

This is an enormous comfort for senior Americans, especially those who have come to a point in their life where they have come to where they have pretty well come to depend on Medicare being there. For 3 years now, we have had recurring reports from the Medicare trustees that the system faced solvency problems, and for 3 years we have tried to reach an agreement with the White House by which we could address this solvency question so we could give peace of mind and comfort and a certain sense of assuredness to our senior citizens.

So when I look at this agreement and realize that one of the first things we have done in this agreement, and thanks largely to the persistence and the thoughtful work of the gentleman from Illinois [Mr. HASTERT], who has dealt with this problem in the greatest of detail, is we have assured that solvency of Medicare. Mom and dad do not have to worry. Their health care needs will be there, preserved.

That is very important. And yet we have done that in a manner that is respectable to their desire and their concerns about their grandchildren, our grandchildren.

We have a budget that clearly drives consistently to balance no later than the year 2002. Why do I say no later than the year 2002? By virtue of the manner in which we account for things in Washington, this is the least optimistic estimate we could make about when we get that arrival date for balance. We do that with real permanent and immediate reforms in all entitlement spending programs that assures that the great compassion of the American people will be there and available to the most vulnerable of our American citizens, particularly the elderly and the children that depend upon the programs of the Federal Government for food and clothing and shelter.

But as we reform those programs and make them more responsible and more responsive to the needs of the truly needy, we also make room for budget savings in the future, and then we are able to couple that with tax relief.

We were talking here a little bit about tax relief, and I would like to talk about that one tax relief that people do not always identify as a family tax benefit: the reduction in the capital gains tax. As the gentleman from Illinois knows, I am an economist by training and, of course, the first testament of the discipline of economics is Adam Smith's wonderful work "The Wealth of Nations," written, incidentally, in 1776, where Adam Smith laid out a principle that has been known and respected by economists ever since. Never has it come into doubt in the development of the discipline of our field that the road to economic progress, economic growth, is through abstinence and capital formation, savings, and the building of productive capacity. And that, immediately, in the person of a family, translates into more, better jobs with better chances of promotion.

And what is that heightens the heart of a mom or a dad, or for that matter even more so a grandma and a grandpa, than to see their young ones finish their education, their schooling and their training and find themselves able to launch into a career where they can begin to develop their own family with the confidence that the jobs are there, the promotion will be there, the pay raise will be there.

As we do that, and we have that economic growth, and we have so much room for a larger growth rate for the American economy, just to get up to the historic average we could grow by at least a percentage point more than we do, that means so much in the lives of our children and our grandchildren.

People do not understand that. They think of the capital gains tax reduction as something that is done for business. It is not that at all. It is done for these youngsters finishing college and looking for a job and looking for a promotion when the first baby comes along, looking for a raise when the time comes for the braces.

□ 1845

That is what capital gains tax reduction is all about.

The other aspect of this agreement that I think heightens the heart of our senior citizens especially is after a lifetime of hard work, and let us face it, we work for our children each and every day of our life.

I remember when I was a youngster, I sort of implored to my dad, I said, "Now, Dad, they've got a Mother's Day and they've got a Father's Day. Why don't they have a kids day?"

He said, "Well, son, every day is kids day." I think he was right. Every day of his life was worked in devotion to me and my needs as we do for our children, and then for us to be able as we come along to more able take the accumulation of our life's work and our savings and our investment and the business that we built or the farm that we created and be more able to leave that to our children. We find that our life's work has that enormous payoff. Can you imagine what that means in the life of grandma and grandpa, mom and dad, and then again in the life of those children.

This is a good budget agreement, Mr. Speaker. I want to thank the gentleman from Illinois again for yielding.

Mr. HASTERT. I thank the distinguished majority leader from Texas. He certainly speaks words of wisdom. We listen to those all the time. I thank the gentleman very much for being here.

#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1469, EMERGENCY SUPPLEMENTAL APPROPRIATIONS BILL FOR FISCAL YEAR 1997

Mr. MCINNIS (during the special order of the gentleman from Illinois, Mr. HASTERT) from the Committee on Rules, submitted a privileged report

(Rept. 105-97) on the resolution (H. Res. 149) providing for consideration of the bill (H.R. 1469) making emergency supplemental appropriations for recovery from natural disasters, and for overseas peacekeeping efforts, including those in Bosnia, for the fiscal year ending September 30, 1997, and for other purposes, which was referred to the House Calendar and ordered to be printed.

#### PLIGHT OF ECUADORAN PRISONERS

The SPEAKER pro tempore (Mr. JENKINS). Under the Speaker's announced policy of January 7, 1997, the gentlewoman from Florida [Ms. BROWN] is recognized for 60 minutes.

Ms. BROWN of Florida. Mr. Speaker, I am here tonight to talk about my recent trip to Ecuador. I met many people who have been in prison for years, sleeping on dirty floors and eating unsanitary foods. There is no hope for a trial. The problem, Mr. Speaker, is that the laws of these countries do not work unless there is a justice system to administer them.

