

Presidential Commission found in 1980 that teenage employment fell one to three percent for every ten percent hike in the minimum wage. The difference between Pennsylvania and New Jersey was exactly within that range.

The Card and Krueger study has collapsed. The foundation of the Administration's argument for higher wages has fallen apart. Raising the minimum wage destroys jobs. Only by doing sloppy research can economists arrive at another answer. The Card and Krueger fiasco is an example when inadequate research is used to buttress unwise policy.

The minimum wage is an example of misguided compassion. It is a policy that hurts those it is intended to help. We have too many policies from Washington that are detrimental to America's citizens. Effective compassion requires a government that assists its citizens in acquiring the skills necessary to provide for themselves and their families. It requires a government that allows workers to keep more of their income through lower taxes. It requires a government that encourages economic growth through less government spending and less regulation. It is time to measure compassion by our efforts to minimize the number of Americans receiving federal aid—not by the amount of government largesse. Raising the minimum wage fails to live up to its promise of assisting the poor.

TRIBUTE TO KEYSTONE FUTURE FARMERS OF AMERICA

HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 23, 1996

Mr. GILLMOR. Mr. Speaker, I rise today to recognize an outstanding student organization within my congressional district. Members of the Keystone Future Farmers of America captured fifth place in both the national poultry contest and national nursery-landscape contest held in Kansas City during the National FAA Convention last November. A total of 44 nursery-landscape State championship teams and 33 poultry State championship teams entered the competition.

In nursery-landscape the team posted 2,264 points and was edged out of the national title by Bear Creek, NC, who posted a winning score of 2,558. Individually 2 members were in the top 20 with Matt Kappan placing 18th with 779 points and Keith Diedrick scoring 771 points for 20th place. Brad Smith scored 713 points to round out the team scoring.

Members of the poultry team placed 3 members in the top 20 posting a team score of 2,409 and was edged out by national champion Latrina, TX, who scored 2,570 points. Individually, team member Julie Aldrich scored 805 points good for 15th place, Anna Pickworth scored 803 to place 16th. Any Holcomb scored 771 points and placed 36th in overall competition. A total of 176 individuals entered nursery-landscape while 132 took part in the poultry contest.

For teams to qualify for national FFA competition they must win the State contest. In the past 4 years, six teams from Keystone FFA have qualified for the national competition.

I ask my colleagues to join me in honoring the talent and hard work of these students, who under the able direction of Larry Lokai, have set the standard for FFA excellence in Ohio.

SMALL BUSINESS JOB PROTECTION ACT OF 1996

SPEECH OF

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 1996

Mr. MENENDEZ. Mr. Speaker, I have been a supporter of small business but I rise in opposition to H.R. 3448, the Small Business Job Protection Act. While I support the small business provisions of the bill, I strongly object to the Ways and Means Committee not holding hearings on this bill.

I was an original cosponsor of the targeted jobs credit extension bill, which has been included in H.R. 3448, but I was disappointed when the Republican leadership chose to not accept a majority of the Ways and Means Committee's vote to strike from the bill a requirement that employer-paid education benefits be limited to undergraduate schooling. H.R. 127, a bill I sponsored, would have extended employer-provided educational assistance for graduate as well as undergraduate tuition.

These provisions of the bill will hurt businesses and workers. Thousands of workers will not be able to benefit from employer-provided educational assistance since the Republican leadership chose not to extend tax-free employer-provided tuition assistance for graduate level education.

Most of the tax cuts in this bill result from the elimination of section 936 of the Internal Revenue Code. The procedure leading to the elimination of this section is highly suspect. This is a major change in the Tax Code that will have an overwhelming effect on Puerto Rico.

The Commonwealth of Puerto Rico has not been consulted regarding the elimination of section 936. Members have not been given an opportunity to hear about the consequences of this on the Commonwealth of Puerto Rico. It is unfair to place the burden of the tax cuts this bill provides on the Commonwealth of Puerto Rico, which has no vote in Congress, and to eliminate section 936 without holding hearings on its impact. I do not agree with the precedent that has been set.

