

and cross-examine any witnesses that testify against them.

If we don't act to protect Americans, this court will assume unto itself powers over our citizens that the Constitution forbids. Our first duty as Members of Congress is to protect our Constitution.

Turning a blind eye to the threat posed by this International Court could constrain the options available to American officials. We have no idea what threats the future holds. Can we risk allowing the threat of actions by this court to water down our nation's response to acts of terrorism, the proliferation of weapons of mass destruction, and aggression against our vital interests and allies?

Under this treaty, an American President could be tried before an international court if the prosecutor decided that an American foreign policy decision was unjustified.

This bill protects Americans in several important ways. First, it stops federal, state, and local governments from assisting the ICC. It stops U.S. officials from arresting or extraditing suspects for the ICC. It also prevents U.S. entities from performing searches and seizures. In short, this bill protects Americans from all the ways the ICC could intrude into their lives.

The bill also stops U.S. forces from taking part in missions that would expose them to the reach of this court. U.S. forces could still be deployed if the President certifies to Congress that exemptions to prosecution are in place to protect our forces. The bill also safeguards our national interests by denying classified data to the ICC.

Finally, this bill authorizes the President to use whatever means necessary to rescue Americans who are detained under the authority of the ICC.

The Clinton administration is continuing to seek revisions to the ICC treaty to protect our armed forces from the court's jurisdiction. This legislation should reinforce the administration's efforts by making clear to those countries that support the ICC what the future will hold if American concerns about the court are not satisfactorily addressed.

Mr. Speaker, America is not ready to timidly cede her sovereignty to an unaccountable, international entity that is not bound to respect our Constitution, and that we have refused to join. Members should support this bill and defend our first principles.

INTRODUCTION OF H. CON. RES. 352

**HON. BENJAMIN A. GILMAN**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 14, 2000*

Mr. GILMAN. Mr. Speaker, I submit for the Record the text of House Concurrent Resolution 352, a resolution I am today introducing to express the concern of the Congress of the United States with regard to the increasing intimidation and manipulation of the Russian media by the Russian government, its officials and agencies.

Mr. Speaker, this resolution makes it clear that the Congress is very concerned over a number of things that the Russian government has done—or, at times, failed to do—with regard to freedom of the press in Russia. Very little privatization has been carried out when it

comes to major sectors of the media in Russia. Enterprises such as large printing and publishing houses, newspaper distribution companies, and nationwide television frequencies and broadcasting facilities have been only partially privatized, if they have been privatized at all. In the context of the extensive privatization of state-owned enterprises that has taken place in recent years in Russia, the failure to more extensively privatize key segments of the media is inexplicable. That failure, however, has allowed the Russian government to continue to exert an immense influence over the media at all levels, an influence that we have seen employed, blatantly and cynically, for political ends in the recent parliamentary and presidential elections in Russia.

Beyond the manipulation of the media that took place in the context of the recent Russian elections, this resolution points out that the Russian government and its officials and agencies have taken steps intended to simply intimidate those in the media that it could not manipulate. A new Russian Ministry for the Press was created last July. In one of his earliest statements, the Minister in charge of that agency stated that its job was to address the "aggression" of the Russian press. As leading Russian editors said in an open letter to former Russian President Boris Yeltsin last August, high-ranking government officials have put pressure on the mass media, particularly through unwarranted raids by tax police. In fact, Mr. Speaker, as recently as May 11th, masked officers of the Russian Federal Security Service mounted an armed raid on the headquarters of "Media-Most," which operates "NTV," the largest independent national television station in Russia, and then, just this week, arrested the owner of Media-Most, Vladimir Gusinsky, on what I understand to be rather vague charges.

Mr. Speaker, Russian reporters have been beaten and murdered, and police investigations tend to fail, more often than not, to identify the perpetrators, much less bring them to justice. Andrei Babitsky, a Russian reporter working for Radio Free Europe/Radio Liberty and covering the war in Chechnya, was arrested by the Russian military and then exchanged to unidentified Chechens for Russian POWs, a blatant violation of his rights as a Russian citizen. His prosecution by the Russian government since his return to Moscow has also involved reported abuses of his rights under Russian law. Aleksandr Khinshtein, a reporter for "Moskovsky Komsomolets," was ordered by the Federal Security Service in January to enter a psychiatric clinic far from Moscow for an examination after he wrote critical articles concerning illegal activities by Russian officials, a disturbing return to Soviet-era practices of repression. Thankfully, Mr. Khinshtein's lawyer appeared in time to prevent that order from being carried out, but, who can say what faces such courageous Russian reporters tomorrow?

Indeed, who can be sure what will face the Russian people tomorrow? This resolution points out a very disturbing fact. Russian intelligence agencies are right now moving to ensure total surveillance over the Internet in Russia. Under a so-called technical regulation, known by its acronym as "SORM-2," the Federal Security Service is installing a system by which all transmissions and e-mails within Russia and all such transmissions to parties in

Russia can be read in real time by that agency. At the same time that the manipulation and intimidation of the Russian media is taking place, a new structure of surveillance over all of Russia's citizens is being created.