Let me begin by quoting from the State Department 1996 human rights report on Ecuador:

The most fundamental human rights abuses stem from shortcomings in the politicized and ineffective legal and judicial system. People are subject to arbitrary arrest. Once incarcerated, they may wait years before going to trial unless they resort to paying bribes. Other human rights abuses included isolated instances of killings, tortments and other mistreatment of prisoners by the police; poor prison conditions; government failure to prosecute and punish human rights abuses; discrimination against women, Afro-Ecuadorans and poor people in general.

Last month I traveled to Ecuador to visit American prisoner Jim Williams in the Guayaquil Penitentiary. I have a picture here of Jim and his wife. Jim has been in prison at this time for 9 months. When I traveled, I carried his wife. For the first time in 8 months, she and her husband saw each other.

Jim Williams is an American. He is a businessman from Jacksonville, FL, and he has been held in this prison for the past 8 months.

Several months ago, Mrs. Robin Williams, wife of Jim Williams, along with Charlie Williams, brother of Jim Williams, came to my office in Jacksonville to discuss the imprisonment of Jim Williams. They asked if I would travel to Ecuador to help investigate his situation.

After I arrived in Ecuador, two factors became apparent. First is that the Ecuadoran judicial system, including the courts and prisons, is in a shambles, in a country where poverty is the norm and a typewriter is a luxury.

The second is, the United States officials in Ecuador have an overriding role to combat drug trafficking, particularly of Colombian cocaine. Officials related to me that because of the United States pressure for drug suspects to be apprehended, there is a

focus by an overwhelmed local police force to bring in anyone suspected of drug use, drug trafficking or money laundering.

Local police lock up persons who are associated with even suspected drug dealers. Hence, prisoners and prisons are overcrowded with suspect drug usage, drug dealers, or money laundering. They are all lumped together. But because of the rampant corruption and bribery, the most dangerous narcotics offenders and traffickers are able to buy their freedom.

Within this corrupt system, there are 40 Americans in prisons. Most of the people in Ecuadoran prisons have never had a trial and may never have one. They go to a jail where there is no public phones and there are no public toilets. In fact, there are no toilets.

I met one prisoner who had been in jail for 4 years on charges that he had a single marijuana cigarette. I want to repeat that. I met one prisoner who had been in jail for 4 years on charges that he had a single marijuana cigarette. In fact, this turtle that I got from this prisoner so I could remember him, is this not a waste of human talent, human resources? This person that carved this turtle has been in prison for 4 years without a trial, and he may never get one. He has never seen a judge.

The country has only 6 public defenders. Let me repeat that. The country has only 6 public defenders for 10 million people. Most prisoners are hopelessly lost in a broken judicial system.

The cost to Ecuadorans in terms of human capital is enormous. I witnessed children growing up in prison. This is an example of the children in prison with their mothers and their fathers, growing up in the conditions that are some of the worst in the world.

This is a picture of some of the children who live in prisons in Quito with their mothers. They have nowhere else to go. I witnessed fathers who cannot work and who are separated from their families.

There is another cost, the cost of an inefficient system in which lost cases may be lying on the floor in the courtroom and police reports are not filed for months. In other words, if a person is arrested, the judges tell me, it could take 2 or 3 months before the police get the information to the judicial system. So each lingering case represents a person and a family that might linger for years without knowledge of their case or their crime.

I visited a prison with 2,500 prisoners. Only 400 have received a trial. Let me repeat that. I visited a prison with 2,500 prisoners. Only 400 have received a trial.

Jim Williams from Jacksonville got caught in this system. He is a fisherman who has fished in international waters for tuna and other large fish. Jim Williams got caught in this system, Jim Williams from Jacksonville.

Jim is not just a prisoner. He is a person. I met Jim's mother, his brother

Charlie Williams, and his wife Robin. He has a wonderful family here in America who are doing everything they can to help Jim get a fair trial. I will not mention the word speedy trial or timely trial.

As far as I know, there is no substantial evidence linking Jim Williams to any drug deals or any money laundering. Nevertheless, when a large Drug Enforcement Agency net went out to several countries, Jim Williams was in Ecuador and was arrested by local police. He has been in prison now for 9 months, and he and his family have been trying to find their way through the fragmented Ecuadoran judicial system.

Before my visit, Jim Williams was in an overloaded court system. During my visit, I learned that a person suspected of a drug crime will face not just one trial, which is almost impossible to get, but a series of trials because of a harsh counternarcotics law. If suspected drug offenders are fortunate enough to get through the trial and are found innocent, their verdicts are automatically appealed to two more courts. They must stay in jail during these appeals because there is no bail for drug violations.

Because of the extensive bribery system, simply getting a trial can cost a prisoner up to \$30,000. Wealthy people simply buy their way out. But Jim Williams has insisted on proving his innocence. Unfortunately, those who plead innocent spend more time in the system battling the charges than if they had pleaded guilty to the crime and had served their time.

I would like to talk about another Floridian, Sandra Chase. She is 53 years old and has been in jail for 1½ years and still has not had a trial. Mrs. Chase, on her first trip out of the country, went to Ecuador last December. Mrs. Chase is another person arrested on this counternarcotics law.

