On October 6, 1997, the President struck 38 projects from the Military Construction Appropriations Act for fiscal year 1998. This occasion marked the third time the President exercised the authority granted in the Line-Item Veto Act and the single largest use of that power to date. Of all 72 line-item veto transmissions, it is these 38 items which have caused the largest cry of concern from Congress. Failure to override these vetoes could erode the readiness or quality of life of our military personnel.

The concern that has come from Congress does not deal with the concept of the line-item veto. The concern instead stems from the seemingly haphazard manner in which it was applied to this bill. The President identified three new criteria establishing the worthiness of military construction projects that had never been used in the appropriations process.

The first criterion the President established was that the project must be in the President's budget. Over 85 percent of the canceled projects are actually in the administration's defense plan and each project was carefully screened by the authorizing committee. This criterion also attempts to invalidate Congress' role in the defense of our Nation. Each year Congress must address shortfalls in the President's budget for areas such as military housing and National Guard construction. Failure to correct these annual shortfalls could damage the capability of our military forces.

The President's second criterion was more of a moving target. The second requirement initially was that the program must have completed all design specifications. Congress has historically used a 35 percent design completion criterion for inclusion in the appropriations process. This historical precedent was ignored by the President without consultation with or notification of Congress. When the administration realized appropriations typically include the funding for design completion, the criterion was changed to require that the ability to begin work on the project happen in the same fiscal year as appropriated. Again, the administration erred in judgment. In testimony before the House National Security Committee, Chairman HEFLEY indicated that each of the 38 canceled items could begin work in fiscal year 1998. This further highlights the folly of any of the 38 line-item vetoes.

The final criterion, that the project must impact quality of life, is not only the most ambiguous, but also the most widely ignored. There were few, if any, projects that did not in some way impact the quality of life for our service personnel. Some of the projects were required for training and readiness, others for the operation and maintenance of military equipment, others yet for mitigating dangerous working conditions that existed at military facilities around the Nation.

The President vetoed construction modifications to a dining hall in Montana where the current facility fails State health inspections. A facility at White Sands Missile Range in New Mexico was slated to have renovations completed with funds from the bill. This facility suffers documented safety hazards and is infested with rats. Despite these conditions, the President deleted the renovations from the bill. In my own State of South Dakota, the President's pen struck a hanger facility for an air ambulance squadron of the National Guard. The administration's actions would leave these helicopters and Guardsmen exposed to the same harsh weather that prompted three successive disaster declarations in the past year. Each of these projects are examples of mistakes caused by the President's new criteria.

These criteria were not only confusing to the authorizing and appropriating committees, but also to the administration and Pentagon officials that advised the President. This became evident when stories appeared in the press—and were later confirmed by the administration—that several projects had been vetoed by mistake. Originally it was believed only a few projects were cut by mistake, but that number quickly rose to 11. Then it escalated to 18. And now the Senate has indicated up to 28 projects were errantly vetoed. This problem is compounded by the Office of Management and Budget's inability to provide Congress with an exact accounting of errors that were made.

Should the President choose to reprogram funds this year to cover the mistakes, Government spending would not be reduced. The dollars Congress appropriated to the 38 vetoed items would go toward deficit reduction. At the same time, the President would fund those items with dollars taken from other worthy projects. Should the President instead decide to make these items a part of the fiscal year 1999 budget, the funds Congress appropriated for these items in fiscal year 1998 would still be spent on deficit reduction. The, next year, we would have to pay for them again. If we wait for the President to take action, the taxpayers would not save a dime. In fact, we run the risk of either taking funds from other valuable national security projects or having to pay for these 38 projects twice.

Congress has a tool to correct these mistakes. That tool is H.R. 2631. This disapproval resolution is not a referendum on the line-item veto. Instead, we are using the process the line-item veto law provides. If the legislative branch does not agree with the rationale for a veto, it is the body's obligation to let that be known. The disapproval resolution ensures that Congress maintains an active voice in the appropriations process.

This is a bill that is important for our military forces. Our service men and women support our Nation every day, putting their lives on the line in the defense of our Nation. They do not deserve to work in crampted facilities or to repair aircraft in subzero wind chills. Without this bill, that is what will happen. We need to support our military personnel.

It is important to reiterate that this is not a referendum on the line-item veto law. It is not a referendum on the administration. A vote in favor of H.R. 2631 is however a vote for fiscal common sense and for correcting admitted mistakes. I urge my colleagues to support this resolution and support our Nation's military personnel.

SUPPORTING THE CORPORATION FOR PUBLIC BROADCASTING

SPEECH OF

HON. XAVIER BECERRA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. BECERRA. Mr. Speaker, I rise today to add my voice to the already loud chorus of Members supporting the $300 million funding level included in this year's Labor, Health and Human Services and Education appropriation bill for the Corporation for Public Broadcasting [CPB] for fiscal year 2000. This sum represents a $50 million increase over last year, but unfortunately an amount that only partially offsets the consecutive 3-year reduction in recent years.

