

S. CON. RES. 3

Whereas, in 1991 at Santiago, Chile, the Organization of American States (OAS) approved Resolution 1080 to deter irregular interruptions of the democratic political institutional process within countries having democratically elected governments;

Whereas the OAS invoked Resolution 1080 (1991) and called for a meeting of the foreign ministers in 1991 to determine appropriate actions in response to the coup d'etat against Haiti's elected President Jean-Bertrand Aristide;

Whereas the legacy of fiat and abuse of the Duvalier dictatorship led the framers of the 1987 Haitian constitution to provide for clear separation of powers;

Whereas the 1987 Haitian constitution permanently vests all legislative authority in the National Assembly and does not provide for rule by decree by the president;

Whereas on January 11, 1999, President Preval seized dictatorial powers by effectively dissolving Haiti's parliament and announcing he will rule by decree; and

Whereas this irregular interruption of the democratic political institutional process requires immediate international attention and action to bring about a return to democracy in that country; Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring), That the Senate—*

(1) condemns the irregular interruption of the democratic political institutional process and considers that interruption to be a serious blow to democracy in Haiti and a serious threat to democracy in the Caribbean region and the Hemisphere;

(2) calls on the Government of Haiti forthwith to fully restore the legitimate exercise of power by a democratically elected National Assembly and to ensure full respect for internationally recognized human rights;

(3) urges the Organization of American States (OAS) to send a fact-finding mission headed by the Secretary General to Haiti and, under Resolution 1080, to call a meeting of the foreign ministers of the OAS member countries in order to consider joint actions to bring about a return to democracy in that country.

SEC. 2. The Secretary of the Senate shall transmit a copy of this concurrent resolution to the President of the United States with the request that he further transmit such copy to the Secretary General of the Organization of American States.

•Mr. DEWINE. Mr. President, today, it is with distress that I rise to submit and seek the Senate's approval on a concurrent resolution to express the deep concern of Congress over the deteriorating situation in Haiti. My colleagues from Florida, Senator GRAHAM; North Carolina, Senator HELMS; and Georgia, Senator COVERDELL have joined me in co-sponsoring this important and timely resolution. The Chairman of the House International Relations Committee, BENJAMIN GILMAN and Chairman of the House Select Intelligence Committee, PORTER GOSS intend to introduce this same resolution in the House very soon.

Mr. President, twelve days ago, Haiti's drawn out crisis took a very troubling turn when Haitian President Rene Preval announced that the Haitian National Assembly's term had expired and he would proceed to install a government by "executive order." What he means, of course, is to ignore Haiti's parliament and rule by decree.

To understand the present situation, one must first comprehend the series of

events in the past year and a half which have led to this unfortunate circumstance. The seriously flawed April 6, 1997 elections, which attracted less than 5 percent of the Haitian electorate, provoked the resignation in June 1997 of Prime Minister Rosney Smarth. For twenty months, a political deadlock has existed between President Preval and the majority party in parliament over the contested April elections and recently over President Preval's nominee for Prime Minister, Jacques Edouard Alexis. The political crisis has virtually paralyzed the government and delayed millions of dollars in international aid to Haiti.

During this period, the President dispatched a series of high-level emissaries, including the Secretary of State and the First Lady, to help defuse the crisis. Former National Security Advisor Anthony Lake has undertaken many missions to help mediate among the parties; most recently in the days leading up to the January 11 announcement.

Only on December 16 did the Haitian Senate ratify Mr. Alexis' credentials. On December 18, the Chamber of Deputies followed suit. Negotiations for the final approval of Mr. Alexis as Prime Minister, however, proved fruitless. President Preval and Mr. Alexis either failed or refused to secure agreement on a cabinet that would allow the prime minister to present his program to parliament for a vote of confidence.

This much is clear: Despite the extraordinary efforts of the Administration's emissaries, President Preval refused to accept any solution to this crisis that left Haiti's parliament in place. The present moment in Haiti is fraught with danger. Micha Gaillard, a Haitian social democrat who was closely associated with the internal efforts to restore then President Aristide to power in the early 1990's following the coup attempt against him wrote on January 16 that:

What is going on today, according to those who were there, is the same as happened in the years 1963-64 when Francois Duvalier was maneuvering to be proclaimed president-for-life. [This] . . . formula has been reviewed and updated. Here it is important that we . . . disavow and condemn far and wide the means employed—usurpations of power, intimidation, violence, and corruption—to subvert the functioning of all the democratic institutions, which are the sole guarantee against dictatorship.

