

Doing the hard work of peace takes a lot more guts than empowering more men with guns."

STATEMENT OF CONGRESSWOMAN SHEILA JACKSON-LEE CONDEMN COLOMBIAN KILLINGS

(H. RES. 181)

OCTOBER 4, 1999

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of H. Res. 181. This resolution expresses the sense of the House of Representatives which condemns the murders of Ingrid Washinawatok, Terence Freitas, and Lahe'ena'e Gay.

On Feb. 25 of this year, three U.S. citizens—Ingrid Washinawatok, a member of the Menominee Indian Nation of Wisconsin, Terence Freitas of California, and Lahe'ena'e Gay of Hawaii—were kidnapped by the Revolutionary Armed Forces of Colombia (FARC), a terrorist and drug trafficking group fighting the government of Colombia. The three were involved in an effort to help the U'wa people of northeastern Colombia. The FARC brutally murdered the three Americans a week later.

The resolution strongly condemns the Revolutionary Armed Forces of Colombia (FARC); notes the FARC has a reprehensible history of committing atrocities against both Colombian and U.S. citizens; states that Congress will not tolerate violent acts against U.S. citizens abroad.

These American activists were involved in humanitarian efforts to assist the U'wa people of northeastern Colombia. Prior to their kidnapping, they spend 2 weeks on the U'wa reservation trying to assist in developing education program using traditional culture, language, and religion. The death of Ingrid Washinawatok marks the first time that a Native North American women died while performing human rights work among native people in South America.

FARC, a terrorist organization that has communist ties, has a history of committing atrocities against both Colombian and U.S. citizens. Established in 1966, it is the largest, best-trained, and best-equipped guerilla organization in Colombia. The goal of FARC is to overthrow the Colombian Government and its ruling class. Following the murders, FARC guaranteed that the perpetrators would be punished but refused to turn over the murderers to Colombian or United States officials.

H. Res. 181 strongly condemns the actions of FARC and calls for the government of Colombia to arrest and extradite those responsible for the deaths of the three individuals. Moreover, the bill urges the Federal Bureau of Investigation to use every available resource to see that those individuals responsible for the murders are brought to justice.

I urge my colleagues to support this resolution.

Mr. DAVIS of Florida. Mr. Speaker, I yield back the balance of my time.

Mr. BEREUTER. Mr. Speaker, I strongly urge unanimous support for H. Res. 181.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. MILLER of Florida). The question is on the motion offered by the gentleman from Nebraska (Mr. BEREUTER) that the House suspend the rules and agree to the resolution, House Resolution 181.

The question was taken.

Mr. BEREUTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

EXPRESSING CONCERN OVER INTERFERENCE WITH POLITICAL FREEDOM IN PERU

Mr. BEREUTER. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 57) expressing concern over interference with freedom of the press and the independence of judicial and electoral institutions in Peru, as amended.

The Clerk read as follows:

H. RES. 57

Whereas interference with freedom of the press and the independence of judicial and electoral institutions in Peru contributes to an erosion of democracy and the rule of law in Peru;

Whereas freedom of the press in Peru is under assault, and the Department of State's Peru Country Report on Human Rights Practices for 1998, found that "[t]he Government infringed on press freedom [. . . and] [j]ournalists faced increased harassment and intimidation";

Whereas the Department of State's Peru Country Report on Human Rights Practices for 1997, found that "[i]ncidents of harassment of media representatives increased to such an extent as to create the perception of an organized campaign of intimidation on the part of the Government, specifically, on the part of the armed forces and intelligence services";

Whereas the Organization of American States' Special Rapporteur on Freedom of Expression has called on the Government of Peru to cease all official harassment of journalists and to investigate and prosecute all abuses of freedom of speech and of the press;

Whereas Freedom House now classifies Peru as the only country in the Western Hemisphere, other than Cuba, where the press is "not free";

Whereas the Department of State's Peru Country Report on Human Rights Practices for 1997 states that Channel 2 television station reporters in Peru "revealed torture by Army Intelligence Service officers [and] the systematic wiretapping of journalists, government officials, and opposition politicians";

