuses on the concept of active involvement by all sectors of a local community. This is an idea that should be tested in a variety of forms in many different States. I welcome the support of my colleagues and hope that you will join me in this effort.

October 20, 1993

I ask unanimous consent that the letters from community groups supporting the need for this demonstration program be printed in the RECORD immediately following my remarks. I also ask unanimous consent that the bill be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1572

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "Domestic Violence Community Initiative Act of 1993".

**SEC. 2. ESTABLISHMENT OF COMMUNITY PROGRAMS ON DOMESTIC VIOLENCE.**

The Family Violence Prevention and Services Act (42 U.S.C. 10401 et seq.) is amended by adding at the end the following new section:

**"SEC. 316. DEMONSTRATION GRANTS FOR COMMUNITY INITIATIVES.**

"(a) IN GENERAL.—The Secretary shall provide grants to nonprofit private organizations to establish projects in local communities involving many sectors of each community to coordinate intervention and prevention of domestic violence.

"(b) ELIGIBILITY.—To be eligible for a grant under this section, an entity—

"(1) shall be a nonprofit organization organized for the purpose of coordinating community projects for the intervention and prevention of domestic violence;

"(2) shall include representatives of pertinent sectors of the local community, including—

"(A) health care providers;

"(B) the education community;

"(C) the religious community;

"(D) the justice system;

"(E) domestic violence program advocates;

"(F) human service entities such as State child services divisions; and

"(G) business and civic leaders;

"(c) APPLICATIONS.—An organization that desires to receive a grant under this section shall submit to the Secretary an application, in such form and in such manner as the Secretary shall prescribe through notice in the Federal Register, that—

"(1) demonstrates that the applicant will serve a community leadership function, bringing together opinion leaders from each sector of the community to develop a coordinated community consensus opposing domestic violence;

"(2) demonstrates a community action component to improve and expand current intervention and prevention strategies through increased communication and coordination among all affected sectors;

"(3) includes a complete description of the applicant's plan for the establishment and operation of the community project, including a description of—

"(A) the method for identification and selection of an administrative committee made up of persons knowledgeable in domestic violence to oversee the project, hire staff, assure compliance with the project outline, and secure annual evaluation of the project;

"(B) the method for identification and selection of project staff and a project evaluator;

"(C) the method for identification and selection of a project council consisting of representatives of the community sectors listed in subsection (b)(2);

"(D) the method for identification and selection of a steering committee consisting of representatives of the various community sectors who will chair subcommittees of the project council focusing on each of the sectors; and

"(E) a plan for developing outreach and public education campaigns regarding domestic violence; and

"(4) contains such other information, agreements, and assurances as the Secretary may require.

"(d) TERM.—A grant provided under this section may extend over a period of not more than 3 fiscal years.

"(e) CONDITIONS OF PAYMENT.—Payments under a grant under this section shall be subject to—

"(1) annual approval by the Secretary; and

"(2) availability of appropriations.

"(f) GEOGRAPHICAL DISPERSION.—The Secretary shall award grants under this section to organizations in communities geographically dispersed throughout the country.

"(g) USE OF GRANT MONIES.—

"(1) IN GENERAL.—A grant made under subsection (a) shall be used to establish and operate a community project to coordinate intervention and prevention of domestic violence.

"(2) REQUIREMENTS.—In establishing and operating a project, a nonprofit private organization shall—

"(A) establish protocols to improve and expand domestic violence intervention and prevention strategies among all affected sectors;

"(B) develop action plans to direct responses within each community sector that are in conjunction with development in all other sectors; and

"(C) provide for periodic evaluation of the project with a written report and analysis to assist application of this concept in other communities.

"(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

"(1) \$20,000,000 for fiscal year 1994; and

"(2) such sums as are necessary for each of the fiscal years 1995, 1996, and 1997, to remain available until expended.

"(i) REGULATIONS.—Not later than 60 days after the date of enactment of this section, the Secretary shall publish regulations implementing this section. Not later than 120 days after the date of enactment, the Secretary shall publish final regulations implementing this section."

CITY OF PORTLAND, OR,  
BUREAU OF POLICE,  
Portland, OR, April 2, 1993.

Senator MARK O. HATFIELD,  
Hart Senate Office Building,  
Washington, DC.

DEAR SENATOR HATFIELD: This is a letter of support from the Portland Police Bureau's Family Services Division for the proposed Community Initiative to End Domestic Violence.

It is the immediate intention of the Police Bureau to provide some enhanced service and support to the victim's of domestic abuse. We will investigate for prosecution more cases, and certainly concentrate on cases with serious indications for future violence. In our planning, it became immediately obvious that there is an important need for coordination of all components of the domestic violence systems and for heightened public awareness and support. We believe Federal assistance is necessary to the success of our system.

Law enforcement is only one piece of the answer to domestic violence in Portland. We support the initiative and request for consideration.

If you have any questions about police response to domestic violence, please call (503) 796-3161.

Sincerely,

ROBERT BROOKS,  
Captain, Family Services Division.

OREGON MEDICAL ASSOCIATION,  
Portland, OR, February 8, 1993.  
Hon. MARK O. HATFIELD,  
Hart Senate Office Building,  
Washington, DC.

DEAR SENATOR HATFIELD: The Oregon Medical Association is committed to the prevention of domestic violence, and to that end, supports the "Community Initiative to End Domestic Violence" proposal.

Oregon physicians have identified domestic violence as a priority public health issue because of its high cost to the health care system and adverse impact on families. In fact, the issue is so important to our members, we have formed a Task Force on Family Violence and become involved in a community-based coalition of groups, "Professionals in Partnership." This group is comprised of health care and domestic violence representatives committed to educating health care professionals about their role in prevention.

As successful as the efforts of "Professionals in Partnership" are, it is limited to health care. The "Community Initiative to End Domestic Violence" is a comprehensive plan integrating all sectors of the community. The Oregon Coalition Against Domestic & Sexual Violence has done an excellent job in bringing together key community organizations in this first-of-its-kind effort. Without federal funding, this broad-based solution to the domestic violence crisis will not be possible.

OMA is supportive of an initiative that will develop a coordinated, systemic, proactive response to eliminating domestic violence. We thank you for your efforts to make this project reality. With your help, we have the opportunity to prevent countless women and children from needless harm.

Sincerely,  
JAMES A. CROSS, M.D.,  
President.

PORTLAND PUBLIC SCHOOLS,  
Portland, OR, March 29, 1993.  
Re Proposed Community Initiative to End  
Domestic Violence.  
Hon. MARK O. HATFIELD,  
Hart Senate Building,  
Washington, DC.

DEAR SENATOR HATFIELD: Portland Public Schools wholeheartedly supports the Community Initiative to End Domestic Violence proposal. We encourage your energy in working toward an appropriation to meet the goals of this proposal for the next three years.

Educators grades K-12 recognize the correlation between domestic violence and its impact on children. We are reminded daily that domestic violence and the physical abuse of students go hand in hand: our school police investigated 258 allegations of physical abuse of students between July 1992 and the end of February 1993. They estimate most of this abuse occurs in conjunction with domestic violence, and this figure is an increase over the 1991-92 school year.

The emotional and physical trauma these youngsters face when domestic violence occurs is an enormous barrier to their school

success. Attendance, interpersonal skills, and academic progress all suffer. School staffs spend many hours with students and families trying to counteract the negative impact on both the total learning environment and individual student achievement. Unfortunately, we find only a tiny number of women turn to shelters or have access to resources to get them and the family away from their home violence. Our experience is that neglect is also correlated to domestic violence, and we find there are even fewer community resources for this type of child abuse.

Finally, domestic violence increases the likelihood that students will resort to violence at school to settle problems. To offset this we allocate many resources to keep schools a safe place in which to learn by teaching and modelling peaceful problem solving skills.

At a time when community resources for families are dwindling, including school resources, more than ever before there is a greater need for integrated services between community agencies. An important strength of this proposal is that it insures planning and collaboration between seven community sectors to bring intervention and prevention programs to our community.

Thank you for your personal efforts and involvement addressing this community problem.

Sincerely,

CAROLYN SHELDON,  
Assistant Director,  
Student Services Department.  
CATHERYN C. SCHAR,  
Supervisor,  
Student Discipline Programs.

ECUMENICAL MINISTRIES OF OREGON,  
Portland, OR, May 20, 1993.  
Hon. MARK HATFIELD,  
U.S. Senate, Hart Senate Office Building,  
Washington, DC.

DEAR MARK: On behalf of Ecumenical Ministries of Oregon, I wish to express our active interest in the proposed Coordinated Domestic Violence Intervention Initiative that you proposed. Our strong support has roots in our growing awareness of the incidence of violence in our communities. Our empirical knowledge comes from our observation of the Oregonians seeking services from our medical, treatment and socialization programs. It also comes from the experience of our 17 denominations and approximately 2000 congregations with their own members and with the wider parish, the neighborhoods in which they have facilities.

We acknowledge the need for prevention, intervention and treatment. We recognize our responsibility to be part of the response. We share your concern about the widespread tragedy of violence in the family and believe it is essential for the religious community to be a motivating factor in the development of an effective community response. Through our representative, Ellen Lowe, we have been involved in the planning and development of the Initiative.

As you know, we have enthusiastically agreed to sponsor the project. We believe this will promote the participation of the religious community. We also know that for there to be a significant impact on this problem, the whole community must mobilize. The initiative will enable us to do that. I understand the Initiative will be a model of community coordination and mobilization around domestic violence. There couldn't be a better place to do it than Portland, as many of us have developed cooperative rela-

tionships in addressing other community needs. As a statewide organization, we also believe we can share our expanded knowledge through congregations in all parts of Oregon. Our Community Ministries Commission has established sexual and domestic violence as its highest priority.

Your long history of supporting peace and justice efforts makes your leadership in this endeavor most important. Your acknowledgement of the importance of the family to a just community and, ultimately, to a just world is welcome leadership. The Initiative will be a significant step in our long quest for justice, equity and harmony.

Thank you for your continuing efforts on behalf of Oregonians.

Sincerely,

The Reverend RODNEY I. PAGE,  
Executive Director.

— U.S. BANCORP,

Portland, OR, January 27, 1993.

Hon. MARK O. HATFIELD,  
U.S. Senate, Senate Hart Building, Washington,  
DC.

DEAR SENATOR HATFIELD: As you know, U.S. Bancorp actively participates within the communities where we do business to make Oregon a better place for all citizens. This letter is to convey to you U.S. Bancorp's support for a community wide initiative to end domestic violence.

Violence inflicted on women and children in family settings is a prevalent and serious societal problem that touches the lives of too many. Up to 50% of all women will be battered in an intimate relationship at some time in their lives. These women are employees, neighbors, friends and family members. It is a problem that results in homelessness, death, psychological and physical injury for a significant number of them. The cost to society has to be enormous. Yet, current programs and services are very poorly funded, both nationally and locally. With cutbacks in all sectors, the picture will only get worse unless we come together as a community to initiate change.

U.S. Bancorp has supported the Oregon Coalition Against Domestic and Sexual Violence (OCADSV) with monetary contributions as well as the support of staff. Our intent is to provide continued support. In addition, we would like to see a concerted effort on the part of business, in partnership with other community groups, to end the problem of domestic violence.

To gain momentum for such a project, federal leadership is needed. We urge you to consider and work for such an initiative. Without strong support from all sectors, too many women and children will continue to become victims with no place to turn.

Sincerely,

JUDITH R. RICE,  
Executive Vice President.

— JEWISH FEDERATION  
OF PORTLAND,  
Portland, OR, May 18, 1993.

Senator MARK HATFIELD,  
Hart Senate Office Building,  
Washington, DC.

DEAR SENATOR HATFIELD: We are pleased to learn about the Coordinated Community Domestic Violence Intervention Initiative that is being developed as a result of your interest.

Domestic violence is a real problem which must be addressed. While small grassroots organizations have worked untiringly on the issue for nearly two decades, the community as a whole has not assumed responsibility for it.

The Community Initiative will mobilize all sectors of our community to determine what can be done to end domestic violence. It will also provide a way for all sectors to share information and ideas and work together in a coordinated fashion. The Community Relations Committee of the Jewish Federation of Portland supports this initiative. The project has great potential for significantly impacting the longstanding and tragic problem of domestic violence in our community.

Given the fiscal climate here in Oregon, we cannot hope to undertake this endeavor without national resources and leadership. We appreciate your leadership in helping to find solutions to this most serious and devastating problem.

Sincerely,

PENNY ROBERTS, Chair.

— PORTLAND PUBLIC SCHOOLS,

Portland, OR, April 1, 1993.

Re: Proposed Community Initiative to End  
Domestic Violence.  
Hon. MARK O. HATFIELD,  
Hart Senate Building,  
Washington, DC.

DEAR SENATOR HATFIELD: I join with many others in lending my whole-hearted support for the proposed community initiative to end domestic violence.

As a teacher and school administrator for many years and as the current administrative supervisor of the Portland Public Schools Police Department, I have long been concerned about the impact on children and their ability to learn caused by domestic violence. First hand observation of young victims dramatically illuminates the harrowing reality embodied in our national statistics on violence in American homes.

It is time for our community to take the step of bringing together organizations and leaders throughout the community to address this problem on a large scale. The proposed initiative presented to you recently is well conceived and offers real promise to not only make domestic violence a priority in this community, but also to take strong and positive action.

To succeed, this project requires staff and will incur some expense. We sincerely appreciate your efforts in working toward an appropriation to accomplish this goal for the next three years.

If I can be of assistance in any way, please let me know.

Sincerely,

JOHN LASHLEY,  
Director.

— OREGON DEPARTMENT OF  
HUMAN RESOURCES,  
Salem, OR, January 29, 1993.

Hon. MARK O. HATFIELD,  
U.S. Senate,  
475 Cottage NE, Salem, OR.

DEAR SENATOR HATFIELD: I support the proposal by the Oregon Coalition Against Domestic and Sexual Violence to develop the community infra-structure necessary to support and coordinate prevention and intervention services for victims of domestic violence.

I am the state coordinator for one source of funds for the domestic violence shelters, safe home networks and crisis lines in Oregon. Through my contact with these programs, I see the strong need for increased advocacy for ending domestic violence. Too often, violence is still seen by the public and other agencies as a family problem or domestic dispute without a recognition of the seriousness of the problem.

I also see the strong need for increased support for the domestic violence programs themselves. They are providing direct services to victims of domestic violence, both those who come to shelter as well as those in the community, and they are educating the community and other professionals. There is a definite lack of understanding of the issue or commitment within some sectors of the community. There is also the need for better coordination of all the players involved. It is a daunting task and the domestic violence programs lack the staff and resources to adequately take this on.

The Federal Government, through funding this project, can take a leadership role in stressing the importance of taking domestic violence seriously and through helping develop a model of a coordinated system. Even when agencies and professionals understand the issue and want to effect change, their resources are often stretched beyond the ability for them to act as the primary change agent. The project can mobilize and maximize the resources of the agencies and build additional support.

Children's Services Division is in a unique position. Our agency administers one source of funding for domestic violence programs. We work closely with an Advisory Committee with domestic violence program providers and interested community people. Additionally, we are the child protective services agency and witness the effects of domestic violence on children and our workload. We support the call for increased coordination and believe this project will positively impact the delivery of services.

Sincerely,

BONNIE JEAN BRAEUTIGAM,  
Resource Development Unit.

MULTNOMAH COUNTY,  
LEGAL AID SERVICE,  
Portland, OR, January 26, 1993.

Re Coordinated Domestic Violence Intervention Initiative.

Senator MARK HATFIELD,  
Hart Senate Office Building,  
Washington, DC.

DEAR SENATOR HATFIELD: I am writing to indicate Multnomah County Legal Aid's strong support for the Coordinated Domestic Violence Intervention Initiative. The project will stimulate community initiative to develop a coordinated, systemic, proactive response to domestic violence. The project includes all sectors of the community, including health care, the courts, the religious community, victim and offender programs, and other human service providers, business and civil leaders, the education system and the media.

Multnomah County Legal Aid Service (MCLAS) has worked on domestic violence issues for over 20 years, providing representation to victims, education to the courts, and public advocacy. For many years, we have worked in conjunction with the Oregon Coalition Against Domestic and Sexual Violence and local grassroots domestic violence programs. One of the landmarks in this work was the formation of the Multnomah County Family Violence Steering Committee (consisting of service providers and policymakers in the legal system). The Steering Committee conducted a needs assessment and produced a report showing a 90% runaway rate for domestic violence shelters. The report recommended developing coordinated community intervention as an important next step in ending family violence. Through the Steering Committee, MCLAS and other participants have learned the value of coordi-

nating the community's response to family violence. The Steering Committee has laid the groundwork for the Coordinated Domestic Violence Intervention Initiative effort and will be able to influence participation of other community sectors.

The Steering Committee, on which MCLAS is represented, has been involved in the development of the Coordinated Domestic Violence Intervention Initiative and will continue to be actively involved in the project. We support this project because it is an important project with great potential for having a significant impact on domestic violence and the ways in which the community deals with crime and social problems. What is learned from this project should be translatable and transferable to other geographic and social problem areas.

However, without federal funding, there is little likelihood that this project will be able to advance. We appreciate your past efforts in this area and hope that you will support the Coordinated Domestic Violence Intervention Initiative.

Very truly yours,

TERRY ANN ROGERS,  
Executive Director.

RAPHAEL HOUSE OF PORTLAND,  
Portland, OR, January 28, 1993.

Senator MARK HATFIELD,  
U.S. Senate, Hart Building,  
Washington, DC.

DEAR SENATOR HATFIELD: I am writing in support of the proposed Community Initiative to End Domestic Violence, a project developed by the Oregon Coalition against Domestic and Sexual Violence and other local groups.

There are many important projects being developed in this area which will impact services for domestic violence victims and perpetrators. It is critical that all of these projects and groups work together to make the prevention of domestic violence a priority in this area. The Community Initiative to End Domestic Violence would be a significant factor in coordinating the existing projects and in stimulating other necessary community action.

I am particularly excited about the involvement of Ecumenical Ministries of Oregon in this project and the goal to educate religious leaders about domestic violence. Raphael House is looking forward to working with the Initiative.

Thank you for your continuing interest in and concern for victims of domestic violence.

Sincerely,

MICHELL JACOVER,  
Executive Director.

CIRCUIT COURT OF OREGON,  
FOURTH JUDICIAL DISTRICT,  
Portland, OR, January 26, 1993.

Re Proposed Community Initiative to End  
Domestic Violence.

Hon. MARK O. HATFIELD,  
Hart Senate Office Building,  
Washington, DC.

DEAR SENATOR HATFIELD: I join with many others in lending my whole-hearted support for the proposed community initiative to end domestic violence.

I first became interested in this issue a little over five years ago when I was asked by the National Council of Juvenile and Family Court Judges to chair the first of several national projects aimed at improving court and community response to domestic violence.

As part of that project, I convene a multidisciplinary group in Multnomah County which has evolved to become the Multnomah

County Family Violence Steering Committee.

It is now time for this community to take the additional step of bringing together organizations and leaders throughout the community to address this problem on a larger scale. The proposed initiative presented to you a month or so ago is well conceived and offers real promise to not only make domestic violence a priority in this community, but to take strong and positive action.

To succeed, this project requires staff and will incur some expense. We sincerely appreciate your efforts in working toward an appropriation to accomplish this goal for the next three years.

If I can be of assistance in any way, please let me know. Best personal regards.

Cordially yours,

STEPHEN B. HERRELL,  
Judge.

CITY OF PORTLAND, OR,  
DEPARTMENT OF PUBLIC UTILITIES,

*Portland, OR.*

OREGON COALITION AGAINST DOMESTIC AND  
SEXUAL VIOLENCE,  
*Portland, OR.*

DEAR COALITION MEMBERS: I am writing in enthusiastic support for the proposal which has been developed to submit for a federally funded pilot project on domestic violence intervention strategies for our area. I think it a particularly propitious time for this project to come forward. Locally I hear increasing concerns about the interrelated impacts of violence in the home—impacts felt in our corrections systems, in alcohol/drug problems, in the stability of our children's lives, and in the safety of our schools and neighborhoods.

Although concern about family violence has been with some of us for more than twenty years, the problem has finally come out of the "domestic" and into the public policy sphere. At a recent briefing on the police budget, the topic of family violence came up in several ways. Clearly, we cannot make significant headway on preventive measures until we are willing to deal directly, comprehensively, and resourcefully with relationship violence.

In recognition of the connection between family violence and public safety issues, the City Council allocated resources for shelter beds and program development for the first time this year. Although the amount was small (\$95,000) it was significant given the competition for funding and the impending cuts. The Council based its decision on the local study *From Harassment to Homicide* produced by a local volunteer committee. As I understand the proposal you have developed, the project will build on and extend what we have been struggling to achieve here.

I deeply hope for your success. Please let me know if there is anything I might do to further that possibility.

Sincerely,

GRETCHEN KAFOURY,  
Commissioner.

MICHAEL D. SCHRUNK,  
Portland, OR, February 10, 1993.  
Senator MARK O. HATFIELD,  
Hart Senate Office Building,  
Washington, DC.

DEAR SENATOR HATFIELD: I'm writing in support of the proposed Community Initiative to End Domestic Violence, which evolved from an Issue Day on Domestic Violence you held in Oregon last fall.

My office has participated in the Multnomah County Family Violence Steering Committee for over 5 years, helping produce the

report "Free Harassment to Homicide" which delineated the great need for collaborative efforts to address this problem. One example of a project that resulted from collaborative efforts is the deferred sentencing program for batters which we implemented in June of 1992. Eligible offenders can now enter a six-month treatment program. While in treatment the offenders are closely supervised by probation officers. Upon successful completion criminal charges are dropped. To set up and operate this program, we worked with domestic violence shelter providers, police, the court, and parole and probation, among others.

The Steering Committee's work demonstrates the success of cooperative models as well as the need to involve all relevant sectors of the community in addressing the tragic problem of domestic violence. The Community Initiative will allow Multnomah County to extend efforts begun by the Steering Committee to the religious, educational, health care and business sectors in a truly innovative approach to the problem. My office is eager to participate in this next important step.

The Community Initiative is a logical next step, but one we cannot take without federal assistance. I appreciate your personal concern and involvement in this community problem.

Very truly yours,

MICHAEL D. SCHRUNK,  
District Attorney.

U.S. WEST COMMUNICATIONS, INC.,  
Portland, OR, February 2, 1993.

HON. MARK HATFIELD,  
Hart Senate Office Building,  
Washington, DC.

DEAR SENATOR HATFIELD: I am pleased to learn that you have been in contact with the Oregon Coalition Against Domestic and Sexual Violence for a community initiative to deal with the crisis of spousal and family abuse.

Cooperation of all sectors of the community is necessary to address this complex and far reaching problem. Federal-level leadership could build the environment and direction for local business and civic involvement as well as offset diminishing local funding.

As a company, we are considering how we can most productively join in a leadership role as this project develops.

We at U.S. West recognize the value of addressing these issues in a cooperative undertaking with community-based organizations. For example, domestic violence victim advocates have been active participants in the development of Caller I.D. service for Oregon telephone users.

Please accept my thanks for launching this project.

Sincerely,

MARSHA B. CONGDON,  
Vice President and CEO.

MULTNOMAH COUNTY, OR,  
DEPARTMENT OF SOCIAL SERVICES,  
Portland, OR, January 29, 1993.

Senator MARK HATFIELD,  
U.S. Senate, Hart Building,  
Washington, DC.

DEAR SENATOR HATFIELD: I am writing in support of the proposed Community Initiative to End Domestic Violence, a project developed by the Oregon Coalition Against Domestic and Sexual Violence and other local groups.