In March when I went to Ecuador is the first time she finally gave her statement to the police. Mrs. Chase has a circulatory disease and her feet are black and blue. I met her daughter, Tammi Chase from California, last week. She has the following to say:

My mother is a good person who has never been in trouble. Now she is in prison in Ecuador. I don't know who to turn to. My mother will probably get 10 years and serve 5. I have a problem with that. I want to help my mother. I've already sent \$20,000 to pay for a trial, and the money went nowhere. I send her food and clothes which other prisoners steal from her and beat her up. I am scared for her life. Why is there no one to help me?

□ 1900

Mr. Speaker, Mrs. Chase remains in jail today.

I would like to talk about another prisoner, Mr. Richard Parker. Mr. Parker of New York State was arrested in May 1995. He waited 15 months before his trial, 15 months. The judge found him innocent.

Now I want to read that again. Mr. Parker of New York, May 1995; he wait-

ed 15 months before his trial. The judge found him innocent; his case was appealed to another court.

They asked for an additional \$20,000. The next court asked for \$30,000. Richard refused to pay the court. They reversed the sentence, and he received 8 years.

Let me tell you, Mr. Parker now has tuberculosis, and let me read a letter from his father:

I visited Richard for several hours each of the four days I was there. I had the occasion to see the food which was distributed twice each day. Always it was a vat of weak watery broth from which feather heads and yellow feet of chicken stuck out. To obtain edible food prisoners had to buy food which for a payoff guards allowed to be brought in and which for another payoff was prepared in facilities by prisoners who sold it. The cost to support Richard in this environment has been several hundred dollars per month.

Richard was allowed to take me on a tour of the prison, with a guard of course. I met a man from Cuba who had befriended Richard earlier but who could not afford to be moved. Last year another prisoner killed him. I also met a man who had only half of one arm which was still bandaged. He had been disarmed by a prisoner with a machete.

Mr. Parker now has tuberculosis and is still in prison.

During the time that I visited Ecuador, Mr. Parker was in the hospital. If you are in the hospital, it costs your family \$70 a day. So you see that poor people have no way out of the system.

During a meeting with advisers to the Supreme Court, I listened as they explained the most serious need of Ecuadoran judicial system, and I vowed to return to the United States to find assistance. Since returning to Washington, I have learned of the \$10 million World Bank loan package now approved for assistance to Ecuador's judicial system, and I am working to expedite the process.

This certainly should help with reform, but there is an important need for the U.S. oversight. There is a need for accountability.

Like my colleagues on both sides of the aisle, I am committed to fight the drug flow into the United States. Let me say that I am committed to fighting the drug flow to the United States. I agree that drugs are the poison destroying our homes and our children. But we cannot ignore the fact that the war on drugs has helped create casualties in South America and allowing others to buy their way out of prisons. Wealthy people and the poor and innocent are suffering for years imprisonment; it just cannot go on, and they are being treated like animals.

I pray for safety, good health and justice for Jim Williams, Sandra Chase, Richard Parker and thousands of other prisoners in Ecuador who see no end to their injustices. I hope they will soon be reunited with their families. They have already lingered much too long in a broken criminal justice system.

Let me now yield to my colleague who has been very, very supportive,

who is from Georgia, who is the Representative of Jim Williams' family.

Mr. KINGSTON. I appreciate the gentlewoman, my friend from Jacksonville, for yielding. I think it is very important the point that you are making about the war on drugs. It does have to be an international battle as drugs are grown in one country, manufactured in another, sneaked into other countries; it does take a cooperative effort. But as you pointed out, one of the main legs of this has to be good judicial systems.

And you have already mentioned that in the prison that you visited, of 2,500 prisoners only 400 have been to trial and that the costs per trial is \$30,000. Now, that is the hard costs. You and I know there is other costs that are under the table that cannot be reported. But it is a reality down there, and we know about this.

Ms. BROWN of Florida. Let me say that the \$30,000 is not on the table, it is under the table.

Mr. KINGSTON. Well, that is just to get you a place in line, and sometimes, if you want to pay more, it can influence the verdict. And the gentlewoman has pointed out that the families back home, the spouses and the children who are waiting while the loved ones locked up in Ecuador or somewhere in South America, they do not know what is going to happen.

This is an American's worst nightmare. It is bad enough being in jail, innocent; bad enough certainly when you are guilty, but at least in America you know you are going to have a fair trial. But when you are in a foreign country, you do not have that assurance.

You made the statement, and I agree with you completely, that drug laws cannot be adequately or fairly addressed without judicial improvements, including training for police and judges, because we do not want to go and impose our will on other countries, but at the same hand when it affects American citizens, then we have an obligation, and that obligation, we want to work through diplomatic channels, and you certainly have done that. But at the same hand you have to have an urgency to you to say, you have got Americans over there, you got to bring them back because the next person could be someone you know.

And I remember when I was young going to Mexico from the Texas border and going into Juarez, and I remember also having an opportunity to go to Tijuana from California, and I remember vividly as a 17-year-old and 18-year-old my parents begging me not to go because my mama would say: "You don't know," and I am not throwing something off on the Mexican Government, but there would be certain law enforcement folks who could possibly plant something on you just to extort money out of you, and you are locked up in a Juarez jail somewhere, and you do not know what is going to happen to you.

