

I think Everett Dirksen said a billion here and a billion there, and pretty soon you are talking about real money. \$1.8 trillion times 35 percent, \$630 billion is a whole lot of money.

I want to congratulate our colleagues for the bill we passed last week. There are a lot of good things in it. But I do want to chastise them on this. The author of that bill stood here in front of this very microphone and said his plan would save about \$18 billion over 10 years. Well, that is good. \$18 billion versus \$630 billion. I will ask America which program they want.

Mr. KINGSTON. Well, I think that it is sensible to explore both options.

Mr. GUTKNECHT. Right.

Mr. KINGSTON. I did support the Tauzin bill, the Thomas bill, the one the gentleman from Ohio (Mr. PORTMAN) and the gentlewoman from Connecticut (Mrs. JOHNSON) and so many others on the Committee on Ways and Means and Committee on Energy and Commerce, the gentleman from North Carolina (Mr. BURR), have championed.

The way I understand that bill, it is basically for a premium of about \$35 a month, seniors on a voluntary basis would enroll in a program where they would take a \$250 deductible, and from \$250 to \$1,000 Medicare would pick up 80 percent of the cost of drugs; then from \$1,000 to \$2,000, Medicare would pick up 50 percent; and then there is a gap, and there is a reason for that.

Most of the people are going to fall under \$2,000, but from \$2,000 to about \$3,800, the senior would pay for 100 percent. Beyond that, Medicare picks up the tab. So you have catastrophic coverage. Unfortunately, there are a lot of people these days having to pay \$6,000, \$7,000, \$8,000, \$10,000, \$20,000 a year on drugs. But so many people are in a lifestyle now where they have to take three, four, five, six pills a day.

I talked to a man over the weekend or over last week at one of my 11 town meetings, and he is actually having to take 2 pills a day, \$17 each. So he is having to spend each and every day \$34 on just two pills. He is only 51 years old. I hope he lives 50 more years at least, but the reality is, can you imagine at age 51 having to pay \$34 each and every single day?

These miracle drugs are important. They have done a lot. They reduce our pain, they give us a better quality of life, they keep us out of the hospital, so there is no argument about you are going to take your medicine. But the cost of it is phenomenal.

I do think that the Republican Party took a very significant first step on a bipartisan basis the week before last with the prescription drug plan. I hope that the other body will act on theirs and maybe we can get together. But the point is, we have taken a very significant step. But I certainly agree with the gentleman that the next logical step is drug reimportation.

Mr. GUTKNECHT. We only have about 1 minute left. I want to thank

the gentleman for joining us for this special order tonight. I certainly agree with the gentleman. I think it is time we do something in terms of covering those seniors falling through the cracks, but I think as I said, and the gentleman and I both said at a news conference a few days before the vote on that bill, that the real issue is affordability. If we are to do our job and effectively deal, we cannot sustain this kind of a chart. With 19 percent increases in the costs of prescription drugs and 3.5 percent increases in Social Security cost-of-living adjustments, that just cannot last.

We have to do more on the affordability side so that we can do more on the coverage side, and reimportation, reforming the FDA, reforming the tort liability laws, making it easier for generic drugs to come on the market, all of those things will go a long way toward making prescription drugs affordable here in the United States.

We are willing to pay our fair share in terms of the research for those prescription drugs, but the time has come to say to the rest of the world, we are not going to continue to subsidize the starving Swiss.

#### HELPING HAITI TO MOVE PAST CURRENT POLITICAL CRISIS

The SPEAKER pro tempore (Mr. OSBORNE). Under the Speaker's announced policy of January 3, 2001, the gentleman from Michigan (Mr. CONYERS) is recognized for 60 minutes.

Mr. CONYERS. Mr. Speaker, I will insert some materials in the RECORD about the plight of the African American farmers in this country who, having won a wonderful court decision that resulted in a consent decree, are still faced with discrimination, delayed payments and all other kinds of problems which were really the basis of them bringing the suit in 1999. So I will insert in the RECORD the Federation of Southern Cooperatives' statement, the statement of our colleague the gentlewoman from North Carolina (Mrs. CLAYTON) and my own statement.

Black farmers demands:

1. To Meet with Secretary of Agriculture Ann M. Veneman before July 16, 2002 We want confirmation of her agreement to meet by 3:30 pm today, EST.

2. An immediate moratorium on all farm foreclosures by Secretary Veneman.

3. The immediate termination of all USDA officers who have been found guilty of discrimination.

4. The Federal Court halt of all proceedings in the Pigford Consent Decree until the mess can be straightened out.

5. That the USDA ceases and desists on intercepting the federal farm program payments to farmers in the *Pigford v. Glickman* Class Action.

6. That the USDA cease and desist on claiming tax return payments to farmers who are part of the *Pigford v. Glickman* Class Action.