Multnomah County Housing and Community Services Division recognizes the widespread, negative impact that domestic vio-

lence has on our community. We are committed to advocating for the prevention of this violence, and see a coordinated, community initiative as a critical step in ending domestic violence.

The Housing and Community Services Division will support this initiative in whatever way we can and hope to be involved in its implementation. Thank you for your continuing interest in and concern for victims of domestic violence.

Sincerely,

NORM MONROE,  
Director.

BRADLEY-ANGLE HOUSE,  
Portland, OR, January 28, 1993.

Senator MARK HATFIELD,  
U.S. Senate, Hart Building,  
Washington, DC.

DEAR SENATOR HATFIELD: I am writing in support of the proposed Community Initiative to End Domestic Violence, a project developed by Oregon Coalition Against Domestic and Sexual Violence and other local groups.

Currently, in the Tri-Country area of Oregon, there are important projects being developed which will impact services for domestic violence victims and perpetrators. It is critical that all of these projects and the groups which are developing them communicate and work together to make prevention of domestic violence a priority. The Community Initiative to End Domestic Violence would be a significant factor in coordinating the existing projects and in stimulating other necessary community action.

Bradley-Angle House is currently working with several groups in the community to expand services to domestic violence victims. These groups include: Health Care Professionals, including the Oregon Medical Association, Oregon Nursing Association, staff from Oregon Health Sciences University, to develop protocols for emergency room and medical offices to assess and intervene with domestic violence victims and to develop training materials and workshops to present this information.

Portland Public Schools, through a grant from Department of Health and Human Services, Administration for Children and Families, Family Violence Prevention funds, to develop curricula for elementary, middle and high school students on domestic and dating violence.

Portland Police Bureau, Multnomah County Corrections and District Attorney's office and other criminal justice officials, through the Portland Family Violence Steering Committee.

El Programo Hispana, a Gresham-based, Catholic Community Services program for the Hispanic community, to develop support groups, case management and outreach projects.

I have worked in the field of domestic violence intervention and prevention in several capacities for the last 13 years. During that time, I have seen an increase in the number and severity of assaults. I have also seen many women and men work hard to prevent this violence and to provide safety and support for women who have been assaulted. I believe that only through a coordinated, community-wide commitment to ending domestic violence will this violence eventually decrease.

I and other members of the staff and Board of Bradley-Angle House would be excited and pleased to work with the Community Initiative to End Domestic Violence, when it is

funded. This is an important project, which needs your support.

Sincerely,

CHIQUITA ROLLINS,  
Executive Director.

OREGON DEPARTMENT OF  
HUMAN RESOURCES,  
Portland, OR, February 3, 1993.

Senator MARK O. HATFIELD,  
Hart Senate Office Building,  
Washington, DC.

DEAR SENATOR HATFIELD: This letter is written to support the proposal for a Community Initiative to End Domestic Violence in Multnomah County. Metro Region, Children's Services Division is supportive of this project because of the plan to involve key sectors of the community in a coordinated effort to address family violence.

Most significant to the Children's Services Division (CSD) is the opportunity to address the correlation between wife abuse and child abuse. Last year in Oregon, 27 children died from abuse and neglect. In almost half the cases, domestic violence was also confirmed and may have occurred in several more. This reflects national studies showing that domestic violence was present in anywhere from 40% to 75% of child abuse cases.

The opportunity for collaboration between child abuse experts and domestic violence experts holds great potential for significantly impacting both problems. CSD eagerly looks forward to participation in the Community Initiative. However, with decreasing state resources, this project cannot be undertaken without assistance from the federal government. We greatly appreciate your efforts to help us address these tragic social problems which affect all Oregonians.

Sincerely,

KAY DEAN TORAN,  
Regional Administrator.

COMMUNITY ADVOCATES,  
Portland, OR.

I am writing in support of the "Community Initiative to End Domestic Violence." I strongly support the initiatives' goal of making the prevention of domestic violence a priority in our community.

Community Advocates is a Portland area non-profit whose programs work to prevent violence against women and children through community education. Through our violence prevention programs, we know that there is a great need in the community for further education about domestic violence, coordination of services and resource-sharing. I believe that the Community initiative would enable education and much needed collaboration to take place.

The entire community needs to work together to end family violence. Community Advocates would welcome the opportunity to participate with local agencies in this effort. I believe that this initiative has the potential to greatly improve services to battered women and abused children and it will ultimately help us create a community with less family violence. Please don't hesitate to call me if you have any questions.

Sincerely,

BELLE BENNETT,  
Executive Director.

By Mr. BRADLEY:

S. 1574. A bill to authorize appropriations for the Coastal Heritage Trail Route in the State of New Jersey, and for other purposes; to the Committee on Energy and Natural Resources.

NEW JERSEY COASTAL HERITAGE TRAIL FUNDING  
REAUTHORIZATION ACT OF 1993

- Mr. BRADLEY. Mr. President, I introduce a simple funding reauthorization for the New Jersey Coastal Heritage Trail. This bill brings forth the funding authorization, which was for the first year's efforts, up to date and allows for future needs.

Since 1988, the National Park Service has been working with other Federal agencies, the State of New Jersey, and local officials and citizens. Right now, the Park Service is putting the finishing touches on a series of trails that will link sites of special interest by one of several themes. These trails, which will be identified by maps, road signs, and wayside exhibits, will create a force that will add meaning and vitality to critical landmarks that too often become lost or overlooked.

Mr. President, this effort is a pioneering one to preserve and strengthen key elements of our collective heritage without an intensive Federal role or ownership. This is a new approach and is the first of its kind. It has taken time and resources. But, I feel strongly that the return to the public will more than compensate for the Federal expenditures. I urge the passage of this increased authorization.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1574

*Be it enacted in the Senate and the House of Representatives in the United States of America in Congress assembled, That section 6 of Public Law 100-515 (16 U.S.C. 1244 note) is amended by striking "\$250,000" and inserting in lieu thereof, "\$2,500,000".*

By Ms. MIKULSKI:

S. 1575. A bill to amend title 5, United States Code, to provide for the establishment of programs to encourage Federal employees to commute by means other than single-occupancy motor vehicles; to the Committee on Governmental Affairs.

FEDERAL EMPLOYEES CLEAN AIR INCENTIVES  
ACT

- Ms. MIKULSKI. Mr. President, I introduce the Federal Employees Clean Air Incentives Act. A companion bill was introduced today in the House of Representatives by Congresswoman ELIANA HOLMES NORTON.

This legislation gives Federal agencies the ability to offer public transportation benefits to their employees. It reauthorizes a program which I sponsored in 1990 and which expires December 31, 1993.

I believe it is appropriate for public and private employers to encourage those employees who are able to do so to ride public transportation instead of driving to work. Increased commuting by public transportation reduces wasteful energy use, air and noise pol-

lution, and congestion on our roads and highways.

Private employers can take advantage of a provision in the tax law which allows up to \$60 a month in public transportation benefits to be offered to an employee tax-free. Many Federal employers offer these benefits as well, but they need this reauthorization legislation to continue to do so.

Mr. President, I ask unanimous consent that the text of this legislation appear in the RECORD at the conclusion of my remarks.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1575

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## SECTION 1. SHORT TITLE; PURPOSE.

(a) SHORT TITLE.—This Act may be cited as the "Federal Employees Clean Air Incentives Act".

(b) PURPOSE.—The purpose of this Act is to improve air quality and to reduce traffic congestion by providing for the establishment of programs to encourage Federal employees to commute by means other than single-occupancy motor vehicles.

## SEC. 2. AUTHORITY TO ESTABLISH PROGRAMS.

(a) IN GENERAL.—Chapter 79 of title 5, United States Code, is amended by adding at the end the following:

"**7905. Programs to encourage commuting by means other than single-occupancy motor vehicles**

"(A) For the purpose of this section—

"(1) the term 'employee' means an employee as defined by section 2103 and a member of a uniformed service;

"(2) the term 'agency' means—

"(A) an Executive agency;

"(B) an entity of the legislative branch;

"(C) the judicial branch;

"(3) the term 'entity of the legislative branch' means the House of Representatives, the Senate, the Office of the Architect of the Capitol (including the Botanic Garden), the Capitol Police, the Congressional Budget Office, the Copyright Royalty Tribunal, the Government Printing Office, the Library of Congress, and the Office of Technology Assessment; and

"(4) the term 'transit pass' means a transit pass as defined by section 132(f)(5) of the Internal Revenue Code of 1986.

"(B)(1) The head of each agency may establish a program to encourage employees of such agency to use means other than single-occupancy motor vehicles to commute to or from work.

"(2) A program established under this section may involve such options as—

"(A) transit passes (including cash reimbursements therefor, but only if a voucher or similar item which may be exchanged only for a transit pass is not readily available for direct distribution by the agency);

"(B) furnishing space, facilities, or services to bicyclists; and

"(C) any non-monetary incentive which the agency head may otherwise offer under any other provision of law or other authority.

"(c) The functions of an agency head under this section shall—

"(1) with respect to the judicial branch, be carried out by the Director of the Administrative Office of the United States Courts;

"(2) with respect to the House of Representatives, be carried out by the Committee on House Administration of the House of Representatives; and

"(3) with respect to the Senate, be carried out by the Committee on Rules and Administration of the Senate.

"(d) The President shall designate 1 or more agencies which shall—

"(1) prescribe guidelines for programs under this section;

"(2) on request, furnish information or technical advice on the design or operation of any program under this section; and

"(3) submit to the President and the Congress, before January 1, 1995, and at least every 2 years thereafter, a written report on the operation of this section, including, with respect to the period covered by the report—

"(A) the number of agencies offering programs under this section;

"(B) a brief description of each of the various programs;

"(C) the extent of employee participation in, and the costs to the Government associated with, each of the various programs;

"(D) an assessment of any environmental or other benefits realized as a result of programs established under this section; and

"(E) any other matter which may be appropriate."

(b) CHAPTER ANALYSIS.—The analysis for chapter 79 of title 5, United States Code, is amended by adding at the end the following:

"7905. Programs to encourage commuting by means other than single-occupancy motor vehicles."

## SEC. 3. EFFECTIVE DATE.

This Act and the amendments made by this Act shall take effect on January 1, 1994.●

## ADDITIONAL COSPONSORS

S. 327

At the request of Mr. MURKOWSKI, the name of the Senator from Utah [Mr. HATCH] was added as a cosponsor of S. 327, a bill to amend the Internal Revenue Code of 1986 to permit rollovers into individual retirement accounts of separation pay from the Armed Services.

S. 691

At the request of Mr. MURKOWSKI, the name of the Senator from Tennessee [Mr. MATHEWS] was added as a cosponsor of S. 691, a bill to terminate certain economic sanctions against Vietnam, to provide for less restrictive controls on exports of sensitive technology, material, and data to Vietnam, and to increase access by United States citizens to the territory of Vietnam in order to obtain a fuller accounting of the fate of certain American servicemen from the Vietnam war.

S. 732

At the request of Mr. KENNEDY, the name of the Senator from Maryland [Mr. SARBAKES] was added as a cosponsor of S. 732, a bill to provide for the immunization of all children in the United States against vaccine-preventable diseases, and for other purposes.

S. 815

At the request of Mr. LIEBERMAN, the name of the Senator from Massachusetts [Mr. KERRY] was added as a co-sponsor of S. 815, a bill to amend the

Federal Water Pollution Control Act to provide special funding to States for implementation of national estuary conservation and management plans, and for other purposes.

S. 839

At the request of Mr. HOLLINGS, the name of the Senator from California [Mrs. FEINSTEIN] was added as a cosponsor of S. 839, a bill to establish a program to facilitate development of high-speed rail transportation in the United States, and for other purposes.

S. 1040

At the request of Mr. BINGAMAN, the name of the Senator from California [Mrs. BOXER] was added as a cosponsor of S. 1040, a bill to support systemic improvement of education and the development of a technologically literate citizenry and internationally competitive work force by establishing a comprehensive system through which appropriate technology-enhanced curriculum, instruction, and administrative support resources and services, that support the national education goals and any national education standards that may be developed, are provided to schools throughout the United States.

S. 1458

At the request of Mrs. KASSEBAUM, the name of the Senator from Hawaii [Mr. INOUYE] was added as a cosponsor of S. 1458, a bill to amend the Federal Aviation Act of 1988 to establish time limitations on certain civil actions against aircraft manufacturers, and for other purposes.

S. 1478

At the request of Mr. PRYOR, the names of the Senator from Montana [Mr. BURNS] and the Senator from Iowa [Mr. GRASSLEY] were added as cosponsors of S. 1478, a bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act to ensure that pesticide tolerances adequately safeguard the health of infants and children, and for other purposes.

S. 1511

At the request of Mr. DORGAN, the name of the Senator from Ohio [Mr. GLENN] was added as a cosponsor of S. 1511, a bill to eliminate the crediting of "good time" for violent and repeat offenders in Federal and State prisons, authorize funding for boot camps and the conversion of military facilities to regional prisons, and for other purposes.

SENATE JOINT RESOLUTION 98

At the request of Mr. MITCHELL, the names of the Senator from Connecticut [Mr. DOOD] and the Senator from Texas [Mrs. HUTCHISON] were added as cosponsors of Senate Joint Resolution 98, a joint resolution to designate the week beginning October 25, 1993, as "National Child Safety Awareness Week."

SENATE JOINT RESOLUTION 118

At the request of Mr. LAUTENBERG, the names of the Senator from Arizona

[Mr. DECONCINI], the Senator from West Virginia [Mr. BYRD], the Senator from Ohio [Mr. METZENBAUM], the Senator from Michigan [Mr. RIEGLE], the Senator from Nebraska [Mr. KERREY], the Senator from Connecticut [Mr. LIEBERMAN], the Senator from Massachusetts [Mr. KERRY], the Senator from Hawaii [Mr. INOUYE], the Senator from Idaho [Mr. CRAIG], the Senator from Connecticut [Mr. DODD], the Senator from North Dakota [Mr. CONRAD], the Senator from Alabama [Mr. HEFLIN], the Senator from Rhode Island [Mr. CHAFEE], the Senator from Michigan [Mr. LEVIN], the Senator from Tennessee [Mr. SASSER], the Senator from Utah [Mr. HATCH], the Senator from New Mexico [Mr. BINGAMAN], the Senator from Illinois [Mr. SIMON], the Senator from Pennsylvania [Mr. WOFFORD], the Senator from Minnesota [Mr. DURENBERGER], the Senator from Massachusetts [Mr. KENNEDY], the Senator from New York [Mr. MOYNIHAN], the Senator from Virginia [Mr. WARNER], the Senator from Nebraska [Mr. EXON], the Senator from Iowa [Mr. GRASSLEY], the Senator from Rhode Island [Mr. PELL], the Senator from Kansas [Mrs. KASSEBAUM], the Senator from Oklahoma [Mr. BOREN], were added as cosponsors of Senate Joint Resolution 118, a joint resolution to designate the week of October 17, 1993, through October 23, 1993, as "National Radon Action Week."

SENATE JOINT RESOLUTION 130

At the request of Mr. KEMPTHORNE, the name of the Senator from Mississippi [Mr. COCHRAN] was added as a cosponsor of Senate Joint Resolution 130, a joint resolution designating October 27, 1993, as "National Unfunded Federal Mandates Day."

SENATE JOINT RESOLUTION 140

At the request of Mr. LAUTENBERG, the names of the Senator from Arizona [Mr. DECONCINI], the Senator from Wisconsin [Mr. KOHL], and the Senator from Illinois [Ms. MOSELEY-BRAUN] were added as cosponsors of Senate Joint Resolution 140, a joint resolution to designate December 7, 1993, as "National Pearl Harbor Remembrance Day."

SENATE CONCURRENT RESOLUTION 35

At the request of Mr. WOFFORD, the names of the Senator from Utah [Mr. HATCH], the Senator from Minnesota [Mr. DURENBERGER], the Senator from Arkansas [Mr. PRYOR], the Senator from Wisconsin [Mr. KOHL], the Senator from Tennessee [Mr. MATHEWS], the Senator from New York [Mr. MOYNIHAN], the Senator from New Jersey [Mr. BRADLEY], the Senator from New Jersey [Mr. LAUTENBERG], the Senator from Washington [Mr. GORTON], the Senator from Nebraska [Mr. EXON], the Senator from Alabama [Mr. HEFLIN], the Senator from South Dakota [Mr. DASCHLE], the Senator from Maine [Mr. COHEN], the Senator from Oregon [Mr.

PACKWOOD], the Senator from Alabama [Mr. SHELBY], the Senator from Tennessee [Mr. SASSER], the Senator from Texas [Mrs. HUTCHISON], the Senator from Maryland [Mr. SARBANES], the Senator from West Virginia [Mr. ROCKEFELLER], the Senator from Kentucky [Mr. FORD], the Senator from Hawaii [Mr. INOUYE], the Senator from South Dakota [Mr. PRESSLER], the Senator from Illinois [Ms. MOSELEY-BRAUN], were added as cosponsors of Senate Concurrent Resolution 35, a concurrent resolution to express the sense of the Congress with respect to certain regulations of the Occupational Safety and Health Administration.

SENATE RESOLUTION 64

At the request of Mr. LUGAR, the name of the Senator from Texas [Mrs. HUTCHISON] was added as a cosponsor of Senate Resolution 64, a resolution expressing the sense of the Senate that increasing the effective rate of taxation by lowering the estate tax exemption would devastate homeowners, farmers, and small business owners, further hindering the creation of jobs and economic growth.

SENATE RESOLUTION 70

At the request of Mr. DOLE, his name was withdrawn as a cosponsor of Senate Resolution 70, a resolution expressing the sense of the Senate regarding the need for the President to seek the advice and consent of the Senate to the ratification of the United Nations Convention on the Rights to the Child.

## AMENDMENTS SUBMITTED

## DEPARTMENT OF DEFENSE APPROPRIATIONS ACT OF 1994

## BRADLEY (AND SMITH) AMENDMENT NO. 1070

Mr. BRADLEY (for himself and Mr. SMITH) proposed an amendment to the bill (H.R. 3116) making appropriations for the Department of Defense for the fiscal year ending September 30, 1994, and for other purposes; as follows:

On page 34, line 13, strike out "\$785,000,000" and insert in lieu thereof "\$635,000,000".

## MCCAIN (AND OTHERS) AMENDMENT NO. 1071

Mr. MCCAIN (for himself, Mr. BINGAMAN, Mr. Nunn, Mr. THURMOND, and Mr. SMITH) proposed an amendment to the bill H.R. 3116, supra; as follows:

On page 157, between lines 9 and 10, insert the following:

SEC. 8142. No provision of this Act concerning programs, projects, or activities involving community adjustment assistance, research or development at colleges or universities, strategic environmental research, or environmental restoration may be construed as requiring a contract to be awarded, or as requiring a grant to be made, to a specific non-Federal Government entity for a new

program, project, or activity; *Provided*, That it is the policy of Congress that contracts and grants for programs, projects, and activities funded by the Department of Defense should be awarded through merit-based selection procedures.

#### HELM'S (AND BROWN) AMENDMENT NO. 1072

Mr. HELMS (for himself and Mr. BROWN) proposed an amendment to the bill H.R. 3116, *supra*; as follows:

At the end of the committee amendment on page 154, insert the following:

SEC. 8142. None of the funds appropriated or otherwise made available by this Act may be obligated or expended for the Armed Forces of the United States to conduct operations in Haiti unless (1) operations of the Armed Forces of the United States in Haiti are specifically authorized in a law enacted in advance of the operations, or (2) the President certifies in writing to Congress that United States citizens in Haiti are in imminent danger and that a temporary deployment of the Armed Forces of the United States into Haiti is necessary in order to protect and evacuate United States citizens in Haiti. In the event of a certification under clause (2) of the preceding sentence, funds referred to in that sentence may be obligated and expended for the Armed Forces of the United States to conduct operations in Haiti only to the extent necessary for the Armed Forces to provide the protection and complete the evacuation certified as necessary.

#### MITCHELL (AND OTHERS) AMENDMENT NO. 1073

Mr. MITCHELL (for himself, Mr. DOLE, Mr. THURMOND, Mr. SIMPSON, Mr. WARNER, Mr. DOMENICI, Mrs. HUTCHISON, and Mr. D'AMATO) proposed an amendment to the bill H.R. 3116, *supra*; as follows:

At the appropriate place in the bill insert the following:

SEC. . (a) It is the sense of Congress that none of the funds appropriated or otherwise made available by this Act should be available for the purposes of deploying United States Armed Forces to participate in the implementation of a peace settlement in Bosnia-Herzegovina, unless previously authorized by the Congress.

(b) It is the sense of Congress that the limitation set forth in subsection (a) should not preclude missions and operations initiated on or before October 20, 1993, including the provision of any humanitarian assistance by the Department of Defense.

#### DOLE (AND OTHERS) AMENDMENT NO. 1074

Mr. MITCHELL (for Mr. DOLE for himself, Mr. MITCHELL, Mr. GRAHAM, Mr. SIMPSON, Mr. THURMOND, Mr. WARNER, Mrs. HUTCHISON, Mr. D'AMATO, Mr. MURKOWSKI, Mr. DODD, and Mr. DOMENICI) proposed an amendment to the bill H.R. 3116, *supra*; as follows:

At the appropriate place in the bill, insert the following:

#### SENSE OF CONGRESS ON THE USE OF FUNDS FOR UNITED STATES MILITARY OPERATIONS IN HAITI

(a) STATEMENT OF POLICY.—It is the sense of the Congress that—

(1) all parties should honor their obligations under the Governors Island Accord of

July 3, 1993 and the New York Pact of July 16, 1993;

(2) the United States has a national interest in preventing uncontrolled emigration from Haiti; and

(3) the United States should remain engaged in Haiti to support national reconciliation and further its interest in preventing uncontrolled emigration.

(b) LIMITATION.—It is the sense of Congress that funds appropriated by this Act should not be obligated or expended for United States military operations in Haiti unless—(1) authorized in advance by the Congress; or

(2) the temporary deployment of United States Armed Forces into Haiti is necessary in order to protect or evacuate United States citizens from a situation of imminent danger and the President reports as soon as practicable to Congress after the initiation of the temporary deployment, but in no case later than forty-eight hours after the initiation of the temporary deployment; or

(3) the deployment of United States Armed Forces into Haiti is vital to the national security interests of the United States, including but not limited to the protection of American citizens in Haiti, there is not sufficient time to seek and receive congressional authorization, and the President reports as soon as practicable to Congress after the initiation of the deployment, but in no case later than forty-eight hours after the initiation of the deployment; or

(4) the President transmits to the Congress a written report pursuant to subsection (c).

(c) REPORT.—It is the sense of Congress that the limitation in subsection (b) should not apply if the President reports in advance to Congress that the intended deployment of United States Armed Forces into Haiti—  
(1) is justified by United States national security interests;

(2) will be undertaken only after necessary steps have been taken to ensure the safety and security of United States Armed Forces, including steps to ensure that United States Armed Forces will not become targets due to the nature of their rules of engagement;

(3) will be undertaken only after an assessment that—

(A) the proposed mission and objectives are most appropriate for the United States Armed Forces rather than civilian personnel or armed forces from other nations, and

(B) that the United States Armed Forces proposed for deployment are necessary and sufficient to accomplish the objectives of the proposed mission;

(4) will be undertaken only after clear objectives for the deployment are established;

(5) will be undertaken only after an exit strategy for ending the deployment has been identified; and

(6) will be undertaken only after the financial costs of the deployment are established.

(d) DEFINITION.—As used in this section, the term "United States military operations in Haiti" means the continued deployment, introduction or reintroduction of United States Armed Forces into the land territory of Haiti, irrespective of whether those Armed Forces are under United States or United Nations command, but does not include activities for the collection of foreign intelligence, activities directly related to the operations of United States diplomatic or other United States Government facilities, or operations to counter emigration from Haiti.

