

The Administration's attempt to dictate how the money should be spent demonstrates a disregard for state budgeting process. I hope that my colleagues will support this bi-partisan bill that protects state tobacco settlements from federal recoupment.●

#### REMARKS ON HUMAN RIGHTS SITUATION IN PERU

● Mr. WELLSTONE. Mr. President, I rise today to express my deep concern over the apparent disregard for international standards of fairness and openness in the legal process in Peru. President Fujimori is visiting Washington today and is being congratulated by the President on resolving Peru's border dispute with Ecuador. During his visit, I think it is important to point out that under his rule democratic principles have been threatened in Peru and the basic civil rights of the Peruvian people have not been properly respected.

In his inaugural speech in July of 1990, President Fujimori stated that "the unrestricted respect and promotion of human rights" would be a priority of his government. His promises, though, quickly proved suspect as he solidified his control over what has been described as "an authoritarian civilian military government".

In April of 1992 he annulled Peru's constitution, dissolved the Legislature and purged most of the judiciary, most forcefully and notably those courts responsible for ensuring the civil rights of its citizens. Since this time independent monitoring groups like Amnesty International have documented numerous extrajudicial executions of peasant men, women and children, perpetrated by Peru's military and police forces who later attempted to conceal their actions. These executions have been determined by respected independent human rights organizations to have been orchestrated from the highest levels of the current Peruvian government, including two of President Fujimori's top advisors.

Human rights workers and journalists in Peru have been subjected to intimidation, death threats, abductions, and torturous interrogation and imprisonment by the Peruvian government in response to their attempts to hold responsible those who committed these atrocities.

President Fujimori's systematic dismantling of Peru's legislative and judicial systems has resulted in impunity for those who commit these acts of aggression. To investigate and determine accountability in these cases, the military has often served both as prosecutor and judge, keeping their identities secret and under direct control of the executive branch. These "faceless judges" have also punished, without proper recourse or due process, and in direct violation of international law,

those who challenge or call attention to their actions. According to the State Department's most recent human rights report the Peruvian government has eliminated the use of faceless tribunals, but much damage has already been done and many condemned by the faceless judges remain incarcerated.

I am especially concerned about the failure to respect due process in one case in particular. One individual who has directly suffered from the transgressions of Fujimori's authoritarian government is American journalist Lori Berenson. Her journalistic coverage of Peru's economically and politically disaffected was not popular with the Peruvian government. While working in Peru in January of 1996 she was arrested and charged with involvement with terrorist organizations. According to human rights groups, she was tried without due process, little evidence, and without being allowed a defense. She was convicted of "treason against the fatherland" and sentenced to imprisonment for life.

The handling of this case has drawn widespread condemnation from human rights groups, the U.S. State Department, and even high ranking Peruvian officials. Many have pointed out that, by depriving Ms. Berenson of her right to defend herself in a fair trial by an impartial jury, the Peruvian government was in direct violation of numerous international treaties guaranteeing the legal rights of prisoners. The Commission of International Jurists, the Inter-American Court of Human Rights and the United Nations Human Rights Committee are among the many respected organizations who have condemned Peru's actions and have urged that immediate measures be taken to abolish these practices which undermine internationally recognized fair trial standards.

Today, Lori Berenson remains incarcerated in a country with notoriously harsh prison conditions where she has been held in the total isolation of solitary confinement since October 7 of last year. According to her father she is suffering serious health problems. Amnesty International charges that the conditions under which she is imprisoned contravene the U.N. Convention against Torture and other Cruel, Inhuman, or Degrading Treatment or Punishment, a Convention to which Peru is a party.

I wanted to take this opportunity to urge President Fujimori to grant Lori Berenson a fair, open, and just trial as prescribed under international conventions. And I call on him to honor his pledge to all the Peruvian people to make the respect of basic legal, civil, and human rights a priority in his government.●

#### 1998 KANSAS WHEAT MAN OF THE YEAR

● Mr. BROWNBACK. Mr. President, today, I rise to recognize the 1998 Kansas Wheat Man of the Year, Dr. Rollie Sears. Dr. Sears is a world-renowned wheat breeder and a Professor in the Department of Agronomy at Kansas State University. His colleagues describe him as much more than a college professor.

Throughout the wheat industry, Mr. Sears is known for his many contributions to the development of new wheat varieties. Dr. Sears was again in the spotlight in 1998 when he released two new varieties of hard white wheat along with the indication that shortly there was more to come.

Mr. President, today I join with the Kansas Wheat Association in honoring a man who works to develop, and improve the wheat industry. I congratulate Dr. Sears for his outstanding contributions to wheat growers and I wish him continued success.●

#### TRIBUTE TO MONSIGNOR JOHN QUINN OF MANCHESTER, NH

● Mr. SMITH of New Hampshire. Mr. President, I rise today to pay tribute to Monsignor John P. Quinn of Manchester, New Hampshire, on his retirement from Catholic Charities. Monsignor Quinn has been Diocesan Director of New Hampshire Catholic Charities since 1976.

Monsignor Quinn was ordained on May 18, 1969 and has served many functions in the Diocese. He first served as Associate Pastor at St. Anne's Parish in Manchester. Most recently he served as Secretary to the Bishop in charge of Community Service and Director of New Hampshire Catholic Charities. He leaves these posts to occupy the position of Secretary to the Bishop in charge of Finance and Real Estate and to become the Finance Officer of the Diocese.

Furthermore, Monsignor Quinn has continuously exhibited his unselfish dedication to the community. Having volunteered in various organizations such as the Trinity High School Board, the Manchester Police Department and the New Hampshire Social Welfare Council, Monsignor Quinn is an exemplary model for community service.

As a lifelong Catholic, I would like to congratulate Monsignor Quinn on all of his accomplishments and thank him for his service to Catholic Charities and his continued service to the Diocese. I wish him well in all of his future endeavors. I am honored to represent him in the United States Senate.●

#### EDUCATION FLEXIBILITY ACT OF 1999

● Mr. JEFFORDS. Mr. President, on January 27th, the Committee on