7. That USDA tells us the loan status of Tennessee farmer James Hood, Gerald

Pettaway, Coach Perkins, Barton Nelson, Ernest Camel and Robert Young.

8. The immediate firing by Judge Paul Friedman of Al Pires and Phil Frans as lead counsel in the *Pigford v. Glickman* Class Action.

9. Settle the Matthew Grant (deceased), Richard Grant, Dexter Davis and Howard Coates (deceased) administrative cases by August 1, 2002 in a fair and equitable manner.

FEDERATION/LAF SUPPORTS BLACK FARMER PROTEST AGAINST USDA IN TENNESSEE DEMANDS MEANINGFUL ACROSS THE BOARD RESPONSE FROM USDA AND CONGRESS

Atlanta, GA.—This week Black farmers occupied the US Department of Agriculture's Haywood County Agricultural Extension Agency in west Tennessee. They decried the fact that even in spite of the recent law suit against the USDA, grievous violations against Black farmers continue. As the primary organization working in support of Black farmers across the south for 35 years, the Federation of Southern Cooperatives/Land Assistance Fund (Federation/LAF) supports the efforts of the "Black Farmers and Agriculturalist Association" as it's members occupy the USDA offices.

"We support this effort because it highlights the appalling lack of justice to Black farmers over the past century and clearly demonstrates the need for immediate and corrective steps by Mr. Bush's Agriculture Secretary, Ann Veneman" said Ralph Paige, Executive Director of the Federation/LAF.

In 1999, Black farmers settled their suit against the USDA after years of struggle to receive information, technical assistance and loans from this agency that was touted as being the lending institution of last resort. The irony is that the USDA policies invariably are in place to support huge corporate farms at the expense of family farmers everywhere, and, in particular, Black family farmers who now struggle to hold on to their dwindling land base. In fact, in 1982 the US Commission on Civil Rights reported that the primary reason Blacks have lost land is because of the USDA itself. These facts were supported by the USDA in it's Civil Rights Action Team report in the late 1990's.

When Black farmers sued the USDA, 22,692 farmers filed claims. To date more than \$615 million has been dispersed to class members. Currently only 60% of those who filed claims have received payment along with injunctive relief and thousands who were denied class status are appealing to the Monitor in the case for reconsideration. An additional 68,000 farmers filed late claims. The Federation/LAF has assisted the farmers as they struggled with the severe complications and delays in the law suit settlement process. To date, thousands of farmers who have filed late claims have yet to be processed and many of the initial claimants are still suffering from bureaucratic entanglements as they await their payment or other compensation.

Perhaps one of the most disturbing aftermaths of the law suit settlement is the assumption that things would change at USDA. This was not to be. While there is a Monitor in place to assist class members should they suffer discrimination in USDA offices, the same USDA staff that over the years has wreaked havoc on Black farmers still sit in USDA offices across the South. They have not been reprimanded or made accountable in any way for their discriminatory practices. These are the same staff who farmers face daily in USDA offices as they seek services and loans.

All this is further compounded by a USDA and Congress that continue to support corporate farmers rather than family farmers

that have always been the backbone of American agriculture. The recently passed Farm Bill is a prime example of these policies, which provides for huge subsidies to benefit the largest corporate farmers in America. There is little in the 2002 Farm Bill that will assist small farmers.

For example, after the 1982 US Commission on Civil Rights cited the USDA violations against Black farmers, the Federal/LAF formed a coalition to address this issue. The Federation/LAF wrote the Minority Farmers Rights Act which, thanks to the Federation/LAF and coalition support, was incorporated into the 1990 Farm Bill. It is now known as the "Outreach and Technical Assistance Program" (Section 2501). This marked the first time that federal monies were to be devoted to provide technical assistance to minority farmers. Initially Congress authorized \$10 million annually for the program, and in the 2002 Farm Bill Congress raised the authorized to \$25 million. Yet the Congressional appropriations committee has never even come close to appropriating the authorized amount for this important program, which serves thousands of black and other minority farmers.

Out of the huge federal budget, not more than \$3.2 million has ever been appropriated for Section 2501, which must be distributed among numerous community based organizations and land grant colleges. Once again, this year Congress appears to be denying the needed funding for this program, suggesting an appallingly low \$3.4 million appropriation. This will yet again severely dilute the resources and technical assistance that could be provided to farmers. Many view funding for this program as a hand-out to African American community based organizations and historically Black land grant colleges, while at the same time Congress distributes billions of tax payers dollars into the coffers of corporate agriculture.

"The \$3.4 million appropriation for thousands of minority farmers is too limited in comparison to the millions given to the top five corporate farmers in America" said John Zippert, Director of Programs for the Federation/LAF. "Where, we ask, is the justice and democracy in a system that builds the wealth of the top 5 farmers in a country of 270 million people? A program, such as 2501, however, serves thousands of farmers and insures pluralism and equity for all farmers and not just a few." The success of the Minority Farm Outreach and Technical Assistance Program cannot be overestimated. In virtually every area where the program has been implemented on a sustained basis there has been an increase in the number of Black farmers as well as farmer sustainability and profits.