The resolution I submit today puts the United States Congress on record that the irregular interruption of the democratic political institutional process in Haiti must, without further delay, be addressed through Organization of American States Resolution 1080.

In 1991 at Santiago, Chile, the Organization of American States approved Resolution 1080 specifically to deter irregular interruptions of the democratic political institutional process within countries having democratically elected governments. When invoked, a meeting of the Permanent Council of

the OAS and the foreign ministers of the OAS member countries is in order to consider joint actions to bring about a return to democracy in that country.

Resolution 1080 has been invoked several times in the past decade. The OAS invoked the resolution in 1991 to determine appropriate actions in response to the coup d'etat against Haiti's elected President Aristide. It was also invoked in Guatemala in 1993 when Guatemala President Jorge Serrano dissolved the Parliament and the courts; in Paraguay in 1996 when a Paraguayan general attempted a coup d'etat against Paraguayan President Wasmosy; and in 1992 in Peru after President Alberto Fujimori announced the dissolution of the Congress and the courts.

Mr. President, I have visited Haiti seven times in the past three years. I am extremely concerned about the current situation there. Mr. President, I urge my colleagues to support and pass this important resolution. •

#### SENATE RESOLUTION 29—DESIGNATING NATIONAL CORRECTIONAL OFFICERS AND EMPLOYEES WEEK

Mr. ROBB (for himself and Mr. CAMPBELL) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 29

Whereas the operation of correctional facilities represents a crucial component of our criminal justice system;

Whereas correctional personnel play a vital role in protecting the rights of the public to be safeguarded from criminal activity;

Whereas correctional personnel are responsible for the care, custody, and dignity of the human beings charged to their care; and

Whereas correctional personnel work under demanding circumstances and face danger in their daily work lives; Now, therefore, be it

*Resolved*, That the Senate designates the week of May 2, 1999, as "National Correctional Officers and Employees Week". The President is authorized and requested to issue a proclamation calling upon the people of the United States to observe such week with appropriate ceremonies and activities.

#### NOTICES OF HEARINGS

##### COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. LUGAR. Mr. President, I would like to announce that the Senate Committee on Agriculture, Nutrition, and Forestry will meet on Tuesday, January 26, 1999 in SR-328A at 9:00 a.m. The purpose of this meeting will be to review economic concentration in agribusiness.

##### COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. JEFFORDS. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet for a hearing on Improving Education Opportunities: Senators' Perspective during the session of the Senate on Tuesday, January 26, 1999, at 9:30 a.m.

COMMITTEE ON HEALTH, EDUCATION, LABOR,  
AND PENSIONS

Mr. JEFFORDS. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet in executive session during the session of the Senate on Wednesday, January 27, 1999, at 9:30 a.m.

#### ADDITIONAL STATEMENTS

##### PROTECTING OUR UNDERGROUND INFRASTRUCTURE

• Mr. LOTT. Mr. President, the last Congress enacted legislation which protects our nation's vital underground infrastructure. Power cables, telephone lines, water mains and pipelines affect our daily lives, and it is essential that they are given the best protection possible. This legislation, based on S.1115, the Comprehensive One-Call Notification Act, does just that. It provides incentives for states to improve their notification systems—systems which provide for accurate marking of underground facilities, and systems which prevent damage during excavation. This bill became law as part of the Transportation Equity Act for the 21st Century, TEA 21.

I am pleased to report that the response to the one-call legislation has been extremely positive. The truly bipartisan spirit that characterized Congress' approach to the legislation has been carried over into the cooperative spirit of the participants in implementing the bill.

The bill's first mandate convened a study on the best practices in one-call notification. This study will be submitted to Congress in June of this year, and is being carried out by the Office of Pipeline Safety (OPS) of the Department of Transportation. I have received reports that OPS has fully involved those affected by the law in all phases of the design and implementation of the best practices. This has proven to be an excellent model for conducting a cooperative effort between the public and private sectors. Mr. President, I am particularly pleased by the leadership the excavation community has shown in working with one-call center representatives, underground facility operators and others interested in underground infrastructure protection by moving this study process forward.

This study is a bottom-up effort with emphasis on letting those with hands-on experience play leading roles. After a public meeting last August to bring together interested parties, the participants formed nine teams covering various aspects of underground infrastructure protection: one-call center practices, excavation, mapping, locating and marketing, compliance, planning and design, reporting and evaluation, public education, and emerging technologies. The teams are currently gathering information, receiving and

discussing any and all comments, and will produce the first drafts of the chapters for the final report. Team meetings are completely open to interested members of the public. Infact, schedules and minutes are being published on the OPS web page, <http://ops.dot.gov>, under "damage prevention."

