

CONGRESS OF THE UNITED STATES,

Washington, DC, February 3, 2000.

MADELEINE ALBRIGHT,

Secretary of State, U.S. Department of State,  
Washington, DC.

DEAR SECRETARY ALBRIGHT: In the President's State of the Union Address and in the media, it has been reported that the Administration will submit a supplemental request to provide as much as \$600 million in counter-narcotics assistance to Colombia, primarily assistance to the Colombian Armed Forces. It is our understanding this is but one piece of an overall \$1.3 billion package, primarily of military, military-related and counter-narcotics assistance.

We share your concerns about the threat to Colombia's democracy and economic development from narcotics traffickers, rebel forces and paramilitary groups. However, it is clear our current policy, which has already involved hundreds of millions of dollars in assistance to the Colombian security forces, has not reduced coca cultivation in Colombia, the flow of cocaine or heroin to the U.S. from Colombia, or the profits of drug traffickers. Rather than increase funding for a strategy that has not proven effective and requires even larger amounts of military assistance for the foreseeable future, we believe the U.S. and other friends of Colombia must provide stronger support for diplomatic efforts to strengthen the peace process and promote stronger economic and alternative development programs, thereby creating the conditions necessary for a more effective counter-narcotics strategy. These objectives should not be relegated to poorly funded "add-ons" to large-scale military assistance packages.

We are also concerned about providing substantial assistance to the Colombian Armed Forces, which has a long history of human rights violations, including support for paramilitary groups. Our concern is compounded by the lack of accountability in the Colombian military for human rights violations committed by military personnel. Even when Colombian government prosecutors have abundant evidence showing that high-ranking military personnel have committed serious violations, these officers are rarely prosecuted fully or punished. Recent measures by Colombia's leaders to reform the Military Penal Code and criminalize torture, genocide and forced disappearance are important steps forward, but they are not yet final. Further, they do not adequately address other crimes against humanity, such as extrajudicial killings or the continuing lack of accountability of military tribunals.

The need for accountability is critical. If the U.S. does provide assistance, it should be conditioned on the rigorous application of the August 1997 ruling of Colombia's Constitutional Court, which requires that crimes against humanity allegedly committed by military personnel be investigated and tried in civilian courts. Neither the Colombian military nor the Superior Judicial Council has abided by this Constitutional Court ruling; they have continued to refer human rights cases to military tribunals. We believe that as a condition of U.S. assistance to the Colombian Armed Forces, the Government of Colombia take the necessary measures to require the military to support civilian jurisdiction in cases involving credible allegations of human rights abuse by military personnel, including cases where officers are accused of conspiring to commit or facilitate murders and massacres. In this way, President Pastrana can ensure that all cases involving human rights abuses by military personnel are sent to civilian courts, which are best equipped to investigate them impartially and guarantee due process.

The Administration should also provide periodic reports to Congress on the number

of Colombian military and police personnel who are investigated, prosecuted and convicted of human rights violations in both the civilian and military justice system. The reports should include the sentences they receive and the number suspended from active duty pending the outcome of such proceedings. Such Administration documentation will allow the Congress to assess the extent of accountability by the Colombian military for human rights violations.

We also believe that U.S. assistance should be conditioned on actions by the Colombian Government to ensure that all links, at all levels, between the Colombian security forces and paramilitary groups are severed. U.S. assistance should not be provided to those who aid or abet or tolerate the activities of paramilitary groups, which are most responsible for internally displaced people, as well as responsible for human rights violations and narcotics trafficking. The capture of paramilitary leaders would be an important measure of the Colombian government's commitment to this goal.

For Congress to be able to assess the extent to which the links between the military and paramilitary groups have been severed, the Administration should provide periodic reports on the enforcement by the Colombian National Police and the Armed Forces of outstanding arrest warrants against paramilitary leaders and members, the suspension from active duty of military personnel credibly alleged to have aided or abetted the activities of the paramilitaries, and the prosecution in the civilian justice system of military personnel for human rights violations, including murder and conspiracy to commit murder, committed in the course of their support for paramilitary groups.

As you well know, respect for human rights and accountability for human rights violations require a civilian court system that functions effectively. Our assistance should include, therefore, funds to strengthen Colombia's civilian justice system. This should include reform of the rules governing disciplinary proceedings carried out by the Colombian Government's Office of the Procuraduria against members of the military and police. These reforms should also include the elimination of the statute of limitations on crimes against humanity and the establishment of a policy to immediately dismiss and prosecute in civilian courts any officers found responsible for such crimes.