Members may not realize the adverse consequences of eliminating section 936 without providing a substitute program to stimulate job creation. Eliminating section 936 without any effective substitute will lead to job loss first in Puerto Rico, then in the United States and will finally hurt businesses in America. Without section 936, unemployment and poverty would increase dramatically in Puerto Rico. Where will workers in Puerto Rico look for jobs?

Job loss in Puerto Rico means that residents of Puerto Rico may migrate to areas like my congressional district, where the unemployment rate is already above the national average. People of Hispanic descent have strong family ties and in times of adversity their families will reach out to help them. With unemployment rates in my district over 10 percent, a major influx of unemployed workers will exacerbate a problem which is already intolerable. So you can see the unintended consequences of this legislation not only on Puerto Rico but also in New Jersey, New York, and other areas where Puerto Ricans have settled in the United States. Many Puerto

Ricans living in the States are economically disadvantaged but their generous nature compels them to try to help those who are at even greater economic peril. This doubly disadvantages the disadvantaged.

Finally, it is just bad policy for the Republican leadership to not provide an opportunity to learn about the impact of eliminating section 936 without providing any alternatives. This further disenfranchises the people of the Commonwealth of Puerto Rico while imposing an unfair financial burden on them. Whether intentional or not it is invidious that this legislation singles out an individual ethnic group.

WAITING TO HEAR FROM THE SECRETARY OF THE ARMY

HON. JOHN CONYERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 23, 1996

Mr. CONYERS. Mr. Speaker, the United States has the best intentions in Haiti but right now it is engaged in an obstruction of justice of the most egregious kind. When a multinational force restored democracy to Haiti the United States Military seized thousands of documents from the Haitian Military headquarters and from the headquarters of FRAPH, a violent paramilitary organization. Over a year and a half after they were taken, the Department of Defense still has not returned them, and the State Department is still supposedly negotiating their return. The seized documents are desperately needed today to collect information about human rights violations that took place while the elected president, Jean-Bertrand Aristide was in forced exile.

On December 1, 40 Members of Congress wrote the following letter to President Clinton, calling for the release of the documents:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, December 1, 1995.

President WILLIAM JEFFERSON CLINTON,
The White House.

DEAR MR. PRESIDENT: Just over a year ago, we celebrated the restoration of democracy to Haiti with the return of its duly elected President, Jean-Bertrand Aristide. Your role as president was crucial to this occurring. The re-establishment of the legitimate government of Haiti followed three years of a murderous military regime. Recent press accounts have discussed how the Pentagon is now holding tens of thousands of pages of documents taken during the restoration of government, and has yet to return them. We seek a complete account of all documents and their immediate return to the Haitian government. This is not only normal and appropriate, but expected in the relations between the two friendly nations. The documents should include any and all that may pertain to the Central Intelligence Agency, the Defense Intelligence Agency, or any other part of the United States Government.

There is absolutely no justification why these materials should be in the hands of our government now that the legitimate government of Haiti has been restored. The fact that these documents have been withheld obviously raises questions about the level of collaboration between elements of the American government and the former military regime.

These documents are necessary to the government of Haiti if it is to make sense of

what happened during the three years of President Aristide's forced exile. We should be comforted by President Aristide's enlightened policy of reconciliation that has been the hallmark of his new government. Nevertheless, Haitian investigators must have full knowledge about the sources and causes of the pain and bloodshed during the rule of the military junta if Haiti is to be reconciled and to move forward.

The United States must satisfy its responsibility to meet the Haitian government's right to the ownership of these documents. To deny President Aristide the official documents of his insubordinate military is an insult to this new democratic nation. Anything short of a complete return of all documents also undermines our policy's goals of supporting a thriving, stable, and peaceful democracy in Haiti. It would also undermine the integrity of open democracy in our nation. We might add that history has taught us repeatedly that democracy is not strengthened by concealing what may be embarrassing or what may be inconvenient.