#### NOTICES OF HEARINGS

##### PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. NUNN. Mr. President, I would like to announce for the information of

the Senate and the public that the Permanent Subcommittee on Investigations of the Committee on Governmental Affairs, will hold hearings on abuses in Federal student grant programs.

This hearing will take place on Wednesday, October 27, and Thursday, October 28, at 9 a.m. each day, in room 342 of the Dirksen Senate Office Building. For further information, please contact Eleanore Hill of the subcommittee staff at 224-3721.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. WOFFORD. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on October 20, 1993, at 9:30 a.m. on TV violence and S. 1383, S. 973, and S. 943.

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

##### COMMITTEE ON COMMERCE, SCIENCE AND TRANSPORTATION

Mr. WOFFORD. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on October 20, 1993, at 2 p.m. on S. 1227, Antarctic Scientific Research, Tourism and Marine Research Act.

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

##### COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. WOFFORD. Mr. President, I ask unanimous consent that the full Committee on Environment and Public Works be authorized to meet during the session of the Senate on Wednesday, October 20, beginning at 2 p.m., to hear—Mary Dolores Nichols, nominated by the President to be Assistant Administrator for the Office of Air and Radiation, Environmental Protection Agency; and Jonathan Z. Cannon, nominated by the President to be Assistant Administrator for the Office of Administration and Resources Management and Chief Financial Officer, Environmental Protection Agency.

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

##### COMMITTEE ON FINANCE

Mr. WOFFORD. Mr. President, I ask unanimous consent that the Committee on Finance be permitted to meet today at 10 a.m. to consider legislation authorizing the fiscal year 1994 and 1995 budget for the U.S. Customs Service, and to consider recommendations for legislation to implement the North American Free-Trade Agreement.

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

##### COMMITTEE ON FOREIGN RELATIONS

Mr. WOFFORD. Mr. President, I ask unanimous consent that the Committee on Foreign Relations, be authorized

to meet during the session of the Senate on Wednesday, October 20, 1993, at 3:30 p.m. to hold nomination hearings on Larry Byrne, to be Associate Administrator for Finance and Administration of AID; and Jennifer Hillman, for the rank of Ambassador during her tenure of service as Chief Textile Negotiator.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. WOFFORD. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, October 20, 1993, at 10 a.m. to hold a hearing on Somalia, the United States, and U.N. peacekeeping.

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

COMMITTEE ON INDIAN AFFAIRS

Mr. WOFFORD. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet on Wednesday, October 20, 1993, beginning at 9:30 a.m., in 485 Russell Senate Office Building on self-governance.

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

COMMITTEE ON JUDICIARY

Mr. WOFFORD. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on Wednesday, October 20, 1993 to hold a hearing on the nominations of Martha Craig Daughtrey to be U.S. Circuit Judge for the Sixth Circuit, Thomas M. Shanahan to be U.S. District Judge for the District of Nebraska, and Lawrence L. Piersol to be U.S. District Judge for the District of South Dakota.

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

COMMITTEE ON THE JUDICIARY

Mr. WOFFORD. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on Wednesday, October 20, 1993, at 9:30 a.m. to hold a hearing on interim national drug control strategy: "breaking the cycle of drug abuse."

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

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. WOFFORD. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources be authorized to meet on October 20, 1993, at 9:30 a.m., for an executive session to consider the Disadvantaged Minority Health Improvement Act of 1993; S. 1523, Stewart B. McKinney Homeless Assistance Reauthorization Act of 1993; and the nominations of William B. Gould IV to be Chairman of the National Labor Relations Board; Martin John Manley to be Assistant Secretary for the Office of the American Workplace at the Department of Labor; and

John Calhoun Wells to be Federal Mediation and Conciliation Director.

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

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. WOFFORD. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources be authorized to meet for a hearing on the nomination of Diane Frankel to be Director of the Institute for Museum Services, during the session of the Senate on Tuesday, October 20, 1993, at 2:30 p.m.

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

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. WOFFORD. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources be authorized to meet for a hearing on Health Alliances: Building a Structure for the Health Security Act, during the session of the Senate on Tuesday, October 20, 1993, at 10 a.m.

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

ADDITIONAL STATEMENTS

IF THE U.S. PUBLIC KNEW ABOUT ITS PRISONS

- Mr. SIMON. Mr. President, one of the most ridiculous and wasteful policies we have is to try to stop all crime simply by putting people into prison.

People who are violent should be in prison. Others who commit nonviolent crimes probably should have short stays in prison and then be compelled to do some type of work that benefits society, such as working in a home for the homeless.

But for us to have by far the highest ratio of prisoners per 100,000 people of any nation in the world, simply has been a flawed policy, and the statistics show it.

For some reason, it remains politically popular to do so.

Recently, I was pleased to read a column in the National Catholic Reporter by Father Robert F. Drinan, with whom I had the privilege of serving in the House.

He calls for some common sense in our prison policies.

I ask to insert the Drinan column into the RECORD at this point.

The column follows:

IF THE U.S. PUBLIC KNEW ABOUT ITS PRISONS

(By Robert F. Drinan)

Of all the developments in 12 years of Reagan and Bush, one of the least known is the astonishing increase of people in prison. The number of federal prisoners more than tripled, from 24,500 to 80,259. The total number of prisoners grew from 329,821 in 1980 to 883,593 in 1992—an increase of 167.9 percent.

The upward trend has not leveled off despite mounting criticism. In 1992, federal prisoners increased by 8,651, while there were 50,809 additional state prisoners. This trans-

lates into a need for 1,143 new prison beds each week. In 1990, more people were admitted to prisons for drug offenses than for property crimes.

All these factors make melancholy reading in a recent study by the U.S. Advisory Commission on Intergovernmental Relations.

Among the reasons for this increase is the abolition of parole by the federal government and several states, and the enactment of more laws requiring a mandatory sentence. There are now almost 100 federal laws whose violation requires a mandatory jail sentence.

Another reason is the increase in the number of federal prosecutors in the Reagan years.

Federal officials, moreover, in the 1980s concentrated on catching street criminals and putting drug users in prison. Although the framers of the Constitution and the conservative tradition in America never contemplated the federal government getting into local and neighborhood crime, the White House in the 1980s introduced that new and dangerous direction in law enforcement.

The United States with a ratio of 455 prisoners per 100,000 inhabitants and almost 1 million persons behind bars, can claim the distinction of being the world leader in both categories. In 40 states and the District of Columbia, courts have ruled that jail conditions violate federal or state constitutions.

Women have a particularly difficult time in prison. The numbers, now 6 percent of the total, have since 1980 been growing at a greater rate than men. New York is the only state that allows women to keep their babies with them in jail.

A 303-page book, Global Report on Prisons, recently published by the Human Rights Watch, reveals the grim conditions in prisons around the world. Prisoners are often treated in inhuman and degrading ways. Prisons usually fall below the level of decency required by the U.N. standard minimum rules for the treatment of prisoners. The report also finds that "prettrial inmates are generally confined in far worse conditions than those endured by prisoners convicted of the most heinous crimes."

It is obvious that appropriate treatment for serious crime has never been an easy question. But the simplistic solutions of the past decade have not brought about a decrease in crime nor have they diminished the drug problem on which the federal government alone spends \$11 billion each year.

Attorney General Janet Reno is beginning to urge a substantial change in the nation's programs and priorities on law enforcement. Although she was a prosecutor in Florida for 15 years, she sees the counterproductive effects of the draconian measures adopted in the past dozen years.

The most effective way to punish and deter crime is to educate and motivate those persons convicted of crime so they will abandon their evil ways. A big problem is the number of recidivists. The traditional objectives of imprisonment are deterrence, punishment and rehabilitation. There is little evidence that rehabilitation is being substantially achieved in today's prisons.

It is lamentable that religious groups are seldom involved in helping prisoners. Most jails have a chaplain, but support groups from local communities are discouraged. Indeed, prisons are kept largely invisible. Human Rights Watch makes one of its top recommendations a "general call to open the prisons to the public in every way possible."

If the public knew of the vast billions being spent on prisons and saw the meager

results, they would demand a thorough reexamination of imprisonment.

Dostoyevski once wrote that the morality of a civilization can be judged by the way it treats its prisoners. On that basis the United States has a long way to go.●

#### HONORING THREE NEW YORK HIGH SCHOOL STUDENTS, AND THEIR TEACHERS, WHO WERE AMONG 20 NATIONAL WINNERS OF NASA'S 13TH ANNUAL SPACE SCIENCE STUDENT INVOLVEMENT PROGRAM [SSIP] COMPETITION

• Mr. D'AMATO. Mr. President, I rise today to honor three fine young New Yorkers who were among the 20 national winners of NASA's 13th annual Space Science Student Involvement Program [SSIP] competition. The three students, along with their respective teachers, were honored here in Washington at the National Space Science Symposium, October 2-6.

The competition, which is cosponsored by NASA and the National Science Teachers Association, involves thousands of students annually. SSIP engages students with various academic strengths in a broad spectrum of competitions. Elementary, junior high, and high school students compete for all-expense-paid trips to NASA centers, 1-week internships, space camp scholarships, medals, ribbons, certificates, and other forms of national recognition, utilizing an impressive array of skills in mathematics, science, technology, art and creative writing.

Philip Chang, a resident of Brooklyn, and a junior at the Bronx High School of Science, was a national winner for his work entitled, "The Application of Neural Networks to Radiation Problems." Philip was accompanied by his teacher, Mitchell Fox.

Jeffrey D. Stanaway, a resident of Yorktown, and a junior at Lakeland High School in Shrub Oak, was a national winner for his project, which tested a wing design with enhanced maneuverability as a result of its being able to alter its profile during flight. Jeffrey was accompanied by his teacher, George Naumann.

Ryan E. Sours, a resident of Manlius, and a junior at Fayetteville-Manlius High School in Manlius, was a national semifinalist for his project entitled, "The Search for Gravity Waves." Ryan was accompanied by his teacher, Martin Alderman.

I would like to offer the highest commendation to these three fine young men. Their valuable work, and the recognition they have received, should serve as an inspiration to all of us. I am sure all New Yorkers join me in tipping our hats to these three winners.●

#### HURDLE TO PEACE: PARTING THE MIDEAST'S WATERS

• Mr. SIMON. Mr. President, recently, the New York Times had a front-page

story about water being an important factor for the future of the Middle East, and a few weeks prior to that, they had an interview with King Hussein, who said that if Israel and Jordan ended up in conflict, it would likely be over water.

Recently, the Jerusalem Report, a weekly magazine out of Israel, had a full-page ad titled, "Needed: Water on the Border."

The reality is that we have to move soon to escalate our research so that we find less expensive ways of converting salt water to fresh water. That is vital in the Middle East, it is vital in parts of Africa and South America.

It is important to the future of California, Florida, and other States.

The reality is the world population is growing and our water supply is not growing.

And yet, we find that except for drinking water, the two-thirds of the world surface covered by water is unusable.

We simply have to make a breakthrough.

I am pleased to have legislation pending that is cosponsored by Senators MOYNIHAN, BRADLEY, JEFFORDS, BRYAN, REID, SHELBY, LIEBERMAN, and ROBB.

I hope we can move soon on this and creatively use the brains of this country and of other countries to solve an extremely significant problem.

I ask to insert into the RECORD the New York Times story titled, "Hurdle to Peace: Parting the Mideast's Waters" written by Alan Cowell and the advertisement that appeared in the Jerusalem Report.

The articles follow:

[From the New York Times, Oct. 10, 1993]  
HURDLE TO PEACE: PARTING THE MIDEAST'S  
WATERS

(By Alan Cowell)

KUTAYFA, JORDAN.—Beyond all the hopeful talk of peace in the Middle East, a battle is shaping over an issue as powerful as land, as basic as oil: the region is running out of water, and no one, Israeli or Arab, is prepared to do with less so others can have more.

In a region where barren deserts and cloudless skies make water life's most precious commodity, the dispute may prove even more complicated than the brave new steps promised by Israel and the Palestine Liberation Organization.

"At present it's a zero-sum game," Munther Haddadin, Jordan's chief negotiator on water rights, said in an interview in Amman. "What is taken by Israel is taken away from other people. And what is taken by other people is taken from Israel."

Since the Middle East peace talks began in 1991, regional discussions on water rights have proved frustrating and inconclusive. But the issue is gaining urgency as the agreement on Palestinian self-rule prompts Jordan, Syria and Lebanon to seek separate accommodations with Israel.

"We say, you will not take water from us," said the Israeli negotiator on water, Avraham Katz-Oz, who spars with Mr. Haddadin in the regional water talks that

are supposed to accompany progress toward a comprehensive Middle East peace. "But we are ready to work with you because water is money. We don't say, no, you will not get water. We say, yes, we can work together."

As might be expected in a region steeped in hostility and mistrust, the dispute is viewed through utterly different prisms.

What Arabs depict as Israel's disproportionate use—even theft—of water, Israelis portray as the result of foresight, technological advances like computerized irrigation and good management in securing and exploiting supplies.

And what some Arabs prefer to cast as a straight fight between them and Israel over water rights, Israelis and some foreign experts depict as a situation in which Arab has taken from Arab, where offers of regional cooperation have been spurned and even basic estimates of who gets what now are as deceptive as the starting price set by a rug-seller in a bazaar.

Whatever their differences, there is a profoundly held view, particularly in arid Jordan, that water sharing will be central to any peace deal beyond the accord signed in September by Israel and the P.L.O.

"If there's no agreement on water, there'll be no peace settlement," said Dr. Elias Salameh, a hydrologist at Jordan University in Amman. "Unless we come to terms on the redistribution of water, nothing will happen."

The reasons for worry are clear. The Israeli and Arab populations have expanded, but water resources have not.

In Jordan, Israel and the Israeli-occupied West Bank and Gaza Strip, rivers and aquifers have been so heavily tapped that some have been exhausted or spoiled. The desert horizons offer neither the prospect of more generous rain nor the terrain to utilize the rain that does fall.

When generous rains do come, as they did in 1991-92, they may offer only temporary respite because storage sites are limited and some aquifers are already brackish.

From the Arabs' point of view, the issue resembles their demand for territory in return for peace. To feed Tel Aviv and the Negev region, Israel consumes more than twice Jordan's supply from the same rivers—the Jordan and the Yarmuk—though the population of Israel outstrips its neighbor by only about one-third.

Under Israel's rationing system, according to Jordanian figures, each Israeli is entitled to almost four times as much water as a Palestinian on the West Bank—even though rain gathers in aquifers beneath the West Bank, Israel also controls water that rises in the Golan Heights, captured from Syria in 1967.

Though it acknowledges some disparities, Israel resents the suggestion that it is a water thief, arguing that its investment in water-management over the decades has totaled some \$30 billion, only to be challenged by interpretations of who is entitled to what.

"There is no reason for Palestinians to claim that just because they sit on lands, they have the rights to that water," Mr. Katz-Oz said. "The mountains do not own the water that fall on them. It's the same with Canada and the United States. It's the same all over the world."

But the pressure for concessions is growing. An agenda that was formally initiated by Jordan and Israel on Sept. 15 specifically identifies water rights as an issue that must be resolved in negotiations before a comprehensive peace treaty for the region can be reached.

**THE VIEW FROM JORDAN: LACK OF WATER, RISKS IN FARMING**

In this farming area 20 miles southeast of Amman, where crops are coaxed from stubby land, Princess Nafaa Ali, has come to accept that neither wealth nor technology can produce water if there is none.

A member of Jordan's royal household who farms family holdings on a bald hillside, she sank a well two years ago to irrigate fields of barley to feed her sheep and garlic to send to market. Without the well, she said, there is no guessing how the spring rains might treat her crop. She has experienced everything from drought to flash floods that turn the dry stream-beds, or wadis, to sudden torrents.

Even with the well, whose waters are too steeped in iron for humans to drink, there is no guarantee how long the aquifer it taps will survive to feed the long, black lines that stretch across her fields to provide drip-irrigation to the seeds.

"It's still a gamble," she said.

Indeed, for the country as a whole, farming is a gamble with virtual no-win odds.

"The Jordanians have tapped most of the water in the country," a Western specialist said. "They have tapped the aquifers so that they are depleted or contaminated by over-pumping. The demand exceeds the known resources."

Dr. Salameh, the hydrologist at Jordan University, agrees.

"We are now living in a water crisis," he said in an interview in Amman, whose summer water supply is rationed to two days of pumping a week and is stored in tanks atop many homes. "It's not yet a catastrophe, but by the year 2010, we'll end up having nothing."

**HISTORY OF THE DISPUTE: POPULATION GROWTH, AND A NEW ENTITY**

For centuries, water has set the rhythms of life in the Middle East, from the oases between oases of lean desert tribes to the lassitude of the Nile Valley. In this century, water has spawned tension as much as it has sustained life, as tribes and empires drew lines in the sand to mark the frontiers of modern statehood.

Nowhere is the struggle more evident than in the tiny triangle of land below the Sea of Galilee, where the Yarmuk and Jordan Rivers meet.

The natural expansion of populations had already strained those water resources. Then came an influx of hundreds of thousands of Soviet Jews into Israel beginning in the late 1980's. And in 1990-91, some 300,000 Palestinians arrived in Jordan after they fled or were expelled from Kuwait and other gulf states because of the P.L.O.'s support for Iraq in the Persian Gulf war.

"The population of Jordan increased at once by 12 percent," Dr. Salameh said, "and that's not easy to accommodate."

The demographics of war and peace now threaten to strain resources further. With talk of a new Palestinian authority rising in the occupied West Bank, after Israel's peace with the P.L.O., there will be another claimant to the same waters, seeking an increased share for economic and agricultural growth and for a population likely to be swollen beyond its current one million as refugees return home.

Even now, said Dr. Haddadin, the Jordanian negotiator on water rights, Israel provides its own population of about five million with nearly 400 cubic meters of water per person per year. But in the West Bank, he said, the water supply now amounts to about 115 cubic meters per person per year.

"Why should anyone entertain a disparity of that magnitude?" he asked. "There has been a unilateral usage by Israel of the entire flow of the Jordan River."

A new Palestine authority would almost certainly demand the right to tap more deeply into the aquifers of the West Bank to promote its agricultural potential than Israel now allows the Palestinians to do. The Palestinians, possibly in tandem with Jordan, would also urge Israel to release more water into the Jordan River from the Sea of Galilee, which Israel uses as its main water reservoir.

At the same time, water is running out for the 800,000 Palestinians of the barren Gaza Strip, which has been linked with the West Bank town of Jericho as the embryo of a future Palestinian government. Arab specialists say because the aquifers beneath Gaza, which are sapped by the burgeoning population above, have been contaminated with salt water from the Mediterranean.

Israeli control over water is also a crucial issue for Syria because one of the three main streams of the Jordan River—the Bajras—rises in the Golan Heights, annexed by Israel in 1961.

**THE SOURCES: PRESSURE EXERTED FROM ALL SIDES**

Just a glance at the region's water sources suggests the complexity of the struggles to come.

Israel taps the Jordan River, the Sea of Galilee and the Yarmuk River to pump supplies to Tel Aviv through the National Water Carrier, a system of pipelines. It also draws on rain-fed aquifers that run beneath the West Bank toward the Mediterranean. Supplies to the West Bank are limited by regulations covering the depth and use of Arab wells.

Syria has access to the Euphrates in the north and to the Yarmuk in the south where it has built dams that divert water from Jordan and Israel farther downstream.

For its agriculture in the Jordan Valley, Jordan depends on water from the Yarmuk, which it pumps into the East Ghor irrigation canal; on rain-fed aquifers further east, and on the small Zerqa river, the only river that rises on its territory. Farmers in southern Jordan have stirred controversy by tapping nonrenewable fossil water lying under the border with Saudi Arabia, and the Saudis have drawn criticism for exploiting the same resource.

**PLANS, PAST AND PRESENT: PROPOSED QUOTAS: WINNERS AND LOSERS**

A tentative plan for sharing water was first negotiated by the parties in 1953, when Eric Johnston, an envoy of President Eisenhower, visited the Middle East to broker an accord on the division of the Yarmuk and Jordan Rivers. The plan never went into effect because, the Jordanians said, the Arab League rejected it after a technical committee from the region's riparian countries accepted it.

The quotas proposed in the plan, however, serve as a yardstick for what has happened over the last four decades. According to the Jordanian study, both Syria and Israel have vastly increased the amount of water they take from rivers to which they have access.

According to a study published recently by Jordan's Royal Society for the Conservation of Nature, the Johnston plan allocated Israel 375 million cubic meters of water per year from the Jordan River and 25 million cubic meters from the Yarmuk. Israel now takes 650 million from the Jordan and 100 million from the Yarmuk, the study says.

The Jordanians were allotted 100 million cubic meters from the Jordan River and access to a flow of 377 million cubic meters from the Yarmuk.

Today, the study said, Jordan takes only about 100 to 110 million cubic meters from the Yarmuk and none from the Jordan River. Jordanian specialists attribute that limit primarily to the water's being contaminated by saline spring water pumped downstream from the Sea of Galilee by the Israelis.

Syria was allotted 42 million cubic meters from the upper Jordan River and 90 million from the Yarmuk. Today it takes twice its proposed share from the Yarmuk but none from the upper Jordan because of Israel's annexation of the Golan Heights. The Jordan rises in three main springs in the Golan, Lebanon and Israel.

"Jordan is the major loser and Israel is the major winner," the Jordanian report concludes.

There has been much talk in recent years of ambitious projects to pump water into the area from Turkey or Iraq. And Israel, which has access to the Mediterranean and is expanding its use of desalting, has suggested joint investment in desalting projects with Jordan to meet both countries' needs.

Wealthy gulf nations like Kuwait and Saudi Arabia already rely heavily on oil-powered desalting plants, which use a complex distillation process to turn seawater into drinking water.

Many experts say the desalting technology is still too expensive for countries like Jordan. A domestic consumer in Jordan would have to pay \$3 to \$5 for every cubic meter (about 264 gallons) of drinking water that is desalinated, specialists there estimate.

Some experts argue that water supplies in the region could simply be used more efficiently. Jordan, for instance, could use its Yarmuk supply first for drinking water rather than for irrigation, and then recycle urban wastewater to keep the crops growing, as Israel does.

Israeli representatives assert meanwhile that the debate over water has been skewed by the Arabs' emphasis on disparities in consumption.

A person living in a high-rise apartment building in Tel Aviv with a sink, dishwasher, washing machine and toilet is likely to use a lot more water than someone in a Palestinian refugee camp where such amenities are minimal.

"I'm not saying that's good," said Mr. Katz-Oz, the Israeli negotiator. But that disparity, he said, is "a socioeconomic problem—it's not a water problem."

**NEEDED: WATER ON THE BORDER**

"In the Middle East, a reservoir is a precious resource," commented Caroline Krumeh, an American-born member of Kibbutz Neve Ur, located on Israel's border with Jordan. "However, to Israelis who depend on shared water sources with Arab countries, a reservoir also means survival," she asserts.

Ms. Krumeh is referring to the Neve Ur Reservoir, currently being built by the Jewish National Fund as an alternative water source to the Jordan River. Survival along the border depends on a reliable water supply. So when the region's supply came under constant threat, the Israeli government turned to the JNF.

Availability of water has always been a central problem for Israel, which is subject to seasonal rainfall as well as uneven distribution of that rainfall and periodic droughts. For years, the JNF has been finding solutions to Israel's water availability and conservation problems.

In the North, JNF built the reservoirs to meet the irrigation needs of 15 farming communities. In the South, JNF built storage dams to retain water from the winter rains and prevent them from causing flash floods that erode the soil and lose water to the sea. JNF is also involved in research to develop additional water sources and explore the better utilization of available sources.