Whereas on July 13, 1997, the Government of Peru revoked the Peruvian citizenship of the Israeli-born owner of the Channel 2 television station, Baruch Ivcher, effectively removing him from control of Channel 2, leading the Department of State to conclude that "the Government's action in this case was widely interpreted as an attempt to prevent the station from broadcasting any more negative stories about the regime";

Whereas the Government of Peru has issued an INTERPOL warrant for Baruch Ivcher's arrest and brought criminal proceedings against him, against members of his immediate family, and against his former associates to secure lengthy prison sentences against them;

Whereas the Inter-American Commission on Human Rights found human rights viola-

tions against Baruch Ivcher by the Government of Peru in this case and on March 31, 1999, submitted the case to the Inter-American Court of Human Rights;

Whereas persecution of journalists in Peru is so grave that several Peruvian journalists have sought political asylum in the United States;

Whereas actions related to efforts to authorize President Alberto Fujimori to seek a third term in office have raised questions about the independence of the National Election Board in Peru;

Whereas the independence of Peru's judiciary has been brought into question since the dismissal of 3 Constitutional Tribunal magistrates on May 29, 1997, and by continuing control of judicial matters by the executive branch; and

Whereas the Inter-American Commission on Human Rights has called on the Government of Peru to reinstate the 3 dismissed magistrates, enabling the Constitutional Tribunal to rule on constitutional issues, to fully restore the National Council of the Judiciary's power to nominate and dismiss judges and prosecutors, and to cease the recurring practice of overruling, transferring, or removing judges whose decisions did not coincide with the views of the Government of Peru: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that—

(1) the erosion of the independence of judicial and electoral branches of the Government of Peru, the interference with freedom of the press, and the blatant intimidation of journalists in Peru constitute a threat to democracy in that country and are matters for concern by the United States as a member of the Inter-American community;

(2) the United States Government and other members of the Inter-American community should review the forthcoming report of an independent investigation conducted recently by the Inter-American Commission on Human Rights of the Organization of American States on the condition of and threats to democracy, freedom of the press, and judicial independence in Peru; and

(3) representatives of the United States in Peru and to international organizations, including the Organization of American States, the World Bank, the Inter-American Development Bank, and the International Monetary Fund, should make clear the concern of the United States concerning threats to democracy and violations of the rule of law in Peru.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Nebraska (Mr. BEREUTER) and the gentleman from Florida (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from Nebraska (Mr. BEREUTER).

GENERAL LEAVE

Mr. BEREUTER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this measure.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. BEREUTER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the gentleman from New York (Mr. GILMAN) and the gentleman from Connecticut (Mr. GEJDENSON) of the Committee on International

Relations joined in introducing this resolution to underscore Congress' concern about the harassment of journalists and over signs that the independence of Peru's judiciary is being substantially undermined.

The Committee to Protect Journalists, CPJ, has documented "attacks that confirm our suspicion of a coordinated government campaign to discredit and undermine the independent media in Peru."

The continuing actions taken by the government of Peru against Baruch Ivcher, the Israeli-born owner of television station Channel 2, have become emblematic of government interference with freedom of expression in Peru. These acts of intimidation were precipitated by Channel 2's exposés of abuses, including alleged torture and murder, by Peru's intelligence service.

The Committee to Protect Journalists asserts that the government of Peru "has continued to hound Mr. Ivcher, initiating legal action against him, harassing his family, and mounting an orchestrated misinformation campaign to discredit him."

Mr. Speaker, just today, a small opposition newspaper, "Referendum," stopped publishing amid allegations that the government of Peru applied pressure to force the newspaper out of business. Several members of this newspaper's editorial board used to work for Channel 2.

This resolution will put the House of Representatives on record expressing bipartisan concern over the erosion of the independence of the judicial and electoral branches of Peru's government and the intimidation of journalists in Peru. These concerns have also been heightened by Peru's effective withdrawal from the Inter-American Court of Human Rights.

Mr. Speaker, I urge my colleagues to support H. Res. 57.

Mr. Speaker, I reserve the balance of my time.

Mr. DAVIS of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I join the gentleman from Nebraska (Mr. BEREUTER) in strongly supporting this resolution. It basically details two matters of significant concern as far as the history of democracy in Peru as well as that part of the world.