Additionally, there needs to be a speedy implementation of other sections of the 2002 Farm Bill that deal with equity for minority farmers which include: the appointment of a new USDA Assistant Secretary for Civil Rights; sections of the bill that address a more equitable selection of the County Committees that govern agriculture policy at the local level; making more USDA direct and guaranteed loans available to family farmers; insuring that injunctive relief available through the Black farmer law suit is effectively disbursed which is, for one, priority consideration for USDA loans.

Even in spite of the law suit and now the on-going complaints by Black farmers due to the egregious treatment they continue to receive from USDA, Congress does not seem to open its eyes to programs already in place that could alleviate many of the problems experienced by minority farmers. Clearly, Congress needs to support programs that have a proven track record and the USDA needs to address the problems of its staff and

the continuation of their discriminatory practices.

Finally, notwithstanding the huge number of farmers who have not been processed in the case as mentioned above, there are thousands of Black farmers across the country who learned about the suit too late to participate. It is also clear that the Black farmer settlement should have been stronger in addressing the systematic discrimination in the implementation of USDA programs. We urge U.S. District Court Judge Paul Friedman to seriously consider all of these issues as he reviews the problems in the law suit settlement and ways in which the case could still be used to improve the USDA's performance and services to minority farmers.

"Organizations that support Black farmers are often accused of playing the race card, but we have to play the card that we are dealt. It seems clear that race and size of farm operation are the reasons for the lack of support and assistance from Congress and the USDA and we demand a change in these policies toward an equitable and just agriculture system in America" said Jerry Pennick, director of the Federation's Land Assistance Fund.

Mr. CONYERS. Mr. Speaker, more than 200 black farmers in Tennessee stormed the U.S. Department of Agriculture (USDA) and occupied the agency's offices last week for six long days to protest the mistreatment they've suffered at the hands of USDA county officials. Agriculture Secretary Ann Veneman has reportedly agreed to meet with the farmers this Friday, July 12th, to address their grievances. In my opinion, something had better come out of this meeting to address the wrongs these farmers have suffered for so long.

We thought we had settled this problem in 1999 when the black farmers signed a race discrimination settlement with the Department of Agriculture. That law suit, *Pigford v. Glickman*, charged that the Department had wrongly denied black farmers loans, crop subsidies and other farm program benefits because of discrimination. The Department was so indifferent to its responsibility to guard against discrimination that it had no procedural mechanism in place to deal with discrimination complaints; indeed, it had disbanded its Office of Civil Rights years earlier, in 1983.

The settlement was supposed to address a variety of past racial injustices. It was supposed to pay \$50,000 each to any black farmer who had suffered discrimination. It was also supposed to forgive those debts the Department of Agriculture had unfairly assessed against black farmers from 1983 to 1999. Incidentally, the sum of \$50,000 payments and forgiven debt was estimated to be about \$2.2 Billion. This agreement was supposed to assure black farmers discrimination-free access to USDA programs in the future. It was supposed to guarantee an expedited procedure designed to resolve quickly those claims that black farmers had pending with USDA for years.

The settlement might have been heralded today as a terrific agreement except for the fact that the Department's performance, meaning its execution of the agreement, did not live up to its promise.

Past wrongs were not redressed fully and timely.

Black farmers continued to get significantly lower program yields than their white counterparts in the same counties.

Without attributing blame here, there was some question of whether the filing deadlines

were well publicized, and, when the deadlines were extended, it still reportedly remained difficult to know when or how to get or file the appropriate application.

As a result, the Department has only paid out about \$650 million of the \$2.2 Billion in damages estimated at the time of the settlement.

At the very least, the Secretary has to put in place immediately a moratorium on foreclosing black farmers. Justice requires a waiver for those farmers who lost their farms or who could not repay their loans because they suffered discrimination or natural disaster.

The Secretary has to institute policies that assure us that career employees at the USDA are taking seriously the promises USDA made to the farmers, namely, that USDA intended to remedy decades of discrimination. Among those policies, the Secretary must track the extent to which black farmers are participating in these programs. She must ensure that black farmers are being treated fairly and respectfully at the County level. She must therefore assure us that the county committee elections are democratic—and that means fair and open elections. She must appoint minority voting members if minorities are not otherwise represented.

Finally, it is high time that we have an Assistant Secretary for Civil Rights at the Department of Agriculture. It was wrong that that office was disbanded in 1983. It is a shame and a disgrace that nothing has been done to remedy that omission after the signing of this so-called settlement.

If the Secretary does these things that I've respectfully suggested are the bare minimum, and addressed the remaining demands of the black farmers, then the protest last week in Tennessee will not have been in vain and the meeting this Friday will not be the empty gesture the black farmers have grown accustomed to expect from the USDA.