JNF's work has become even more urgent in light of the current peace talks. Of all the countries in the Middle East, Israel and Jordan, which both rely on water from the Jordan River, have the most severe water problems. JNF is therefore building dams and reservoirs around the country, enabling Israel to capture and store run-off water and create reliable water sources.

Today, JNF is focusing on the communities along the borders of Israel, which critically need reservoirs. For over 40 years, Kibbutz Neve Ur has lived less than one mile from the border of Jordan, dependent on the water it receives from the Jordan River. Originally founded by a group of Iraqi immigrants, the current population is 420, including 165 children. Neve Ur absorbed nine Russian immigrant families in 1990.

Relying on the water from the Jordan River, the kibbutz has had constant disputes with Jordan over the water supply. In addition, it has had to contend with a decreased water supply from the river in the summer and destructive floods in the winter.

To alleviate this life-threatening situation, the JNF has started the construction of the Neve Ur Reservoir to ensure the water for Kibbutz Neve Ur and the entire Beite She'an Valley, south of the Sea of Galilee. Besides providing an alternative to the water supplied by the Jordan River, the Neve Ur Reservoir will alleviate the strain on Israel's National Water Carrier.

The reservoir will also aid the economy of Kibbutz Neve Ur, which is dependent on water. The fields of the kibbutz produce alfalfa crops, grapefruit, mangoes and dates. Kibbutz members also run a fish farm, raise cattle, and plan to establish recreational facilities around the new reservoir. These activities provide jobs and ensure the stability of communities in the Beite She'an Valley.

The reservoir, including service areas and ponds, will comprise 85 acres. Holding 800,000 cubic meters of water, it will allow 500,000 cubic meters for irrigation and the balance for fish farming. The projected investment in the Neve Ur project is 5 million dollars.

JNF regions around the United States have started campaigns to promote this crucial project. In partnership with its supporters, JNF of America plans to give the people in Kibbutz Neve Ur and the Beite She'an Valley the water they so desperately need. •

#### DOMESTIC ASSAULT AWARENESS MONTH

• Mr. RIEGLE. Mr. President, despite the profound gains American women have made toward equality in our society, violence against women is still a critical problem. Sadly, some Americans still believe that this type of violence is rare, and that when it does occur a woman is asking for it, and can easily leave if she wants to. Unfortunately, statistics show that domestic violence is shockingly common, affecting women in every social and economic strata.

An estimated 3 to 4 million American women are battered each year by their

husbands or partners. More than 1 million abused women seek medical help for battering injuries each year.

The FBI estimates that a woman is battered every 15 seconds in the United States.

Battery is the single major cause of women's injuries that require medical treatment—more prevalent than rape, muggings, and auto accidents combined.

Twenty percent of women seen in emergency rooms are victims of battery.

Thirty percent of female homicide victims are killed by their husbands or boyfriends.

Once violence begins in a relationship, it frequently escalates over time—trapping its victims through a pattern of terrorism. Sixty percent of battered women are beaten while pregnant. Many assaults last for hours. Many are planned. Clearly, society has underestimated and ignored this epidemic for too long. A comprehensive approach to dealing with domestic violence is critically needed.

Many people do not understand why it is so difficult for battered women to just pack up and go somewhere else. Every woman considering leaving her abusive partner must face the real possibility of further injury or even death. Often times, the assailants have deliberately isolated their partners, depriving them of careers, educational opportunities, and job skill improvement. This isolation, combined with unequal job opportunities for women and the lack of affordable child care, can make it financially impossible for a battered woman to leave a violent relationship.

While many women do leave their abusers permanently, often it is not without extreme difficulty and danger. According to experts in this field, when a woman tries to leave a violent relationship, the perpetrator dramatically escalates his violence in order to reassert control and ownership. It is at this point that legal protection and institutional support are most ineffective—unfortunately, our communities and legal system are not adequately equipped to assist and protect battered women. In the past, police were reluctant to pursue domestic assault cases, perceiving these situations as private matters. Even today, they are oftentimes only able to separate the couple temporarily, leaving the woman vulnerable to future violence.

Because of the current shortcomings within our legal system, some battered women have resorted to killing their abusers in self-defense. Usually, these women have tried repeatedly and unsuccessfully to obtain police protection from their abusers. A Police Foundation study in Detroit and Kansas City found that in 85 to 90 percent of partner homicides, police had been called to the home at least once during the 2 years preceding the incident; in more

than half of these cases they had been called five times or more. Without critically needed improvements in legal and community support, women will continue to be condemned to choose between victimization or imprisonment.

These are just some of the compelling reasons why I believe that Federal legislation must be passed to help victims and survivors of domestic violence. I am proud to be a cosponsor of the Violence Against Women Act (S. 11). This legislation, currently awaiting floor action, takes the following actions:

Authorizes funds for law enforcement and increased lighting in areas where women are most endangered;

Helps ensure women's safety on college campuses;

Extends civil rights protection to victims of gender-motivated crimes;

Establishes programs to educate judges and prosecutors on battered women syndrome;

Improves enforcement of protective orders for battered women; and

Increases funding for shelters.

It is crucial that the Violence Against Women Act becomes law this year. It is the least that our country can do to help women who suffer or who have suffered from domestic violence. For too many years, our idea of crime has allowed us to ignore the growing epidemic of violence against women. Congress must take a leadership role in changing this pattern.

Through the Violence Against Women Act, attention will be focused on this critical issue, and solutions will be provided that work toward aiding the survivors, increasing police and prosecutor responses, and breaking stereotypes which portray violence against women as less serious than other violent crimes. These measures are urgently needed, and are the necessary first steps toward eradicating violence against women in our culture, on our streets, and in our homes. •

#### NO PLACE TO RUN, NO PLACE TO HIDE

• Mr. SIMON. Mr. President, earlier this month the Chicago Tribune ran an editorial entitled, "No Place To Run, No Place To Hide." With this editorial, the Tribune continues to provide news coverage, focus, and leadership, as it has through its series, "Killing Our Children," in the area of violence against and among children.

The editorial begins by describing the deaths of several Illinois students—students who have met violent deaths in the suburbs, in small towns, in rural Illinois. The editorial asks, "How far from the city do you think you could move to make sure your family is safe from gun violence?" The reality is that there is no place immune to gun related violence any more. A Lou Harris

poll, commissioned earlier this year by the Chicago-based Joyce Foundation, found that a large majority of American teenagers believe they can get a gun whenever they want one. A even larger group said they feel endangered by guns in and around their schools and communities.

Illinois and the city of Chicago are attempting to come to grips with the escalation of gun related violence. Two bills are currently pending before the Illinois general assembly, bills that pattern efforts here in Congress. One would ban assault weapons in the State. The other addresses an issue I have been involved with—licensing of gun dealers. The city of Chicago has recently shut down a number of gun dealers because they failed to comply with local ordinances.

These kinds of reasonable efforts to stop gun related violence are going on across the country. I only hope Congress will follow the lead of many local and State governments. I urge my colleagues to read the editorial from the Tribune and ask that it be printed in full in the RECORD.

The editorial follows:

[From the Chicago Tribune, Oct. 4, 1993]

#### No Place To Run, No Place To Hide

How far from the city do you think you could move to make sure your family is safe from gun violence?

How about to Du Page County, one of the nation's richest? How about sending your child to Hinsdale South High School, one of the state's finest?

Barrett Modisette, the student mascot of the Hinsdale South Hornets, was shot to death as he left a football game in Downers Grove. A fellow student is charged with shooting Modisette in the head with a .25-caliber semiautomatic handgun.

So that's not far enough. Perhaps you'd better go farther afield—say, to Plainfield. It's a booming community at the outer reaches of the metropolitan area, where new housing is ringed by cornfields.

Chris Pesavento was a star football player for Plainfield High School, headed for college on a scholarship. Now he is paralyzed, the result of a bullet from a .45-caliber semiautomatic handgun. Four local teens are charged in his shooting, which originated in a quarrel that didn't involve Pesavento.

No, there is no running away. Maybe you should get your own gun to protect your family.

Shannon Herrod took her mother's revolver from home to fend off some local bullies. When the 10-year-old Chicago girl pulled her gun on the boys, one of them pulled a gun in turn and she ran home. Shannon and her 14-year-old best friend turned to playing with the weapon; the game ended with Shannon dead.

In a nation with almost as many firearms as people, there is no place distant from guns and there are few kids who can't get their hands on one. To many adolescents, a handgun seems an increasingly tempting, easy way to gain the upper hand.

Modisette and Pesavento had expected the squabbles that ended in their shootings to be settled by fistfights. But fists and words are no longer the weapons of choice in adolescent duels. Not when a gun is so easy to come by—at home, from a friend, from a dealer with a trunkful to sell to any taker.

Federal, nationwide legislation to stem the avalanche of handguns and assault weapons holds the best promise of effective action. Congress, tragically, is still to cowed to take such a step. But public sentiment is growing for meaningful gun control, and those on Capitol Hill need to see and hear countervailing influences to the unduly powerful gun lobby.

In this regard, state action can play a valuable role. And if state measures are crafted pointedly, they hold the promise of making some dent in the gun trade, saving at least some lives—each one precious.

To this end, Illinois handgun safety and control advocates have fashioned a package of proposals to state legislators. Two that hold the most promise are a statewide ban on assault weaponry—similar to laws already passed by other states—and a measure to force licensed gun dealers to operate in the open.

An assault weapons ban—federal or state—should need no lengthy explanation. The firepower of these mini-machine guns makes them awesome instruments for killing and crippling people and offers no genuine sport to the serious hunter.

A less publicized problem is the ridiculous ease of getting a license to sell guns and the lack of limits that follow. For \$30, almost anyone can get a three-year federal firearms dealer license. More than 286,000 people hold licenses—nearly 11,000 in Illinois. Only about 7 percent sell from established stores; the rest deal from homes, offices, cars and street corners.

About 60 percent of the guns used in crimes in Illinois were bought legally in this state, according to the Federal Bureau of Alcohol, Tobacco and Firearms; 30 percent came from out of state, and only 10 percent were obtained by theft.

A proposal from the Illinois Council Against Handgun Violence would require gun sellers to operate from fixed store sites. This is a reasonable requirement that would help force gun dealing out into the public eye and provide penalties against those who peddle weapons on the sly.

The council also makes a good argument for a purchase tax—15 percent on handguns, 5 percent on long guns—that would go to compensate society somewhat for the costs of the predictable misuse of weapons.

Another citizens group, Handgun Control Inc., seeks a state law that would make adults responsible for securing weapons they own. Households with children under age 14 would have to store guns in a locked box, keep triggers locked or store weapons in a spot that a "reasonable person" would deem secure.

Opponents argue that present laws already provide punishment for adults who are lax in protecting children from harm. But punishment is not the real goal here. The aim is public education, in the way seatbelt and child-restraint laws carry the message on those basic precautions. A gun-safety bill coupled with a public campaign would have positive effect.

In a survey this year sponsored by the Joyce Foundation, a large majority of U.S. teens said they can get a gun when they want one; an even larger number said they feel endangered by guns.

It's something that we didn't think would ever happen in this area. Now it's always in the back of your mind," said Doug Sutor, dean of students at Sandburg High School in Orland Park.

A Hinsdale South mother said after Barrett Modisette's death: "It just was so

frightening that something hit so close to home. . . . The outside forces that we didn't think would enter our little world did."

This whole nation is one little world, interwoven and interlocked. None of us is out of firing range.♦

#### UNDERGROUND RAILROAD DEDICATION IN BATTLE CREEK

• Mr. RIEGLE. Mr. President, I rise today in honor of the underground railroad dedication celebration taking place on October 24, 1993, in Battle Creek, MI.

The underground railroad was an illegal network of hiding places used in moving escaped slaves from the South into the North to safety and freedom. It is estimated that somewhere between 40,000 and 100,000 escaped slavery through this network. Hiding places were located about a day's journey apart. Peoples' homes, basements, barns, attics, and cellars were used as places of refuge for those who sought their freedom.

There were at least six underground railroad routes that crossed through southwestern Michigan. Battle Creek, MI, became a major hub in the underground railroad network as part of the Quaker, Chicago, and Michigan central routes to Canada. The stationmaster in Battle Creek was Erastus Hussey, a Quaker and abolitionist. With the help of his wife, Sarah, and daughter, Susan, Erastus Hussey helped transport over 1,000 fugitives to safety. It was through the strength and courage of individuals like the Husseys that hiding slaves seeking freedom were able to find food and shelter.

As a dedication to this strong commitment to human rights, a sculpture was commissioned to pay tribute to the slaves who sought freedom in the North as well as those who helped them in their escape. The sculpture to be dedicated this weekend is the largest sculpture in the Nation commemorating the underground railroad. This silicone bronze sculpture, which stands 14 feet high and is 28 feet long, was created by Ed Dwight, an African-American sculptor from Denver. It brings to life the story of an African-American family seeking safety in a hideout, and the people who courageously helped them to safety.

This new sculpture is not only a monument to those involved in the underground railroad network, but is also represents an ongoing effort in Battle Creek, MI, to the goal of guaranteeing human rights for everyone. Mr. President, I would like to commend all of those involved in this important project, and thank them for their efforts to commemorate this important part of our country's history.♦

HONORING THE 120TH ANNIVERSARY OF THE POLISH ROMAN CATHOLIC UNION OF AMERICA

• Mr. RIEGLE. Mr. President, on the occasion of the 120th anniversary of the Polish Roman Catholic Union of America [PRCUA], I extend my warmest regards to its membership and salute its ambitious achievements during the 20th century.

Since its inception in 1873, the PRCUA has evolved into the largest Polish Roman Catholic fraternal organization in the United States. Today, the PRCUA's membership stands over 90,000 strong, of which more than 10,000 reside in my State of Michigan.

The PRCUA has a rich history. The organization, which held its first convention in Detroit in 1873, decided to assume a Catholic character. As Polish immigrants arrived in large numbers in the late 1800's the PRCUA was integral in helping them become acclimated to the American way of life. In 1891, the Polish Immigration House of S. Joseph was established in New York City as a haven for immigrants. During this difficult period, the suffering of the poor, widows, and orphans was eased through the group's generosity.

The PRCUA's dedication to the arts and enlightenment through education is equally impressive. In 1913, it opened a Polish library in its Chicago headquarters which has now become the largest collection of Polish works in the western hemisphere. Later, in 1935, the Polish Museum of America was established, offering Poles an opportunity to display a unique collection of rare treasures from Poland.

PRCUA remains as vivacious and active today as ever. It encourages all Americans of Polish descent to explore their Polish-Roman Catholic roots. Lessons in Polish language, folk dancing, singing, traditions, and customs are aimed to reinforce our knowledge of Polish heritage, diversify our culturally rich society, and from tighter bonds within the Polish-American community. I would particularly like to salute the 11 Polish dance schools currently operating in Michigan which PRCUA administers.

Civic and social activities are of equal importance to the PRCUA. Women's and children's groups have provided a constructive outlet for social work, brought members together, and forged lifelong friendships. The PRCUA often organizes special events for religious holidays dear to the Catholic faith, such as Easter and Christmas, in addition to dances, dinners, performances, and pilgrimages to the motherland.

Roman Catholicism plays a role in steering the organization's moral sense. The Catholic faith provides a strong ethical compass for the PRCUA's members. Historically, most Polish people have been staunch supporters of the Roman Catholic church,

a tradition carried on by the immigrants who settled in this great country. Even the darkness cast on Polish religious freedoms during the 40 years of Soviet totalitarian and atheistic rule was not sufficient to extinguish the spark of religious faith in the Polish heart.

The PRCUA's dedication of time, caring, and resources to young people is indeed a wise investment for the future. The PRCUA's goals of preserving Polish-American heritage while fostering greater appreciation of other nationalities and cultures is a powerful positive step in promoting greater understanding. The many achievements of the organization and its dynamic membership have made the people of Michigan and the other 23 States in which it operates more aware and appreciative of the Polish-American experience, and better citizens through participation in civic, social, and religious activities. As the Polish Roman Catholic Union of America continues in its second century of service, I wish its members continued success in meeting the challenges our modern society poses. •

UNANIMOUS CONSENT AGREEMENT—H.R. 2519

Mr. MITCHELL. Mr. President, I ask unanimous consent that when the Senate considers the conference report on H.R. 2519, the Commerce, State, Justice appropriations bill; that the yeas and nays be ordered on the conference report; that upon disposition of the conference report, the motion to reconsider be laid upon the table; that the Senate without any intervening action or debate concur en bloc in the House amendments to the Senate amendments; that the motions to reconsider be laid on the table en bloc; and that any statements thereon appear at the appropriate place in the RECORD as though read.

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

Mr. MITCHELL. Mr. President, it is my intention to call up this appropriations conference report tomorrow immediately following the votes that will occur on the Haiti amendments, pursuant to the prior agreement. So there will now be three votes occurring in succession in the morning. This will permit Senators who come for one vote to remain and be present for the three votes. That is my intention with respect to this Commerce, State, Justice appropriations bill.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MITCHELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

UNANIMOUS CONSENT AGREEMENT—INTERIOR APPROPRIATIONS CONFERENCE REPORT

Mr. MITCHELL. Mr. President, I ask unanimous consent that the cloture motion I will shortly send to the desk on the Interior Appropriations Conference Report be in order, notwithstanding the fact that the Senate has not yet received the official papers from the House, and that the conference report is not now pending.

I further ask unanimous consent that there be 1 hour for debate tomorrow, October 21, following the votes now scheduled to occur at 11 a.m., equally divided between Senators BYRD and WALLOP or their designees, and 2 hours for debate on Friday, October 22, from 8 a.m. to 10 a.m., controlled in the same fashion just prior to the cloture vote with the mandatory live quorum waived.

Mr. WALLOP. Mr. President, reserving the right to object and I shall not object, this has been cleared on our side and is satisfactory.

I thank the majority leader.

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

CLOTURE MOTION

Mr. MITCHELL. Mr. President, in accordance with the agreement, I now send a cloture motion to the desk and ask that it be stated.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXXII of the Standing Rules of the Senate, hereby move to bring to a close the debate on the conference report accompanying H.R. 2520, the Interior Appropriations bill:

Robert C. Byrd, Wendell Ford, Harry Reid, Claiborne Pell, Russell D. Feingold, J. Lieberman, Paul Simon, Patty Murray, Pat Leahy, D. Pryor, Ernest Hollings, Harris Wofford, Barbara Boxer, Edward Kennedy, Paul Sarbanes, Joe Biden, D. Inouye.

Mr. MITCHELL. Mr. President, I thank my colleagues for their cooperation.

There will be no further rollcall votes this evening. There will be the introduction of an amendment pursuant to the previous order and debate on that amendment.

I remind Senators that beginning at 11 a.m. tomorrow, there will under the current schedule be three votes. Senators should be aware three votes will occur beginning at about 11 a.m. tomorrow morning.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. McCAIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### DEPARTMENT OF DEFENSE APPROPRIATIONS ACT OF 1994

The Senate continued with the consideration of the bill.

Mr. McCAIN. Mr. President, I rise to support, strongly, the amendment that is about to be offered by Senator DOLE and Senator MITCHELL. I understand that there are a couple of items to be worked out. I have read the amendment. I have had a chance to be involved in the formulation of it. I think it is a very important amendment and one that strongly expresses the emerging consensus in the Senate that the administration would be well advised to seek seriously the advice of Members before they embark on any new military adventures in Haiti or anywhere else.

I would like to point out that, again, my esteemed friend and colleague, Senator DOLE, has been involved in this issue. He is concerned about the possible risk of American lives, and I appreciate his efforts on this amendment. I also thank Senator MITCHELL, the distinguished majority leader, who again chooses to approach these issues of national security in a bipartisan fashion.

As my colleagues know, I have strong reservations about prospectively limiting the President's role as Commander in Chief. However, Senator DOLE's amendment avoids such constitutional pitfalls. It is a timely and constructive attempt to inject some much needed realism into the foreign policy formulations of the administration. His amendment strikes a fine balance between expressing concern over the direction of our policy toward Haiti, on the one hand, and preserving the prerogatives of the Commander in Chief on the other.

I commend the framers of this amendment, the sponsors of it, and the Republican leader for his statesmanlike attempt to prevent the administration from recklessly stumbling into a foreign policy debacle like we have experienced in Somalia, the cost of which would be measured in American lives.

Senator DOLE has pursued this matter tirelessly. It is my sincere hope that his efforts, and the considerable support they have in Congress, have convinced the President that it is time to formulate a coherent foreign policy.

For evidence that such coherence has been wholly lacking from much of the administration's foreign policy to date

we need look no further than the front page of today's Washington Post. The administration has now determined to withdraw the U.S. Army Rangers from the conflict in Somalia. Two weeks ago, the President ordered the deployment of additional thousands of American troops to Somalia. Today, he is withdrawing the Rangers.

Apparently, the mission of the remaining thousands of American servicemen and women who are obligated to remain there until March 31, is to hunker down in enclaves to serve as targets for any Somali warlord who may crave a headline in the international press. Mr. President, I ask unanimous consent to insert into the RECORD a report in the Washington Post dated today, October 20, 1993, entitled: "U.S. Pulls Rangers Out of Somalia."

Such a confused, purposeless, and dangerous policy makes the most compelling case for Senator DOLE's efforts to bring the administration to the understanding that it urgently needs help in setting a sensible, hard-headed direction for its foreign policy in Haiti and elsewhere, a policy that is based on a realistic assessment of the national interests at stake and the prospects for protecting them through the use of force.

I believe the efforts of Senator DOLE have given the administration ample warning that before it commits troops, it better have the support of Congress and the American people.

The President should understand that the way to gain the support of the American people and their representatives in Congress, for any foreign policy initiative is to demonstrate a readily understandable connection to American national interests.

American service men and women understand the risks that their jobs entail. They volunteer to take these risks in service to our Nation. But before they are put in harm's way, they and their families deserve a clear explanation of how their mission will affect the interests of the Nation to which they have pledged their allegiance.

I do not believe that the administration has succeeded in making clear its case for our involvement in Haiti.

In considering the scope of our involvement in Haiti, we should remember the lessons of history. Our last military adventure in Haiti, which lasted 19 years, from 1915 to 1934, developed on an ad hoc basis. The development of that policy, and the difficulties faced by our marines in implementing it, illustrate the dangers that the direction of our current policy toward Haiti may entail.

Mr. President, there is an old saying that those who ignore the lessons of history are doomed to repeat it.

President Wilson had no intention of staying in Haiti for 19 years when he decided to intervene. The marines

landed in July of 1915 to protect American property and the lives of American citizens from the threat posed by violent civil disturbances and the collapse of governing institutions.

Our mission in Haiti during our previous involvement changed from one of protecting America interests, a legitimate reason for landing troops, to one of establishing order. It then changed once again to include creating a civilian government and supervising public works projects.

Our roughly 2,000 troops were engaged in policing the streets, creating an indigenous police force, and running the civilian government. Before they left in 1934, our marines had been dragged into a civil war and had established armed garrisons throughout the country.

And the results of our efforts and the sacrifice of our marines: In the Haiti of today, very much like the Haiti of 1915, political differences are settled at the whim of the mob, or the point of a gun, and government is rendered ineffective by massive corruption.

Intervention in the civil affairs of any nation should not be taken lightly. When we interfere in the internal affairs of other nations, we ask our service men and women in the field to acquire an understanding of an alien society, an understanding that policymakers in Washington, in the safety of their offices, have difficulty grasping.

It is not at all clear that given their history and their support for Aristide, a man with connections to democracy that are tenuous at best, the people of Haiti understand what democracy means. Democracy is considerably more complex than holding an election. The founding documents of our own democracy and the writings of our Founders are a testament to the many complex protections required to guarantee freedom.