The first, as the gentleman from Nebraska has alluded to, is the disregard by President Fujimori for the independence of the judiciary and the failure to recognize some separation of powers in terms of upholding the constitutional prohibition against three terms of consecutive service by the President. The second is a clear case of abuse with respect to the freedom of the press which I agree should be seriously investigated by outside credible authorities. These are but two examples of threats to democracy in a coun-

try that is in a position to be a partner and an agent in cooperation with the United States in Latin America. But actions like this really threaten that relationship. And so it is important that we pass this resolution to send an appropriate message to Peru that they need to reverse these actions and get back to a more proper course toward democracy.

Mr. GILMAN. Mr. Speaker, Representative Lee Hamilton and I initially introduced this resolution in the 105th Congress to express our concern over interference with freedom of the press and the independence of judicial and electoral institutions in Peru. I am pleased that the Ranking Minority Member of our International Relations Committee, the gentleman from Connecticut, Mr. GEJDENSON joined me in reintroducing this resolution.

The Committee to Protect Journalists, which has repeatedly expressed concern to the Peruvian government for the safety of journalists covering the military and the National Intelligence Service, wrote to me earlier this year to strongly urge that I reintroduce this resolution. The Committee to protect Journalists informed me "Not only have we failed to receive an official response to any of our protest letters, but we continue to document attacks that confirm our suspicion of a coordinated government campaign to discredit and undermine the independent media in Peru."

I have been one of Peru's strongest supporters in Congress. There is no question that Peru has made it back from the brink of the abyss. Not so many years ago, Peru was a terrorized nation.

Peru has become a good partner in our war against drugs. The drop of coca prices in Peru to historically low levels provided a real opportunity to help farmers grow legitimate crops. I was pleased to encourage our European allies to join us in seizing this opportunity to promote meaningful alternative development in Peru.

Nonetheless, I continue to be alarmed with regard to the harassment of journalists and signs that the independence of Peru's judiciary is being substantially undermined.

The continuing actions taken by the government of Peru against Baruch Ivcher, the Israeli-born owner of television station Channel 2, have become emblematic of government interference with freedom of expression in Peru. These acts of intimidation were precipitated by Channel 2's exposés of abuses—including alleged torture and murder—by Peru's intelligence service.

The Government of Peru, which revoked Mr. Ivcher's Peruvian citizenship, issued him a new Peruvian passport. Nonetheless, the government of Peru has continued to pursue highly questionable legal proceedings against Mr. Ivcher and his family and against former associates. Recently, the former general manager of Channel 2, was sentenced to four years in prison. The Committee to Protect Journalists asserts that the government of Peru ". . . has continued to hound Mr. Ivcher—initiating legal action against him, harassing his family, and mounting an orchestrated misinformation campaign to discredit him."

Just today, a small opposition newspaper, Referendum, stopped publishing amid allegations that the government of Peru applied

pressure to force the newspaper out of business. Several members of this newspaper's editorial board used to work for Channel 2.

This resolution will put the House of Representatives on record expressing bipartisan concern over the erosion of the independence of judicial and electoral branches of Peru's government and the intimidation of journalists in Peru. These concerns have only been heightened by Peru's effective withdrawal from the Inter-American Court of Human Rights. These are matters of concern to United States and all nations of the Hemisphere.

Peru's good efforts in our shared fight against drugs deserve our recognition and strong support. However, the United States should not turn a blind eye to interference with freedom of the press and the independence of judicial and electoral institutions of Peru.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise to support H. Res. 57, expressing the sense of Congress that the erosion of the independence of the judicial and electoral branches of the government of Peru, along with the intimidation of journalists within the country, are major concerns of the United States. I also support the United States pursuit of an independent investigation and report by the Inter-American Commission on Human Rights of the Organization of American States on threats to freedom and judicial independence in Peru.

The Constitution in Peru provides for freedom of speech and of the press. It provides for a judicial system free from the executive branch. Today, human rights reporting have provided an assessment of Peru that is causing concern. For although, the Constitution of Peru provides for these fundamental rights and privileges, recent actions are demonstrating the Government of Peru is limiting these rights.