Mr. Speaker, with regard to the abuse of freedom of the press now underway in Russia, Thomas Dine, President of Radio Free Europe/Radio Liberty, has to date been the only American official who has clearly and strongly identified that distressing trend. He has stated publicly that the Russian government's efforts to intimidate the mass media in that country threaten the chances for democracy and rule of law there. I believe that this resolution makes that fact clear, but also makes it clear that the freedom of expression of Russians in general is under attack by the current Russian government and its agencies.

This resolution makes it clear that the United States continues to support freedom of speech and freedom of the press in Russia. By its passage, the President of the United States will be requested to make that quite clear to the President of Russia and to emphasize the fact that such intimidation and manipulation of the media in Russia is incompatible with true democracy.

Mr. Speaker, I ask my colleagues to join me in supporting passage of this important resolution.

H. CON. RES. 352

Whereas almost all of the large printing plants, publishing houses, and newspaper distribution companies, several leading news agencies, and almost all of the nationwide television frequencies and broadcasting facilities in the Russian Federation remain under government control, despite the extensive privatization of state-owned enterprises in other sectors of the Russian economy;

Whereas the "Press Freedom Survey 2000" reported by "Freedom House" of Washington, DC, stated that the approximately 2,500 regional and rural newspapers in Russia outside of Moscow are almost completely owned by local or provincial governments;

Whereas the Government of Russia is able to suspend or revoke broadcast and publishing licenses and apply exorbitant taxes and fees on the independent media;

Whereas, in 1999, a major television network controlled by the Russian Government canceled the program "Top Secret" after it reported on alleged corruption at high levels of the government;

Whereas, in July 1999, the Government of Russia created a new Ministry for Press, Television and Radio Broadcasting, and Mass Communications;

Whereas, in August 1999, the editors of fourteen of Russia's leading news publications sent an open letter to then Russian President Boris Yeltsin stating that high-ranking officials of the government were putting pressure on the mass media, particularly through unwarranted raids by tax police;

Whereas Mikhail Lesin, Minister for Press, Television and Radio Broadcasting, and Mass Communications, stated in October 1999 that the Russian Government would change its policies towards the mass media so as to address "aggression" by the Russian press;

Whereas the Russian Federal Security Service or "FSB" is reportedly implementing a technical regulation known as "SORM-2" by which it could reroute, in real time, all electronic transmissions over the Internet through FSB offices for purposes of surveillance, a likely violation of the Russian constitution's provisions concerning the right to privacy of private communications,

according to Aleksei Simonov, President of the Russian "Glasnost Defense Foundation," a nongovernmental human rights organization;

Whereas such surveillance under SORM-2 would allow the Russian Federal Security Service access to passwords, financial transactions, and confidential company information, among other transmissions;

Whereas it is reported that over one hundred Russian journalists have been killed over the past decade, with few if any of the government investigations into those murders resulting in arrests, prosecutions, or convictions;

Whereas numerous observers of Russian politics have noted the blatant misuse of the leading Russian television channels, controlled by the Russian Government, to undermine popular support for political rivals of those supporting the government in the run-up to parliamentary elections held in December 1999;

Whereas it has been reported that Russian television stations controlled by the Russian Government were used to disparage opponents of Vladimir Putin during the campaign for the presidency in the beginning of this year, and whereas it has been reported that political advertisements by those candidates were routinely relegated by those stations to slots outside of prime time coverage;

Whereas manipulation of the media by the Russian Government appeared intent on portraying the Russian military attack on the separatist Republic of Chechnya to the maximum political advantage of the Russian Government;

Whereas in December 1999 two correspondents for "Reuters News Agency" and the "Associated Press" were reportedly accused of being foreign spies after reporting high Russian casualty figures in the war in Chechnya;

Whereas the arrest in January 2000, subsequent treatment by the Russian military, and prosecution by the Russian Government of Andrei Babitsky, a correspondent for Radio Free Europe/Radio Liberty covering the war in Chechnya, have constituted a violation of commitments made by the Russian Government to foster freedom of speech and of the press, and have reportedly constituted a violation of the Criminal Code of the Russian Federation;

Whereas in January 2000 Aleksandr Khinshtein, a reporter for the newspaper "Moskovsky Komosomlets", was ordered by the Russian Federal Security Service to enter a clinic over 100 miles from his home for a psychiatric examination after he accused top Russian officials of illegal activities, and such detainment in psychiatric wards was previously employed by the former Soviet regime to stifle dissent;

Whereas the Russian newspaper "Novaya Gazeta" was officially warned by the Russian Ministry of the Press for its printing of an interview with Aslan Maskhadov, the elected President of the Republic of Chechnya; an entire issue of "Novaya Gazeta", including several articles alleging massive campaign finance violations by the presidential campaign of Vladimir Putin, was lost to unidentified computer "hackers"; and a journalist for "Novaya Gazeta" was savagely beaten in May of this year;

Whereas President Thomas Dine of Radio Free Europe/Radio Liberty on March 14th, 2000, condemned the Russian Government's expanding efforts to intimidate the mass media, stating that those actions threaten the chances for democracy and rule of law in Russia;