Mrs. CLAYTON. Mr. Speaker, the plight of the Black Farmers continues to be fragile and uncertain in spite of the Black Farmer's Law Suit or because of it. The recent ruling by the U.S. Appellant Court in Washington, DC. *Pigford v. Ann M. Veneman*, clearly said that the farmers have suffered double-betrayal first by the Department and then by their own lawyers.

The Recent protest of Black Farmers in the State of Tennessee demonstrates that the U.S. Department of Agriculture continues to ignore minority farmers who are small and disadvantaged.

The recent legislative victories for Civil Rights within the Farm Bill must be implemented immediately to ensure that passed practices of discrimination and denials are prevented and corrected. Those victories included:

(1) An Assistant Secretary for Civil Rights at USDA

(2) Language that required the Secretary to track program participation of minority farmers; county committee elections to be fair and open; the appointment of a minority voting member when not represented

(3) Provide waivers for farmers who lost their farms or who could not repay their loans due to discrimination or natural disaster.

Additionally the Section 2501 Outreach Program to assist disadvantaged farmers was reauthorized and an annual funding level increased from \$10 million to \$25 million with

approved increased funding for research and extension for Historical Black Land Grant Colleges.

I call on the House of Representatives to fully fund these programs and on the Administration to immediately implement these policies and administrative changes.

Mr. CONYERS. Mr. Speaker, this particular special order is brought about because of the circumstances in Haiti, which a number of us have been working on in this body for many years, both Democrats and Republicans. We have followed with great interest the attempts to get the democratic, both political and economic, bases in place in Haiti, so we want to discuss this program and these efforts with the membership today.

First of all, there has been what we call a political stalemate that arises from alleged irregularities in an election held in May 2000. As a result, there has been a freezing of needed financial aid that we think maybe there is a new effort coming forward to unblock. So we have new hope that the political part of this problem will be resolved and that Haiti will begin to receive funds from international organizations, the International Monetary Fund, the World Bank, the Inter-American Bank and others that are anxious to help Haiti, which is in a very serious economic crisis.

Mr. Speaker, I will put my statement in the record and also background information on Haiti. In addition, I will include a letter to the distinguished Attorney General, John Ashcroft, which expresses the strong dissatisfaction toward the Haitian asylum seekers who are singled out and returned without any interviews or determination of whether they are at risk in going back to their country.

Today I rise to support Haiti in their ongoing efforts to end the political stalemate and move past the political crisis. Haiti's political stalemate stems from alleged irregularities in the May 2000 legislative elections. Efforts to reach an accord have been hampered by waves of violence which culminated with the December 17, 2000 attack at the National Palace. The continuing dispute has kept Haiti isolated on the international front freezing badly needed financial aid from abroad. According to the U.S. the OAS and many foreign governments, the Provisional Electoral Council unfairly tabulated results from Senate districts, which resulted in ten contested seats. It is the Congressional Black Caucus' position that the issue of electoral crisis should not be tied to these humanitarian funds. The political haggling between the U.S. and Haiti is killing the people of Haiti.

We must be encouraged with the movement on the political front, even though it may not be as much as we would like. For the first time in two years the President and the Opposition party met though they were unable to come to an agreement. However, OAS Assistant Secretary General Luigi Ennui met with President Aristide on Monday and insisted that "The government is assuming its responsibilities." This is especially positive in that it is an indication by the representative of the U.S. that the Government of Haiti is responding appropriately. This acknowledgment overcomes

a great hurdle for the Government of Haiti and indicates significant progress. It is reported that Aristide has proposed elections for all 83 House of Assembly seats and two-thirds of the 27-seat Senate in November. Local elections would be held next year. We must encourage all parties to continue to come to the table to work out agreement for the good of all Haitians.

Also, we must end the unfair treatment of Haitians. Under the current policy in Miami, most people who arrive in the U.S. seeking asylum remained free after showing credible fear of persecution until their requests are decided. Before December, the INS routinely released refugees who passed credible-fear interviews—unless they were deemed special security risks connected to September 11. That is still the case for asylum seekers from Colombia, Venezuela, Central America and almost any place else—for everyone except Haitians. Unlike others, Haitians seeking a chance to prove that they deserve asylum status are immediately imprisoned even if they, like others are able to demonstrate initial grounds of credible fear for an asylum claim.

[Memo from Cynthia Martin, Legislative Director and Counsel, Cong. John Conyers, Jr., to CBC AAs/COS; CBC Contacts; CBC LDs; CBC Press Scys; CBC Schedulers, July 10, 2002]

#### HAITI SPECIAL ORDER

Please join us for the special order on Haiti. We have the second Democratic hour—it should begin at approximately 7:30.

Let's support Haiti in to efforts to move past the current political crisis.

