

TRUTH COMMISSION

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 17, 2005

Ms. LEE. Mr. Speaker, I rise to introduce legislation calling on the Administration to expose and explain their involvement in Haiti's 33rd coup d'etat.

My legislation will create a TRUTH Commission, which stands for The Responsibility for Uncovering the TRUTH about Haiti. This independent commission will be bipartisan and work to uncover the Bush Administration's role in Haiti prior to President Aristide's exile.

I believe the Bush Administration undercut the potential for a diplomatic solution for peaceful democratic elections, any potential for a cease-fire and an end to violence.

It bears primary responsibility; therefore, for Aristide's unwilling departure as well as for the sacrifice of the democratic process in Haiti.

As Members of Congress find out more about the events leading up to President Aristide's departure, the twilight activities of his alleged resignation, the current unconstitutional government, and the ongoing turmoil, fear, and misinformation that is still flowing out of Haiti.

We want answers, Mr. Speaker and an independent commission is one of many tools that we intend on exercising.

I have several pressing questions that I hope this commission will find the answers for.

1. Did the U.S. Government impede democracy and contribute to the overthrow of the Aristide government?

2. Under what circumstances did President Jean-Bertrand Aristide resign and what was the role of the United States Government in bringing about his departure?

3. To what extent did the U.S. impede efforts by the international community, particularly the Caribbean Community (CARICOM) countries, to prevent the overthrow of the democratically-elected Government of Haiti?

4. What was the role of the United States in influencing decisions regarding Haiti at the United Nations Security Council and in discussions between Haiti and other countries that were willing to assist in the preservation of the democratically-elected Government of Haiti by sending security forces to Haiti?

5. Was U.S. assistance provided or were U.S. personnel involved in supporting, directly or indirectly, the forces and opposed to the government of President Aristide? Was United States bilateral assistance channeled through nongovernmental organizations that were directly or indirectly associated with political groups actively involved in fomenting hostilities or violence toward the government of President Aristide?

6. Was any U.S. bilateral assistance channeled through nongovernmental organizations that were directly or indirectly involved in fomenting hostilities or violence toward the Aristide government?

And there are more questions about the long-term origins of Haiti's current crisis and the long-term impact on the region as a result of the Administration's policies.

This was regime change by other means.

We do not teach people to violently overthrow our U.S. government, and we must not teach other people in the international commu-

nity, particularly Haiti, to participate in activities that taint the hope for democracy by use of violence.

I stand here today because the Haitian community stands for democracy and not for political maneuvering by the Bush Administration.

This is an issue of democracy.

The United States must stand firm in its support of Democracy and not allow a nascent democracy like Haiti, fall victim to regime change and an international "racist" foreign policy.

I commend all of my colleagues to join in support of this commission and ask for its timely passage.

**BLACK HISTORY TRIBUTE TO
EDWIN E. SEARCY**

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 17, 2005

Mr. THOMPSON of Mississippi. Mr. Speaker, throughout the month of February, I would like to recognize outstanding African Americans of the 2nd Congressional District of Mississippi, and their contribution to Black History. The 23 counties of the 2nd District are well represented from both a local and national perspective.

Americans have recognized black history annually since 1926, first as "Negro History Week" and later as "Black History Month." In fact, black history had barely begun to be studied—or even documented—when the tradition originated. Although blacks have been in America as far back as colonial times, it was not until the 20th century that they gained a presence in our history books.

Though scarcely documented in history books, if at all, the crucial role African Americans have played in the development of our Nation must not be overlooked.

I would like to recognize Edwin E. Searcy, M.D. Family Practitioner of Bolivar County. Dr. Searcy is a member of the hospital staff at Bolivar Medical Center in Cleveland, Mississippi.

Dr. Searcy is a native of Cleveland, MS and received his undergraduate degree from Fisk University in Nashville, Tennessee and his medical degree from The University of Mississippi Medical School in Jackson, MS. Dr. Searcy completed a residency in Family Practice at The University of Mississippi Medical Center in Jackson, MS. He is the son of the late Dr. Rupert T. Searcy and Mrs. E.W. Searcy and has served as a physician for the past twenty-eight years.

Dr. Searcy is a member of the Mississippi State Medical Association Board. He was also selected by the Governor of the State of Mississippi to serve as a member on The State Board of Physical Therapy.

I take great pride in recognizing and paying tribute to this outstanding African American of the 2nd Congressional District of Mississippi who deserves mention, not only in the month of February but year round.

INTRODUCTION OF "THE TORTURE
OUTSOURCING PREVENTION ACT"**HON. EDWARD J. MARKEY**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 17, 2005

Mr. MARKEY. Mr. Speaker, today I am proud to introduce legislation that would prohibit the outsourcing of torture by the United States Government.