The press in Peru represents a wide spectrum of opinion, ranging from left-leaning opposition views to those favoring the Government. In the greater Lima area alone, there are 16 daily newspapers, 7 television stations, 68 radio stations, and 2 commercial cable systems. The Government owns one daily newspaper, one television network, and two radio stations, none of which is particularly influential. However, in order to avoid provoking government retribution, the Peruvian press practices a degree of self-censorship.

Government accusations of treason against investigative journalists, the ordeal of Baruch Ivcher who lost control of his television station, harassment of media representatives increased to such a degree that it appears to be an organized campaign of intimidation on the part of the Government, are areas of concern for democratic institutions. A full report, by an independent counsel, is justified to understand the extent of the problem.

The Constitution provides also for an independent judiciary; however, documents allege in practice the judicial system is inefficient, often corrupt, and easily manipulated by the executive branch. As a result, public confidence in the judiciary is low.

There is a three-tier court structure: lower courts, superior courts, and the Supreme Court. A Constitutional Tribunal rules on the constitutionality of congressional legislation and government actions; a National judiciary

Council tests, nominates, confirms, evaluates, and disciplines judges and prosecutors; and a Judicial Academy trains judges and prosecutors. The Government moved to limit the independence of the Constitutional Tribunal almost from its inception in 1995 and continued such efforts in subsequent years. By year's end, the Peruvian Congress still had not taken any steps to replace the three judges ousted from the Constitutional Tribunal after they voted against the interpretation allowing President Fujimori a third term. An action that seems to be punitive just due to its subject matter. This effectively paralyzed the Court's ability to rule on any constitutional issues for lack of a quorum.

The Peruvian Government cites its efforts to revamp its judicial system. It is commendable that administrative and technical progress is occurring in the area of caseload reduction and computerization but little has been done to restore the judiciary's independence from the executive. Of the country's 1,531 judges, less than half, only 574 have permanent appointments, having been independently selected. The remaining 957, including 19 of the 33 judges of the Supreme Court, have provisional or temporary status only. Critics charge that, since these judges lack tenure, they are much more susceptible to outside pressures, further crippling the judicial process.

Increased economic and social stability has resulted in a substantial increase in U.S. investment and tourism in Peru in recent years. In 1997, approximately 140,000 U.S. citizens visited Peru for business, tourism and study. About 10,000 Americans reside in Peru and over 200 U.S. companies are represented in the country. U.S. relations improved with Peru after the 1992 auto-coup when the country undertook steps to restore democratic institutions and to address human rights problems related to counter-terrorism efforts.

I urge my colleagues to support with me this effort designed to continue U.S. promotion of the strengthening of democratic institutions and human rights safeguards in Peru.

Mr. DAVIS of Florida. Mr. Speaker, I yield back the balance of my time.

Mr. BEREUTER. Mr. Speaker, I urge strong support of H. Res. 57.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nebraska (Mr. BEREUTER) that the House suspend the rules and agree to the resolution, House Resolution 57, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the resolution, as amended, was agreed to.

The title of the resolution was amended so as to read: "Resolution expressing concern over erosion of democracy and the rule of law in Peru, including interference with freedom of the press and independence of judicial and electoral institutions."

A motion to reconsider was laid on the table.

ABRAHAM LINCOLN BICENTENNIAL COMMISSION ACT

Mrs. BIGGERT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1451) to establish the Abraham Lincoln Bicentennial Commission, as amended.

The Clerk read as follows:

H.R. 1451

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Abraham Lincoln Bicentennial Commission Act".

SEC. 2. FINDINGS.

The Congress makes the following findings:

(1) Abraham Lincoln, the 16th President, was one of the Nation's most prominent leaders, demonstrating true courage during the Civil War, one of the greatest crises in the Nation's history.

(2) Born of humble roots in Hardin County, Kentucky, on February 12, 1809, Abraham Lincoln rose to the Presidency through a legacy of honesty, integrity, intelligence, and commitment to the United States.

(3) With the belief that all men were created equal, Abraham Lincoln led the effort to free all slaves in the United States.

(4) Abraham Lincoln had a generous heart, with malice toward none and with charity for all.

(5) Abraham Lincoln gave the ultimate sacrifice for the country he loved, dying from an assassin's bullet on April 15, 1865.