In our zeal to promote democracy in Haiti, we should not confuse the popular mandate of Father Aristide with support for American or U.N. intervention to restore him to power. Restoring democracy is one thing, intervention is another. As evidenced by recent events in Somalia, despite hardships and tyranny, often a people care more about sovereignty than democracy. Often they care more about nationalism than the well-being of their own people.

Many of those Haitians who first supported our intervention in 1915 came to oppose it. Even the efforts of the marines to supervise public works projects met with the resentment of the Haitian people. Our effort to help was met with resistance and our efforts to cope with the resistance was met with armed conflict. It became impossible for our policymakers, and the Haitian people, to distinguish between armed conflict and assistance.

The result was a resentment toward the United States that continues today

as a principle aspect of our relationship with Haiti.

Before I support any United States action in Haiti, the President will have to convince me that our intervention has limited objectives and that it might do some good. The administration allowed our policy in Somalia to be determined in the United Nations, only to wake up and find that the mission had changed.

I have no intention of sitting quietly by while the administration engages our forces in Haiti in a ill-defined and constantly changing mission. Creating objectives and rationales after our troops are deployed will not win the confidence of Members of this body or of the American people.

Neither will I support a policy of idle threats. We cannot have a policy that proposes the use of force unless we are clearly committed to using it. Idle threats only undermine our credibility and our efforts to effectively use the threat of military force to achieve important foreign policy objectives.

To be effective and to gain the support of the American people, foreign policy must be purposeful, coherent, and forceful.

Again, Mr. President, I commend the Republican leader for his efforts to avoid further disasters abroad for the United States, with their consequent loss of American life, and to work in a nonpartisan manner with the administration to develop and implement a foreign policy that serves the values and the best interests of our Nation. I am pleased to support his amendment and I urge my colleagues to do likewise.

Mr. President, I commend to the attention of all of our colleagues a chapter from the history of the United States Marine Corps entitled "Occupying Haiti, 1911 to 1934." It has some very hauntingly familiar aspects that can be true today.

With all the best intentions, the United States entered Haiti with military force. They were welcomed. We set about forming a government, doing good works throughout the country. And then there was a group of Haitians who were called Cacos, much like the Tonton Macoute that are there today, who began to take up first civil and then military disobedience, and we ended up in a quagmire from which took us 19 years to extricate ourselves, the residue of which still exists in Haiti today.

So, I command that chapter for reading by my colleagues because I think it is clear that we do not want to make that mistake again.

Again, I would like to thank Senator DOLE for his leadership, for his nonpartisan efforts on behalf of trying to help the administration and the American people see a clear and coherent policy toward Haiti.

Mr. President, I yield the floor.

Mr. DOLE addressed the Chair.  
The PRESIDING OFFICER. The Republican leader.

Mr. DOLE. Mr. President, first, let me thank my distinguished colleague from Arizona, one of our true American heroes, who understands a lot more about this than anybody on the Senate floor. His endorsement and his support means a great deal to many of us on each side of the aisle.

As he has indicated, I think there has been bipartisanship, as there should be, in foreign policy. And there has been no effort to tie the President's hand or to put him in a straitjacket. As I said earlier, we are trying to protect him with a flak jacket. I think sometimes when Congress speaks out on these issues, it means a great deal to the President of the United States. I said back in 1990 that we should not be sending troops to the gulf without authorization by Congress, and eventually Congress did authorize use of force in the gulf, offensive force. It certainly is my view that from that day forward it changed the whole attitude of the American people toward our mission in the gulf.

I certainly hope and I do believe the President of the United States will accept what we are doing in the spirit in which it is done, not in any way to shackle the President of the United States. But we do have responsibilities under the Constitution. Congress has responsibilities. The President has responsibilities.

The President has responsibilities, and we tried to blend those two, without doing what the Senator from Arizona was concerned about, getting into some constitutional question where it might appear that Congress was usurping the rights that properly belong, in the Constitution, to the President.

The purpose of this amendment, to use Senator LUGAR's phrase, since we are not in an emergency circumstance in Haiti is to get sort of a time out; give us a chance to take a look.

After we have had a lot of discussion with the administration in the last few days, we made about a dozen changes in the amendment. There is still one change being contemplated as I speak. We hope we can make one additional change. We have removed the funding limitation; we have made this a "sense of the Congress." We did explicitly make sure the amendment does not cover the naval blockade—even though I am not convinced that the blockade is the best course—but the President has already deployed the forces. We fine-tuned the conditions, moved some paragraphs around and tried to accommodate as many concerns as possible.

With the events of the past 2 weeks, it is clear that United States troops should not casually be put in harm's way in Haiti—as trainers, construction engineers, or anything else. Two weeks ago—before the Haitian "rent-a-mob"

scene on the dock in Port-au-Prince—I urged the President not to deploy American troops, and to withdraw the advance team already there. That mission does not meet the President's own criteria for U.N. operations: What is the threat to international peace? That is the first thing he asked. What are the clear objectives? What is the end point, and what will it cost?

Had the mission gone forward, it would have virtually guaranteed American casualties for another questionable exercise in nation building.

It would have made more sense for the U.S. soldiers to wear targets than to wear camouflage. When we announce that United States troops will withdraw as soon as they are shot at, we ensure that any Haitian with a gun has an incentive to be the one that "chased out the Yankees."

When we announced that U.S. troops are only there to train and to build roads, the American people wondered why—why can we not train in the United States out of harm's way, and why AID or civilian contractors cannot build roads. With 80 percent unemployment in Haiti, someone might want to consider putting Haitians to work building roads.

My amendment lays down a marker for the administration: Tread very carefully in using American force in Haiti.

Mr. President, I am not certain what our policy in Haiti is. We seem determined to put Aristide back in power, and I say to my colleagues who have not seen the briefing up in S-407, you might want to. Even though the State Department recognizes that he incited mob violence while he was President, I am not certain someone is automatically a democrat—with a small "d"—just because they received a lot of votes. I do not think we ought to lose American lives to return him to power. Restoring democracy is one thing; restoring Aristide is quite a different matter altogether. The officer who wanted United States troops in Haiti for training—General Cedras—was supposed to retire last week, and we do not have any idea who will replace him.

America does have an interest in Haiti—in preventing the massive outflow of Haitians that seek to land in the United States. We all agree that democracy and economic growth in Haiti would be the best way to prevent such an exodus. But the problem is that Haitian history does not give many examples of good government. It would be a mistake to try to impose Aristide. Maybe what we need to do is step back in Haiti—maybe we could look at the Vatican for mediation, and we could look at an independent fact-finding commission. What we should not do is rush into military intervention. We tried that from 1915 to 1934, and the Senator from Arizona just

placed in the RECORD the history of that escapade. We tried it with the U.S. Marines, and we did not get a whole lot of nation-building done.

Finally, Mr. President, I want to make it crystal clear that nothing in my amendment should be read as any comfort to the bloodthirsty killers running wild in Haiti. I condemn, as I am certain every Member of this body does, political murder and intimidation in Haiti—and everywhere else. Unfortunately, political violence seems to be the rule and not the exception in Haiti.

This amendment puts the Congress on record before our troops are deployed in large numbers. It makes clear we want no confusion over the mission of our role next week or the week after that. The administration should view this as helpful to their position. They need the input of Congress at the front end. The amendment offered by myself, Senator MITCHELL, and colleagues on both sides of the aisle, would let everybody know where we stand. I urge my colleagues to support the amendment.

I will say one additional thing. There is a lot of question as to whether Congress has any right to act before somebody is deployed. It is a very close question. I read earlier from a legal opinion of the American Civil Liberties Union supporting my position. They do not do that too often. If fact, I do not think I have had many letters from the ACLU. I put it in the RECORD, I guess, because it agreed with my position. They say very flatly that we have the authority to determine, and then the Commander in Chief, the President, has the right to carry that out.

As I said in a statement on Bosnia, we do not have to wait until the body bags start coming back to America before we can say we made a mistake, or we have the wrong policy, or we are moving too fast, or someone messed up somewhere down the line.

So I believe that the amendment is offered in the spirit of cooperation and partnership with the President of the United States. It has the flexibility that he wanted. I thank Mr. Paster at the White House for his help, and I thank others in the Defense and State Departments, along with my colleagues on both sides of the aisle who have been involved in negotiating what we have now, and what we will have before the Senate in very short order.

I will send the amendment to the desk as soon as we resolve one small point.

Mr. KERRY. Mr. President, I would like to congratulate and thank the distinguished minority leader. I know he felt very strongly, as many Members here in the Senate do, that we do not want the troops placed unadvisedly in Haiti, and I think he felt very strongly about taking action to do that. Others here were clearly concerned about the constitutional prerogatives, and I

think that the Senator has worked extremely effectively. And there has been a good coming together, which allows the U.S. Senate and the country to speak with one voice. It allows the President to send the message that he has been sending, while simultaneously listening to the U.S. Senate.

I think that is the way it is supposed to be. It is in the best tradition that this House is to advise, sometimes to consent, and sometimes to dissent. Here I think we have advised, and we have advised well. We have said to Haiti that it is critical that all parties adhere to the Governors Island agreement. But we have also urged—and I think cautioned—what we will ask of all of our branches of Government in the effort to try to pull people together to have a consensus when and if we decide that other steps are necessary.

I also thank the distinguished Senator from Arizona, Senator McCAIN, who has worked hard on this, and the majority leader and others who brought us together on it. I see the distinguished whip is on his feet.

I yield the floor.

Mr. SIMPSON. Mr. President, I thank my friend from Massachusetts. I have very much listened and have been attentive, and I thank Senator McCAIN, Senator DOLE, and Senator KERRY for their remarks and, indeed, I think we are on the right track. I think that the language of the amendment will shortly be ready. I will therefore speak for just literally 3 or 4 minutes.

What is the situation regarding time on the floor?

The PRESIDING OFFICER. There is no limit on debate at this point.

Mr. SIMPSON. I thank the Chair. Mr. President, the amendment will be presented in moments. I think the pending amendment represents a very remarkable, good-faith effort to assure that Congress is heard and consulted in this vital policy area, while at the same time preserving in full the constitutional authority of the President.

I agree with Senator DOLE, we should heed the Senator from Arizona. He speaks from a position of experience and tragic circumstance that none of us can possibly discern.

I point out that this was a good-faith effort because I have taken careful note of the various critical and uncomplimentary things which have been written and said this week in the media about our fine Republican leader. From the start, Senator DOLE has approached this issue with the aim of protecting Presidential prerogatives, but there has been precious little recognition of that among many of the Nation's media.

I think that represents an astonishing shortness and shallowness of memory. It was just last week that Senator DOLE was leading the effort to preserve the President's flexibility in Somalia, to assist him mightily, as we recall.

This was, I might point out, an unpopular position among some in his own party. If he were of the mind to do the easy or the political thing, Somalia was just the place to do that. I can tell you that virtually all of our constituent phone calls were saying—and mine, too—"Get out of Somalia, now." That sentiment was not rooted in partisanship. There were many people of good faith saying "do that." There are those in our party who felt very strongly both ways, just as on the other side. But it would have been easy, if our leader were of a mind to score some easy political points, to do so last week during the Somalia debate.

It is singularly perplexing to me to see this week's debate about Bosnia and Haiti interpreted in the light of partisanship, or even as some serious power struggle between Republicans and the President. I can tell you there has been every single effort to accommodate the administration's legitimate concerns about preserving Presidential flexibility in the conduct of foreign policy. That may be very hard for the cynical and jaded to believe, especially if they have not been part of the discussion. But it ought to strike them as unlikely that Senator DOLE would be magically and inexplicably transformed from last week's statesman into this week's archpartisan. There must be a simpler explanation.

Let me just acquaint those critics with some of the very real concerns we have about Haiti. First, there is the fact that we allowed the United Nations to gradually change the nature of our involvement in Somalia and that Americans were killed, captured, and abused before Congress collectively rose in alarm to demand a more responsible use of American troops.

We saw similarly disturbing trends in Haiti. We saw a pathetic attempt to dock a small band of lightly armed Americans, when for weeks prior to this, incidents of mob violence and murder had been occurring in Haiti that ought to have served as an ample warning that this might not work.

It seems to me a legitimate question to ask whether we have to wait until Americans are killed or held captive before we become involved. We remember the debate from last week. We agreed we could not cut and run from Somalia, because we were already engaged. So if we cannot oppose our involvement after the fact, the only alternative is to try to do so before a crisis occurs. It seems to me a poor description of congressional authority to declare that Congress can only act subsequent to great tragedy, whether the loss of American lives, injuries to American personnel, or the capture of American soldiers.

Not everyone, even within my own party, agrees that Congress should have such a role before the fact. It is a postulation that concerns me as well,

just as it concerned our leader. That is why discussions occurred with the administration—to ensure that Presidential powers were upheld. In the end, it was deemed necessary to vastly reduce the binding effects of these amendments, both amendments, in the interest of the powers of this President as well as future Presidents.

So there has been a perfect and clear consistency on the part of our Republican leader throughout this process, even if the same cannot be said of the many detractors in the fourth estate. I would be most interested to know how many of the noted and biased columnists lambasting Senator DOLE over Haiti were just one decade ago explaining, in panting prose, why it was so marvelously appropriate to limit the President's powers to act in Nicaragua and El Salvador. I recall more than a few of those worthies took exactly that position.

So this amendment represents our best effort to ensure congressional participation in this debate before the fact of a crisis, while at the same time upholding in full the powers of this President.

I commend the efforts of those who, in a very remarkable bipartisan fashion, drafted this language, and I certainly urge adoption of the leadership amendment.

I thank the Chair.

The PRESIDING OFFICER (Mr. GRAHAM). The Senator from Pennsylvania.

Mr. WOFFORD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WOFFORD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### TAOS CONVEYANCE ACT

Mr. WOFFORD. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 59, H.R. 328, relating to a land conveyance in Taos, NM, that the bill be deemed read a third time, passed; that the motion to reconsider be laid upon the table; and that any statements relative to the passage of this item appear at the appropriate place in the RECORD.

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

So, the bill (H.R. 328) was deemed read a third time and passed.

#### MEASURE PLACED ON THE CALENDAR—H.R. 2351

Mr. WOFFORD. Mr. President, I ask unanimous consent that H.R. 2351, a bill to reauthorize the National Foundation on the Arts and the Humanities Act be placed on the calendar.

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

#### MEASURES PLACED ON THE CALENDAR—H.R. 2632 AND H.R. 2840

Mr. WOFFORD. Mr. President, I ask unanimous consent that H.R. 2632, the Patent and Trademark Office Authorization Act, and H.R. 2840, the Copyright Royalty Tribunal Act, just received from the House, be placed on the calendar.

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

Mr. WOFFORD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PRESSLER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### DEPARTMENT OF DEFENSE APPROPRIATIONS ACT OF 1994

The Senate continued with the consideration of the bill.

Mr. PRESSLER. Mr. President, I would like to speak on the subject of Haiti.

I have been very troubled by our policy toward Haiti. It is a difficult issue to resolve. In foreign policy, there are no easy answers. This is an example of the struggle our country has with foreign policy.

I have been dissatisfied with the Clinton administration in terms of the process that has been followed with regard to both Haiti and Somalia.

Many years ago, I worked as a young lawyer in the State Department. I do not always agree with the State Department. I think the State Department frequently is not in touch with the rest of the United States. But, in any event, I worked as a young lawyer there, and I participated as a very junior grade assistant in a number of meetings. It was then that I became fascinated with the public administration and organization of foreign policy.

Having served as a member of the Senate Foreign Relations Committee since 1980, I have been fascinated with how we organize to formulate our foreign policy. Recently, on "60 Minutes," I addressed some problems that I thought existed regarding the United Nations in terms of how foreign policy is made.

I have discovered, with regard to Somalia and Haiti, that the normal meetings were not held in this administration they did not run the traps, so to speak.

There are deputies' meetings, where the Deputy Secretaries of the CIA and the Defense Department and the Joint Chiefs of Staff and the State Depart-

ment and the National Security Council are supposed to meet. And there they digest policy—at least they are supposed to—on Haiti or Somalia. Those meetings were not held.

I have been trying to hold hearings in the Foreign Relations Committee, of which I am a member. They have been refused by the administration and by the majority party in the Senate. One can only guess that they are trying to cover up what went on in the early days of Somalia. Those meetings are being held again now, but they were not held then.

There are also principals' meetings in which the Secretary of State, the Secretary of Defense, the National Security Adviser, the head of the CIA, the head of other intelligence agencies, and the Joint Chief of Staff meet. They are supposed to run the traps on a decision. Those meetings were not held on Somalia or Haiti. Both cases have produced foreign policy disasters in the early days of the Clinton administration.

Let me address Haiti first. In the case of Haiti, the United States finds itself supporting Aristide.

Now, who is Aristide? He was democratically elected. I will concede that. But so was Papa Doc, who preceded him. So was Adolf Hitler popularly elected.

Once Aristide was elected, he did not rule as if he believed in democracy. He did not behave as a democrat. And I am speaking with a small "d," a democrat with a small "d."

Indeed, Aristide proceeded to hold rallies in which he advocated the necklacing of his political opponents. Indeed, he held meetings in which he insisted on the death penalty for political opponents of his, rather than the 15-year sentence which was allowed under law.

There are many quotes that I can read about Mr. Aristide. According to newspaper reports, he reportedly ordered a murder. We want a hearing to find out if that is absolutely true. If that is true, U.S. troops are standing by to defend a murderer.

Let us think about that a little bit, and what kind of reaction that would produce.

The State Department and the Clinton administration are trying to cover-up, to cover up these facts. But they are coming out in spite of the cover-up.

We have repeatedly asked on my side of the aisle for hearings in the Foreign Relations Committee with the Secretary of State and the Secretary of Defense as witnesses to tell us about the principals' meetings, about the deputies' meetings, and why the formulation of these policies was not run through the traps. When did the President of the United States learn about Aristide's psychological problems? When did the President of the United States learn that he was a murderer, or

did he learn? On what date? Was he ever briefed?

Now, the Defense Department and the State Department seem to be ad-libbing. Nobody knows who is reporting to whom over there. We have people running about without responsibility for who is reporting to whom? Foreign policy decisions are not being made in a rational, staffed way. They are being made on a helter-skelter basis. Hopefully that is changing now.

We have had, in this Chamber, some debate on the Nickles amendment, the Dole amendment, and the Byrd amendment on the Democratic side, which I cosponsored and on which I helped Senator BYRD.

None of those amendments would be showing up if foreign policy was being formulated properly, if there were hearings being held up here, if the high-level people were showing up.

We did have a hearing in the Foreign Relations Committee at which a Principal Deputy Under Secretary of Defense and an Under Secretary of State testified. But neither one of them had participated in any of the other meetings. We cannot seem to get anybody who has actually been in the meetings to come up here and testify to Senators.

When did we learn that Aristide is a murderer, if he is? When did we learn that he has deep psychological problems, if he does? When did we learn that he advocated necklacing? Did the President of the United States know this when we embraced him? Have we sent warships down there to defend him, and are we on the brink of sending United States troops to Haiti to put this person into office? Let us think about our actions very carefully.

Who is President Aristide? I have before me a Washington Post article by Lally Weymouth, January 24, 1993. She says,

[If you see] a faker who pretends to be one of our supporters \*\*\* just grab him. Make sure he gets what he deserves \*\*\* with the tool you have now in your hands [the burning tire] \*\*\* You have the right tool in your hands \*\*\* the right instrument. It is nice, it is chic, it is classy, elegant and snapety. It smells good and wherever you go, you want to smell it.

For everybody who does not know, necklacing is putting a tire around a victim's neck, pouring gasoline in it and lighting it. I had a necklacing amendment on the floor with respect to South Africa some years ago, everyone on the floor voted for it and I thank them. It is one of the most hideous of crimes. This gentleman who we are supporting and trying to put back into power in Haiti advocated necklacing. I have it here from Lally Weymouth's article.

According to the Catholic Standard of the Archdiocese of Washington, Aristide was suspended from the Salesian Order of the Catholic church in 1988 after being accused of "incitement to hatred and violence" and emphasizing "class struggle" in his sermons.

These are quotes from Aristide.

Don't neglect to give him what he deserves. Three days and three nights you're keeping watch in front of the National Penitentiary (see Note). If someone escapes, don't neglect to give him what he deserves.

Note.—A reference to Roger Lafontant, who had begun to serve a life sentence in the penitentiary for attempting to overthrow the government. He was murdered two days later in his cell as the coup was beginning under circumstances that remain obscure.

According to newspaper reports he was murdered under the orders of Aristide whom the United States is protecting and wants to use U.S. troops to put back in power.

We should have discovered in the electoral campaign of this devil called Reagan, the satanic spirit was dancing in Reagan's head \*\*\* The same spirit that Jesus chased while He was on Earth, forced these experts and Reagan to produce this document called Santa Fe \*\*\* A bad spirit like this, don't you see, is the same bad spirit that danced in the heads of the Roman Emperors that Jesus fought.

This is a quote from the man we expect young Americans to die for. He referred to Reagan as a satanic spirit.

Mr. MITCHELL. Mr. President, will the Senator yield? Could the Senator indicate how long he intends to proceed?

Mr. PRESSLER. I wish to proceed for as long as it takes me to finish this. I have the floor. If the Senator wishes to ask a question—I respect the majority leader very much—I will answer him. Does he want to ask me a question?

Mr. MITCHELL. No; I want to introduce the amendment and get a consent agreement regarding the schedule tomorrow; then have the Senate be prepared to go into recess. If the Senator will let me do that, the Senator can continue and I can leave.

Mr. PRESSLER. Can I have 3 more minutes and I will leave and let him do that? If the Senator will give me 3 more minutes, because I want to finish this particular line.

\*\*\* what we need to destroy these people we do not yet have. The day will come when we will have it. Nicaragua had it in 1979. Cuba had it in 1958 and 59.

This is the man we are supporting. Next he said:

When you are sitting on top of the mountain teaching the peasants how to use necklacing, the peasant, having never seen a car before, having never seen a tire before, he will ask you, 'What is Necklacing?' He could also ask if the use of Necklacing is in the Constitution. You might answer, 'If the pressure of Necklacing in front of the Courthouse on September 29 (the judgment day of Roger Lafontant) was not there, then he would not have received the life sentence. Instead, he would have only received 15 years.'

The three previous excerpts are from a transcript of a videotape of various Aristide speeches and sermons at Mass.

The 1991 State Department Human Rights Report said:

President Aristide appeared less concerned about prosecuting members of the military

accused of human rights abuses if they were supporters or appointees of his Government \*\*\* President Aristide also failed to condemn categorically all recourse to popular justice through mob violence. The Aristide Government made no effort to identify and to bring to justice those responsible for the wholesale killing, looting, and burning \*\*\*

Mr. President, the only possible United States interest in Haiti would be to stop the flow of refugees into our southern border. The United States established three immigration centers in Haiti and they are working. Virtually all Haitian refugees who have come to the United States are economic refugees. If they were political refugees they would walk across the border into the Dominican Republic.

There is no justification to risk the life of even one United States soldier in Haiti now or in the future. Aristide, whom we support and whom the Clinton administration supports, is a human rights abuser. The State Department has admitted in Senate hearings that President Aristide incited mob violence and encouraged necklacing while in power. Father Aristide was suspended by the Catholic Church because of his activities. Aristide ordered the destruction of the Vatican Embassy.

About the practice of necklacing, Aristide said "it is beautiful, it is chic, it is elegant; you want to smell it everywhere you go". Aristide had a painting in his Presidential office glorifying necklacing.

Aristide has known ties to Fidel Castro and had some of his henchmen trained in Cuba. Aristide publicly cursed the United States and promised to give Haitians what Castro has given the Cuban people.

Mr. President, I could go on and on, and I planned to talk longer. Out of respect for the majority leader, I shall cease.

But what I am crying out for are hearings. I asked the chairman of the Foreign Relations Committee, today, for hearings tomorrow morning with people at the highest level of the administration to explain to us how these decisions were made.