And so often Americans decide not to go abroad, and I think it is important

for us in terms of our relations with other countries to have a good flow of tourism back and forth. But we are not going to have tourism when people are afraid that if they are caught doing something, innocent or not, then they do not know if they are going to get a fair trial.

Ms. BROWN of Florida. Well, one of the things that is tragic about the system is that if a husband and wife is in the country and family members are picked up, fathers, in-laws, anyone suspected; so I mean you do not have to have proof, and you sit in prison for months, years, waiting on a trial, and if you do not have any money, there is no trial.

And in fact you would come out better if you plead guilty, as opposed to pleading innocent, because you will serve more time in prison if you say that you are innocent. And there is something wrong with a system like this.

Mr. KINGSTON. Now the pictures; you have some good pictures right here, but you also had some smaller pictures which I know you could not blow them all up, but the jail itself that these Americans are in looks like what you would envision a jail looking like maybe 50 or 60 years ago. Odors, stains on the wall, dampness, puddles on the floor, cracked ceilings, paint chipping off, graffiti on the walls, and I think worse, prisoners mingling about the rapists and the murderers with the check bouncers.

Ms. BROWN of Florida. As I said earlier, a person with one stick of marijuana or someone that has a drug problem, they are all lumped together.

But let me say something about the prison because perhaps I have not adequately described it. There is no toilets in the prison, none whatsoever. So all of this filth is right there, right out in the open. It is hard to believe that this condition could exist to our neighbor and the overcrowdedness, and the fact is children are being exposed to these conditions and diseases that run rampant in the prison.

Mr. KINGSTON. Now in the Ecuador prison that you went in, the overcrowdedness, it did look to me like there were too many people. Do you know how many people per cell or how do they do it? How many beds?

Ms. BROWN of Florida. They do not have a cell. It is just like an open barn with dirt floors, and there is an upstairs.

Can you see the picture over there with Mr. Williams and his wife? Well, this is a good area. And it is like up and down under, is like a dungeon, and that is where most of the prisoners are. And it is a few steps that separate them. But the odor comes up.

But in this prison where you have over 2,500 people, no fresh water, no toilets; they dig holes in the ground, and they sleep on the dirt. It is just hard to describe.

Mr. KINGSTON. Now in that atmosphere where Americans are being—

Ms. BROWN of Florida. Forty Americans to date.

Mr. KINGSTON. Forty Americans are in this atmosphere. Do they have access to pay telephones?

Ms. BROWN of Florida. No phones. There are no phones.

Mr. KINGSTON. No phones.

Do their mattresses have sheets, or do you know?

Ms. BROWN of Florida. There are no mattresses.

Mr. KINGSTON. No mattresses and no sheets.

Ms. BROWN of Florida. That is right.

Mr. KINGSTON. So no linen.

Do they take showers, and, if so, how often are they able to take showers?

Ms. BROWN of Florida. There is no water, and there is no showers. There is lots of diseases.

Mr. KINGSTON. Is there a medical doctor?

Ms. BROWN of Florida. There is no medical doctor, and in fact Mr. Parker from New York that I talked about had to go to the hospital, and that would be another discussion because it is not a hospital. But the families, the American families, have to pay for that, and it costs \$70 a day.

Mr. KINGSTON. Now, when you find a place to sleep on the floor, do you have the same spot every night, or do you have to kind of push to find a dry warm area?

Ms. BROWN of Florida. It is if you do not have any money, you know your life is at risk every single moment that you are there.

Mr. KINGSTON. How about insects and bugs? South America, Ecuador; I always think you and I are from Georgia and Florida. We have our share of mosquitoes. What is it like down there?

Ms. BROWN of Florida. Well, the conditions is the worst. In fact, the human rights groups indicated that Ecuadoran prisons, and I am sure this may be true in most of the South American countries, but Ecuador, No. 1, is one of the worst human rights violations in the whole world.

And you know I feel kind of responsible in the sense that it is our drug policy, and their system was not set up that there is misdemeanors and you know. So small offenses, all of them, are treated the same, and this is where we can help as far as providing assistance to the judicial system to set up misdemeanors or to set up bail for small offenses.

I mean this is a travesty, a human travesty, and it is the waste of not just the children but the family. But it costs the system just to keep these people in prison.

Mr. KINGSTON. Now you keep talking about if one joint of marijuana is found on you, you might as well have a whole truck.

Ms. BROWN of Florida. That is right.

Mr. KINGSTON. And these prisoners are all mixed together.

What is the prison violence like? Is there a lot, or you know is there a pecking order among the inmates

where, you know, those who are wealthier have better facilities than the poor ones?

Ms. BROWN of Florida. Unless you have some money you have no, no facilities.

Mr. KINGSTON. So if you are an American and your family does not have money or if you do not have a family and you are in this situation, you are just stuck in a rat hole in South America.

Ms. BROWN of Florida. That is right. Most of the Americans do have some kind of family support, but most of the Ecuadorians are just locked in the system like this young man. It was just in fact the prisoners brought him to me. They wanted me to see this example. Here this young man, a young man, got caught with one stick of marijuana being imprisoned 4 years; not a trial, not seeing a judge, not seeing a public defender, just there and will be there because he has no money and no family.