Whereas "NTV", the only national independent television station, which reaches half of Russia and is credited with professional and balanced news programs, has frequently broadcast news stories critical of Russian Government policies;

Whereas on May 11, 2000, masked officers of the Russian Federal Security Service carrying assault weapons raided the offices of "Media-Most", the corporate owner of NTV and other independent media;

Whereas the May 11th raid on Media-Most represented a failure of recourse to normal legal mechanisms and conveyed the appearance of a politically-motivated attack on Russian independent media;

Whereas the raid on Media-Most was carried out under the authority of President Putin and Russian Government ministers who have not criticized or repudiated that action;

Whereas on June 12, 2000, Vladimir Gusinsky, owner of NTV and other leading independent media was suddenly arrested;

Whereas President Putin claimed not to have known of the planned arrest of Vladimir Gusinsky;

Whereas the continued functioning of an independent media is a vital attribute of Russian democracy and an important obstacle to the return of authoritarian or totalitarian dictatorship in Russia; and

Whereas a free news media can exist only in an environment that is free of state control of the news media, that is free of any form of state censorship or official coercion of any kind, and that is protected and guaranteed by the rule of law: Now, therefore, be it

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

(1) expresses its continuing, strong support for freedom of speech and the independent media in the Russian Federation;

(2) expresses its strong concern over the failure of the government of the Russian Federation to privatize major segments of the Russian media, thus retaining the ability of Russian officials to manipulate the media for political or corrupt ends;

(3) expresses its strong concern over the pattern of Russian officials' surveillance and physical, economic, legal, and political intimidation of Russian citizens and of the Russian media that has now become apparent in Russia;

(4) expresses its strong concern over the pattern of manipulation of the Russian media by Russian Government officials for political and possibly corrupt purposes that has now become apparent;

(5) expresses profound regret and dismay at the detention and continued prosecution of Radio Free Europe/Radio Liberty journalist Andrei Babitsky and condemns those breaches of Russian legal procedure and of Russian Government commitments to the rights of Russian citizens that have reportedly occurred in his detention and prosecution;

(6) expresses strong concern over the breaches of Russian legal procedure that have reportedly occurred in the course of the May 11th raid by the Russian Federal Security Service on Media-Most and the June 12th arrest of Vladimir Gusinsky;

(7) calls on the President of the United States to express to the President of the Russian Federation his strong concern for freedom of speech and the independent media in the Russian Federation and to emphasize the concern of the United States that official pressures against the independent media and the political manipulation of the state-owned media in Russia are incompatible with democratic norms; and

## SEC. 2. TRANSMITTAL TO SECRETARY OF STATE.

The Clerk of the House of Representatives shall transmit a copy of this resolution to the Secretary of State with the request that it be forwarded to the President of the Russian Federation.

## CITIZENS DESERVE MORE INFORMATION ABOUT 527 CAMPAIGN ATTACK ADS

**HON. RUSH D. HOLT**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 14, 2000*

Mr. HOLT. Mr. Speaker, today, I am proud to join many of my Democratic colleagues in signing a discharge petition to bring legislation to the floor of the House of Representatives to require full disclosure of so-called 527 ads—the political attack ads that are becoming a disturbing way of life in politics today. These ads are the latest scheme to get around campaign finance laws. The undermine our democracy.

I speak from experience about 527's. As a freshman Member of Congress, I have had these anonymous attack ads running in my central New Jersey district—both against me and against the loser of the primary election in my district.

527 ads are the political equivalent of a drive-by shooting. They are deceptive—they are anonymous—and they keep citizens in the dark about who is trying to influence their elections.

Citizens deserve the right to know who is contributing money to elections. Full disclosure allows citizens to make more informed judgments about issues and elections.

I urge my colleagues to join me in signing the discharge petition.

## TRIBUTE TO DEPUTY MAYOR MATHEW WITECKI FROM LITTLE FALLS, NEW JERSEY

**HON. BILL PASCRELL, JR.**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 14, 2000*

Mr. PASCRELL. Mr. Speaker, I would like to call to your attention to the life of a man I am proud to call my friend, Mathew Witecki of Little Falls, New Jersey, who passed from this Earth on Sunday, May 29, 2000. It is only fitting that Mayor Witecki be honored, for he has a long history of caring, generosity and commitment to others. Due to his leadership and dedicated service, I am honored to submit these words to be immortalized in the annals of this greatest of all freely elected bodies.

Fifteen years ago, Mathew Witecki made his political debut by wearing a gas mask and pushing a baby carriage during a protest to stop the construction of a landfill on part of the Montclair State University Campus. Mathew, the former mayor and deputy mayor of Little Falls, joined the picket line and helped fight plans to dump garbage from New York on a site near the border of Montclair and the township where he lived for 43 years.

Since his political debut, Mayor Witecki, 76, a retired engineer, served on the Little Falls Township Council and was an active member of numerous community organizations until he died on this past Sunday. Mathew was the son of Polish immigrants who grew up during the depression. He is remembered as a man who never wasted time or resources. Mathew was a graduate of Newark College of Engineering and retired in 1986 as a senior engineer for Bendix Corp. after 45 years of service. He then worked as a consultant for Allied