What is taking place is a great deal of ad-libbing by Les Aspin and others without consulting with the CIA, without consulting with the military. There is a process—and I learned it as a young lawyer in Washington many years ago—that should have been utilized. If you are appointed Secretary of Defense or State, that does not mean you give your opinion to the President without consultation with the other pertinent agencies. You check with the CIA, the Joint Chiefs of Staff, and so on and so forth.

When I asked about public administration and the Deputies meetings in a Foreign Relations Committee hearing, I was told they would check on it. When all is said and done, the foreign policy of the Clinton administration

was formulated on a shoot-from-the-hip basis, on a basis that did not take into consideration the experts' opinions. We have been told, we have seen people in the Defense Department on TV say, "We learned lessons in Somalia." I served in the Army as a lieutenant in Vietnam. We learned those lessons there. The military knows those lessons and would have conveyed them if they had them in their meetings, but they were not included.

I can assure you that some of the things that have been published about Aristide never reached the President of the United States until some of us in this body started to protest.

I am very curious. I hope we have a hearing as to when the President of the United States learned these facts about Aristide and when the United States decided to support him and why. This is a very strange situation to be in. I am very worried about—I am not trying to put down the Clinton administration. As Members of this body know, I am considered to be bipartisan, and that has been one of my biggest problems.

But I will conclude.

I yield the floor.

Mr. MITCHELL. Mr. President, I just would like to make one comment, before my colleague leaves, on his remarks. There will be a full debate tomorrow morning on this subject, and I have no interest in debating the substance of his remarks, although I think it is very much open to debate.

Mr. PRESSLER. Will my friend yield for one brief question, respectfully? Would my friend support hearings at the highest level in the Foreign Relations Committee tomorrow or the next day as to how these decisions on Haiti were made?

We had a large meeting today, and I know the Secretary of State just left the country, but many of us want to help out. We want this President to be successful. I have helped the majority leader on many occasions. I like the majority leader, and I like the President. He has been my friend for 20 years.

The reason behind all of these resolutions being introduced on the floor is not that people want to hear constitutional arguments, it is because there is a sense that foreign policy formulation mechanisms of this country have broken down.

Mr. MITCHELL. Mr. President, it is to that precise remark to which I wish to address myself. The suggestion has been made, and just repeated, that the reason we have amendments relating to foreign policy and debate in the Congress and criticism of the administration's foreign policy is because that policy has broken down. The clear implication of that is that things are going well when Congress does not talk about foreign policy.

Mr. President, I say to my colleague, I have been in the Senate for 13 years.

In 12 of those years, we have had Republican Presidents, and every year I have been here, there have been amendments in Congress about foreign policy, debates about foreign policy, criticism over foreign policy. I cannot speak for the time earlier than when I arrived in the Senate, but my impression is the same. The suggestion that the existence of amendments and debates in Congress is in and of itself proof of a failure of foreign policy by the administration is simply incorrect. If that is the case, then every administration has failed because there is always debate and amendments and criticism in Congress.

If the Senator's remarks are friendly toward the President, I can only tell the President, with friends like that, he does not need enemies.

Mr. PRESSLER. If my friend will yield very briefly, I have been on the Foreign Relations Committee since 1989 and a little bit of the experience has rubbed off, not much. The Secretary of State would normally be up here within a day or two—especially after an incident in which many American lives were lost. We are told the Secretary of State will not be available until November 4. What is this Senator supposed to do until November 4 on Haiti and Somalia?

I ask my friend from Maine, whom I respect very much, who has been a Federal judge and who is the majority leader and who is very respected, when can we get some hearings up here so Senators can find out how this policy was formulated, whether Les Aspin consulted the Joint Chiefs, whether the CIA was consulted.

There is a we-they attitude in the Defense Department. In the State Department, nobody knows who is reporting to whom.

This is a subject that is of great concern to many of us. We are crying out for some help.

During the Bush and Reagan administrations, they would have had at least the Deputy Secretary up here the next day. We cannot even get the Deputy Secretary, and the majority party in the Senate is not demanding it. But the majority party did demand it then, when the Republicans were in the White House. Bush responded and Reagan responded. Now, we cannot get anybody above a Deputy Under Secretary up here to talk to us.

Mr. MITCHELL. Mr. President, if I might say, the Secretary of State left for Russia and other States of the former Soviet Union, I believe, within the past several hours. And so it is obvious that the Secretary of State on a trip long planned on other matters cannot be present.

Mr. PRESSLER. But would my friend just yield? The Secretary did not say that. He was scheduled to come up here on Tuesday, and he canceled for no reason. I think—this is my thought—the

President asked him to cancel because the administration would be embarrassed by their foreign policy disasters in Somalia and Haiti.

The Secretary of State was scheduled to come here on Tuesday. Why did he cancel?

Mr. MITCHELL. Well, Mr. President, I do not know and I submit neither does the Senator, and I think we would all be wise not to impute reasons or motives to others when we do not know the reason for it.

Second, I would just say that the Secretary of State in the previous administration, someone who I admire greatly, Secretary Baker, traveled much, much more than does Secretary Christopher, and so he was not available to testify when he was on a trip. Nobody got up here when he was in Europe or Asia or the Middle East and said, "Well, why won't the Secretary of State come here to testify?" And impute motives to him for not testifying.

I think the question of the hearings is best left to the chairman of the committee. Of course, that has always been my practice. I am asked almost every day on almost every subject to order some chairman to hold a hearing on some subject or other. I think it is best left to the individual chairmen. I have great confidence in the chairman of the Foreign Relations Committee.

If I might, Mr. President, without wanting to prolong this, I came very early this morning and if the Senator would permit I would like to get on with this and conclude. Then we can have this debate tomorrow.

I do want to make this one comment, unrelated to all of the charges. If we start requiring a psychological examination of every elected official in this country, I submit to my colleague from South Dakota a lot of Senators better start worrying. If we are now going to say that we are going to have psychological examinations by people who have never met us, and have these long distance psychological examinations read out, my gosh, I think it is something every Senator ought to be concerned about.

Mr. PRESSLER. My friend will have to yield to me once more. Yes, but we are not sending U.S. troops to South Dakota to keep U.S. Senators in office, yet.

Let me also say that Secretary Christopher was scheduled to testify here yesterday. He was not on a trip. He canceled. It is part of a pattern before our committees. We cannot get the administration to explain the process. I am not in the business of psychology.

If you read what has been written in the press about Aristide, it is pretty frightening that we support a fellow like this. I am very, very concerned.

Mr. MITCHELL. I understand the Senator's concern. But the Senator says he is not into the psychological business after having spent a great deal

of time in debate discussing psychological analyses. Precisely, what he is saying is I am not doing what I have just been doing.

Mr. PRESSLER. If the majority leader will yield, in regards to human rights abuses, what I said is the State Department's records show Aristide's violations of human rights and abuses. That is very serious. I take the State Department's human rights reports very seriously.

Senator SPECTER, who sits here, and I went to 8 African countries this spring armed with 8 human rights reports. Aristide exceeds—he is one of the leading human rights abusers in the world. He did not rule as a democrat with a small "D". My friend, the majority leader, is a Democrat with a large "D". But in any event, Aristide was not a democrat, even with a small "d." He was a dictator, authoritarian.

I ask unanimous consent, Mr. President, to place all these materials in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

**QUESTION FOR THE RECORD SUBMITTED TO WILLIAM LACY SWING, SENATE FOREIGN RELATIONS COMMITTEE, SEPTEMBER 29, 1993**

*Question.* Did President Aristide incite mob violence when he was in power in Haiti?

*Answer.* There was evidence that President Aristide incited intimidating or violent behavior among his followers. This has been documented in our 1991 Human Rights report.

Our Ambassador at that time and other U.S. officials made clear to him our abhorrence of these tactics.

**QUESTION FOR THE RECORD SUBMITTED TO ALEXANDER F. WATSON, SUBMITTED BY SENATOR HELMS, SENATE FOREIGN RELATIONS COMMITTEE, MAY 5, 1993**

HAITI

*Question.* What information does the U.S. Government have regarding the human rights record of President Aristide?

*Answer.* There is evidence of several human rights violations under the Aristide presidency that we have spelled out in our Human Rights Reports.

These include condoning or failure to condemn mob violence and at least three incidents of politically motivated killings that may have been officially sanctioned.

*Question.* Would you agree with human rights activists that Aristide incited popular violence when he was in power?

*Answer.* There was ample evidence that President Aristide incited intimidating or violent behavior among his followers.

Our Ambassador and other U.S. officials made personally clear to him our abhorrence of these tactics.

**1991 U.S. DEPARTMENT OF STATE COUNTRY REPORTS ON HUMAN RIGHTS**

However, the Government proved to be unwilling or unable to restrain popular justice through mob violence and ensure the rule of law for all citizens irrespective of partisan interests.

President Aristide, however, appeared less concerned about prosecuting members of the military accused of human rights abuses if they were supporters or appointees of his Government.

President Aristide also failed to condemn categorically all recourse to popular justice through mob violence.

The Aristide Government made no effort to identify and bring to justice those responsible for the wholesale killing, looting, and burning that occurred after the failed Lafontant coup in January.

The only response to three official requests to the Aristide Government for information on the status of the investigation into the death of an American citizen, Richard Andre Emmanuel, who was killed by mob violence in late February, was that the investigator "was still in progress."

However, there were several credible reports of torture and other abuse of detainees and prisoners both during the initial Aristide tenure and since the coup.

The Aristide Government repeatedly attempted to interfere with the judicial process or usurp it through "mob justice."

On August 13, the Parliament, as well as the offices of a number of the Aristide Government's critics—the labor union Autonomous Central of Haitian Workers (CATH), and the political organizations National Front for Change and Democracy (FNCD) and United Democratic Committee (KID)—were attacked by mobs who many observers believe were inspired by those close to the Administration.

The most serious 1991 violations of freedom of travel occurred shortly after President Aristide took office when hundreds of former officials of previous governments were subjected to a constitutionally questionable ban on foreign travel.

After his election victory, President Aristide and his supporters often excluded or intimidated their political opponents or those perceived as such.

**U.S. SENATE,  
COMMITTEE ON FOREIGN RELATIONS,  
WASHINGTON, DC.**

**ARISTIDE'S STATEMENTS ON NECKLACING**

"What a beautiful tool! What a beautiful instrument! It's beautiful, it's cute, it's pretty, it has a good smell: wherever you go you want to inhale it. Since the law of the country says Macoutes aren't in the game, whatever happens to them they deserve. \* \* \* This is the word of justice I share with you. I throw the ball to you. You dribble it. You shoot from the penalty box. \* \* \* All alone we are weak, but together we are strong. Together we are the flood!" (Aristide Speech, Haiti, September 27, 1991)

Aristide, referring to wealthy Haitians who refuse to help Haiti's poor majority, repeatedly urged his listeners not to "neglect to give him [or her] what he [or she] deserves." (Aristide Speech, Haiti, September 27, 1991)

"If you [now in the original Creole—meaning either the plural form of "you" or "we"] catch a thief, if you catch a false Lavalassien [referring to the popular movement responsible for Aristide's election], if you catch someone who doesn't deserve to be there, don't neglect to give him what he deserves.

"Your tool is in your hand. Your instrument is in your hand. Your Constitution is in your hand. Don't neglect to give him what he deserves.

"Your equipment is in your hand. Your trowel is in your hand. Your pencil is in your hand. Your Constitution is in your hand. Don't neglect to give him what he deserves.

"Article 291 [of the Constitution, which bars from public office for ten years all torturers, zealous Duvalierists, and embezzlers of public funds] is always on our minds. It says: No Macoutes, no Macoutes!

"Don't neglect to give him what he deserves. Three days and three nights you're keeping watch in front of the National Penitentiary (see Note). If someone escapes, don't neglect to give him what he deserves."

*Note.* A presumed reference to Roger Lafontant, who had begun to serve a life sentence in the penitentiary for attempting to overthrow the government. He was murdered two days later in his cell as the coup was beginning under circumstances that remain obscure.

"Throughout the four corners of the country, we are watching, we are praying, we are watching, we are praying, when we catch one of them, don't neglect to give him what he deserves.

"What a beautiful tool! What a beautiful instrument! What a beautiful appliance! It's beautiful, it's beautiful, it's pretty, it looks sharp! It's fashionable, it smells good and wherever you go you want to smell it. \* \* \*"

During the trial of Lafontant and his accused co-conspirators, a crowd of two thousand had gathered around the courthouse, chanting and calling for a life sentence for Lafontant. A few people carried tires on their heads. Lafontant thereafter received a life sentence, even though the Haitian legal code allows a maximum of only fifteen years for those found guilty of plotting against state security, the offense with which Lafontant was charged.

On August 4, 1991, Aristide spoke with approval of the crowd's actions:

"When they spoke of 15 years inside the courthouse, according to the law," Aristide said, "outside the people began to clamor for Pere Lebrun, because the anger of the people began to rise a little. That's why the verdict came out as a life sentence."

Aristide: "Was there Pere Lebrun inside the courthouse?"

Students: "No."

Aristide: "Was there Pere Lebrun outside the courthouse?"

Students: "Yes."

Aristide: "Did the people use Pere Lebrun?"

Students: "No."

Aristide: "Did the people have the right to forget it?"

Students: "No."

Aristide: "Don't say it's me who said it. Pere Lebrun or a good firm bed, which is nicer!"

Students: "Pere Lebrun."

Aristide: "For 24 hours in front of the courthouse, Pere Lebrun became a good firm bed. The people slept on it. Its springs bounced back. They were talking inside the courthouse with the law in their hands; the people also have their own pillows. They have their little matches in their hand, they have their little gasoline not too far away. Did they use it?"

Students: "No."

Aristide: "That's because the people respect the Constitution. But does the Constitution tell the people they have a right to forget little Pere Lebrun?"

Students: "No."

Aristide: "Then, when they knew inside what was going on outside, inside they had to tread carefully [literally, walk on thirteen so as not to break fourteen]."

"Fourteen is the masses of the people. The masses have their own tool, their own secret way, their own wisdom. When they spoke of fifteen years inside the courthouse, according to the law, outside the people began to clamor for Pere Lebrun because the anger of the people began to rise a little. That's why the verdict came out as a life sentence."

October 20, 1993

"The people, who respect the law, who uphold the Constitution, when they heard 'life in prison' they forgot their little matches, little gasoline and little Pere Lebrun."

Students: "No."

Aristide: "But if it hadn't gone well, wouldn't the people have used Pere Lebrun?"

Students: "Yes."

Aristide: "That means that when you are in your literacy class and you are learning to write 'Pere Lebrun,' you are learning to think about Pete Lebrun, it's because you know when to use it, how to use it and where to use it."

"And you may never use it again in a state where law prevails (that's what I hope!) as long as they stop using deception and corruption. So, that's what they call real literacy!"

(Excerpts from Americas Watch, November 1, 1991)

If you see "a faker who pretends to be one of our supporters . . . just grab him. Make sure he gets what he deserves . . . with the tool you have now in your hands [the burning tire]. . . You have the right tool in your hands . . . the right instrument. It is nice, it is chic, it is classy, elegant and snappy. It smells good and wherever you go, you want to smell it." (Washington Post article by Lally Weymouth, January 24, 1993)

"What a beautiful instrument—what a beautiful device. It's beautiful—it's such a nice smell—you like to breathe it wherever you go." (Los Angeles Times article by William Eaton, October 5, 1991)

U.S. SENATE,  
COMMITTEE ON FOREIGN RELATIONS,  
Washington, DC.

#### ARISTIDE'S HUMAN RIGHTS RECORD

Aristide turned on his own church when Archbishop Francois Wolff Ligonde, in a New Year's homily in 1991, denounced him for installing a "bolshevik government." Aristide's mobs destroyed one of Port-au-Prince's oldest cathedrals and the Nunciatura, the Vatican embassy. The Papal nuncio (ambassador) was stripped to his shorts and paraded through the streets; his assistant, a priest from Zaire, was gravely wounded by a machete blow. (The Vatican is the only government to accord recognition after the military coup of 1991. (The Plain Dealer, February 27, 1993))

According to the Catholic Standard of the Archdiocese of Washington, Aristide was suspended from the Slesian Order of the Catholic church in 1988 after being accused of "incitement to hatred and violence" and emphasizing "class struggle" in his sermons.

In early October 1991 "an Aristide-inspired mob attacked Sylvio Claude, the founder of the Democratic Christian Haitian Party—a man who had been jailed and tortured by Duvalier but was a political opponent of Aristide. Although Claude sought shelter in a police station, he was turned over to the mob and burned to death." (Washington Post article by Lally Weymouth, January 24, 1993)

"According to senior U.S. government officials, Aristide also participated in a cover-up of the killing of five teenagers on July 26, 1991. Members of an anti-gang unit claimed the killings occurred when they became involved in a struggle with the youths as they tried to escape. Photographs, however, showed that the young men were severely beaten and shot at point blank range by several weapons. The Haitian armed forces—in particular Interim Commander-in-Chief Raoul Cedras—demanded that the incident be investigated. But Aristide, who had been building his own security forces outside the

military chain of command, tried to block the investigation and sided publicly with one of the officers involved in the slaying." (Washington Post article by Lally Weymouth, January 24, 1993)

"U.S. Government officials cite extensive evidence showing that Aristide personally gave the order to kill Roger Lafontant . . ." In a December 1993 interview, Lt. General Raoul Cedras revealed that he has information "that Aristide intended to have other political prisoners killed, not just Lafontant. He [Aristide] gave the orders to kill around 20 people, but they had the courage to execute only Lafontant." (Washington Post article by Lally Weymouth, January 24, 1993)

"In August 1991, Haitian legislators met to deal with the government's abuses. They planned to question Prime Minister Rene Preval—who, according to the State Department human rights report, had personally interrogated political prisoners and denied them recourse to legal counsel—and then to consider censuring him. Before parliament met, shots were fired outside the headquarters of the National Front for Change and Democracy (FNCD)—a political party that had originally supported Aristide but had begun to criticize some of his actions. The home of an FNCD legislator was also stoned.

"When the parliament met, its members found themselves surrounded by about 2,000 demonstrators, many carrying burning tires. Under the threat of the mob, the legislators decided to recess." (Washington Post article by Lally Weymouth, January 24, 1993)

Cedras on Aristide. "He spent seven months violating the constitution of this country which he was there to guarantee." (Washington Post article by Lally Weymouth, January 24, 1993)

Aristide kept a color painting on the wall in his presidential office. The painting depicts the following: Aristide smiles down on a crowd brandishing auto tires; to the side is another pile of tires, a bottle of gasoline and a book of matches. (The poster further portrays the presidential chair atop the Haitian constitution, indicating that Aristide is "above" the constitution.) A poster in the background, in Creole, explains, "If our power is threatened Ti Tid [Little Aristide], if you have a problem, command us to march and solve them with necklacing."

Photographs reveal "how Aristide and his street mobs let 'Pere Lebrun' deal with political opponents. The body shown is that of Sylvio Claude, a Baptist minister and head of the Haitian Christian Democratic Party who had the temerity to oppose the 'populist priest.' In September 1991, the same night that the army moved against Aristide, a mob of the president's supporters set upon Claude and beat him senseless. Claude died an agonizing death. According to eyewitness accounts, an Aristide henchman then severed the penis from Claude's corpse, put it in his mouth, and danced derisively around his body. Next, an automobile tire filled with gasoline was draped around his neck and set ablaze. Confident that Aristide had survived the military's move against him, the henchman had a photographer record this moment of triumph." (Accuracy in the Media Report, August-A, 1993)

"[Aristide] sometimes brandished a machete from his pulpit and demanded violent revolution to physically eliminate the country's elite. Violence, he argued, was the only way to reform Haiti economically and socially. 'Revolution, not elections,' he would chant with followers." (Accuracy in the Media Report, August-A, 1993)

"A neurosurgeon and former dean at a Haitian medical school had Aristide as a student of neuro-psychology during the school year 1978-79. . . . According to a statement circulating among Haitian dissidents, the physician declared, 'I was especially attracted by the tremendous instability of personality of [Aristide]. . . . My ultimate diagnosis took the direction of the bipolar disease called 'psychotic manic depressive,' and I prescribed for Jean-Bertrand carbonate of lithium . . .' Haitian exiles say that some of Aristide's worst excesses come when he is not taking his lithium." (Accuracy in the Media Report, August-A, 1993)

Aristide's accused violations of Haitian law:

Haitian constitution bars presidential paramilitary armies. Aristide created a force called "Special Intelligence for the President," or SIP, which was trained by French and Swiss military experts, and armed with weapons that bypassed the army when shipped into Haiti.

Aristide packed the Haitian Supreme Court with five new justices and refused to submit them to the Senate for confirmation. Contrary to law, he appointed several members of the electoral commission as ambassadors. When the Senate blocked the nomination of another commission member as ambassador to France, Aristide made him foreign minister. In towns in the interior, Aristide replaced elected mayors with his lackeys, and relied upon mobs to keep them in office.

When the Parliament resisted Aristide, his mobs appeared, tires and gasoline in hand. Several legislators were dragged out and beaten. Union offices and opposition political headquarters were torched.

Aristide is accused of ordering the murders of Roger Lafontant and Sylvio Claude the night he left office. They were murdered two days after Aristide's speech encouraging necklacing.

Aristide was the patron of an organization devoted to the welfare of children. VOAM, a Creole acronym for "send Haiti to the skies." At his request, Haitian refugees in the U.S. sent an estimated \$2 million to VOAM; the republic of China gave another \$6 million. According to Aristide's opponents, Aristide diverted \$4.5 million (or more) of these funds to his own projects.

But an older Haitian friend put it more realistically: "I hear that you Americans are going to force us to take back that dreadful man who says he wants to put flaming tires around our necks." (National Review, July 5, 1993)

#### WHO IS PRESIDENT ARISTIDE?

"[If you see] a faker who pretends to be one of our supporters . . . just grab him. Make sure he gets what he deserves . . . with the tool you have now in your hands [the burning tire]. . . You have the right tool in your hands . . . the right instrument. It is nice, it is chic, it is classy, elegant and snappy. It smells good and wherever you go, you want to smell it." (Washington Post article by Lally Weymouth, January 24, 1993)

According to the Catholic Standard of the Archdiocese of Washington, Aristide was suspended from the Salesian Order of the Catholic church in 1988 after being accused of "incitement to hatred and violence" and emphasizing "class struggle" in his sermons.

"Don't neglect to give him what he deserves. Three days and three nights you're keeping watch in front of the National Penitentiary (see Note). If someone escapes, don't neglect to give him what he deserves."

[Note: A reference to Roger Lafontant, who had begun to serve a life sentence in the penitentiary for attempting to overthrow the government. He was murdered two days later in his cell as the coup was beginning under circumstances that remain obscure.]

"We should have discovered in the electoral campaign of this devil called Reagan, the satanic spirit was dancing in Reagan's head . . . The same spirit that Jesus chased while He was on Earth, forced these experts and Reagan to produce this document called Santa Fe . . . A bad spirit like this, don't you see, is the same bad spirit that danced in the heads of the Roman Emperors that Jesus fought."

" . . . What we need to destroy these people we do not yet have. The day will come when we will have it. Nicaragua had it in 1979. Cuba had it in 1958 and 59."

"When you are sitting on top of the mountain teaching the peasants how to use necklacing the peasant, having never seen a car before, having never seen a tire before, he will ask you, 'What is Necklacing?' He could also ask if the use of Necklacing is in the Constitution. You might answer, 'If the pressure of Necklacing in front of the Courthouse on September 29 (the judgment day of Roger Lafontant) was not there, then he would not have received the life sentence. Instead, he would have only received 15 years.'"