□ 1915

So that is the case for most of the 2,500 people in this particular prison.

Mr. KINGSTON. And he was Ecuadorian?

Ms. BROWN of Florida. Mr. Speaker, he was.

Mr. KINGSTON. Did he make this turtle?

Ms. BROWN of Florida. He made this turtle.

Mr. KINGSTON. Mr. Speaker, he makes a turtle like that in jail. That means he has a knife, right?

Ms. BROWN of Florida. Absolutely.

Mr. KINGSTON. So how old is this kid?

Ms. BROWN of Florida. Well, Mr. Speaker, if the gentleman heard my testimony, one person, Mr. Richard Parker's father, saw the person who had his arm cut off with a machete. So if one has money, one can buy anything. So one of the things that I found out that if one is a drug user, it is easy to purchase in prison. I mean one can get it and one can get as much as one wants, and one can become an addict in prison.

Mr. KINGSTON. Mr. Speaker, it is bizarre that in 1997 that exists anywhere in the world. It is further bizarre that 40 Americans would be in it.

The human rights organization which the gentlewoman alluded to, have they reported any torture in this prison or in similar prisons?

Ms. BROWN of Florida. Mr. Speaker, they have not only reported torture, but murder. Killings.

Mr. KINGSTON. Mr. Speaker, have any Americans been murdered yet?

Ms. BROWN of Florida. No; no Americans to my knowledge.

Mr. Speaker, one of the things is that I met with the other Embassy and asked for a status of all of the 40 Americans that are in prison. My staff met with five women in prison in Quito. And that is where Mrs. Sandra Chase from Fort Lauderdale, she has been in

prison for a year and a half, but there were five women in this particular prison. We met with her and talked with her, and as I said, she has been in prison for a year and a half, had not even given a police report.

Mr. KINGSTON. Mr. Speaker, let me ask the gentlewoman this. She went to this prison and the gentlewoman's visit was fairly well publicized. They knew 2 or 3 weeks in advance that the gentlewoman was coming. The gentlewoman was accompanied by State Department personnel and diplomats, I think. Beyond that, there were professionals and Ambassadors, political-type appointments. They knew the gentlewoman was coming. So did it appear when the gentlewoman was there that the gentlewoman was somewhat insulated from the bare truth?

It sounds to me like the gentlewoman saw things that they would ordinarily want to hide from a visitor such as herself. Did my colleague get the impression things were being hidden beyond this, or did she think that she saw all, and they did not care if she did or did not?

Ms. BROWN of Florida. They did not care. In fact, when I talked to the police and the judges and the public elected officials, one of the things that was said to me was that we need help. We need help, and help is not just financial; judges to come over and help them set up guidelines, workshops, expertise, training to train more judges.

Mr. Speaker, it is a system that is drowning. I went to one of the judge's offices, and it was amazing, papers piled up to the top of the ceiling. No computers, no fax machines. Old typewriters.

So it is an antiquated system that cannot comply.

Mr. KINGSTON. So, Mr. Speaker, they were not telling the gentlewoman, get out, Yankee go home, mind your own business; they were saying, Congresswoman, we are glad to have you here.

Ms. BROWN of Florida. There was none of that, Mr. Speaker. There was none of that. It was a real understanding that we have a problem and we need help with this problem. There was an acknowledgment that bribery, the system, that the system was antiquated, the system was not working, and they just really needed assistance. I hope that we can give them that assistance.

Mr. Speaker, we do a lot of stuff all over the world, but I think we need to start at home, and South America is our neighbor. We need to do something about it. We are all against drugs and drugs coming into our country, but, clearly, our laws have affected their system.

Mr. KINGSTON. Mr. Speaker, let me ask the gentlewoman one more time for the RECORD. What was the name of the prison and what was the city that it was in in Ecuador?

Ms. BROWN of Florida. I visited two prisons, one in Guayaquil and one in

Quito. The first one that I visited, 2,500 people in prison, 400 had received a trial. The other prison that my staff visited was a women's facility in Quito, and that is where the five American women were located. I met with about 10 Americans in Guayaquil, and I talked with them. They were husband and wife, and I talked with them about the various cases. And one of the things I have asked our State Department is to look into the status of each one of these cases and give us a report back on it and let us know what stages these are in.

Now, their justice system has several stages. One is the arrest stage, probably the beginning and the end. But then the next stage should be some kind of a statement as to what one has been tried for. Then, one has one judge that decides whether one is guilty or innocent. And if one is found innocent, it automatically goes to like a Supreme Court, which is three judges; and then they rule on it. During this entire period that could take up to 4 years, you are in prison. There is no bail.

Mr. KINGSTON. Mr. Speaker, so that could take 3 or 4 years. Does one ever get to a stage where one has a trial by jury?

Ms. BROWN of Florida. There is no jury whatsoever.

Mr. KINGSTON. At any stage?

Ms. BROWN of Florida. Mr. Speaker, at any stage there is no jury system whatsoever. There is no bail, and there is no misdemeanor.

