



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 104th CONGRESS, FIRST SESSION

Vol. 141

WASHINGTON, MONDAY, JULY 31, 1995

No. 125

House of Representatives

The House met at 10:30 a.m. and was called to order by the Speaker pro tempore [Mr. EVERETT].

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,

July 31, 1995.

I hereby designate the Honorable TERRY EVERETT to act as Speaker pro tempore on this day.

NEWT GINGRICH,

Speaker of the House of Representatives.

MORNING BUSINESS

The SPEAKER pro tempore. Pursuant to the order of the House of May 12, 1995, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates.

The Chair will alternate recognition between the parties with each party limited to not to exceed 30 minutes and each Member other than the majority and minority leader limited to 5 minutes.

The Chair recognizes the gentleman from Oregon [Mr. WYDEN] for 5 minutes.

TOBACCO AND GRIDLOCK KILL

Mr. WYDEN. Mr. Speaker, I rise this morning to talk for a few minutes about the critically important public health issue of keeping America's youngsters from beginning to smoke. This is a public health problem that is growing. Three thousand youngsters in our country every day start smoking and eventually 1,000 of those kids will die of smoking-related illnesses. Most importantly, this is a public health problem that is getting worse. Last week, we learned the tragic news based

on a study from the University of Michigan that smoking among eighth graders is up 30 percent in our country.

Until recently, there have been two options for dealing with all this. One was to regulate tobacco through the Food and Drug Administration.

Last year, I asked each of the tobacco executives whether they believed nicotine was addictive. Each one of them said, no, but they are clearly wrong. Tobacco is addictive. It has drug-like properties, and the evidence is in that the Food and Drug Administration has the legal authority to regulate the product.

Unfortunately, if this option is chosen, if the FDA chooses to regulate tobacco, what will happen is the tobacco companies will go to court, they will sue and we will lose another generation of our children to political gridlock and infighting. So I and other Members of Congress believe that it is time to explore other options. In exploring these options, let us try to set aside the politics that rage about this issue and do what is best for our children.

Some of my colleagues say that if the FDA does not regulate tobacco, that would be good for the South, particularly Democrats in the South. Other colleagues say that if the FDA regulates tobacco, even if nothing gets done, that will be good for the President because the President is taking on tobacco.

Both of those views, in my opinion, do a disservice to our Nation's children.

Tobacco kills, but gridlock kills also. So for that reason, I and Congressman ROSE of North Carolina have suggested another approach. We believe it is worth exploring the concept of the Federal Government entering into a written, binding, legal agreement between the tobacco companies and the Federal Government to take dramatic, immediate measures to stop young people from smoking.

We are talking about banning vending machines from where children congregate. We are discussing banning advertising targeted at young people, and most importantly, at a time when the Federal Government is cutting funds from health and social services, we are talking about the tobacco companies putting up at least \$100 million for the States to have tough enforcement of the laws banning sales to minors and public education efforts to stop young people from smoking.

Most particularly, I believe that this agreement cannot be voluntary. It would have to be legally binding, and if at any point the tobacco companies breached the agreement, then the Food and Drug Administration would go forward and regulate tobacco.

Mr. Speaker, the interests of children has to be our top priority. If there is more gridlock and more political infighting, the tobacco companies can surely hold off FDA regulation to the point where President Clinton is no longer in office. They have deep pockets for lawsuits, and I know personally, because they have taken me and one of our colleagues, Mr. WAXMAN to court over our efforts to make sure that the health of our young people is protected.

Now is the time to act in the interests of our children. Tobacco kills, but so does gridlock. Let us act quickly to protect our children.

ACCORD ON BOAT PEOPLE IN DANGER OF COLLAPSE

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentleman from Nebraska [Mr. BEREUTER] is recognized during morning business for 5 minutes.

Mr. BEREUTER. Mr. Speaker, as the chairman of the Asia and Pacific Subcommittee of the House International Relations Committee, this Member has spoken several times regarding the

□ 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.



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damage done by section 2104 of H.R. 1561, the American Overseas Interests Act, passed by this body on June 8. The section, dealing with the issue of Indochinese boat people, is causing all the problems that this Member and others predicted. More on that subject now.

On June 20, the Washington Post cataloged the devastating impact of this legislation in an article datelined Hong Kong. This Member quotes.

At first, no one knew exactly why a riot erupted at the Hong Kong refugee detention center on May 20th. Thousands of Vietnamese violently battled back with stones, makeshift spears and anything else they could throw, leaving 168 police officers and 73 Vietnamese injured. Refugee workers soon got a clue as to what was happening when they spotted some of the rioting Vietnamese waving tiny American flags and portraits of President Clinton.

Quoting from the Post:

The evidence became ironclad about a week later, when 200 Vietnamese who had volunteered to go home unexpectedly changed their minds, just 48 hours before their scheduled June 1st departure. They told UN officials that they would rather wait in Hong Kong camps until the U.S. Congress decided on a House-passed bill providing for the rescreening of up to 20,000 Vietnamese refugees for possible admittance into the United States.

This Member had predicted before this body that this provision in H.R. 1561 would raise false expectations of resettlement among Indochinese boat people, causing violence in the camps and stopping voluntary repatriation. Unfortunately, as the Post article amply demonstrates, this prediction has come to pass.