[The three previous excerpts are from a transcript of a videotape of various Aristide speeches and sermons at Mass.]

The 1991 State Department *Human Rights Report* said:

"President Aristide appeared less concerned about prosecuting members of the military accused of human rights abuses if they were supporters or appointees of his Government . . . President Aristide also failed to condemn categorically all recourse to popular justice through mob violence. The Aristide Government made no effort to identify and to bring to justice those responsible for the wholesale killing, looting, and burning . . ."

[From the Congressional Research Service, Library of Congress, Translation from the French]

#### GENERAL HEADQUARTERS,

#### ARMED FORCES OF HAITI,

*Port-au-Prince, Haiti, October 14, 1993.*

His Excellency JEAN BERTRAND ARISTIDE,  
President of the Republic, *Palais National*

MR. PRESIDENT: I would be very grateful if you would give the necessary instruction to the responsible Government officials to begin the necessary proceedings for my anticipated retirement provided for in Point 8 of the Governors Island Political Agreement which I signed in good faith on July 3, 1993 to lift the blockade of the country and to preserve the institution of the military.

I believe that you, as well as I, are aware of the obligation parallel to this procedure of making all the necessary arrangements for granting amnesty by parliamentary law, as indicated in Article 5 of the Governors Island Agreements and Article 5 (paragraph ii) of the New York Treaty.

My concern is shared by the Prime Minister and the Special Envoy who agreed in the course of a tripartite meeting held at Mr. Malval's residence on Tuesday, October 7, 1993 to send you the Minister of the Interior for this purpose of choosing the Commander-in-Chief, according to the oath in the Constitution and the Armed Forces General Regulations and by personal letter of appointment, and the Senate ratification of the Commander-in-Chief.

I will then officially hand over the command of the Haitian Armed Forces to my replacement.

Sincerely yours,  
RAOUL CEDRAS,  
Lieutenant General, Armed Forces of  
Haiti, Commander-in-Chief.

MR. MITCHELL. Mr. President, I think the point has been made.

Many of the assertions made by the Senator are, of course, open to dispute and refutation. I am sure they will be and have been, during the course of the debate. I have no wish to engage in that because that is not the matter which I am involved in at the moment.

I just simply repeat that if the notion that long-distance psychological examinations be made of elected officials, and that they be made public, knowing best, as I do, about Members of the U.S. Senate, we all should be very leery of that.

Mr. PRESSLER. Mr. President, will my friend yield for one more question?

Mr. MITCHELL. Certainly.

Mr. PRESSLER. I am not saying we are in the psychological business, but here is a case where we are committing the prestige of our Government to someone who, according to newspaper reports, had very severe problems; who according to newspaper reports, has committed murder; who according to our State Department has committed human rights abuses.

I want to make that clear. We are not in the business of psychologically evaluating people. But here we are putting the force of the U.S. Government, the U.S. taxpayers, the overburdened American people, behind this person.

Mr. MITCHELL. Mr. President, may I ask the Senator a question? The Senator has referred three times to newspaper reports.

Does the Senator from South Dakota hereby state that everything that ever appeared about human rights in newspapers is true?

Mr. PRESSLER. Absolutely not.

Mr. MITCHELL. I thank the Senator. Mr. PRESSLER. But I have had to deal with the press. I hope we deal with these accounts.

#### ORDER OF PROCEDURE

Mr. MITCHELL. Mr. President, I now ask unanimous consent that the previous consent granted governing the conference report accompanying H.R. 2519 be executed upon disposition of the Dole-Mitchell amendment relating to Haiti; and that it now be in order to request the yeas and nays on adoption of the conference report.

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

Mr. MITCHELL. I now ask for the yeas and nays.

The PRESIDING OFFICER. The yeas and nays are requested.

Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

#### DEPARTMENT OF DEFENSE APPROPRIATIONS ACT OF 1994

The Senate continued with the consideration of the bill.

##### AMENDMENT NO. 1074

(Purpose: To express the sense of Congress on funding for the deployment of United States Armed Forces in Haiti)

Mr. MITCHELL. Mr. President, in behalf of Senator DOLE, myself, Senator GRAHAM, Senator SIMPSON, Senator THURMOND, Senator DOMENICI, Senator WARNER, Senator HUTCHISON, Senator D'AMATO, Senator MURKOWSKI, and Senator DODD, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerks will report.

The legislative clerk read as follows:

The Senator from Maine [Mr. MITCHELL], for Mr. DOLE, for himself, Mr. MITCHELL, Mr. GRAHAM, Mr. SIMPSON, Mr. THURMOND, Mr. DOMENICI, Mr. WARNER, Mrs. HUTCHISON, Mr. D'AMATO, Mr. MURKOWSKI, and Mr. DODD, proposes an amendment numbered 1074.

Mr. MITCHELL. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

Sec. . . SENSE OF CONGRESS ON THE USE OF FUNDS FOR UNITED STATES MILITARY OPERATIONS IN HAITI.

(a) STATEMENT OF POLICY.—It is the sense of the Congress that—

(1) all parties should honor their obligations under the Governors Island Accord of July 3, 1993 and the New York Pact of July 16, 1993;

(2) the United States has a national interest in preventing uncontrolled emigration from Haiti; and

(3) the United States should remain engaged in Haiti to support national reconciliation and further its interest in preventing uncontrolled emigration.

(b) LIMITATION.—It is the sense of Congress that funds appropriated by this Act should not be obligated or expended for United States military operations in Haiti unless—

(1) authorized in advanced by the Congress; or

(2) the temporary deployment of United States Armed Forces into Haiti is necessary in order to protect or evacuate United States citizens from a situation of imminent danger and the President reports as soon as practicable to Congress after the initiation of the temporary deployment; or

(3) the deployment of United States Armed Forces into Haiti is vital to the national security interests of the United States, including but not limited to the protection of American citizens in Haiti, there is not sufficient time to seek and receive Congressional authorization, and the President reports as soon as practicable to Congress after the initiation of the deployment, but in no case later than forty eight hours after the initiation of the deployment; or

(4) the President transmits to the Congress a written report pursuant to subsection (C).

(c) REPORT.—It is the sense of Congress that the limitation in subsection (b) should

not apply if the President reports in advance to Congress that the intended deployment of United States Armed Forces into Haiti—

(1) is justified by U.S. national security interests;

(2) will be undertaken only after necessary steps have been taken to ensure the safety and security of U.S. Armed Forces, including steps to ensure that U.S. Armed Forces will not become targets due to the nature of their rules of engagement;

(3) will be undertaken only after an assessment that—

(A) the proposed mission and objectives are most appropriate for the U.S. Armed Forces rather than civilian personnel or armed forces from other nations, and

(B) that the U.S. Armed Forces proposed for deployment are necessary and sufficient to accomplish the objectives of the proposed mission;

(4) will be undertaken only after clear objectives for the deployment are established;

(5) will be undertaken only after an exit strategy for ending the deployment has been identified; and

(6) will be undertaken only after the financial costs of the deployment are estimated.

(d) **DEFINITION.**—As used in this section, the term “United States military operations in Haiti” means the continued deployment, introduction or reintroduction of United States Armed Forces into the land territory of Haiti, irrespective of whether those Armed Forces are under United States or United Nations command, but does not include activities for the collection of foreign intelligence, activities directly related to the operations of U.S. diplomatic or other U.S. government facilities, or operations to counter emigration from Haiti.

Mr. MITCHELL. Mr. President, it is my understanding that under the order there would now be up to 60 minutes for debate on that amendment this evening, controlled by Senator DOLE and myself.

Is that correct?

The PRESIDING OFFICER. The Senator is correct; 60 minutes, equally divided.

Mr. MITCHELL. In behalf of Senator DOLE and myself, I now yield that time.

The PRESIDING OFFICER. Time has been yielded back.

#### ORDERS FOR TOMORROW

Mr. MITCHELL. I ask unanimous consent that when the Senate completes its business today, it stand in recess until 9:30 a.m. on Thursday, October 21; that following the prayer, the Journal of proceedings be deemed approved to date; that the time for the two leaders be reserved for their use later in the day; and that the Senate then resume consideration of H.R. 3116, the Department of Defense appropriations bill.

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

RECESS UNTIL TOMORROW AT 9:30 A.M.

Mr. MITCHELL. Mr. President, if there is no further business to come before the Senate today, I now ask unanimous consent that the Senate stand in recess as previously ordered.

There being no objection, the Senate, at 8:45 p.m., recessed until tomorrow, Thursday, October 21, 1993, at 9:30 a.m.

#### NOMINATIONS

Executive nominations received by the Senate October 20, 1993:

##### DEPARTMENT OF HEALTH AND HUMAN SERVICES

OLIVIA A. GOLDEN, OF THE DISTRICT OF COLUMBIA, TO BE COMMISSIONER ON CHILDREN, YOUTH, AND FAMILIES, DEPARTMENT OF HEALTH AND HUMAN SERVICES. (NEW POSITION)

##### EXECUTIVE OFFICE OF THE PRESIDENT

JANE M. WALES, OF NEW YORK, TO BE AN ASSOCIATE DIRECTOR OF THE OFFICE OF SCIENCE AND TECHNOLOGY POLICY. VICE J. THOMAS RATCHFORD, RESIGNED.

##### IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF ADMIRAL WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, UNITED STATES CODE, SECTION 60:

##### *To be admiral*

VICE ADM. WILLIAM A. OWENS, 502-28-1521, U.S. NAVY.

THE FOLLOWING NAMED OFFICER FOR REAPPOINTMENT TO THE GRADE OF VICE-ADmirAL WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, UNITED STATES CODE, SECTION 60:

##### *To be vice admiral*

VICE ADM. THOMAS J. LOPEZ, 232-66-4372, U.S. NAVY.

## HOUSE OF REPRESENTATIVES—Wednesday, October 20, 1993

The House met at 10 a.m. and was called to order by the Speaker pro tempore [Mr. VOLKMER].

### DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,

*October 20, 1993.*

I hereby designate the Honorable HAROLD L. VOLKMER to act as Speaker pro tempore on this day.

THOMAS S. FOLEY,  
*Speaker of the House of Representatives.*

### PRAYER

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

We know, O God, that before the mountains were formed or the waters filled the seas, Your grace and mercy have been Your gifts to us. You have blessed us, O God, in so many ways and Your goodness is ever with us. We pray that we will be steadfast in our commitment to justice and truth, that we will be faithful in our tasks, constant in our commitments, and devoted to that which is honorable and good. Bless us this day and every day, we pray. Amen.

### THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Michigan [Mr. STUPAK] to lead the House in the Pledge of Allegiance.

Mr. STUPAK led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will now recognize 15 Members on each side for 1-minute requests.

### THE FALLACY OF BORROWING MONEY TO FIGHT IN OTHER PEOPLE'S WARS

(Mr. JACOBS asked was given permission to address the House for 1 minute.)

Mr. JACOBS. Mr. Speaker, to use the relaxed grammar of Abraham Lincoln, "Don't it seem strange that some of our colleagues are saying the same things about Somalia which they have condemned President Clinton for saying about Vietnam?"

I think they are right the second time. It never did make sense to borrow money to borrow trouble in other people's wars.

### A BLUEPRINT FOR INCARCERATION

(Mr. KINGSTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KINGSTON. Mr. Speaker, the President is proposing to put 50,000 new police officers on the street, but while I think this proposal has merit, let us not kid ourselves. Having 50,000 new officers to arrest more criminals for the second, third, fourth, fifth, sixth, and seventh offenses will not do it. We need to lock them up and keep them locked up.

Today the average murderer is sentenced for 15 years, yet serves only 8, the average rapist gets an 8-year sentence and serves only 3, and the average mugger gets a 5-year sentence and serves only 2. These career criminals cost us on an average a half a million dollars a year in theft and property damage. Society cannot afford it. Incarceration is cheaper.

Let us put them in jail, make them work, teach them a skill, and make it so miserable that when they get out, they will not want to get back in and so they will get a job.

### INTRODUCTION OF LEGISLATION TO REDUCE MEMBERS' SALARIES TO MEXICAN STANDARD IF NAFTA IS PASSED

(Mr. SANDERS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SANDERS. Mr. Speaker, the essence of NAFTA is that American workers will be forced to compete against the desperate and impoverished people of Mexico who earn a minimum wage of 58 cents an hour.

It seems to me that if the United States Congress is going to force American workers to compete against our Mexican neighbors, then it is only appropriate that we ourselves, the Congress, lead by example and show the world that we, too, in terms of our paychecks, are prepared to accept the same level of compensation as those in Mexico who do the same work that we do.

Mr. Speaker, the Members of the Mexican Chamber of Deputies, Mexico's equivalent of our House of Representatives, earn the equivalent of \$35,410 per year.

Therefore, Mr. Speaker, I am introducing legislation today which would mandate that if NAFTA is passed, our salaries in the House of Representatives be competitive with the Mexican Chamber of Deputies and be reduced to \$35,410 a year.

Mr. Speaker, if we are going to ask American automobile workers and dairy farmers and truck drivers to be competitive with their counterparts in Mexico, then the salaries of the United States Congress should be competitive with the Mexican Congress.

### THE NO. 1 ISSUE

(Mr. BOEHNER asked and was given permission to address the House for 1 minute.)

Mr. BOEHNER. Mr. Speaker, the No. 1 issue facing the country today is crime.

Should the American people really trust the Clinton administration to come up with a tough anticrime package? Can we really trust liberal Democrats in this House to fight for victims of crime and against the perpetrators?

I do not think so.

The Democrats' answer to crime is to weaken current law when it comes to the death penalty.

In fact, instead of clearing the obstacles to swift justice, the Democrat crime bill puts more legal roadblocks in the way.

Instead of including the death penalty for drug kingpins, the Democrats removed it from their bill.

Instead of including a mandatory minimum sentence for the use of semi-automatic weapons, the Democrats leave it out.

Mr. Speaker, when it comes to the No. 1 issue facing this country, the Democrats don't measure up.

This symbol represents the time of day during the House proceedings, e.g.,  1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

EXPORTS THE NO. 1 SUBJECT OF  
NAFTA—THE EXPORT OF JOBS

(Mr. STUPAK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STUPAK. Mr. Speaker, the administration says that NAFTA is all about exports. Unfortunately, they are right, because if this agreement passes, our No. 1 export is going to be American jobs.

But Members do not have to take my word for it. A year ago, on September 24, 1992, the Wall Street Journal polled 455 of our Nation's top executives. This was before NAFTA became the volatile issue it is today, and executives stated what they saw in NAFTA. In response to this poll, 55 percent of these executives said they would move operations to Mexico if NAFTA passed—25 percent said they had used the threat of moving operations to Mexico in the collective-bargaining process.

So much for American jobs and our standard of living.

Mr. Speaker, this is exactly what the opponents of this agreement have been saying all along. If we pass NAFTA, there is a better than 50-50 chance your constituents' jobs will be gone. You do not have to take our word for it; ask your district's top executives. I did, and the Wall Street Journal did. They want to increase exports all right—your jobs.

Mr. Speaker, I urge my colleagues to vote against this agreement. We must not adopt this NAFTA agreement.

## THE REPUBLICAN POSITION

(Mr. BUNNING asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BUNNING. Mr. Speaker, on April 1, 1993, the Republican Policy Committee had this to say:

U.S. military forces in Somalia have fulfilled the mission given them by President Bush. Republicans therefore call on President Clinton to bring our troops home.

Mr. Speaker, we're still waiting.

President Clinton chose to ignore our advice. Instead, he preferred to put our troops under U.N. command, and in real danger.

The mission has degenerated from humanitarian to humiliation, and it is past time for it to stop.

The President's response is not sufficient. He should not keep our troops in harm's way into next year without real justification and without a detailed strategy.

Republicans have been consistent in our opposition to a policy of troop commitment without focus.

I urge the President to heed our advice and bring our troops home now.

□ 1010

NAFTA: A BAD DEAL FOR A LOT  
OF REASONS

(Mr. BROWN of Ohio asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BROWN of Ohio. Mr. Speaker, you have heard in this Chamber this morning and other days all the reasons to oppose NAFTA: the environmental reasons, loss of jobs, depressing of American wages, food safety, truck safety, all of the issues that make NAFTA a bad deal.

One issue nobody wants to talk about is that NAFTA is a new \$50 billion Government program. Proponents of NAFTA do not like to talk about the lost tariff revenues that our Government will forge. They do not like to talk about border cleanup, \$20 billion for environmental costs. They do not like to talk about the request of the Governor of Texas for \$10 billion, or the requests from Arizona, California, and New Mexico, for billions of dollars to prepare for NAFTA.

NAFTA is a \$50 billion new program. It is something we cannot afford. It is something we have to pay for with either increased taxes or cuts in services that nobody wants to specify.

Mr. Speaker, NAFTA is a bad deal for a lot of reasons. It is a bad deal because it is a \$50 billion new Government program.

STOP VIOLENCE AGAINST PEOPLE  
OF KASHMIR

(Mr. PAXON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAXON. Mr. Speaker, the violence in Kashmir that I spoke about earlier this year continues unabated. On Friday, 1,000 Indian troops surrounded the Hazratbal mosque in the capital city of Srinagar, trapping approximately 100 Kashmiri separatists inside.

This mosque, the holiest shrine in Kashmir, contains a relic of the prophet Mohammed. For years it has been a focal point of Kashmiri separatist feelings. It appears that the siege was planned to strike at the very heart of the Kashmiri separatist movement.

Unfortunately, this is all too reminiscent of the Indian Government's 1984 siege of the Golden Temple of Amritsar in which over 1,200 people were killed.

This attack is but the latest round of violence and terror against the Kashmiri people by the Indian Government since the uprising began in January 1990. Over 7,500 Kashmiris have been killed, with thousands more beaten, raped, and detained without charge, according to international human rights organizations.

Mr. Speaker, it is high time for the United States and all nations to press India to stop the violence in Kashmir, remove their troops, and give the people of Kashmir the vote on independence long ago promised.

CONGRESSIONAL PRIORITIES  
ASKEW

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, Americans are losing their jobs, losing their homes, losing their families, losing their pensions, and losing their health insurance. There are 25,000 murders a year in our country. Kids are literally being killed in their own homes by drive-by shooters. AIDS is exploding, taxes keep going up and up, strangling this economy, our debt is now over \$5 trillion, and American soldiers are literally being killed in foreign lands. And the other body today is debating Beavis and Butt-head.

Beam me up. Think about it. Maybe it is time that Congress starts looking at itself in the mirror. Maybe it is not just television.

## SILLY ARGUMENTS

(Mr. BALLENGER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BALLENGER. Mr. Speaker, there is one word that adequately describes the arguments against the NAFTA treaty: silly.

NAFTA opponents say that jobs will go to Mexico if we pass this agreement. Mr. Speaker, if we do not pass this treaty jobs will continue to flow to Mexico.

High Mexican tariffs create an incentive for American companies to move south of the border. This treaty lowers tariffs and encourages companies and jobs to stay in the United States.

NAFTA opponents say that the environment will be harmed if NAFTA is passed. That is ridiculous. If NAFTA is passed, we will finally have the ability to force Mexico to uphold their environmental laws. If NAFTA fails, the leverage will be lost.

NAFTA opponents ignore the positive effects this treaty will have on illegal immigration, our regional relations with our neighbors and our balance of trade.

Scare tactics and silly arguments should not be enough to stop NAFTA from being implemented. This is a treaty we can all feel good about.

BUILD A STRONGER AMERICA BY  
STARTING AT HOME

(Mr. FLAKE asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. FLAKE. Mr. Speaker, I rise this morning realizing that all over the country, all over the Nation, and, yes, indeed, some parts of the world, the foremost discussion we are involved in is about NAFTA.

Mr. Speaker, I am concerned because of the lack of discussions about community development in this Third World nation within our borders, these urban and rural communities where people have already been displaced, where people are already without jobs, where people already do not have access to good education that prepares them for jobs. As we talk about NAFTA, we are not talking about what we need to do for our own people. Some of them will be displaced. But what about those that already are? That have discovered that training programs have not prepared them adequately to be able to assume the jobs that are available or prepare them in areas where there are jobs going to be opening by virtue of the great arguments that are made for what NAFTA is going to do for this country?

Mr. Speaker, it seems to me that our first responsibility is to make sure that we are as strong a nation as we can possibly be. Certainly I think there are some who would listen very favorably to the NAFTA discussion if it was somehow related to a discussion about how to build a stronger America.

#### **DEMOCRATS ARE ONCE AGAIN SOFT ON CRIME**

(Mr. HEFLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HEFLEY. Mr. Speaker, the liberal Democrats who brought you the largest tax increase in history are preparing to sell America another Trojan horse, this time disguised as crime reform. The Democrat crime bill is worse than current law. Just listen to what they want now.

New habeas corpus language for death row criminals which allows them to avoid serving their sentence; weakened probation standards allowing drug addicts to remain on the streets; a fraudulent death penalty that will never be enacted; and the removal of the death penalty for drug kingpins which are strangling our cities.

Mr. Speaker, this is not crime reform. It is just another example of how soft the liberal Democrats are on violent criminals. Let us pass real reform in this body, stop these hardened criminals in their tracks, and provide some sort of relief to the all too often ignored victims.

#### **AN OUNCE OF PREVENTION**

(Mr. SKAGGS asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. SKAGGS. Mr. Speaker, our health care system needs reform. We spend much more money per person on health care than any other nation. But we do not get the results we should.

Even with the finest doctors, the best hospitals, and the most advanced technology, our infant mortality is among the highest in the industrialized world. Nearly half of American children between the ages of 1 and 4 lack basic childhood immunizations. We are again seeing outbreaks of measles, mumps, and whooping cough.

Our health care system skimps on low-cost prenatal care, but then spends over \$30,000 month to keep low-birth-weight babies alive in high-technology neonatal units. That's just not very smart—or cost effective.

President Clinton wants to change this. He's proposed comprehensive health care reform that emphasizes the simple preventive measures that are crucial to long-term health—immunizations, checkups, education, preventive screenings and tests. The President understands that good health care means keeping people healthy, not waiting until people get sick to treat them.

An ounce of prevention really is worth a pound of cure. Controlling health-care costs and improving health-care quality depends on living by these words.

#### **ECONOMIC WAR BEING WAGED AGAINST THE WEST**

(Mr. THOMAS of Wyoming asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMAS of Wyoming. Mr. Speaker, President Clinton and Secretary Babbitt and his Department of Interior Motives are waging an economic war on the West. This is not about western people prospering; this is about survival. This is about families keeping their homes. This is about ensuring that people can live and work where they choose—in the West.

Mr. Speaker, this Congress says it wants to make people and jobs a priority, so we ought to be working to keep the ones we have. The people in the West, threatened by Clinton's land policies, do not want to be handed unemployment checks because their jobs have been taken away by the Government.

This President talks a lot about jobs. He talks a lot about rejuvenating America. These are just statements—just as vague, shallow, and failed as his efforts to build other nations.

Mr. Clinton and Mr. Babbitt are re-inventing a whole new constituency for unemployment benefits. If this continues, the sign at State borders in the West will read, "Last one out of the West, turn off the lights."

#### **IMMIGRATION STABILIZATION ACT OF 1993**

(Mr. BILBRAY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BILBRAY. Mr. Speaker, today I introduce the Immigration Stabilization Act of 1993. Along with Mr. GOODLATTE, Mr. HUNTER, Mr. LEHMAN, and Mr. TRAFICANT, I present this comprehensive piece of legislation aimed specifically at reforming, not just one section of the law, but our Nation's laws governing both legal and illegal immigration in their entirety.

Recent events have brought to light evidence of the desperate need for wholesale reform of the U.S. immigration system. The breakdown of the system is seen not only in high-profile cases like the bombing of the World Trade Center and the murder of government employees at our CIA headquarters, but also in the everyday life of our citizens and our economy.