(6) All Americans could benefit from studying the life of Abraham Lincoln, for his life is a model for accomplishing the "American Dream" through honesty, integrity, loyalty, and a lifetime of education.

(7) The Year 2009 will be the bicentennial anniversary of the birth of Abraham Lincoln, and a commission should be established to study and recommend to the Congress activities that are fitting and proper to celebrate that anniversary in a manner that appropriately honors Abraham Lincoln.

SEC. 3. ESTABLISHMENT.

There is established a commission to be known as the Abraham Lincoln Bicentennial Commission (in this Act referred to as the "Commission").

SEC. 4. DUTIES.

The Commission shall have the following duties:

(1) To study activities that may be carried out by the Federal Government to determine whether they are fitting and proper to honor Abraham Lincoln on the occasion of the bicentennial anniversary of his birth, including—

(A) the minting of an Abraham Lincoln bicentennial penny;

(B) the issuance of an Abraham Lincoln bicentennial postage stamp;

(C) the convening of a joint meeting or joint session of the Congress for ceremonies and activities relating to Abraham Lincoln;

(D) a redesignation of the Lincoln Memorial, or other activity with respect to the Memorial; and

(E) the acquisition and preservation of artifacts associated with Abraham Lincoln.

(2) To recommend to the Congress the activities that the Commission considers most fitting and proper to honor Abraham Lincoln on such occasion, and the entity or entities in the Federal Government that the Commission considers most appropriate to carry out such activities.

SEC. 5. MEMBERSHIP.

(a) NUMBER AND APPOINTMENT.—The Commission shall be composed of 15 members appointed as follows:

(1) 3 members, each of whom shall be a qualified citizen described in subsection (b), appointed by the President.

(2) 2 members, each of whom shall be a qualified citizen described in subsection (b), appointed by the President on the recommendation of the Governor of Illinois.

(3) 2 members, each of whom shall be a qualified citizen described in subsection (b), appointed by the President on the recommendation of the Governor of Indiana.

(4) 2 members, each of whom shall be a qualified citizen described in subsection (b), appointed by the President on the recommendation of the Governor of Kentucky.

(5) 2 members, each of whom shall be Members of the House of Representatives from the State of Illinois, appointed by the Speaker of the House of Representatives.

(6) 1 member, who shall be a Senator from the State of Illinois, appointed by the Majority Leader of the Senate.

(7) 1 member, who shall be a Senator, appointed by the Majority Leader of the Senate.

(8) 1 member, who shall be a Member of the House of Representatives, appointed by the Minority Leader of the House of Representatives.

(9) 1 member, who shall be a Senator, appointed by the Minority Leader of the Senate.

(b) QUALIFIED CITIZEN.—A qualified citizen described in this subsection is a private citizen of the United States with—

(1) a demonstrated dedication to educating others about the importance of historical figures and events; and

(2) substantial knowledge and appreciation of Abraham Lincoln.

(c) TIME OF APPOINTMENT.—Each initial appointment of a member of the Commission shall be made before the expiration of the 120-day period beginning on the date of the enactment of this Act.

(d) CONTINUATION OF MEMBERSHIP.—If a member was appointed to the Commission as a Member of Congress and the member ceases to be a Member of Congress, that member may continue as a member for not longer than the 30-day period beginning on the date that member ceases to be a Member of Congress.

(e) TERMS.—Each member shall be appointed for the life of the Commission.

(f) VACANCIES.—A vacancy in the Commission shall be filled in the manner in which the original appointment was made.

(g) BASIC PAY.—Members shall serve without pay.

(h) TRAVEL EXPENSES.—Each member shall receive travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5, United States Code.

(i) QUORUM.—5 members of the Commission shall constitute a quorum but a lesser number may hold hearings.

(j) CHAIRPERSON.—The Chairperson shall be designated by the President from among the members of the Commission appointed under section 5(a)(1). The term of office of the Chairperson shall be for the life of the Commission.

(k) MEETINGS.—The Commission shall meet at the call of the Chairperson. Periodically, the Commission shall hold its meeting in Springfield, Illinois.

SEC. 6. DIRECTOR AND STAFF.

(a) DIRECTOR.—The Commission may appoint and fix the pay of a Director and any