We expect that you will facilitate the immediate return of all the aforementioned documents.

Sincerely,

John Conyers, Jr., Carrie Meek, Julian Dixon, Alan Mollohan, Jim Traficant, Marcy Kaptur, Nancy Pelosi, Eva Clayton, Kweisi Mfume, Barney Frank, Ron Dellums, Joe Moakley, Paul Kanjoriski, Cardiss Collins, Dave Bonior, Sheila Jackson-Lee, George Brown, John Lewis, Louis Stokes, George Miller, Maurice Hinchey, Bennie Thompson, Martin Sabo, Peter DeFazio, Joe Kennedy, Henry Gonzalez, Victor Frazer, Neil Abercrombie, Bobby Rush, Eliot Engel, Major Owens, Eddie Bernice Johnson, Earl Hilliard, Ed Towns, Donald Payne, Sam Gibbons, Chaka Fattah, Bernard Sanders, Vic Fazio, Nita Lowey.

A few days later, Members of the Congressional Black Caucus had a meeting with the Haitian Ambassador Jean Casimir. Then we met with the State Department Haiti Coordinator, Ambassador James Dobbins, who has since moved on to the National Security Council. At both briefings, we learned that the administration intended to return the documents and materials. Soon thereafter, the U.S. government offered the Haitian Government incredibly onerous terms for return which the Haitian Government rejected.

On January 30, two dozen members of Congress joined me in writing to President Clinton again and demanding the release of these documents. That letter follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 30, 1996.

The PRESIDENT,
The White House.

DEAR MR. PRESIDENT: We are writing to you regarding the Haitian documents and materials still in possession of the United States Government. The restoration of democracy in Haiti has been a hallmark of your foreign policy success and we are enthusiastic supporters of this policy and your ongoing attention towards Haiti. We applaud the release of some of the documents, but the continued retention of those remaining troubles us because it is frustrating the judicial process in Haiti. Therefore, we urgently request a meeting with you as soon as possible.

Many of us first wrote to you about this matter on December 1, 1995, and were encouraged by your administration's announcement that the documents would be released.

Nearly two months later, they still have not been returned. Surely this is far longer than is required to resolve any logistical requirements necessary for the secure transfer of such materials. The Government of Haiti needs these documents if it is to understand what happened during the years of President Aristide's forced exile, to continue the process of disarmament, and to fully investigate the crimes of paramilitary groups such as FRAPH. Return of the documents is especially urgent in light of the pending extradition of FRAPH's leader, Emmanuel Constant.

In your eloquently delivered State of the Union address, you pointed out that "in Haiti the dictators are gone, democracy has a new day." The inauguration of a new president in Haiti on February 7 promises a new era of peaceful transition of power. However, the challenges of disarmament and judicial inquiry remain. An important way of assuring that these processes continue is to return the Haitian documents and materials. There is no excuse for the intransigence of elements of the United States Government who are obstructing the rule of law the United States and the Multinational Force helped restore to Haiti. Doing so interferes with the young spirit of democracy and reconciliation in Haiti and contradicts the old tradition of democracy and openness in America. We look forward to meet with you to discuss these matters in full detail.

Sincerely,

John Conyers, Major Owens, Cynthia McKinney, Harold Ford, Barbara-Rose Collins, Bennie Thompson, Ronald Dellums, Louis Stokes, Carrie Meek, Eleanor Holmes Norton, Donald Payne, Alcee Hastings, Sheila Jackson-Lee, Earl Hillard, Sanford Bishop, Albert Wynn, Corrine Brown, Bernie Sanders, Victor Frazer, Jim Clyburn, George Miller, Xavier Becerra, Peter DeFazio, George Brown, Barney Frank, Luis Gutierrez.