#### A. BACKGROUND

Haiti's political stalemate stems from alleged irregularities in the May 2000 legislative elections. Efforts to reach an accord have been hampered by wave of violence which culminated with the Dec. 17, 2000 attack at the National Palace. The continuing dispute has kept Haiti isolated on the international front freezing badly needed financial aid from abroad. According to the U.S., the OAS and many foreign governments, the Provisional Electoral Council unfairly tabulated results from Senate districts, which resulted in ten contested seats. It is the Congressional Black Caucus' position that the issue of electoral crisis should not be tied to these humanitarian funds. The political haggling between the U.S. and Haiti is killing the people of Haiti.

The U.S. Congress suspended aid with the following language which was a part of the Legislative Affairs Appropriation bill in July of 2000. In July of 2000, Mr. Conyers attempted to thwart efforts to have direct aid to Haiti suspended by introducing a motion to strike the language which precludes assistance to the government of Haiti unless it met the two following preconditions: (1) The Secretary of State reports to the Committee on Appropriations that Haiti has held free and fair elections to seat a new parliament; and (2) The Director of the Office of National Drug Policy Control reports to the Committees on Appropriations that the Government of Haiti is fully cooperating with the United States efforts to interdict drug traffic through Haiti to the United States.

Mr. Conyers stated, "This language limited assistance to the Government of Haiti and continues to represent a double standard. In effect, we are holding Haiti to a higher standard than we are holding other nations including ourselves. Lest we forget, it was only a few years ago that we had to send in federal re-enforcement to allow people to vote in my own backyard of Flint, Michigan

and we, the great democratic country of the world had to enact not one but two voting rights acts to give blacks and other minority's unfettered access to the polls. And even today, this access continues to be undermined by court determinations of gerrymandering. But for those of us who are uncomfortable examining our own struggle with democracy as we are the beacon of democratic values, let us examine how we have dealt with other countries in similar straits, such the country of Peru."

The Inter-Development Bank also weighed in to preclude the distribution of aid when Executive Director of the United States, Larry Harriman, sent a letter to the President Igglesias of the Inter-American Bank requesting the Bank not to authorize disbursement of the 145.9 million in loans which has been approved prior to this legislation. This was an unprecedented step—never taken at this stage before by the Bank.

These loans are designated for the social sector: Rural roads and rehabilitation program, \$50 million; reorganization of the health sector, \$22.5 million; potable water and sanitation, \$54 million; and basic education program, \$19.4 million.

#### B. ENCOURAGING SIGNS

(a) IDB has agreed to send mission to Haiti to investigate the re-institution of extending loans to Haiti.

(b) Political crisis end in sight—For the first time in two years President and the Opposition party met though they unable to come to an agreement. However, OAS Assistant Secretary General Luigi Ennui met with President Aristide on Monday and insisted that "The government is assuming its responsibilities." This is especially positive in that it is an indication by the representative of the U.S. that the Government of Haiti is responding appropriately. This acknowledgment overcomes a great hurdle for the Government of Haiti and indicates significant progress. It is reported that Aristide has proposed elections for all 83 House of Assembly seats and two-thirds of the 27 Senate seats in November. Local elections would be held next year. We must encourage all parties to continue to come to the table to work our agreement for the good of all Haitians.

(c) Haiti Gains full integration into Carrioca.

#### C. IMMIGRATION

Under the current policy in Miami, most people who arrive in the U.S. seeking asylum remain free after showing credible fear of persecution until their requests are decided. Before December, the INS routinely released refugees who passed credible-fear interviews—unless they were deemed special security risks connected to Sept. 11. That is still the case for asylum seekers from Colombia, Venezuela, Central America and almost any place else—for everyone except Haitians. Unlike others, Haitians seeking a chance to prove that they deserve asylum status are immediately imprisoned even if they, like others are able to demonstrate initial grounds of credible fear for an asylum claim.

[Memo from Bob Corbett, June 16, 2002]

#### HAITI'S PRESIDENT, OPPOSITION LEADERS MEET

From: Greg Chamberlain

(By Michael Deibert)

PORT-AU-PRINCE, HAITI, June 15 (Reuters)—Haitian President Jean-Bertrand Aristide met with opposition leaders on Saturday for the first time in two years to resolve a two-year-old electoral crisis, and both sides made positive remarks afterward.

One of the opposition figures who attended the meeting said Aristide told them he would act to address their concerns. An Aristide

aide said the president wanted to put an end to the dispute that has resulted in the freezing of some \$500 million in international aid.

Aristide met with officials of the Democratic Convergence opposition coalition at the Port-au-Prince residence of Haiti's papal nuncio, Luigi Bonazzi, the same location where they last met two years ago.

The Convergence has charged that legislative elections held in May 2000 were tabulated unfairly to favor Aristide's Lavalas Family political party. Convergence member parties then refused to participate in presidential elections that saw Aristide gain the presidency for a second time in November 2000.