The employment needs of our Nation have changed. No longer do we require a massive influx of unskilled labor as we did when current immigration law was written.

No longer can we afford to offer blanket asylum for all seeking protection from their enemies, whether they are real or alleged.

Our social services system is on the verge of collapse under the weight of our own citizens. We must take action so that we may retake control of our future.

Some people will say this legislation is xenophobic. Nothing could be further from the truth. Our immigrant past is one of the greatest contributions to our Nation's strength today. What this bill says, is that the United States should, like every other industrialized country, control the flow of people into our country, ensuring the best interests of our Nation are served rather than the narrow interests of certain groups.

I ask for the support of my colleagues from both sides of the aisle in seeking the swift passage of this bipartisan legislation.

□ 1020

#### **TOP 10 REASONS TO VOTE AGAINST NAFTA**

(Mr. DREIER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DREIER. Mr. Speaker, I am happy to report to our colleagues that I just received from the home office in San Diego, CA, the top 10 reasons as to why we should vote against the North American Free-Trade Agreement.

Reason No. 10: I like living in the past. Reason No. 9: We need a good revolution in Mexico. Reason No. 8: It is

best to close the barn door after the horse is out. Reason No. 7: Jobs, who needs stinkin' jobs. Reason No. 6: The Toronto Blue Jays. Reason No. 5: It is the best way to get labor PAC money. Reason No. 4: Pat Buchanan, Jesse Jackson, Ralph Nader, and Jerry Brown—wow. Reason No. 3: The Japanese want me to vote "no." Reason No. 2: We need more illegal immigrants.

And the No. 1 reason to vote against the North American Free-Trade Agreement: Perotnoia will destroy ya.

Mr. Speaker, there are no reasons to vote against the North American Free-Trade Agreement. We should line up and provide support for the American consumer and creation of jobs right here in the United States.

#### NAFTA'S EFFECTS TERMED DEVASTATING

(Ms. DELAURO asked and was given permission to address the House for 1 minute and to revise and her remarks.)

Ms. DELAURO. Mr. Speaker, few issues that we address here provoke such passion and are the targets of such distortion as the North American Free-Trade Agreement. The most prevalent distortion floated by the proponents of NAFTA is that it will create jobs—it won't.

We have already lost 500,000 jobs to Mexico and estimates are that enactment of this trade agreement would cost us 500,000 more jobs. In my State—Connecticut—where we have lost 180,000 to a continuing recession—we cannot afford one more job loss. But, NAFTA will cost us in other ways as well: It will cost us in lost revenues—in lost tariffs to the U.S. Government; in lost corporate tax revenues as businesses move to Mexico; in lost income tax revenues—unemployed workers cannot pay income taxes. And, hundreds of thousands of workers will lose their jobs as a result of NAFTA no matter whose economic model you use.

I am not opposed to free trade. If there were compelling evidence that the long-term payoffs of NAFTA would offset the devastating short-term effects, then I could get behind it. But the long-term effects of NAFTA will be equally devastating: a lower standard of living for workers on both sides of the border.

The bottom line is that NAFTA will cost us jobs and it will cost us money. Our workers cannot afford NAFTA. Our country cannot afford NAFTA. Not this NAFTA.

#### SOMALIA

(Mr. WELDON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WELDON. Mr. Speaker, Congress has said it wants a full and open debate and vote on Somalia. The American

people have said they want a full and open debate and vote on Somalia. We were told we would have a full and open debate and a vote on Somalia by November 15, and now we see what is happening: A watered down Senate provision will be buried in a conference report. We will never have that debate. We will never have that up-or-down vote.

My colleagues, we can force that debate. We can force that vote.

Yesterday I filed a discharge petition No. 9 to force out House Resolution 227, offered by my Democrat colleague, the gentleman from Ohio (Mr. BROWN).

Ben Pilla, from Vineland, NJ, said it best, and I quote: "I ask this Congress to put as much effort into investigating this foreign policy disaster as they put into investigating Watergate and Iran-Contra. Neither Watergate nor Iran-Contra cost the lives of American soldiers."

Ben's son, Dominick, was killed in Somalia on October 3, 1993, and buried on October 11. To Ben, his father, to his son, to Dominick, we owe the American people a debate and a vote on the presence of our troops in Somalia.

#### BREAST CANCER AWARENESS MONTH

(Mr. POMEROY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POMEROY. Mr. Speaker, I rise today in recognition of Breast Cancer Awareness Month.

Having personally witnessed how this disease afflicted my wife's family, how it robbed them of a cherished sister and daughter, I stand before this body to remind us all that the issue of breast cancer is not just a women's issue. It is an issue of finding a cure for a life-threatening disease that is killing thousands beloved family members and valuable citizens every day in our country.

With 1 in 8 women now at risk of developing this disease, all of us will be impacted one way or another by this ongoing tragedy. We must support additional funding for research and provide for adequate access to new therapies. Likewise, health care reform must provide for preventive measures such as screening mammograms in the basic benefits package.

This week, the National Breast Cancer Coalition presented President Clinton a petition, calling for increased funding for breast cancer research. It was signed by 2.6 million people throughout the country. The breast cancer survivors who participated in the event are living proof that we can win the battle against breast cancer. We must continue to elevate the public consciousness about this disease, and commit the necessary resources to end the breast cancer epidemic.

#### COMMERCE SECRETARY RON BROWN'S HAITIAN AND VIETNAM CONNECTIONS

(Mr. ROHRABACHER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROHRABACHER. Mr. Speaker, Secretary of Commerce Brown should not be a part of the decisionmaking process concerning our economic embargo on Haiti. This is due to the fact that a few years ago he legally took large fees to lobby for the former Haitian dictatorship.

Our Secretary of Commerce testified before my committee that he excluded himself from any discussion on easing the embargo on Communist Vietnam. This is due to the fact that he did not take the \$700,000 that may or may not have been offered to him.

Mr. Speaker, I have been asked why all the fuss? Let me answer in human terms. A few months ago I put a list of 500 political prisoners in the hands of the head of the Communist Party of Vietnam.

I personally put the same list in President Clinton's hands. With a whisper our President could have asked for the release of these prisoners as a sign of good faith before taking any steps to ease the embargo.

Obviously no such request was made. Yesterday a story in a local paper indicates religious persecution continues unabated in Vietnam.

Let us hope the reason for our silence on human rights in Vietnam has not been an illegal deal between high government officials.

We need a special prosecutor for an impartial investigation of this issue.

□ 1030

#### URGING BIPARTISAN SUPPORT FOR THE PRESIDENT'S POLICY ON HAITI

(Mr. OWENS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OWENS. Mr. Speaker, the President's policy on Haiti is now on the most productive track possible and it deserves the bipartisan support of the entire Congress. The President has decided to go beyond the Boy Scout approach of certain naive and deceived State Department diplomats. We still support the Martin Luther King non-violent approach of the Governor's Island Agreement. But the President now realizes that we are dealing with a Haitian army led by drug smugglers and killers. Armed protection for the constitutional democratic government of President Aristide is a definite necessity.

In order to take care of our own national interest in Haiti, in order to promote democracy in this Western Hemisphere, we have no choice but the pursuit of a policy of firmness which confronts the forces of lawlessness and brutality. For too many decades the United States has dominated Haiti by assisting the oppressors of the majority.

Now is the time to reverse the negative impact of the Monroe Doctrine. Now is the time to act with strength and firmness to support democracy and the economic redevelopment of Haiti. Help the Haitians to take democratic control of their own destiny and then the Haitians will take care of themselves.

#### URGING CONGRESS TO REJECT THE ADMINISTRATION'S CRIME BILL AND GET SERIOUS ABOUT CRIME

(Mr. HOKE asked and was given permission to address the House for 1 minute.)

Mr. HOKE. Mr. Speaker, we do not have to be rocket scientists to know that crime in the United States has reached an epidemic level. What has the President decided to do about it? He has dropped from previously introduced bills a number of provisions. He has eliminated mandatory minimum sentences for armed career criminals. He has eliminated mandatory minimum sentences for drug trafficking near schools. He has eliminated the death penalty for convicted drug kingpins. He has eliminated increased mandatory minimum sentences for the criminal use of semiautomatic weapons, and he has eliminated language that would curtail excessive appeals by death row inmates.

In short, Mr. Speaker, the President has written a bill which is worse than our current law. Let us reject the administration's crime bill and get serious about crime.

#### NAFTA: A MISTAKE FOR AMERICA

(Mr. DERRICK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DERRICK. Mr. Speaker, I rise today with the strongest possible opposition to the North American Free-Trade Agreement. For too long, American textile workers have acted as the punching bag for one administration after another, and NAFTA would be more of the same.

NAFTA supporters point out that our exports to Mexico are growing. The truth is, American factories and American jobs account for the great majority of our increased exports to Mexico during the past few years.

They also say the Mexican consumer market is expanding. Mr. Speaker,

Mexican workers are making 62 percent less money today than they were in 1980. Workers that only make one dollar an hour cannot offer much in the way of buying power.

The supporters also say NAFTA means jobs. That is right. NAFTA means the loss of American jobs for the sake of expanding the Mexican economy.

Average American workers are the backbone of our economy, and they are being abandoned by this agreement.

Mr. Speaker, I will not support—and I urge my colleagues not to support—this legislation that robs Americans of employment opportunities. NAFTA is a mistake, and it should fail.

#### CLINTON HEALTH CARE PLAN: IT IS OCTOBER 20 AND WE ARE STILL WAITING

(Mr. STEARNS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STEARNS. Mr. Speaker, on October 5, Secretary of Health and Human Services Donna Shalala testified before the Energy and Commerce Committee that in 2 weeks Congress would have the details of the Clinton health care plan. That would have been October 19, or yesterday. Well, it is October 20 and we are still waiting. The chairman of the Ways and Means Committee, Mr. ROSTENKOWSKI, has criticized the Clinton administration's delay in sending the specifics of its health care reform to his committee recently. In the meantime, committees have been holding hearings on legislation that does not exist, trying to study "devil in the details" problems with no details. My constituents, and I am sure those of every Member of this House, have asked for copies of the Clinton legislation, only to be told that the bill still doesn't exist. And, everyone wants to know, realistically, how much this will cost.

The uncertainty over this plan also is causing real concerns in our Nation's teaching hospitals. Young men and women studying medicine have legitimate concerns that a new Federal authority is being created to dictate where and what they can practice under the guise of "creating a new health work force."

There are so many fundamental questions this issue of health care reform raises, and right now none of them are being answered. It's time for the administration to stop delaying and bring forward this legislation, with facts and figures to back up their claim of a \$700 billion price tag.

#### INTRODUCTION OF LEGISLATION PROVIDING INCENTIVES FOR REHABILITATION OF HOUSING PROJECTS

(Mr. JEFFERSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JEFFERSON. Mr. Speaker, today I am introducing a bill to provide for 15-year straight-line depreciation for new investors in housing projects in need of rehabilitation, together with an exemption from the passive loss rules.

According to a 1992 Harvard University study, there are only 4.1 million units of HUD-assisted housing units available to a population of 13.8 million households eligible for the assistance. Many of the units that could be put in commerce to meet this need are in deteriorating buildings with financially strapped owners, who have no incentive to improve their properties and no market to dispose of them. These conditions are due in part not only to a continuing real estate recession and the general aging of housing stock, but also, in no small part, to changes this Congress made in the 1986 revisions to the tax laws.

New investors with the requisite capital that can be generated by the bill we introduce today can finance the necessary renovations and greatly increase the availability of secure housing for low-income tenants who will be the direct beneficiaries of the infusion of this new capital.

I strongly urge my colleagues to join me in support of this legislation.

#### URGING THE ADMINISTRATION TO CONTINUE EFFORTS TO RESTORE DEMOCRACY IN HAITI

(Mrs. CLAYTON asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CLAYTON. Mr. Speaker, the current situation in the Republic of Haiti has reached a critical point and has caused great debate. The recent incident in Port-au-Prince in which American troops were refused safe entry reveals the unstable conditions in this troubled island nation. Moreover, the imposition of United States economic sanctions shows that the administration is indeed concerned about the hope of restoring democracy in Haiti.

Many will argue that the United States should not be involved in "basket-case" countries who possess little in terms of U.S. economic interest. It is true that Haiti is one of the world's leaders in poverty. It is true that Haiti possesses immeasurable problems related to infrastructure and modernity. And, the Haitian record on human rights can best be characterized as deplorable.

So, the question remains: Why is Haiti important? Or better stated, what is America's vested interest in Haiti? First, Haiti is important because it is a nation longing for the same democratic principles we cherish here in the United States. Before the military coup on September 30, 1991, the Haitian people popularly elected Jean-Bertrand Aristide as the President of the Republic of Haiti. As the leader of the free world, the United States plays a powerful ideological and moral role in assisting aspiring democracies. We are privileged to have this distinction, and we must fulfill our responsibility. If we do not, we lose respect internationally for our complacency.

Second, Haiti is crucial for American self-interest because it is geographically located in our own precious hemisphere, only 80 miles from our shores. The most obvious way in which we are affected by the chaos in Haiti is by looking at the refugee crisis felt by the State of Florida. I know that Representative MEEK can testify to this fact.

Third, earlier this year, the United States Government ruled that boats with Haitians seeking freedom in our countries should be returned to their homeland. The United States and the international community must seek to stabilize the Haitian society so that large numbers of Haitians do not jeopardize their lives by taking to the turbulent waters with their makeshift vessels.

I urge the administration to work toward the restoration of democracy in Haiti. The Governor's Island Agreement should be honored because it is good for the thousands of Haitian people who deserve the fruits of democracy. Ultimately, the stability of Haiti is good for our hemisphere and the United States. Let us be decisive for the sake of democracy and the people of Haiti.

#### CALLING ON THE DEMOCRATIC LEADERSHIP TO IMPROVE SCHEDULING OF LEGISLATION

(Mr. WOLF asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WOLF. Mr. Speaker, I had no intention of speaking to the House, but I just found out that we were going to be in here until probably 10 o'clock tonight. Let me just say to the leadership of this House, we really have to do a better job of scheduling. One day we hear we are going to have votes on Monday, then Monday comes and we do not have votes. Then we hear we are going to have votes on Friday, and then they tell us we do not have votes on Friday.

We cannot schedule. We cannot know whether we can go to a children's

event. We cannot know whether we can do something in our congressional district. The hours that we keep in this body and the schedule in this body is a disgrace. It must change. Husbands do not know their wives. Husbands and wives do not know their children. People do not have any control over the schedule.

I call on the leadership of the party that controls this House to do a better job of scheduling. It is unacceptable to keep the hours and the uninformed schedule that we have in this House.

□ 1040

#### CONFERENCE REPORT ON H.R. 2492, DISTRICT OF COLUMBIA SUPPLEMENTAL APPROPRIATIONS AND RESSCISSIONS ACT, 1993

Mr. DIXON. Mr. Speaker, I call up the conference report on the bill (H.R. 2492) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1994, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. MFUME). Pursuant to the rule, the conference report is considered as having been read.

(For conference report and statement see proceedings of the House of Thursday, October 14, 1993, at page H7900.)

The SPEAKER pro tempore. The gentleman from California [Mr. DIXON] will be recognized for 30 minutes, and the gentleman from New York [Mr. WALSH] will be recognized for 30 minutes.

The Chair recognizes the gentleman from California [Mr. DIXON].

#### GENERAL LEAVE

Mr. DIXON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the conference report and on the amendments in disagreement, and that I may be permitted to include tabulations summarizing the conference agreement.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DIXON. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. TUCKER].

(Mr. TUCKER asked and was given permission to proceed out of order.)

#### NOT THIS NAFTA

Mr. TUCKER. Mr. Speaker, I thank the gentleman from California for yielding the time.

Mr. Speaker, we have heard a lot about the North American Free-Trade Agreement. I rise today in opposition to that particular agreement. As has been said, not this NAFTA.

It is not that many Members on this side of the aisle, Mr. Speaker, are against the concept of free trade or the concept of a North American Free-Trade Agreement. It is a fact, Mr. Speaker, that the NAFTA that is coming to this House for a vote in the next few weeks is not a good deal. It is not a good deal for the American people, and if we take it, we will truly have been hoodwinked and bamboozled, and we will truly have been led astray, because all of these promises and representations of net job gains are just that. Mr. Speaker, promises, just the promises for a middle-class income tax cut that never came down. These promises of more jobs will not come with a NAFTA. There will be in fact the reality of job loss.

We cannot afford any more job losses, not only in California, but all across this country. This is not a good deal. We need to go back and renegotiate.

To all of those who say we have to take it or leave it, I say leave it, because we can renegotiate it. Not this NAFTA, Mr. Speaker.

Mr. DIXON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased today to present the highlights of the conference report on the fiscal year 1994 District of Columbia Appropriations Act.

There were 48 Senate amendments, and we were able to resolve all of them in conference. In summary, the amounts recommended in this conference agreement are within the 602(b) allocation in both budget authority and outlays, and we are \$5.1 million below the budget that the President requested.

The conference agreement includes \$700 million in Federal funds and \$3.7 billion in District funds. Over 80 percent of this budget is financed from local revenues—income taxes, property taxes, and various fees and charges.

The \$700 million in Federal funds is identical to the amount that passed the House, but it is \$2 million above the Senate allowance and \$12 million higher than last year's appropriation. The \$700 million consists of three items. First, the Federal payment of \$630 million, which is based on a formula of 24 percent of the local revenues. Second is the Federal contribution of \$52 million to the police, fire, teachers, and judges retirement funds. Third, the Federal contribution of \$17 million for major crime and youth initiatives to reduce the District's rising crime rate and to reach out to young people who are at risk.

In District funds, the conference agreement provides \$3.7 billion which is the same as the budget request, but \$13 million below the House allowance and \$38 million below the Senate allowance.

Mr. Speaker, the conference agreement does not include any funds for

George Washington University to build a medical center. Instead, the conferees agreed to include language under amendment No. 25 that requires the District government to submit a proposed plan by April 15 next year that provides for financing of capital rehabilitation and revitalization of the medical infrastructure within the District of Columbia. The bill language requires that the currently authorized George Washington University project be specifically addressed as part of the overall plan.

Under general provisions, Mr. Speaker, the conferees deleted language under section 135. That language would have required the Mayor to prepare a cost analysis and show a 10-percent savings before she could contract out for goods and services now provided by District employees.

The conferees also deleted language under section 136 of the House bill that would have required Council review of certain contracts over \$1 million.

There is no language in the bill concerning abortions. Neither the House-passed bill nor the Senate-passed bill make reference to that issue. Both versions of the bill allow the District of Columbia to use the funds in the bill for abortions in accordance with the District's regulations and guidelines in compliance with the various Supreme Court decisions that have been handed down on this issue. These decisions apply to the District just as they apply to the 50 States.

However, I would point out to Members that Federal Medicaid funds are governed by the Hyde amendment in the Labor-HHS appropriations bill (H.R. 2518), and any Federal Medicaid funds received by the District cannot be used for abortions, except when it is made known to the Federal entity or official to which funds are appropriated under H.R. 2518 that the procedure is necessary to save the life of the mother and in the case of rape or incest. In other words, Mr. Speaker, the District is treated in the same manner as each of the 50 States are treated. There is absolutely no difference.

Mr. Speaker, I reserve the balance of my time.

Mr. WALSH. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in opposition to the conference report on H.R. 2492, the District of Columbia Appropriations Act for Fiscal year 1994.

Before I state specifically why I oppose the report, I would like to compliment Chairman DIXON and my colleagues from both sides of the aisle on the responsible manner in which they addressed our constitutional responsibility to the District of Columbia.

Regarding the substance of the bill: The Federal formula payment for fiscal year 1994 is \$630.6 million. The Federal contribution to the retirement fund stands at \$52 million and \$17 million

going to the crime and youth initiative. I expressed opposition to certain portions of the bill early on. Those reservations remain. Specifically, abortion funding, the crime and youth initiative, and fiddling with the Federal employees retirement fund.

Allow me to take a moment to detail this opposition. As we know, Mr. Speaker, as this conference report is currently constructed, Federal and local taxpayer dollars will be used to fund abortion. This has never been done before. Recently the Congress voted overwhelmingly for a somewhat revised Hyde amendment on the Labor/HHS bill. At the least, this bill should comply with that language. As for the crime and youth initiative, I consider \$17 million to the District beyond our commitment. The Federal Government's obligation as cited by GAO is to pay the District \$630.6 million. Let us stick to it. We enacted a law to take the guesswork out of how much we owed the District. I have accepted the argument that the District is in financial peril and that youth in the city are being killed at an alarming rate. However, I do not honestly believe that in effect paying youths to stay off the streets will accomplish our social goals. No American in any city wants to see children hurt, old people robbed, or residents carjacked, for that matter. I would suggest we look at other cities of comparable size to see what they are doing about these problems, to try to find solutions that are results-oriented. As it stands, the program is wasteful.

Last, I oppose delaying the obligation of \$2 million to the Federal employees retirement fund. I support the Senate action which makes the \$52 million available immediately and cuts \$2 million from the crime and youth initiative.

The pension fund, which received a commitment from Congress several years ago for an annual contribution, is woefully underfunded as it is. It will require major surgery if it is to meet its obligations to those workers. To deny the fund the relatively minor amount of \$2 million for the relatively short period of a couple of months still amounts to actuarial larceny. Perhaps more importantly, it sets a dangerous precedent and weakens our commitment to the District. As the ranking republican member of the subcommittee, I applaud the District, and especially Mayor Sharon Pratt Kelly, for the fiscal prudence used in sorting out the District's budget challenges. As a former city official I know tough decisions when I see them, and for everyone's information tough decisions have been made.

At the same time, for the reasons stated, I strongly urge my colleagues to reject this conference report, with one final note on how I think we can work together.

The Corporation Counsel's Office of the District of Columbia has strained

relations with Congress by not prosecuting the offenders of law and order, specifically the demonstrators for D.C. statehood. Again, speaking as a former city official in my hometown, I would remind the Corporation Counsel that it has a responsibility to prosecute violators of the law—whether they like the law or not. The demonstrators have been a threat to public safety by blocking House buildings. This is not just my opinion. They were arrested for this reason. In conclusion, I urge my colleagues to vote down this conference report.

□ 1050

Mr. Speaker, I reserve the balance of my time.

Mr. DIXON. Mr. Speaker, I yield 5 minutes to the distinguished Delegate from the District of Columbia [Ms. NORTON].

Ms. NORTON. Mr. Speaker, I rise this morning to ask my colleagues and friends in this body, on both sides of the aisle, to affirm the D.C. appropriations for which the majority voted earlier this year. May I ask my colleagues as well to consider this appropriation without discrimination or malice toward the Capital of our Nation at a time when the city is being ravaged by financial trouble.

Mr. Speaker, the District appropriation before us consists largely of funds raised in the District of Columbia itself, paid by District taxpayers and businesses. The smaller portion that is the Federal payment is different from every single appropriation that comes before the House. The District appropriation is not called a Federal payment for nought. The term "payment" is technically precise. The Federal payment is meant to pay the District for what it loses in restrictions that this body has placed on the city's ability to develop itself economically, for land taken off the tax rolls by the Federal Government and for services rendered to the Federal Government.

No one pretends that the amount has ever been adequate to make up for these restrictions, but all agree that the Federal payment is a debt owed the District, not a grant like our other appropriations. To fail to pay the full amount owed is to repudiate a debt. I ask this body to keep faith with this debt and with the District.

I especially ask my colleagues for your help this year when the Capital City has been the victim of a cruel recession that has simply refused to let go and let the city recover. I recognize that there are some among my colleagues who have sometimes looked at the District appropriation as an expendable vote. We are not your constituents so what do you have to lose, some have reasoned.

But this is your city too. It is the Capital of your country. It is in deep financial trouble. To vote against the