But the seizure of the documents took on a whole new meaning when the New York Times reported on February 6 that during the invasion American troops were told by superiors that FRAPH was a legitimate opposition group. They were told this despite the fact that Pentagon and State Department officials knew that FRAPH was a group of bloodthirsty thugs, and that it had been linked to thousands of murders.

This raised a number of troubling questions. For example, why were US troops deliberately misinformed? Why was there such a stark contrast between stated policy and action? Why were the documents taken in the first place? If the documents were taken to protect our troops, why haven't they been returned since, and why weren't they shared with other troops? I decided to put some of these questions to my good friend, the Honorable Togo West, the Secretary of the Army. I am submitting my letter to Secretary West for the RECORD.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, April 12, 1996.

Hon. TOGO D. WEST, Jr.,
Secretary of the U.S. Army, The Pentagon,
Washington, DC.

DEAR TOGO: I know you are aware that our relations with Haiti are of great concern to me. I have traveled there many times over the years, most recently with Ambassador Madeleine Albright to witness that nation's first peaceful transfer of power as the democratically elected Rene Preval was sworn in as president. While this was cause for cele-

bration, difficult challenges for Haiti remain.

One of the most pressing issues facing Haiti is to establish security among the people and confidence in the new justice system by investigating human rights crimes and continuing the disarmament process. I am concerned that the United States is not doing everything it could to advance these goals. While the Republican Congress is preoccupied with a few select murder cases, new gangs and paramilitary organizations threaten a new surge of vigilante violence because their weapons have not been taken away. News reports from Haiti indicate as many as ten armed anti-democratic gangs are currently operating.

During the restoration of democracy to Haiti in the fall of 1994, the U.S. military seized photographs, thousands of pages of documents, and other materials from the Haitian Army (the FAH'd), the headquarters of the Front for Advancement and Progress of Haiti (FRAPH) and other locations. I am well aware of the ongoing discussions between the United States Government and the Government of Haiti to arrange for the return of the Haitian documents.¹ I have written two letters to President Clinton about this matter, signed by a cumulative total of 50 members of Congress. I believe that a return of these materials could make an important contribution to the establishment of peace and justice in Haiti.

This letter, however, is a request for information about the directives that were given prior to the seizure of the documents and materials and what happened in the period after they were taken. Since the U.S. Army constituted a large proportion of American involvement in the multinational operation in Haiti, I thought you would be able to provide me with some details about the actual seizure of the documents and the decisions leading up to that action. Specifically, I would like to know (1) generally what troops were told to look for by commanding officers before the searches; (2) which locations were searched and if a complete list of these sites is available; (3) if SALUTE forms or other inventories are available describing everything that was found; and most importantly, (4) what the established priority intelligence requirements and information requirements were.

I understand that captured enemy material is an important element of intelligence, and that seizure of CEM is vital to gaining information about the adversary. In meeting that requirement, it seems to me that the armed forces involved in the seizures did an admirable job. The seizures in Haiti are a special case because they occurred during a multinational operation. The "Joint Doctrine for Intelligence Support to Operations" (Joint Pub. 2-0) notes in its chapter on multilateral operations that "... nations should share all relevant and pertinent intelligence about the situation and the adversary to attain the best possible common understanding of the threatened interests, determine relevant and attainable objectives, and achieve unified efforts against the adversary." I am a strong supporter of the United Nations and the UN is of course facing increased skepticism in the United States. Therefore my fifth and final request is to hear—from the Army's perspective—how information contained in the seized materials was shared with other

¹I commissioned a Congressional Research Service study by the American Law Division which determined that according to the Foreign Relations Law of the United States and international law as interpreted by the United States, the seized documents clearly belong to the legitimate government of Haiti. The opinion also noted that their seizure and retention is a departure from these norms.

members of the multilateral forces and how that contributed to the successful prosecution of the overall mission.