After an apparent coup attempt in December 2001 during which gunmen stormed the National Palace, Aristide partisans took to the streets of the capital, burning down offices and homes affiliated with the opposition.

"Aristide has assured us that he will act to satisfy the conditions needed to restart the negotiations," said Luc Mesadieu of the Convergence-affiliated MOCHRENA party, who attended the meetings along with opposition figures Gerard Pierre-Charles and Hubert de Ronceray.

"He said that he will act against impunity and address the issues of reparations and insecurity."

The Convergence's conditions for restarting substantive electoral negotiations include the holding of new elections for several disputed seats, the payment of reparations for property destroyed during the December unrest and the disarming of individuals they charge are pro-government militants.

"President Aristide feels that it's time to step forward," said National Palace spokesman Luc Especa. "He would like to put an end to this crisis so we can concentrate on development and improving the lives of the people of Haiti."

The meeting was arranged by Luigi Eniadi, assistant secretary-general of the Organization of American States, who arrived in Haiti on June 10 to push for a resolution to the electoral dispute, sources close to the two sides said.

OAS officials were not immediately available for comment.

[Memo from Cliff Stammerman to Cynthia Martin, Paul Oostburg, Michael Riggs, July 10, 2002]

OAS OFFICIAL TO BREAK POLITICAL IMPASSE IN HAITI

(Dow Jones International News Service via Dow Jones)

PORT-AU-PRINCE, HAITI (AP)—Abandoning what may be the last OAS attempt to mediate an end to Haiti's 2-year-old political impasse, Assistant Secretary-General Luigi Einaudi left Wednesday, empty-handed.

"The way we have approached the problem has not produced the expected results," Einaudi told reporters as he prepared to fly back to the Organization of American States headquarters in Washington, D.C.

"We need a new formula," he said, without spelling out an alternative.

But Einaudi's impatience with opposition politicians filtered into his brief comments, leading some to conclude that the OAS may bypass the opposition in the future.

"The curtain has fallen on the sorry farce of OAS-mediated talks," said former President Leslie Manigat, who withdrew from the opposition negotiating team earlier this year.

Now, the OAS probably will use the pretext of an upcoming electoral deadline to go with an elections timetable set by President Jean-Bertrand Aristide's Lavalas Family party, Manigat suggested.

Einaudi's visit, which began Friday, was his third this year and his 24th since the crisis arose over flawed 2000 legislative elections swept by Aristide's party.

The international community blocked hundreds of millions of dollars in aid that it says will not be released until both sides agree on new elections.

Einaudi said he would ask the OAS Permanent Council for new instructions later this month.

[Memo from Misty Brown to Keenan Keller, Cynthia Martin, Kathleen Sengstock, John Schelble, Noelle Lusane, Brandi Hilliard, Michael Riggs, Paul Brathwaite, June 19, 2002]

#### HAITI—IDB ISSUE

Hey guys, I'm happy to report that the IDB's Full Board of Directors approved the waiver requested by the bank's management to allow a mission to travel to Haiti to discuss reformation of the four loans. "Go CBC!!"

Of course my next question became "how soon?" I was informed that logistically the IDB will move post-haste. However, this mission will also include input from the OAS as well as the World Bank and therefore the need to coordinate efforts might delay the trip a bit. Nonetheless, it is the IDB's intention to move forward and to express the CBC's desire to the other parties that the mission is to move as thoroughly and quickly as possible to review conditions for renewed lending to Haiti.

As I pointed out in my earlier e-mail, receiving this conformation in writing will take just a minute. However, we can be reassured this time this information is on point. Good work!!!

[Memo from Paul Brathwaite, Policy Director, Congressional Black Caucus, to Misty Brown, Keenan Keller, Cynthia Martin, Kathleen Sengstock, John Schelble, Noelle Lusane, Brandi Hilliard, Michael Riggs, June 19, 2002]

Misty, Thanks for the clarification and for your work on this issue. And, thanks to everyone for helping out this. We'll keep our fingers crossed.

[Memo from Misty Brown to Keenan Keller, Cynthia Martin, Paul Brathwaite, Kathleen Sengstock, John Schelble, Noelle Lusane, Brandi Hilliard, Michael Riggs, June 19, 2002]

In a follow-up conversation with the IDB, I wanted to clarify the e-mail I sent out on yesterday. My Member was told on yesterday that the mission to Haiti was a go, to which I immediately relayed to you. However, as your e-mail pointed out only the Programming Committee deliberated on the management's proposal re: sending a mission from the IDB to Haiti to address or redress the loans. Support of this mission will require a suspension of the rule that states that "as long as a country is in the arrears, missions as well as loans will remain suspended." Nonetheless, the Programming Committee forwarded the Management's proposal to the Committee as a whole with a favorite response.

The Committee as a whole (which includes all 14 Countries) meets today. They will either ratify, amend, or veto (for lack of a better term) the measure. It is my understanding that given the pressing nature of the issue and the strong support from the CBC for the mission, the Committee is expected.