Whether this ill-advised provision ever becomes law—and the Clinton administration has already made it clear that this issue is among those certain to provoke a Presidential veto—the damage has already been done. The article continues, and I quote:

A carefully constructed global agreement signed six years ago in Geneva, which laid out a formula for screening the Vietnamese boat people and sending home those not deemed genuine refugees fleeing persecution, seems in danger of collapse. And a more recently agreed-upon timetable for finally resolving the two-decade-old "boat people" crisis by year's end now looks unlikely.

A Hong Kong refugee official is quoted in the article saying:

Like a bolt of lightning, initiatives were taken in Congress that have thrown this program out of gear. This provision is an unhelpful intervention which has raised false hopes.

The official concludes that resolving the boat people crisis was "not easy before Congress. It is even more difficult now."

Mr. Speaker, this body must understand that amendments we approve or reject, bills we approve, laws we enact, actions we take, and statements we make oftentimes do have an important and sometimes immediate impact in the real world, outside the beltway. The best intentions, Mr. Speaker, do not necessarily make good legislation. At the time this body debated this pro-

vision and rejected the Bereuter-Obey amendment, we had ample warning of the dangerous situation we were creating. Despite pressure brought to bear on them, several refugee advocacy groups with years of experience dealing with Indochinese refugees had already publicly denounced the provision as dangerous and irresponsible, as had the United Nations High Commissioner for Refugees, the State Department, and many interested refugee resettlement and host governments.

The same article continues that the problem goes beyond Hong Kong, which is the host of more than 22,000 Indochinese asylum seekers—incidentally, more than one-half of whom come from North Vietnam and have no claim to refugee status based on close ties to the United States military from the Viet Nam era. The article quotes UNHCR officials stating that the legislation has stopped voluntary repatriation at camps throughout the region—not only in Hong Kong, but also in Indonesia, Thailand, the Philippines, and Malaysia.

This Member again quotes the Post.

There also has been violence elsewhere. In Malaysia, many thousands of Vietnamese broke through the fence around the camp on June 5th and paraded through the streets waving banners. Police fired tear gas to disperse them, and 23 people were reported injured. Violence flared again in Hong Kong on June 7, when Vietnamese rioted, torched a building, stole police uniforms and looted rations. Police fired 800 rounds of tear gas to quell the disturbance. Six Vietnamese and two police officers were injured.

Mr. Speaker, this misguided provision in H.R. 1561 was based on the view that there were serious flaws in the screening process by which the boat peoples' claims to political refugee status were evaluated. The intent of this provision is to force a massive rescreening in the camps of all 40,000 camp residents to give them another chance to demonstrate their claim to refugee status. Many objective observers, including some refugee advocates, reject this contention and oppose massive rescreening. Moreover, the Southeast Asian nations where the camps are located have made it clear that they will not countenance a lengthy rescreening process which will delay closure of the camps and could prompt another refugee outflow from Vietnam.

It would be naive to think that the screening of tens of thousands of boat people by local officials, even though under close supervision by the UNHCR, could have been accomplished without error or abuse. In fact, this Member has requested UNHCR reconsideration of 15 cases of Vietnamese asylum seekers who would seem to have a plausible case for refugee status. While this Member certainly is willing to intervene when specific cases of possible error are brought to his attention, he opposes strongly massive rescreening of asylum seekers in the refugee camps.

Moreover, it appears from information provided by UNHCR and non-

government organizations monitoring boat people who have returned to Vietnam, that massive rescreening in the camps is not necessary. These organizations attest that there is no credible evidence of persecution of returnees in Vietnam. So why shouldn't the screened out asylum seekers in the camps return to Vietnam? Recent testimony by the American nongovernmental organization [NGO], World Vision, concludes that screened out boat people have been able to return to Vietnam in safety and dignity. The World Vision witness added that, in addition to the official UNHCR monitoring, the presence of American NGO's throughout Vietnam has provided returnees "a number of options should they wish to raise a question or register a concern."

The problem the international community now faces, however, is that the damage caused by this legislation has already been done. The Bereuter-Obey amendment which would have deleted this highly problematic section of H.R. 1561 was rejected and, as predicted by this Member, the damage was done. Therefore, this Member calls on all parties: UNHCR, resettlement and first asylum countries, Vietnam, the administration, NGO's, and Members of Congress to work out a pragmatic solution to the current impasse. The question we are now facing is how to get the 40,000 plus screened out asylum seekers to return voluntarily to Vietnam. While this Member does not have a concrete solution to offer at this time, it seems that some system of reinterviewing asylum seekers after their return to Vietnam could offer an incentive for the boat people to return, while at the same time maintain the international consensus on this issue.

Mr. Speaker, this Member pledges his support for efforts to devise concrete and pragmatic solutions to this intractable humanitarian problem which the House by its unfortunate action helped to create. This Member calls on other Members of this body, including those who disagrees with him on this legislation and supported the gentleman from New Jersey [Mr. SMITH], to make a similar pledge.

WOMEN'S RIGHT TO VOTE

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentlewoman from Colorado [Mrs. SCHROEDER] is recognized during morning business for 5 minutes.

Mrs. SCHROEDER. Mr. Speaker, I am very pleased to have this time as we close out July to talk about what we have to look forward to in August, and one of the great things we have to look forward to in August is this stamp, this 32-cent stamp will be coming out on August 26 in celebration of women having and the right to vote for 75 years in this country.

Yes, this is really something to celebrate I think, and the stamp is very