The restoration of Haiti's legitimate government was a great success for the cause of democracy in general and the foreign policy of President Clinton in particular. UN Secretary General Boutros Boutros-Ghali, who I met with yesterday, agrees with me and I know you do too. For that reason, I hope you will assist me in my effort to learn more about our operation in Haiti. I look forward to hearing from you, and I hope you will personally contact me if you have any questions.

Sincerely,

JOHN CONYERS, Jr.,
Member of Congress.

I will have a copy of today's CONGRESSIONAL RECORD for May 24, 1996, delivered to his office in case my letter was lost before. I look forward to my good friend's response.

[From the New York Times, Feb. 6, 1996]

CABLES SHOW U.S. DECEPTION ON HAITIAN VIOLENCE

(By Larry Rohter)

PORT-AU-PRINCE, HAITI, February 5.—In the months after the United States invasion of Haiti, American officers repeatedly told their troops that the country's most dreaded paramilitary group was actually a legitimate opposition political party. "They're no different from Democrats or Republicans," soldiers in Haiti dutifully echoed when asked about their instructions.

But a review of classified cables sent by the American Embassy in Haiti to the Defense and State Departments shows that for a year before the invasion in September 1994 the Pentagon knew that the official version was not true.

Within weeks of the founding of the Front for the Advancement and Progress of Haiti, the papers indicate, American intelligence agencies had concluded the group was a gang of "gun-carrying crazies" eager to "use violence against all who oppose it."

"All over the country, Fraph is evolving into a sort of Mafia," a cable from the office of the American military attaché in Port-au-Prince warned in the spring of 1994, using the group's acronym. "Its use of force to intimidate and coerce is sanctioned by the local military, which derives both political and especially material benefits from their relationship."

With United States troops now in Bosnia pursuing some of the same objectives as in Haiti, the documents raise questions about the soldiers' mission, the information they are given by superiors and the action they take in the field.

Human rights observers and others who have seen the papers say they also raise the question whether the military ordered American troops to ignore human rights abuses committed before they arrived.

What remains uncertain is why the Pentagon took a public stance clearly at odds with the classified information it had collected in Haiti.

A Pentagon official denied today that there was any conflict between the official position and the inside information: "If daylight is perceived between our public and private perceptions, that's wrong. We agreed on what Fraph was. Fraph was a political movement, but clearly a political movement with a substantial thug element to it. It was clear to us that Fraph represented a potential threat. That didn't change. There were efforts, clearly, in the initial weeks of the intervention to calm the rhetoric and reduce the likelihood that there would be violent confrontations—and that was relatively successful."

Ira Kurzban, an American lawyer who has reviewed the cables on behalf of the Haitian Government, said, "There is absolutely no ambiguity in these documents with respect to the fact that Fraph was an instrument of repression under the control of the Haitian military."

In a telephone interview from the Maryland jail where he is being held for deportation, Emmanuel Constant, the founder of Fraph, said that from the moment American troops landed he was under pressure from the United States military to help it maintain "a form of balance in Haiti" between groups supporting President Jean-Bertrand Aristide and those opposing him.

Mr. Constant said he was told by the American military early in October 1994 that "I should ease up the tension and avoid confrontation" by "giving a speech in which I promised to be a constructive opposition to Aristide." That speech was delivered soon afterward, and Mr. Constant maintained it "was approved by the U.S. Government, by the embassy people" in advance.

In the interview, Mr. Constant acknowledged that he had been an informant of the Central Intelligence Agency before the American invasion but said he now feels betrayed "They have the wrong man in jail," he said.

Haitian Government officials and foreign diplomats here said it appeared the Defense Department and American intelligence agencies were acting to weaken Mr. Aristide, whom they had long distrusted. These officials suggested that United States Government agencies may also have been trying to protect Haitian informants who might be useful in the future but had been discredited by the collapse of the military dictatorship that overthrew Mr. Aristide.

In separate raids on the headquarters of Fraph and the Haitian armed forces after the invasion, American troops seized more than 150,000 pages of official documents, which were taken to the United States. Haiti has demanded their return.