I was told that we might have a verbal answer as early as this afternoon. However, a written response from the Board will take some time.

Let's stay in touch as events unfold. Thanks, Misty.

JUNE 20, 2002.

Hon. JOHN ASHCROFT,  
Attorney General, Department of Justice,  
Washington, DC.

DEAR ATTORNEY GENERAL ASHCROFT: We write to express our strong dissatisfaction with the current policy towards Haitian asylum-seekers which we believe is discriminatory and falls short of the law and principles according to which the American government should act. Under the current policy in Miami, asylum seekers from Haiti are treated differently from—worse than—asylum seekers from any other country solely on the basis of their national origin. This policy is highly discriminatory and supported by questionable legality and justifications.

As we understand the policy of your department in Miami, most people who arrive in the U.S. seeking asylum remain free after showing credible fear of persecution until their requests are decided. If the request is granted, they are allowed to stay. If the request is denied, they are subject to deportation and may be held in detention pending their removal. But beginning in December of last year, the INS has followed a sharply different and more restrictive policy regarding those people who arrive here from Haiti. Unlike others, Haitians seeking a chance to prove that they deserve asylum status are immediately imprisoned even if they, like others, are able to demonstrate initial grounds of credible fear for an asylum claim.

When the INS implemented this policy after the arrival of a boat carrying Haitian refugees in December of last year, your department explained that the policy was intended to "discourage further risk taking and avoid an immigration crisis of the magnitude which existed during the early 1980's and 1990's with the Haitian and Cuban mass migrations." But this explanation would appear to be contradicted by the simple fact that the policy does not apply to Cubans and there are many more potential refugees from Cuba than Haiti, due to Cuba's closer proximity for a risky sea voyage and larger population. Furthermore, we understand that Haitians arriving by airplane are also subject to this policy, with Haitians already approved for asylum being indefinitely detained. These reports make the deterrent justification deeply suspect.

Thus far, pursuant to this policy, we are aware of more than 250 Haitian asylum seekers now detained in Florida. This causes particular problems with regard to children who are separated from their parents and placed in separate facilities. In some cases the children are released without their parents, and the parents are not always able to ascertain the whereabouts of their children. In addition, many complaints have arisen regarding the conditions in which the asylees are held. There is extreme overcrowding at the Krome Detention facility, and some women are being held in maximum security county jails with violent criminals.

Many of the detainees—probably most—do not have legal representation. And those that do have counsel often face cases so expedited that the lawyers assisting them have insufficient time to adequately prepare the detainee's claims, thus leading to increases in denials of asylum and orders of removal since the policy went into effect. Indeed, the very fact that these Haitians are confined under these difficult conditions makes it less likely that they will be able to prove their claims, regardless of whether the claims are legitimate. The policy seems clearly designed to warehouse and then deport Haitians as quickly as possible, regardless of the merits of their cases and regardless of the

law on asylum claims which gives all asylum-seekers an equal chance to prove their claims without regard to their national origin.

We would like you to include in your response to this letter, answers to the following questions:

How many Haitians are currently being detained by the INS in Miami and in which facilities? How many have been detained since December when the new policy went into effect?

How many Haitians have been intercepted on the high seas on a monthly basis over the last year? How many were brought to United States? How many were returned to Haiti?

How many Cubans have been intercepted on the high seas on a monthly basis over the last year? How many were brought to United States? How many were returned to Cuba?

Why does this policy apply only to Haitians and not to Cubans or people of any other nationality? How is this distinction singling out Haitians justified by law?

What was the rate of approval for Haitian asylum seekers prior to the institution of this policy? What is the rate of approval since the policy came into effect?

As the number of detainees appears to be small, though significant, it does not appear that a mass exodus of Haitians is taking place. And we stress again that there do appear to be fewer Haitians in this asylum category than Cubans. Thus, the decision to single out Haitians for this harsh treatment while they are seeking to avail themselves of the American tradition—and law—of granting refuge to people who face unjust persecution at home is discriminatory and unfair.

We see absolutely no justification for this policy. We strongly urge you to reverse this policy in Miami and treat Haitian asylum-seekers equally to the way we treat asylum seekers from other countries, as is required by law.

Representatives Barney Frank, John Conyers, Jr., Joseph Crowley, Howard L. Berman, Barbara Lee, Rosa L. DeLauro, Xavier Becerra, Corrine Brown, Carrie P. Meek, Alcee L. Hastings, Michael E. Capuano, Maxine Waters, Scherrod Brown, Michael M. Honda, Maurice D. Hinchey, José E. Serrano, William D. Delahunt.

Mr. CONYERS. Mr. Speaker, it is now with great pleasure that I yield to the gentlewoman from California (Ms. LEE), whose concern with Haiti I think has preceded her coming to the Congress. She has worked diligently on the subject.