Mr. KINGSTON. Mr. Speaker, would it be fair to say that these prison systems are revenue-raisers, that often it is a matter of buy your freedom rather than have it heard in a trial?

Ms. BROWN of Florida. Mr. Speaker, I think it is revenue-raising for the bribery and that system, but it certainly does not look like it is revenue-raising for the country. But those people that are working in that system, for example, Sandra Chase, they paid \$20,000. Where did that money go to? Richard Parker paid \$10,000. Where did that money go to? He was found innocent. However, he was asked to pay another \$30,000. The family refused. He was found guilty and given 8 years in these conditions that we just talked about. He has contracted tuberculosis.

Mr. KINGSTON. Mr. Speaker, when an American overseas gets tuberculosis in a foreign jail, is there any kind of intervening rule in diplomacy that says we can give them medical treatment?

Ms. BROWN of Florida. Well, I did learn of something today that may be helpful to us. I met with the second person in charge of our operation there, the State Department, Mr. Curt Struble. He indicated to me that there is a treaty to date, as we speak, over in the Senate waiting for ratification. What that treaty would do is that the Americans over there could be transferred to American prisons in the United States once we expedite the treaty, and that is a ray of hope.

Mr. Speaker, a lot of times we take this great country for granted.

Mr. KINGSTON. Mr. Speaker, that is true. We do that on lots of fronts and a lot of people.

Ms. BROWN of Florida. Mr. Speaker, that is right. I knew when I came home, I was just glad to be home and glad to be an American citizen. At this point I would not recommend going to some of those South American countries, including Ecuador, until we can straighten out this system.

Mr. KINGSTON. Mr. Speaker, I am glad that the gentlewoman has gone, and I am also glad that she has shared her information with other Members of Congress, because we as Members of Congress need to know what is going on, particularly when American citizens are involved. In this case we have a joint constituent; but if it is an American, it is everybody's constituent.

Ms. BROWN of Florida. Mr. Speaker, let me mention one other thing. I have an amendment that I think was ruled in order on the bill that is coming up, and I guess it is going to come up in the foreign bill.

Mr. KINGSTON. Mr. Speaker, it may be postponed, as I understand it now, until maybe in June.

Ms. BROWN of Florida. June, okay. Well, I hope my amendment will still be in order.

Mr. KINGSTON. Mr. Speaker, I do not know for sure, but I do know that it has been postponed.

Ms. BROWN of Florida. Mr. Speaker, let me say about my amendment, it has been ruled in order, and it does a couple of things. One, it gives language to the President when he reports to the Congress on the status of drug trafficking. And we also want to know when he reports to the judiciary reform, we need to know how that is also working, and also appropriate case management that separates misdemeanor from serious offenses and eliminate corruption. In other words, we want to know what they are doing as far as doing away with bribes and other things that is really embedded in these systems.

Also, there is another aspect: Can Americans and other foreign individuals operate businesses in these countries? According to generally accepted business and human rights provisions, without the fear of arbitrary arrest, without criminal evidence, and without legal representation or a trial.

Mr. KINGSTON. Mr. Speaker, that is a sensible approach to better international relations, and I think a positive step, because if one is operating a business there, one needs to know. I had a case in Savannah of two young women who were aspiring actresses and they got a contract to go to South Korea to do a film, and when they got there, the manuscript of the film was switched to a pornographic movie.

Now, they said: This is not the manuscript we have signed a contract on. And they said: It might not be the manuscript, but it is the movie that

you signed a contract on; and if you break it, in Korea, it is a criminal offense. Or a civil offense is treated like a criminal offense, and so these two young ladies would be put in jail.

We were able to get the State Department involved and our office intervened. We got them actually out of the country in a very spirited chase like out of a movie itself, but got them home. But it is just ridiculous. Here we have two idealistic young women in their early twenties going overseas, the manuscript gets swapped, and they had the good sense to say no.

But Mr. Speaker, the next group or the group before them may have said: Well, I guess we are stuck, we are going to have to do this. And that is what the film company was hoping on. And these girls somewhat called their bluff but at a great personal risk. I think Americans need to know these dangers before we go overseas, particularly in business settings.

I think if one is a tourist and one stays in kind of the middle of the road, they are probably okay, but if they are trying to do something a little bit different, then they can get in trouble.

In fact, it is interesting. I had another friend whose wife is a legal resident. But she is a British national, lives in Savannah. She is a British national born in Hong Kong and she is Asian. She has lived in Savannah, taught school for 20 years. She goes to Korea on vacation. She is leaving and they will not let her leave because she is Asian, and they decide that she has a counterfeit American passport to get into the country and they will not let her out.

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Fortunately, our State Department intervened and they were able to get her out. But again, some of these laws are crazy. Americans can very, very innocently fall into a situation where before you know it they are in jail, they are in some crazy prison, like the ones you have visited, or they are tied up in court, their career is on the line, there are monetary problems, family problems, and so forth.

What the gentlewoman is trying to do with her amendment is say, let us take the uncertainty out of foreign commerce. If we can do that, foreign relations will improve.