It is vitally important that U.S. assistance to Colombia be used to support human rights organizations and monitors, protect the security of human rights defenders, and strengthen non-governmental organizations and civil society. U.S. Embassy personnel should also investigate reports of human rights violations in accordance with the purposes of the Leahy provisions enacted into law (Section 564, PL 106-113 and Section 8098, PL 106-79).

As you prepare to send to Congress your proposal for increased assistance to Colombia, we hope you will seriously consider these important issues. As always, we look forward to working with you to achieve our shared goals of supporting a democratic Colombia, where the human rights and welfare of its people are safeguarded.

Sincerely,

JAMES P. MCGOVERN,  
Member of Congress.

JOHN JOSEPH MOAKLEY,  
Member of Congress.

#### UNEMPLOYMENT IS LOW WHILE UNDEREMPLOYMENT IS HIGH

The SPEAKER pro tempore. Under a previous order of the House, the gen-

tleman from Tennessee (Mr. DUNCAN) is recognized for 5 minutes.

Mr. DUNCAN. Mr. Speaker, I have said before that while our unemployment rate is very low, our underemployment is terrible. We have young people with degrees or even graduate degrees all over this country whose highest paying employment is as a waiter or waitress in a nice restaurant. While working in a restaurant is certainly honorable employment, it is sad that so many millions now have degrees or even graduate degrees and cannot find jobs in their degree fields.

In yesterday's Washington Times, an article said that far less than half of those who have received doctorates, Ph.D.s in English or foreign languages, were able to find college teaching jobs.

The story told of one man who received a doctorate in English from the University of Colorado and who did not bother to apply for a job at a small college in northeast Texas after he found out that he would have been the 350th applicant for that job.

We now have a trade deficit of \$350 billion. Most economists tell us that we lose conservatively 20,000 jobs per billion. This means we lost roughly 7 million jobs to other countries last year alone. Because of weak trade dealings and because environmental extremists do not want us to drill for any oil, dig for any coal, cut any trees, or use our natural resources in any way at all, we are losing many of our best highest paying jobs to other nations.

□ 1500

First this was a trickle. Now it is happening very, very fast. We cannot base our whole economy on the tourism that the environmental extremists always want and always bring up unless we want millions more working at minimum wage or barely above minimum-wage jobs. Also, our colleges and universities are doing a real disservice to the young people of this country if they do not start warning students that certain fields have almost no jobs or good job prospects; and I think they should at least warn the young people and parents and entering freshmen should check out these things very closely, because it is a very sad thing to sit with parents or grandparents of very fine, nice-looking young people who have made very good grades and who have received degrees, sometimes even graduate degrees and cannot find good jobs after getting these degrees.

Secondly, I heard while driving in this morning that because of rapidly rising oil prices, some fishermen and others in the Northeast have asked the President to declare a state of emergency because fuel and home heating prices are going up so fast, particularly in the Northeast. Everyone knows that we have become far too dependent on foreign oil. We have done this at a time that we are sitting on billions and billions and billions of barrels of oil. We could easily bring down the price of oil or at least hold it steady by drilling for

more oil offshore and in Alaska. But once again environmental extremists who almost always are very wealthy people do not want us drilling for any more oil.

Some of these extremists even have said that they think our oil prices should be two or three times higher than they are so that more people will be forced to use mass transit. But this would really be harmful and would put the final nail in the coffin of some of our small towns and some of our rural areas where mass transit is not available and where people have to drive sometimes long distances to get to good jobs. Do we really want to force more people into our big cities that are already overcrowded and where more pollution occurs? If we want lower prices for everything and more good jobs, we need more domestic oil production.

The very misnamed Arctic Wildlife Refuge, which has 19.8 million acres of land in Alaska, could produce many billions more barrels of oil if we would just allow drilling on far less than 1 percent of its territory. Most of this refuge is nothing but a frozen, huge brown tundra that does not have a bush or a tree on it or at least not one within many, many miles. If we opened up only 12,000 acres, far less than 1 percent of this refuge, we could get to billions of barrels of oil; and it could be done in an environmentally safe way and without hurting even a single animal or cutting even one tree. Yet once again wealthy environmental extremists do not want us to do this, even though their actions are hurting the poor and working people of this country most of all and are also helping keep young college graduates from getting good, high-paying jobs.

These are just some things that I hope many people in this country and in particular my colleagues here in the Congress will consider in the months ahead.

#### STOP SPLINTERING FAMILIES; START APPLYING AMERICAN FAIRNESS AND JUSTICE

The SPEAKER pro tempore (Mr. SUNUNU). Under a previous order of the House, the gentleman from California (Mr. FILNER) is recognized for 5 minutes.