The practice of extraordinary rendition, the extra-judicial transfer of people in U.S. custody either in this country or abroad to nations known to practice torture, has until recently received little attention due to the secrecy surrounding such transfers. Attention was first drawn to the practice after the case of Maher Arar, a Canadian citizen, first came to light. Mr. Arar was seized in 2002 while in transit to Canada through JFK airport in New York, and was sent to Jordan and later Syria by the U.S. Government. While in Syria, Arar reportedly was tortured and held in a dark, 3-by-6-foot cell for nearly a year. He was ultimately released and detailed his story to the media upon his return to Canada. Since that time, other press reports have identified renditions elsewhere around the world, such as the transfer of an Australian citizen, Mamdouh Habib, from Pakistan to Egypt, where he was reportedly tortured.

Extraordinary rendition is wrong because it: Violates international treaties that the United States has signed and ratified, including most notably Article 3 of the Convention Against Torture, which prohibits sending a person to another state "where there are substantial grounds for believing that he would be in danger of being subjected to torture." Undermines the moral integrity of America in the eyes of the world. Ensures that American captives are likely to be tortured by others out of reciprocity, regardless of the urgency of the pleas of our government or the victim's family.

Although the total numbers of those "rendered" by the Bush Administration are unknown, then-CIA director George Tenet testified to the 9/11 Commission in October 2002 that over 70 people had been subjected to renditions prior September 11. Human rights organizations including Amnesty International, Human Rights Watch, the Center for Constitutional Rights and the ACLU have detailed numerous other cases that may also involve rendition to countries that practice torture. Last year, the Canadian government launched an investigation into Arar's case, but the U.S. State Department has refused to cooperate with the Canadian investigation.

The bill I am introducing today directs the State Department to compile a list of countries that commonly practice torture or cruel, inhuman or degrading treatment during detention and interrogation, and prohibit rendition to any nation on this list. The bill explicitly permits legal, treaty-based extradition, in which suspects have the right to appeal in a U.S. court to block the proposed transfer based on the likelihood that they would be subjected to torture or other inhumane treatment.

Torture is morally repugnant whether we do it or whether we ask another country to do it for us. It is morally wrong whether it is captured on film or whether it goes on behind closed doors unannounced to the American people. President Bush has asserted that "the

values of this country are such that torture is not a part of our soul and our being." I agree.

The legislation I am introducing today is designed to ensure that we not only outlaw torture conducted directly by U.S. government personnel, but that we also stop any practice which involves outsourcing or contracting out torture to other nations.

I urge Members to join in cosponsoring this legislation.

HONORING THE LIFE AND LEGACY
OF FORMER LEBANESE PRIME
MINISTER RAFIK HARIRI

SPEECH OF

HON. DARRELL E. ISSA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 16, 2005

Mr. ISSA. Mr. Speaker, I rise today in support of this resolution, offered by Representative RAHALL of West Virginia, condemning the terrorist attack of February 14, 2005, that killed former Lebanese Prime Minister Rafik Hariri and to honor the life and legacy of the former Prime Minister.

Born in Sidon, Lebanon, in 1944, Rafik Hariri, a Sunni Muslim, was not born into wealth, but into a farming family. In 1965, seeking a better life, he moved to Saudi Arabia where he worked as a schoolteacher and accountant before starting his own business. Through hard work and particular skill in the construction industry, former Prime Minister Hariri acquired what many have estimated to be a fortune in excess of \$2 billion.

Mr. Hariri began his involvement in the political and economic life of Lebanon long before he became prime minister. As a Lebanese businessman living in Saudi Arabia, he played a behind-the-scenes role as a mediator, advisor and promoter of cease-fires and agreements to end the civil war that ravaged Lebanon from 1975 to 1990. He invested his time and extensive contacts throughout the world to bring peace to his war-torn country.

In 1984, Mr. Hariri participated in the Geneva and Lausanne conferences to bring about political reconciliation in Lebanon and helped broker initiatives to put an end to the civil war.

In 1989, Mr. Hariri was the power behind the Taif Agreement, which succeeded in ending the war and the drafting of a new constitution for Lebanon. This agreement was the political contract that laid down the principles of national reconciliation that ended a dark chapter in Lebanon's history.

In 1992, he returned to his home country to assume office as prime minister after 28 years of living and working in Saudi Arabia. He formed his first government on October 22, 1992.

He immediately began an ambitious rebuilding program whose crown jewel was the rebuilding of Beirut's war torn central district. Today, this district is a vibrant and beautiful center of commerce and culture that rivals that of the world's other great cities.

Rafik Hariri was a man of peace and a man of diplomacy. He was the kind of man the United States and our allies need as we seek to spread freedom and democracy throughout the Middle East.

I had the opportunity to meet Mr. Hariri on a number of occasions. He was a kind and

humble man and the extent of his generosity towards the people of Lebanon, and those throughout the world, may never be fully known. He used his own personal wealth to give thousands of students the opportunity to gain a college education that they would have otherwise been unable to afford.