Several hundred pages of United States documents relating to Fraph were obtained last year by the Center for Constitutional Rights for a suit filed in Federal Court in Brooklyn by Alerte Belance, an Aristide supporter now living in New Jersey. She says the group abducted her in Haiti in 1993 and attacked her with a machete, cutting off one of her arms, an ear, and parts of her nose and tongue before leaving her for dead.

Human rights groups say such brutality was typical of Fraph, which they hold responsible for many of the more than 3,000 deaths during Mr. Aristide's exile, from 1991 to 1994.

The Center for Constitutional Rights has filed a motion for a default judgment against Fraph, which has failed to respond to the suit. But Ms. Belance's lawyers have asked the presiding judge to delay any award of damages until their client obtains additional documents, including tens of thousands of the pages seized by American troops from Fraph's headquarters.

"These documents are relevant to establish that Fraph was acting under color of official authority when it carried out the torture of Alerte Belance, and therefore violated international law," the Center for Constitutional Rights contended in court papers filed last month.

Cables that have already been declassified by the Defense Intelligence Agency as part of the suit indicate that American intelligence agencies had a broad network of informants both within the Haitian armed forces and Fraph. In public, however, all parties denied that they were connected.

Soon after Fraph was formed, a State Department cable on Oct. 28, 1993, concluded,

"Their effectiveness is a function of the willingness of their patrons" in the Haitian Armed Forces "to use intimidation and violence (carried out by armed civilian attachés) to 'enforce' their political initiatives."

By December, the military attaché in Port-au-Prince was warning the Pentagon that repression by Fraph in Haiti's southern peninsula "has increased considerably."

When in the spring of 1994 American officials began interviewing refugees who had fled by sea, they obtained an even clearer picture of Fraph's violent methods. Some testimony came from Fraph members who said they had fled in disgust.

"When they kill and rape people, we (new members) are forced to sit and watch," a cable quoted a former Fraph operative as saying, adding, "He also related that later in the initiation process you are forced to participate in the killings and rapes."

But that information was apparently withheld from American troops after they intervened on Sept. 19, 1994, to restore President Aristide and his Lavalas movement. Radio broadcasts to Special Forces units in the Haitian countryside, for example, described Lavalas and Fraph as competing political parties equally dedicated to the country's well-being.

The documents suggests that the American military's willingness to work with Fraph began to diminish only after a radio conversation between Mr. Constant and other leaders of the group was intercepted. According to a cable sent on Oct. 3, 1994, they were "threatening to break out weapons and begin an all-out war against the foreigners" and "named an American official as their first target."

By January 1995, the State Department was denying that the United States had ever treated Fraph as anything but thugs. The Secretary of State's office said of Fraph in a cable to the American Embassy in Haiti, "We viewed it as basically a rent-a-mob group financed by the military for recruiting purposes and dependent upon the military leaders' ability to punish/reward." In addition, the unclassified cable said, "we appreciate the embassy's consistent hard line on Fraph and strongly endorse the embassy's latest clarification of our position."

TRIBUTE TO NELSON "NELLIE"
HAGNAUER

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 23, 1996

Mr. COSTELLO. Mr. Speaker, I rise today to pay tribute to a great American, a dedicated public servant, a devoted family man, and a good friend, Nelson "Nellie" Hagnauer of Madison County, Illinois.

Nellie passed away last Saturday, May 18, at his home in Granite City. In the days ahead, the thoughts and prayers of Nellie's friends are with his family—Bernie, Nip and Mary, Susy and Ron, Jamie, Molly, Ched and Janet, Ruth, and other relatives who loved and will always love Nellie Hagnauer.

Nellie was an outstanding public servant. He served on the Madison County Board for 41 years, 24 as its chairman. He was also the Granite City Township Supervisor, serving in that position since 1961, and was elected chairman of the Madison County Transit District, serving in that position since 1988.

He was always humble about his accomplishments and service, but his legacy to the