Mr. FILNER. Mr. Speaker, I rise today to say that we must stop the splintering of American families that resulted from the so-called immigration reform act passed in 1996. We must stop deporting hardworking legal, I repeat, legal immigrants who are raising stable families only because they committed a minor infraction years or even decades ago. We must stop hauling away parents in the middle of the night in front of their children, and we must stop denying these people now in detention the most basic constitutional rights that we in America believe everyone should have.

Yet that is exactly what the 1996 immigration law does. It redefines the

term "aggravated felony," which sounds so horrible to cover virtually every crime ever committed. It is retroactive, covering crimes decades ago. It denies basic constitutional protections such as bail and visitation rights. Again, I repeat, we are talking about legal immigrants, immigrants residing in this country in a legal fashion.

The law that was passed in 1996 removes the authority of immigration judges to take into account a person's contributions to our society as well as any past misdeeds. The law removes Federal judges' oversight over the immigration process. It allows INS, Immigration and Naturalization Service, deportation officials to pick someone up after they apply for citizenship, put them in detention maybe in the middle of the night without their relatives knowing where they were and hold them without bail. Mr. Speaker, this is America. This has to stop. We must start to restore justice and fairness to immigration proceedings.

Let me just give my colleagues a few examples of how this law is splintering families in the San Diego area. Just yesterday, I received a letter from 13-year-old Aida. Her father had always been a good provider; but in the middle of the night, he was picked up by the INS, handcuffed in front of his children and deported. Now his family has to rely on welfare.

Allan is 34 years old and came to the United States when he was 16. He was arrested for grand theft in his 20s and served a 3-year sentence. But today, many years later, he faces deportation despite doctors' diagnoses of attention deficit disorder and possibly Tourette's syndrome. Several doctors said he should be treated for mental illness rather than being incarcerated further for crimes for which he has already paid his price.

Juan, who is 44, has been in the United States since he was a young man. He was convicted of drunken driving and served 7 months of a year sentence. This sentence was expunged from his record by California courts, but still the INS picked him up at his home at 2 in the morning. He served more time in detention while waiting for deportation than he did for his original DUI.

I repeat, Mr. Speaker, this is America. Here we do not allow unconstitutional actions. Here, actions do have consequences; but we have a system of checks and balances to ensure that no branch of government can ride roughshod over our rights.

Mr. Speaker, I propose to roll back the draconian provisions of this 1996 law. My own bill, H.R. 3272, the Keeping Families Together Act, would do the following, and I repeat, this is for legal immigrants. It would restore the previous definition of aggravated felon so people would not be dragged into jail for very minor crimes. It eliminates the retroactivity sections so minor crimes from decades ago are not counted against the immigrant. It restores

previous standards so as to allow a judge to take into account community ties before deciding on deportation. It eases mandatory detention requirements for immigrants who have completed their sentences or probation. It reinstates the authority of Federal courts to review immigration matters. And it does ensure, Mr. Speaker, that murderers, rapists, and terrorists, true aggravated felons, the people we want to deport, would still be deported.

Mr. Speaker, we need to start here. We need to start to restore fairness so that our Pledge of Allegiance truly means with liberty and justice for all. We must stop the practices that would shame anyone who reveres our constitutional system.

#### LITHUANIAN INDEPENDENCE DAY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. SHIMKUS) is recognized for 5 minutes.

Mr. SHIMKUS. Mr. Speaker, today I rise in celebration of another year of independence for Lithuania. While some may consider this the 10th anniversary of the day many brave Lithuanians faced the Soviet tanks to restore freedom, it is truly the 82nd anniversary of Lithuanian Independence Day. As a Lithuanian American, I am proud of my ancestry and what Lithuania stands for, such as resilience, determination, tenacity and pride. What I find especially promising about the Lithuanian people is how far they have come after reestablishing independence just 10 years ago.

Today, Lithuania is a vibrant economic power in central Europe. In 1998, Lithuania had the lowest inflation rate in Central and Eastern Europe and privatized 344 companies. I am sure that the 1999 numbers will be just as encouraging. Additionally, Lithuania continues to contribute to the security of the Baltic region by implementing key defense programs and priorities.

First of all, the Seimas has already approved a 10-year defense spending program which will reach 2.5 percent of the GDP by 2005. This increase in spending will ensure that appropriate equipment will be procured and critical troop reforms will be made. The additional spending will also secure Lithuanian interoperability with NATO forces. While Lithuania already participates in some NATO forces, interoperability will again prove Lithuania's readiness to join NATO as a full-fledged member.

However, entrance into NATO and defense spending are only one aspect of such a diverse country. Trade, economic development, and foreign investment will help to strengthen Lithuania not only in Europe but across the globe. Today, out of the top 10 foreign investors in Lithuania, only three are American companies: Williams, Phillip Morris, and Coca-Cola. As the government continues to privatize industries and services throughout the country,