Mr. Speaker, it is my expectation that a thorough and internationally validated investigation will uncover many facts about the assassination of Lebanon's former Prime Minister who remained a sitting member of parliament. Rafik Hariri was the leader of a political faction that many thought would take back control of Lebanon's government in parliamentary elections scheduled to take place in May. I know, from my personal meetings with Prime Minister Hariri, that he held deep reservations and misgivings about the continued presence of Syrian troops and Syrian secret police in Lebanon. Most often, it was not what he said, but what he indicated he could not talk about that most starkly expressed the reservations he had about Syria's role in Lebanon.

Following this national tragedy, Lebanon must now try to hold free and fair parliamentary elections in May. It is my fear that the assassination of Mr. Hariri, and the many other past assassinations that have too often gone without significant investigation in Lebanon, will have a chilling effect on freedom of speech and those who would vocally criticize the continued Syrian presence.

To say it plainly, it is time for Syrian troops and all the Syrian secret police to leave Lebanon. The security that Syria once provided is no longer needed and having security only for those who ally themselves with the continued Syrian presence is incompatible with democracy in Lebanon.

Mr. Speaker, I support UN Resolution 1559 that demands a, "strict respect of the sovereignty, territorial integrity, unity, and political independence of Lebanon under the sole and exclusive authority of the Government of Lebanon throughout Lebanon," and for all, "foreign forces to withdraw from Lebanon."

Rafik Hariri fought for a democratic and prosperous Lebanon. The United States, even after his death, should continue to press for Prime Minister Hariri's vision for Lebanon and a better Middle East.

BROADCAST DECENCY
ENFORCEMENT ACT OF 2005

SPEECH OF

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 16, 2005

Mr. UDALL of Colorado. Mr. Speaker, I rise today in cautious support of the Broadcast Decency Enforcement Act of 2005. While I believe the public should be able to trust that the content of programming during peak viewing times is age-appropriate for children, I am concerned that strict regulations, if improperly applied, can result in infringements on our right to free speech.

Parents ought to be able to watch or listen to public broadcasting without fear that obscene material is foisted on their children. The Federal Communication Commission's (FCC) role in encouraging and enforcing decency regulations provides parents with a level of se-

curity that their family can watch television together or listen to the radio on the way to school without concern about the appropriateness of the information for their children.

As our society's values have changed with different trends, the FCC has provided a standard to guide broadcasters and encourage them to take into account the diversity of their audience when making programming decisions. This bill will retain these standards and dramatically increase the amount a broadcaster can be fined for each violation. While I support keeping broadcasters accountable to the public, I believe excessive fines could be a slippery slope toward violations of first amendment rights and public access to a diverse discussion of ideas. I am, therefore, supporting this legislation but with a deep concern that Congress may well have to re-examine the nature of these fines in future legislation, particularly if they have the effect of prior restraint on first amendment freedoms.

In light of recent scrutiny of indecent material, many broadcasters, artists, and performers are looking toward unregulated airwaves, such as cable and satellite radio. If these programs and performers move to these arenas, the quality of public airwaves leaves with them. The free flow of ideas is the cornerstone of our society, and opens the minds of Americans to different ideas, cultures and lifestyles. Public television and radio provides a medium for these ideas to reach all Americans, not just those who can afford it.

So it is with some deep hesitation that I vote for this bill, as I hope it will not set a dangerous precedent of excessive fines and regulation on television and radio content and possibly infringe on our first amendment rights, but instead ensure that broadcasters are aware and accountable for the content which they air.

I am including an editorial printed in the Rocky Mountain News in March 2004, which I think raises important concerns to consider regarding the increase in fines that this bill will administer.

[From the Rocky Mountain News, March 15, 2004]

CONGRESS SHOULD RETREAT IN 'INDECENCY'
WAR

Members of the U.S. House of Representatives stampeded Thursday to pass a bill to appease voters offended by the Superbowl display of Janet Jackson's breast. Unfortunately, all of Colorado's House delegation (with the exception of Mark Udall, who did not vote) displayed a herd mentality.

The Broadcast Decency Enforcement Act, H.R. 3717, raises the maximum fine for a decency violation to \$500,000, an amount that applies both to on-air personalities and to broadcast outlets. But because broadcasters often own many outlets, and programs often air in multiple markets, the total fine for even a single slip of the tongue (or the wardrobe) can be astronomical. The legislation was introduced in January, before the Super Bowl, so it is probably just coincidence that the new fine amounts to just about one dollar for each of the more than 500,000 complaints about the halftime show that flooded into the offices of the Federal Communications Commission. But the rapid passage is certainly no coincidence. Public outrage spooked Congress into acting.

The vote was 391-22, with Ron Paul, R-Texas, the lone Republican to stand up against congressional censorship.

A Senate measure, S. 2056, has similar provisions for raising fines, but also suspends