However, while I am elated that the Congress has once again come to recognize the important role public broadcasting plays in our American life, we have neglected to properly and adequately fund programming dedicated to celebrating our multicultural country. In 1994, CPB committed to creating a formal partnership between the National Minority Public Broadcasting Consortia, television stations and other public broadcasting organizations to achieve this end, included in this effort is CPB's initiative Diversity 2000. Unfortunately, our goal has not yet been realized.

My sincerest hope is that this year's additional funding will enable CPB to endeavor toward creating the type of multicultural partnerships envisioned in the 1994 agreement. As our Nation changes, grows, and develops, public broadcasters, above all others, have a responsibility to mirror back to us our progress, our achievements, and our shortcomings. This effort can only be successful if broadcasters allow us to view the full panorama of our Nation and its cultures.

IRAN MISSILE PROLIFERATION SANCTIONS ACT OF 1997

SPEECH OF

HON. JANE HARMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 12, 1997

Ms. HARMAN. Mr. Speaker, I am pleased that last evening H.R. 2709, the Iran Missile Proliferation Sanctions Act of 1997 introduced by my colleagues Mr. GILMAN and Mr. BERMAN, passed on the consent calendar. This legislation addresses a severely destabilizing development in the Middle East region: the acquisition by Iran of long-range missile capabilities—capabilities that threaten U.S. forces in the region, Israel, our NATO ally Turkey, and territory as distant as Central Europe.

H.R. 2709 takes a step beyond the concurrent resolution which passed last week in both bodies. That resolution urged the Administration to impose sanctions on Russian entities proliferating to Iran. As its author in this body, I believe that measure sent an immediate signal that continued cooperation between Russian entities and Iran in ballistic missile technology would not be tolerated.

This legislation does more. It adds a requirement that the President submit periodic reports to Congress identifying the entities providing Iran with missile technology. In so doing, the bill establishes a incontrovertible basis for imposing sanctions.

H.R. 2709 also allows the President to waive sanctions if there is subsequent evidence that an identified case of trade with Iran did not assist Iran's missile program. And, the legislation grants the President authority to waive sanctions if he determines that doing so is essential to U.S. national security.

Thus, this legislation is the logical next step to the resolution adopted by both houses of

Congress last week. Where the first measure urged the Administration to consider sanctions, this bill specifies parameters for doing so.

Mr. Speaker, credible estimates indicate that Iran may be only one year away from fielding a missile of 800 mile range, the so-called Shahab-3, and less than three years away from a missile of 1,240 miles range, the Shahab-4. Even more troubling, these missiles could be armed with chemical, biological, or nuclear weapons—capable of wreaking mass destruction on wide areas.

If we thought Iraqi SCUD missiles posed a danger during the Persian Gulf war of 1991, we must show even greater concern regarding this new threat from Iran. We must use all the tools at our disposal to prevent it—and sanctions are one such tool. I comment my colleagues for authoring this legislation.

HUMAN RIGHTS ISSUES IN NORTHERN IRELAND

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 13, 1997

Mr. SMITH of New Jersey. Mr. Speaker, as everyone is aware, the British and Irish Governments face an unprecedented opportunity to achieve real peace in Northern Ireland. For the first time since the partition of Ireland in 1922, all parties are participating in peace talks while a cease-fire is in effect.

The Subcommittee on International Operations and Human Rights, which I chair, has held two hearings on human rights abuses in Northern Ireland and on the prospects for improved human rights conditions as part of the current peace talks. At our hearings, international and American human rights experts, as well as victims and relatives of victims, provided compelling and eye-opening testimony about human rights abuses, the disregard for the rule of law, and the personal tragedies people in Northern Ireland have endured. All of our witnesses welcomed the interest and support of the U.S. Government and affirmed that American standards and ideals are critical to the success of the process.

After the first hearing, I led a human rights, peace mission to the north of Ireland. I met with leaders from political parties on all sides of the conflict and with key officials in the Government, including Secretary of State Mo Mowlam. I was pleased by Secretary Mowlam's intimate understanding of the human rights concerns and remain hopeful that human rights protections will be afforded to members of all communities in Northern Ireland.

While optimistic, I remain cautiously optimistic.

Unfortunately, not even the best of intentions guarantee that the final agreement will genuinely protect human rights. In peace processes around the world, most recently in Bosnia, and Guatemala, we have seen that the atmosphere at these negotiations, the pressure to get an agreement, and the reluctance to reopen old wounds can have the unfortunate side effect of making human rights an after-thought rather than a central element to the agreement.

I submit for the RECORD today, Mr. Speaker, my bill as amended, House Concurrent Resolution 152 which condemns violence and urges the participants of the multiparty talks in Northern Ireland to fully integrate internationally recognized human rights standards as part of the peace process. This resolution, which has broad bipartisan support and has been approved by the full International Relations Committee, puts Congress on record supporting human rights reforms in Northern Ireland. The text of the resolution is a culmination of information gathered on the trip and at the hearings. It identifies abuses and pronounces concrete recommendations for advancing human rights and building a lasting peace in Northern Ireland.