Mr. President, the affected parties have checked their differences at the door, have worked together with openness and goodwill, have solved a very important infrastructure problem, and, because there was real world input, it will improve practices in the real world.

Looking ahead, the second phase of the bill calls for the Secretary of Transportation to offer grants to states which encourage improvements in their states' one-call notification systems. I expect the best practices study to significantly help devise criteria for awarding these grants. I hope the President's budget proposal funds these grant activities from general revenues in full recognition of the broad public benefit that accrues from effective underground infrastructure protection.

Mr. President, the process moving forward within the Department of Transportation has enlightened federalism through a government-industry partnership. I congratulate the monitoring the additional steps in the inclusive process to implement the protection of our vital underground infrastructure.●

##### TRIBUTE TO FAIRCHILD AFB KC- 135 CREW

• Mrs. MURRAY. Mr. President, on January 13th, a Fairchild based KC-135 crashed near Geilenkirchen Air Base in Germany. Today, Team Fairchild and its many supporters gathered at the Spokane Opera House to grieve and to honor the memories of four members of the Washington Air National Guard who perished aboard the KC-135 in the service to our country.

I have had the pleasure of traveling to Fairchild Air Force Base on numerous occasions and meeting with the fine men and women there. They provide an indispensable part of our nation's defense and serve with pride and professionalism. I know that this tragedy hits especially hard on that close-knit community, and so it is with a heavy heart that I join them in their grief.

The four who died in the crash were members of the Washington Air National Guard 141st Air Refueling Wing, based at Fairchild Air Force Base near Spokane, Washington. Members of the 141st Air Refueling Wing were in Germany for training purposes and were participating in a routine NATO flight to refuel surveillance planes. The fallen men were all from Washington state, all family men, and all heroes.

Major David W. Fite, the pilot of the KC-135, was a resident of Bellevue,

Washington. He began his service in the Washington Air National Guard in 1991. He is survived by his wife, a brother and his parents.

Captain Kenneth F. Thiele, co-pilot, was a resident of Spokane, Washington and served in the Washington Air National Guard since September 1998. He is survived by his wife.

Major Matthew F. Laiho, navigator, was a resident of Spokane, Washington and served in the Washington Air National Guard since 1989. He is survived by his wife, two children and his parents.

Technical Sergeant Richard D. Visintainer, boom operator, was also a resident of Spokane, Washington. His service in the Washington Air National Guard began in 1972. He is survived by his former wife and children.

Colonel James Wynne, the Wing Commander, was quoted, "The guard is such a close-knit extended family that this will certainly send a wave of grief throughout the unit. This is a tragic loss." Colonel Wynne is right. Fairchild grieves today, its spirit challenged by tragedy. I know Team Fairchild will serve as a comfort to grieving families and fellow Air Force personnel.

My thoughts and prayers are with the families of Major Fite, Captain Thiele, Major Laiho and Sergeant Visintainer. Each will be missed. Each will be remembered.●

##### EDUCATION OPPORTUNITIES AND EXCELLENCE ACT OF 1999

• Mr. COVERDELL. Mr. President, yesterday, I introduced the Educational Opportunities and Excellence Act of 1999. This legislation represents the Republican vision how we can improve educational opportunities for every American child.

Last year, Congressional Republicans passed an educational agenda to provide every child in America with first-class learning opportunities in safe, secure schools, to give parents new choices and more decision-making power over their children's education, and to bring common-sense reforms to a myriad of redundant and antiquated federal education programs. Unfortunately, the special interests in Washington were resistant to change and fought desperately against our reform efforts. This is what happened:

###### WHAT WE PROPOSED AND WHAT HAPPENED

- (1) A+ Accounts—President vetoed.
- (2) Block Grants—Passed Senate, dropped in conference.
- (3) Charter Schools—Signed into law.
- (4) School Choice Pilot Program—President vetoed.
- (5) Teacher Testing/Merit Pay—President vetoed.
- (6) Reading Excellence—Signed into law.
- (7) Teacher and Student Safety—President vetoed.
- (8) Full Funding of IDEA—Increased Funding by over \$500m.

Despite the fierce opposition of our opponents, we will continue our fight to bring the best education possible within the reach of every American