



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 105th CONGRESS, FIRST SESSION

Vol. 143

WASHINGTON, THURSDAY, MARCH 6, 1997

No. 28

Senate

The Senate met at 12 noon and was called to order by the President pro tempore [Mr. THURMOND].

The PRESIDENT pro tempore. Today's prayer will be offered by Rabbi Joshua O. Haberman, Washington Hebrew Congregation, Washington, DC.

PRAYER

The guest Chaplain, Rabbi Joshua O. Haberman, Washington Hebrew Congregation, offered the following prayer:

Oh God, Creator of all, we turn to Thee for we are ever in need of Thy help. Grant us the vision to see light in Thy light so that we might seek the good of our Nation in conformity with Thy laws of justice.

May our personal conduct and our work as legislators be prompted by righteousness and compassion and bear fruit in goodness and peace. May what we do enhance the well-being of all citizens, diminish the evils that beset us and enlarge our Nation's virtues.

O, Thou who didst create order out of chaos, help us create order in the lives and relations of human beings so that all might dwell in safety and none make them afraid. Amen.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The able majority leader, Senator LOTT, is recognized.

SCHEDULE

Mr. LOTT. Mr. President, today, the Senate will be in a period of morning business to allow a number of Senators to introduce legislation and make statements. I understand the Rules Committee is scheduled to meet this afternoon to begin the markup of the Governmental Affairs Committee funding resolution. It is my hope that there will be an agreement reached on this for the consideration of the funding resolution. If an agreement is reached, the Senate may debate the resolution on Friday and on Monday, and, hope-

fully, complete action on the resolution early next week. It clearly, though, is our intent to take up the funding resolution for the Governmental Affairs Committee next week, hopefully earlier in the week, but at some point we clearly will want to bring it to a conclusion. We have had a lot of discussion, a lot of efforts to find a reasonable arrangement for the committee to go forward. I think we are close to accomplishing that.

Also, I might say that there had been some thought that we would begin a discussion today, debate, if you will, on legislation involving the independent counsel, and we have some legislation pending in that regard. But in my discussions with the Democratic leader yesterday, he indicated that he thought perhaps we could come to some bipartisan arrangement to deal with independent counsel in the Judiciary Committee. I had hoped the Judiciary Committee could act on that today. I understand that perhaps there was an objection lodged to going forward today, and therefore it may be a week before the Judiciary Committee can act on that.

But the Judiciary Committee, as I understand the independent counsel law, can act in a couple of ways. One, the full committee can act in a bipartisan way to begin a process of looking at whether or not an independent counsel is called for. Or a vote of the majority on the committee could also begin this process. We would like it to be bipartisan, and we will work to try to see if that can be accomplished. Since there was an indication that perhaps we could do that, I thought that the good-faith thing to do would be to make that effort in the Judiciary Committee before we begin debate on forcing that action here in the full Senate.

Mr. President, there are a number of military nominations that the Armed Services Committee reported on Tuesday of this week. I am hopeful the Senate will be able to confirm all or at

least most of those during today's session.

Also, the Energy Committee has reported out the Peña nomination this morning, and it is possible that the Senate could take action on the nomination sometime next week. I will be working with interested Senators to see what problems might exist, to see what time they need to address their concerns. It looks like we will not be able to get a vote on the Peña nomination today, but I intend to call it up next week, at the very latest the middle of the week.

As is also usually the case, I will notify our colleagues of the voting schedule as early as possible. I know they will be interested whether or not there will be votes this afternoon or tomorrow. We will get that information to all Senators as soon as we can work through some other scheduling issues with the minority.

I thank all Members for their cooperation and their attention. I yield the floor.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. THOMAS). Under the order, leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the order, there will now be a period for the transaction of morning business, not to extend beyond 1:30 p.m., with Senators permitted to speak for 5 minutes.

Under the order, the Senator from Ohio [Mr. DEWINE] is recognized to speak for up to 20 minutes.

DISASTERS

Mr. DEWINE. Mr. President, as we speak, the flooding continues in Ohio and Kentucky and Indiana and West Virginia. Our hearts and prayers go out

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



Printed on recycled paper.

S2005

to all of those who are suffering and all those who are fighting back, trying to put their lives back in order.

I see on the floor my colleague from Ohio and my colleague from Kentucky and my colleague from West Virginia. All are States, as well as Indiana, that have been hit very hard.

The most heartening thing to see during a tragedy such as this is how people react. We have many organizations that are involved, but probably the biggest organization involved is not an organization at all, it is just Ohioans and Kentuckians and Hoosiers and people from West Virginia who are out there, helping their neighbors and helping their friends, and sometimes just helping people they do not know at all.

It is the American spirit and is something that is a wonderful thing to behold.

PROBLEMS—AND PROGRESS—IN HAITI

Mr. DEWINE. Mr. President, I would like to take a few minutes today to talk about an issue that I have been looking at for some time. I rise today to discuss U.S. policy in regard to one of our most troubled neighbors in this hemisphere. Over the last several years, in my capacity as a member of the Intelligence Committee, I traveled to Haiti on three separate occasions to investigate the problems of that country and to assess the efforts of the United States to help the Haitians cope with these problems and to help them as they try to secure the solid legal and economic infrastructure that has, frankly, eluded them now for centuries.