Ms. BROWN of Florida. Absolutely. I want to thank the gentleman for his help and leadership on this matter, also. It is just such a vicious cycle as far as the whole criminal justice system in Ecuador. It is very unfair, particularly to the Ecuadorans. We are talking about the 16 Americans, but it is harsh on the Ecuadorans who have no money, so they just sit in prison.

Mr. KINGSTON. And make turtles. I thank the gentlewoman for inviting me to join her tonight, and I appreciate everything she is doing.

Ms. BROWN of Florida. I thank the gentleman very much.

Mr. Speaker, as I come to the close of this special order, I just want to think

about these children that I met. The children are innocent. In many cases the families, the male or female, could be innocent, but this system does not distinguish the innocent from the guilty, or the misdemeanors from the major. So we have the responsibility to do what we can to make the system better.

As Americans, we may be thinking tonight, well, what does that have to do with me? Do Members know, this is a global world. We used to think the world was big, but the ship is very small. We are all in the ship together. We are going to sink and swim together, so I am going to do all I can, working with my colleagues, to make things better for the children here on this side of the border, and the children that live in the Third Congressional District of Florida.

Mr. Speaker, I include for the RECORD a letter to me from James Gordon Williams.

The letter referred to is as follows:

PENITENCIARIA, GUAYAQUIL, ECUADOR,  
Thursday, May 8, 1997.

Hon. WILLIAM CLINTON,  
President of the United States of America,  
Washington, DC.

DEAR PRESIDENT CLINTON: I am writing from my cell in the penitentiary in Guayaquil, Ecuador. Writing the President of the United States was never something I imagined that I would do, but then again neither was spending eight months in a South American jail. I am charged with money laundering for a Colombian that I did business with for a number of years. This man, Jose Castrillon is the target of an FBI investigation in the US. I am an innocent man. If Mr. Castrillon was involved in drug trade, I never saw any evidence of it during the years that I did business with him. The charges against me in Ecuador are based on lies and fabrications by the Ecuadorian National Police. My case would be thrown out of any real court of law in the world. My arrest along with seventeen other persons was documented as the number one accomplishment in the United States Department of State, Bureau for International Narcotics and Law Enforcement Affairs, in their International Narcotics Control Strategy Report, dated March 1997. In this publication, it states that with the help of the US Government, the Ecuadorian National Police dismantled a band of narcotics traffickers led by Castrillon. The persons mentioned in this report are workers, accountants, maids, fishermen, lawyers and businessmen. No evidence of drugs has been related to any of these persons in Ecuador. This US State Department report also contains lies and fabrications.

I would like to relate several facts that have been primarily obvious to me by this experience.

1) Judges, Policemen and Politicians in Latin America can not live on the salaries that they are paid. Corruption is a way of life within these institutions. It has been this way for many years. This knowledge is sine qua non for doing business in Latin America. If drug trafficking and money laundering is a form of corruption in one of these countries then look first to the above institutions for the real culprits. If funds are given to these institutions to fight corruption it would be analogous to giving Al Capone funds to help fight corruption in the US seventy years ago.

2) The US Agencies that are responsible for US drug enforcement in Latin America seem

to have become more concerned with funding than enforcement. At least some of the reports produced by these Agencies are erroneous and misleading.

3) The pressure that is being applied to Latin American Countries by Certification does not hinder drug traffickers who have no interest in that country's real economy, but it definitely creates strong anti American feelings and distrust among the citizens of these Countries.

4) The "War on Drugs" is not a winnable war as it is being fought today. Billions of US tax dollars are being squandered. In Latin America, thousands of innocent persons are being killed, tortured and illegally detained by corrupt forces that are supported by the US. Meanwhile, drugs continue to flow at an ever increasing rate. The suffrage from drug use in the US is a result of the addicts lack of education. If we can not blame the addict then we must blame our society. The torture and killing of innocent persons in Latin America is also the result of ignorance, but not of these tortured citizens nor of their society.

I have lost my business, and my life's savings because of mistakes made by Ecuadorian and US Law Enforcement Agencies. Congresswoman Corrine Brown recently made a trip to visit me in Ecuador. She is doing her best to help me get a fair and expedient trial in Ecuador. The stigma associated with the words "drugs" and "Colombian" scared other US representatives away from my case. Congresswoman Brown was able to see first hand some the results of police brutality and injustice in Ecuador. I beg of you, for the sake of tortured souls in Latin America and for the integrity of our Great Nation, please reconsider your policies on the "War on Drugs".

Respectfully,

JAMES G. WILLIAMS.

Mr. LANTOS. Mr. Speaker, I rise today to join my distinguished colleague from Florida, Congresswoman CORRINE BROWN, in expressing concern for the human rights situation in Latin America and the Caribbean. I congratulate Congresswoman BROWN for her leadership in requesting time so that we can have the opportunity to address these issues.

As my colleagues know, my commitment to human rights around the world has often focused on the Americas, whether by pushing for declassification of our own Government's documents with regards to Guatemala and Honduras, or inquiring into our own end-use monitoring capabilities with regards to Mexico, or even monitoring human rights conditions in the Brazilian Amazon and its link to our contributions to the World Bank. So I welcome this opportunity to remind all of my colleagues that our human rights task in the Americas, while headed more or less in the right direction, is far from over.