In addition to condemning the violent crimes of paramilitary groups on both sides of the conflict, House Concurrent Resolution 152 addresses the failures of the British Government. Notwithstanding the abuses perpetrated by partisan paramilitary forces, or by the police for that matter, we must remember that the central responsibility for protecting rights and maintaining the rule of law belongs to the Government—which in this case, at this particular time, is the British Government. When governments resort to methods that are illegal, unjust, or inhumane, even when these methods are seemingly directed against the guilty or the dangerous, the effect is not to preserve law and order but to undermine it.

It is particularly saddening that the British Government, America's trusted ally, is the object of serious and credible charges of disrespect for the rule of law in the north of Ireland. All of the major human rights organizations, Amnesty International, Lawyers Committee for Human Rights, Human Rights Watch have been particularly critical of pervasive restrictions on the due process of law in Northern Ireland and they have testified that law enforcement officials of the United Kingdom, members of the Royal Ulster Constabulary, tolerate, and even perpetrate some of the gross abuses that have taken place in the north of Ireland.

Under emergency legislation applicable only to Northern Ireland, police have expansive powers to arrest and detain suspects and to search premises without a warrant. In addition, the Government can suspend the right to trial by jury—the much maligned Diplock Courts System—and the universally recognized right to be preserved from self-incrimination has been abridged.

It seems to me that the power to arbitrarily arrest, detain, intimidate; the power to deny timely and appropriate legal counsel; and the power to compel self-incrimination is an abuse of power normally associated with our adversaries, Mr. Speaker, not our allies.

Thus the resolution is a wake up call to our friends. Friends don't let friends abuse human rights.

Witness after witness at our hearings expressed a fear that as political issues are addressed, universal human rights such as the right to silence, the right to jury trial, the right to attorneys, and the right to work free of discrimination, just to name a few, will be neglected.

My resolution, which has broad bipartisan support, notifies negotiators in Belfast that the U.S. Congress believes that there must be reform on human rights issues if genuine peace is to be achieved. The resolution condemns political violence and recommends:

The establishment of a bill of rights for all citizens of the North;

A ''Truth Commission'', with international input, to investigate outstanding human rights abuses;

The repeal of the so-called ''emergency legislation'' which has limited human rights in Northern Ireland for over 25 years;

The establishment of a truly independent complaints mechanism for citizen inquiries regarding the Royal Ulster Constabulary (RUC) and other security forces; and

A ban on plastic bullets.

Mr. Speaker, House Concurrent Resolution 152 has been reviewed and endorsed by the major human rights groups, such as Amnesty International, Human Rights Watch, British Irish Rights Watch, the Committee on the Administration of Justice, and the Lawyers Committee for Human Rights. In addition, the Irish National Caucus, the Ancient Order of Hibernians, and the Hibernian Civil Rights Coalition have all urged swift passage of this Northern Ireland Human Rights Resolutions.

We have an obligation to do all that we can to ensure that this historic opportunity for the promotion and establishment of human rights for everyone in Northern Ireland is not squandered. I have been advised by leadership staff that when Congress reconvenes in January, we will look to move House Concurrent Resolution 152. In the meantime, it is my sincerest hope that negotiators at the current talks will need our call for addressing outstanding human rights violations and fully integrating human rights standards as part of the peace process. Without a strong human rights foundation, it is unlikely that any proposed peace settlement will be just or lasting.

I ask that House Concurrent Resolution 152, as amended, a list of current cosponsors, and a fact sheet of comments made by human rights groups about the resolution be made part of the RECORD.

HUMAN RIGHTS GROUPS ENDORSE H. CON. RES. 152

Amnesty International, Human Rights Watch, British Irish Rights Watch, Committee on the Administration of Justice, Lawyers Committee for Human Rights and others urge passage of Northern Ireland Human Rights Resolution.

''Human Rights Watch fully supports the resolution now being considered for passage by the Congress regarding human rights in the Northern Ireland peace process. The resolution rightly recognizes the gravity of past violations and the role that such abuses have played in perpetuating the conflict . . . the resolution is a signal that Congress is eager to prevent the same lack of attention to human rights issues which has doomed other peace processes and may threaten the success of the Northern Ireland peace process if action is not taken now . . . We heartily endorse the resolution.''—Human Rights Watch

''Amnesty International welcomes the resolution proposed by the Congress which situates the centrality of human rights within the peace process and raises a number of key concerns which are in line with many of our own concerns. The recommendations [in the resolution], if acted upon, would make a significant contribution to developing a lasting peace in Northern Ireland.''—Amnesty International

''We very much welcome this resolution. It's the first document of its kind that we have seen that does acknowledge the role that human rights must play in the Northern Ireland peace process. The individual issues that it raises are all matters of burning concern to the people of Northern Ireland.''—British Irish Rights Watch