I did this because I believe Congress and the administration must undertake a candid, realistic look at U.S. policy, what is working, what is not working, and where we go from here. The American taxpayers have already invested a great deal in Haiti, contributing at least \$2 billion to the country's recovery, risking the lives of American service personnel in the 1994 invasion, and leaving hundreds of them there today to help keep an uneasy peace.

While Haiti is not of great strategic importance to the United States, we do have a serious interest in what happens in this, the poorest country in our hemisphere. These interests stem from geography and are amply proven by history. I do not think most of us need to be reminded, for example, about the Haitian boat people. It is clear the only thing preventing yet another explosion of refugees into the southern part of this country is a wise, multinational investment in the stability of Haiti.

Fortunately, recent history has given us some good guidelines, some good advice, if you will, on how to help secure such stability. One of the great principles of the Reagan administration was that America's national interest was best served by having neighbors that practiced democratic and free-

market principles. In Latin America, the Reagan doctrine certainly has worked.

As free elections and economic liberalization has taken place in country after country, the countries of South and Central America have become better neighbors for the United States. I believe these same principles apply to our national strategy in regard to Haiti.

Mr. President, we need to apply these principles to Haiti so that over the long term, Haiti can move out of the category of "problem country" and into a fuller economic and political participation in regional progress. The challenge for us, the challenge for Congress, the challenge for the administration is to provide assistance that actually works, a do-good approach, not a feel-good approach. This means working with the Haitian people to determine the real roadblocks to democracy and to free enterprise and determine what form of United States assistance will help overcome these obstacles.

Two years after the United States invasion, Haiti still is struggling by any reasonable measure. But a closer examination reveals several seeds of progress struggling to take root.

First, Let's start, Mr. President, with the justice system. For democracy to survive, it is not enough that Haitians have the power to effect change at the ballot box. They also must have a working judicial system. Frankly, Haiti has never had a functioning judiciary, certainly not the way we understand it. There are sitting judges today who can't read or write. Others are just incompetent.

Understandably, the Haitian people are demanding change. Specifically, they want to know if President Preval is committed to building an independent and a competent judiciary. Since President Aristide's return, there has been a series of commando-style killings of political opponents. The numbers have dropped off since the inauguration of President Preval, but, disturbingly, too many people in Haiti still think they can commit political murders with impunity.

Mr. President, there are two things you always need if you want to solve high-profile crimes. First, you have to have the expertise, good solid police work, good professional police investigation. And Second, you also have to have the political will from the top so that everyone in the country, everyone in the judicial system, everyone in law enforcement understands the priority.

The good news is that the Haitian national police have established a special investigations unit, SIU, to investigate human rights crimes. The bad news is that while I was there in November, my most recent visit, the SIU consisted of one experienced United States police officer and roughly 36 inexperienced Haitians. This has changed somewhat since my visit, since two more U.S. police officers have been added to the force.

This is one area in which American expertise can make a big difference. Indeed, with some extra United States help, Haiti could succeed in convicting some of the worst defenders, like the murderers of Mireille Bertin and Guy Malary. Mireille Bertin was an anti-Aristide lawyer. Guy Malary was Aristide's justice minister. To prosecute and convict the killers in those kinds of cases would send an unmistakable message to Haitian society: Your chance of getting justice does not depend on what side you are on.

Mr. President, these reforms will not happen without leadership from the President of Haiti. President Preval needs to push judicial reform and make clear that the period of impunity from the left and from the right is now over.

These reforms will not take place either, Mr. President, without expertise and without assistance from the United States. The SIU needs the kind of know-how that U.S. law enforcement officials can provide; indeed, they can provide it better than anyone else in the world.

After my recent visit, I wrote to Deputy Secretary of State Strobe Talbott and told him that additional U.S. expertise is needed in this area. I am pleased to report that I have received a letter back from Secretary Talbott. He wrote me that two additional Creole-speaking U.S. citizens, U.S. police officers, have been added to the SIU since my last visit, and further, that the FBI has agreed to provide a medical examiner to perform autopsies. Furthermore, he told me that the FBI will visit Haiti with a view toward possibly helping to develop an investigation plan for the SIU.

Mr. President, I ask unanimous consent that Secretary Talbott's letter be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. DEWINE. Mr. President, it is my view that this would be a big step forward for the progress of restoring civil society in Haiti. It would help bring high-profile killers to justice and send a powerful message to the people of Haiti that they can count on law and order becoming a reality in the future of their country.

Let me discuss a broader topic—topic No. 2—the ordinary day-to-day operation of the Haitian police as it deals with run-of-the-mill, nonpolitical crimes, the crimes that most people face the threat of each day.

The United States has already helped to train 5,000 young recruits as a civilian police force to replace the discredited Haitian military. This task was and remains daunting. Try to imagine, Mr. President, the Washington, DC police force fired one day, everyone fired en masse and replaced by kids fresh out of the police academy who are then asked to patrol the city's most dangerous neighborhoods. Or think of any other big city in this country.