Indeed, we have much work ahead of us. We must remain ever vigilant to ensure that the fragile peace that was won in Guatemala, El Salvador, and Nicaragua does not revert to the tempest of human rights violations. We must lend Mexico a helping hand to prevent that government from heading down the slippery slope of increasing human rights violations and to reinforce attempts at institutional reform. We must strengthen the resolve of Hondurans who are prosecuting those who tormented their society through illegality. We must support efforts in Haiti to ensure accountability in its newly trained police forces. And whether we are dealing with Chile or Venezuela, Brazil or Peru, we must unequivocally support all efforts to obtain justice for the

countless victims and survivors of some of our neighbor's darkest periods of their history. Justice is a human right and as such is the birthright of every man, woman, and child on the face of the Earth. We must not forget that human rights are not luxuries or privileges. They are birthrights which I am proud to support.

I would also like to take this opportunity to salute those courageous men and women who strive to make the respect for human rights a part of the everyday reality of their communities and their nations. These human rights defenders unfortunately are under attack in many areas of the Americas. But it is these same people who are our early warning systems in times of trouble. They are the ones on the front lines who can tell us whether or not a situation will worsen. The Colombian human rights defenders have been warning us—and dying while they do so—and we have all witnessed in horror as the paramilitaries in that nation have committed massacre after massacre, often in a preannounced fashion.

Mexican defenders have warned us of the deterioration in basic respects and we have witnessed attack upon attack, while the defenders themselves are subjected to death threats, harassment, and even deportation. In Peru, defenders have received funeral wreaths from the same type of cowardly anonymous thugs who torment defenders elsewhere and in Honduras, not even the children are spared of attacks because of the work their parents do to protect those in need. Clearly this pattern of attacks against defenders must be reversed and we must do all we can to highlight the importance of defenders and our support for what they do. Our Nation must use all of its available resources and occasions to voice support of their courageous work. Indeed it is ironic that those who become involved in protecting the rights of others themselves become subject to attack and having their rights violated.

Finally, we must not forget our role in this equation. We are members of the most powerful Government on this Earth. Every wink, every nod, every transfer of money and every piece of military hardware we send is interpreted as supporting one policy or another. Our silence is equally scrutinized so that when we remain silent in the face of human rights violations, those who commit them think that our Government does not care what happens. We can use this power for good or for ill and an important step is assuming our responsibility for our actions and becoming aware that our intentions must often be followed by our deeds and our words lest what we do or what we fail to do be misinterpreted. By siding with human rights and with its defenders, we assume this responsibility and face this challenge and ensure that the next generations will inherit a better world than what we inherited.

#### A LEGITIMATE DEBATE: HOW WILL AMERICA GET TO A BALANCED BUDGET?

The SPEAKER pro tempore (Mr. LATHAM). Under the Speaker's announced policy of January 7, 1997, the gentleman from Georgia [Mr. KINGSTON] is recognized for 60 minutes.

Mr. KINGSTON. Mr. Speaker, the importance of the budget agreement is

that we are saying that America is no longer going to debate having a balanced budget. We are going to have a balanced budget.

Now that we have answered that question, the next part of it is how are we going to get that. I think that is a legitimate debate: What is the role of government going to be; what are the roles of these bureaucracies; is the expenditure something that the private sector could do better? Is it something a nonprofit organization could do, or is it something that the government should do, but on a State or local level, or is it the domain of the Federal Government? These are all relevant questions as we fight to balance our budget.

The vision of America is what the actual debate is about. It is not just a matter of liberals versus conservatives or urban versus rural, it is a matter of what is it that we think the Federal Government should be doing, should be offering. Should it be involved with your life to the Nth degree, or should it kind of stand back, and so forth. All this ties into the money debate.

As we have it right now, the gentleman from Ohio [Mr. KASICH], the gentleman from Georgia [Mr. GINGRICH], and Mr. DOMENICI and Mr. Clinton and the various players in the House and Senate and the White House have agreed that we will balance the budget by 2002. We have agreed on a number. We have agreed on a downward slope toward it.

The beneficiaries of this will be the American families. When the budget is balanced, interest rates, according to Alan Greenspan, will go down. When interest rates go down that means we will have less interest that we will have to pay on our home mortgages. A 2 percent interest rate on a \$75,000 home mortgage could mean over a 30-year period of time that you pay \$37,000 less; on a \$15,000 car loan, it could mean that you are paying \$900 less. On student loans, anything else you want to borrow, that would be a benefit to the American families.

The other thing about the benefit of a balanced budget to the American family is it would give tax relief. Mr. Speaker, right now we are taxed higher than any generation of Americans in the history of our country. The average tax burden in America today is 38 percent. When you have a tax burden of 38 percent, if you look at this figure just roughly, a two-income family with a combined income of \$55,000, one spouse is making \$22,000, that means that that income is going to pay taxes. That means that that spouse is working for the Federal Government. We might not call it the Federal Government, we might call it a shoe store, we might call it the insurance agency, we might call it clerking at a law firm or working at a hospital, but the fact is that 100 percent of that income goes to pay taxes.

That is higher than what the average Americans are paying for food, shelter, clothing, and transportation. It is an