Ms. LEE. Mr. Speaker, I want to thank my colleague from Michigan (Mr. CONYERS) for his leadership and for organizing tonight's special order on the humanitarian crisis in Haiti. I also want to acknowledge the leadership of the gentlewoman from Florida (Mrs. MEEK), the chairperson for the Congressional Black Caucus' Haiti Task Force, for her strong commitment to the people of Haiti.

For the past several months I have worked with my colleagues here in Congress to communicate to the White House that it is really time to revisit, now, United States policy toward Haiti. Since the 2000 elections, Haiti has been in a political impasse, as the gentleman from Michigan (Mr. CONYERS) mentioned. This impasse has framed U.S. policy in such a way that very little bilateral assistance is being sent to Haiti and all multilateral assistance has totally been blocked.

Despite the political problems, we have been increasingly aware of the humanitarian crisis which is brewing in Haiti. Much of this crisis can be directly pinned to the social sector resources being blocked from the small island nation. In fact, the United States representative to the Inter-American Development Bank directed the bank's president to block disbursement of four social sector loans to Haiti. These loans had been approved by the bank's board of directors and were ratified by the Haitian parliament. Considering Haiti's current crisis, this action is really inexcusable.

In April, I was joined by the gentleman from Michigan (Mr. CONYERS) and all 38 of my colleagues in the Congressional Black Caucus as we introduced legislation that would decouple political impasse from the humanitarian crisis in Haiti. This legislation is called the New Partnership for Haiti Resolution, which now has over 60 co-sponsors. So I strongly urge my colleagues to join us by signing on as a co-sponsor on a bipartisan basis to this resolution.

I have learned today in a Dow Jones International news report that what may be the last attempt by the OAS Secretary General to mediate an end to a 2-year-old political impasse has failed. It is clear that efforts to come to a resolution are not working.

Furthermore, we really cannot wait to end the political impasse, because humanitarian relief must be sent. We cannot wait any longer. The time has come for the United States to demonstrate strong leadership by reforming its policy toward Haiti. The United States policy of stalling the delivery of international humanitarian aid to Haiti is fostering instability and anarchy in this struggling democracy. Haiti's miserable poverty is indisputable. Furthermore, we can no longer bury our heads in the sand on this issue.

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Without strong United States leadership, the crisis will continue to spiral out of control.

Already, the national rate of persons with HIV and AIDS has risen to 300,000, or 4 percent of the entire population, leaving 163 children orphaned. The infant mortality rate has increased to 74 deaths out of every 1,000 babies born, and now, five mothers will die out of the same number of births. Mr. Speaker, 125 patients die daily of disease-related illnesses.

While most of the Western world has eradicated diseases like polio, health officials report that many Haitians do not have the resources to pay for life-saving vaccinations for their children. This is just morally unacceptable. We must remember that many diseases know no boundaries. The doctor-to-patient ratio has fallen to 1 to 11,000, leaving very little chance that sick persons in the rural areas will ever get even the basic health care.

So it is unacceptable to simply stand by and watch a season of misery inflict

pain, suffering, and death on human beings right here in our own neighborhood. We must address this injustice. We must release IBD funds to Haiti. It is really our moral imperative, and we must urge President Bush to step up to the plate.

Mr. CONYERS. Mr. Speaker, I want to thank the gentlewoman for her excellent exposition of the circumstances there.

Am I correct in thinking that there is a ray of hope, that it looks like the political differences are being resolved to the satisfaction of the World Bank authorities and that we may be moving toward a resolution of the problem?

Ms. LEE. Mr. Speaker, I am cautiously optimistic. I believe that there is a team that went down to Haiti to begin to look at what is going on in the four sectors and we have urged, and I believe the gentleman participated in the meeting, the bank officials to really understand why these loans should be released, and regardless of whatever the political situation is, that the humanitarian assistance is very important to prevent misery and untold deaths which are now occurring as a result of no funding being there.

Mr. CONYERS. The gentlewoman is saying that regardless of what the political position is, people should not starve or become destitute, subject to the ravages of extreme poverty, merely because there is a political dispute between the parties.

Ms. LEE. Absolutely. People have a right to basic health care, basic food, and basic shelter. There is no way that we should be party to creating more misery, and by our blocking funds which have already been negotiated; these are contracts that have already been signed off on, and for us to block that creates even more misery which creates even more instability, so it becomes a vicious cycle. And I believe, as all Members of the Congressional Black Caucus, as does the gentleman, that we must make sure that we take the moral high ground on this and encourage the loans to be released so that we can move forward to assist the people of Haiti, because they so deserve to be assisted.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. UNDERWOOD (at the request of Mr. GEPHARDT) for today on account of a typhoon in Guam.

Mrs. ROUKEMA (at the request of Mr. ARMEY) for July 8 and the balance of the week on account of illness.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to: