The daunting challenge, quite candidly, is that, even now, there is not one rule of law after election day. People and companies won’t invest in these countries. They are afraid to invest—they are afraid to invest, because they don’t know that their assets will be protected or if they will be stolen. And, if they are stolen, they don’t know if there will be any redress. That kind of uncertainty is expensive.

People need to be able to look to the courts, and to the prosecutors, and to the judicial system. When you help that judicial system become strong, and when you actively help create jobs and help people come out of poverty.

The same thing is true for farmers—campesinos—in Guatemala, or Honduras, or Nicaragua, or throughout this hemisphere. If they do not believe that they own their land—that they can control their land—they won’t invest in their land. They won’t put anything back into the soil, as farmers must, if they are to prosper.

So, again, it goes back to the judicial system—rule of law—and to the courts. One of the greatest things our country has the ability to do is send abroad our judicial and rule of law expertise. We’ve been doing that. And, I think we have been doing a pretty good job, there is still more we can do.

Economies cannot expand and democracies cannot thrive without law enforcement officers and judges committed to law and order. The challenge we face today is that a number of Latin American countries do not have the kind of judicialities needed to make the rule of law work.

Citizens should not fear the police. Law enforcement should be trained to protect the people and to provide stability and tranquility. Many of the emerging democracies have a long, long history of police abusing human rights and of the military abusing human rights. That has to change. And, it can change through our assistance and through our expertise.

We already are investing time and money to export our principles of law enforcement to train police in Central America through the International Criminal Investigative Training Program, known as ICITAP. This is an important program, but it’s only half of the law enforcement equation. A well-trained police force means little without rule of law, and the military abusing human rights. That has to change. And, it can change through our assistance and through our expertise.

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As we enter the 21st century and contemplate our national role in the world, we must think about past mistakes, learn from them, and move forward toward a more balanced, principled, bi-partisan foreign policy. In doing so, we must make sure that we do not build our foreign policy on these principles, which I have outlined tonight:

1. The United States must lead in foreign affairs.
2. The peace and stability of our own hemisphere must be one of our top priorities; and
3. Our foreign policy must reinforce and promote our own core values of democracy, free markets, human rights, and rule of law.

In the global struggle for peace and stability, there is no substitute for strong, effective U.S. leadership. Leadership means foresight, imagination thinking ahead. It also means credibility.

This week, ten years ago, the Berlin Wall fell, marking the beginning of the end of the Cold War. During this time of remembrance for this anniversary and as we pause, as Dr. Shriver so appropriately pointed out, to pay honor to our veterans, the following words, I think, have significance:

“Ladies and gentleman, the United States stands at this time at the pinnacle of world power. It is a solemn moment for the American people to reflect upon the extent of our power and to begin the journey into the years ahead.”

Mr. Churchill’s now famous speech was actually titled, “The Sins of Peace.” In his typically less than subtle manner, Mr. Churchill was suggesting that times of peace require the same strength of purpose as times of war. He certainly was right.

Winston Churchill saw, before many did, what lay ahead for the world. He saw a difficult, uncertain, and volatile peace. He did not advise his American allies to pursue an overall strategy of containment and outline the methods and resources needed to enforce this strategy. He was calling on America to define its role in a post-WWII world. President Harry Truman was advocating for us to have the vision and the resolve to accept this challenge and to redefine America’s role in foreign affairs.

Mr. Churchill would offer similar advice today. All of us here do have an “awe-inspiring accountability to the future.” The challenges are many, but I believe they can be met. Doing so requires one significant first step: We must develop, as a country, a doctrine that will guide and define our role in the world. If our next President follows the example of John Kennedy, Dwight Eisenhower, or Harry Truman, we will have a doctrine that will take us into the next century. And, we will have a doctrine that will be consistent with our principles, with our values, and with our vision of the types of world in which we want our children, our grandchildren, and our great-grandchildren to grow up.

CONCLUSION

As we enter the 21st century and contemplate our national role in the world, we must think about past mistakes, learn from them, and move forward toward a more balanced, principled, bi-partisan foreign policy. In doing so, we must make sure that we do not build our foreign policy on these principles, which I have outlined tonight:

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middle schools have seen a dramatic 21 percent decline in student tobacco use. This reduction is particularly significant when compared to national statistics showing that states without an anti-tobacco campaign have seen an approximately eleven percent rise in tobacco use.

Florida’s success may be due to SWAT, whose willingness to employ both education and mass media as means of spreading their message. Ads that are designed by students are played on local television stations, informing teens of the perils of tobacco use.

Similarly, billboards that the SWAT teams have designed are displayed within the communities. These are complemented by an education component that is adaptable for all school grades. Health classes provide an opportunity to discuss the impact smoking has upon the body, from halitosis to lung cancer.

In reading classes, young children learn to read using books that are about how to stay healthy and smoke-free.

Science courses have moved the anti-tobacco campaign into the technology age, employing CD-Rom programs such as “Science, Tobacco and You,” an innovative computer program that demonstrates tobacco’s effects on the body—from first puff to final drag.

Students scan their photo into the computer, becoming a virtual reality smoker. As the program progresses, students watch their teeth, skin, bones and lungs begin to deteriorate.

Currently, SWAT teams are strengthening their community outreach and grassroots work. In their current effort, students are working to get tobacco ads removed from magazines that have either one cent of total readership under age 18. They are collecting these ads and returning them in bulk to the tobacco companies, with a cover letter stating that Big Tobacco needs to strengthen its campaigns to reduce teen smoking.

SWAT teams have offered to meet with industry representatives to share ideas about how this mutual goal might be met.

Once again, the SWAT program has achieved success. At their next board meeting, they will be joined by representatives from Brown & Williamson Tobacco Company to discuss how to better target tobacco ad campaigns to adults, not youth.

Mr. President, I am very proud of these young people. I am here today to commend them publicly, and to share their accomplishments with all of you because they are truly making a difference in the battle against teenage smoking.

Florida has encouraged its youth to creatively combat one of the foremost problems facing today’s teenagers, creating some of the most innovative tools and means to successfully meet their goals.

As other areas work towards the development of a youth-based anti-tobacco initiative, SWAT will be the model upon which their programs will be based.

To the over 10,000 members of SWAT, thank you for your efforts to educate Floridians about the dangers of tobacco.

DEATH ON THE HIGH SEAS ACT
Mr. SPECTER. Mr. President, as it appears unlikely the House and Senate conferees will come to agreement this year on a bill that I introduced last year in the 105th Federal Aviation Administration, I have sought recognition today to introduce legislation which will provide equitable treatment for families of passengers involved in international aviation disasters. This measure is identical to legislation introduced in the 106th Congress, and similar to provisions contained in both the House and Senate FAA bills.

As my colleagues know, the devastating crash of Trans World Airlines Flight 800 on July 17, 1996 took the lives of 230 individuals. Perhaps the community hardest hit by this tragedy was Montoursville, PA, which lost 16 students and 5 adult chaperones from Montoursville High School who were participating in a long-awaited French Club trip to France.

Last Congress it was brought to my attention by constituents, who include parents of the Montoursville children lost on TWA 800, that their ability to seek redress in court is hampered by a 1929 shipping law known as the Death on the High Seas Act, which was originally intended to cover the widows of seafarers, not the relatives of jumbo-jet passengers embarking on international air travel.

Under the Warsaw Convention of 1929, airlines are limited in the amount they must pay to families of passengers who died on an international flight. However, domestic air crashes are covered by U.S. law, which allow for greater damages if negligent conduct is proven in court.

The Warsaw Convention limit on liability can be waived if the passengers’ families show that there was intentional misconduct which led to the crash. This is where the Death on the High Seas Act comes into play. This law states that where the death of a person is caused by wrongful act, neglect, or default occurring on the high seas more than 1 marine league which is 3 miles from U.S. shores, a personal representative of a decedent can sue for pecuniary loss sustained by the decedent’s wife, child, husband, parent, or dependent relative. The Act, however, does not allow families of the victims of TWA 800 or other aviation incidents such as the Swissair Flight 111 crash to obtain other types of damages, such as recovery for loss of society or punitive damages, no matter how great the wrongful act or neglect by an airline or airplane manufacturer.

My legislation would amend Federal law to provide that the Death on the High Seas Act shall not affect any remedy existing at common law or under State law with respect to any injury or death arising out of an aviation incident occurring after January 1, 1995. In effect, it would clarify that federal aviation law does not limit remedies in the same manner as maritime law, and permits international flights to be governed by the same laws as domestic ones.

My legislation is not about blaming an airline or airplane manufacturer. It is not about multimillion dollar damage awards. It is about ensuring access to justice and clarifying the rights of families of victims of plane crashes.

The need for this legislation is suggested by the Supreme Court decision Zicherman v. Korean Airlines, 116 S. Ct. 629 (1996), in which a unanimous Court held that the Death on the High Seas Act of 1920 applies to determine damages in airline accidents that occur more than 3 miles from shore. By contrast, the Court has ruled that State tort law applies to determine damages in accidents that occur in waters 3 miles or less from our shores. Yamaha v. Calhoun, (1996 WL 5518)

I believe it is inequitable to make such a distinction at the 3 mile limit in civil aviation cases where the underlying statute predates international air travel by 69 years. This legislation recognizes that the Commerce Commission on Aviation Safety and Security noted in its final report that “certain statutes and international treaties, established over 50 years ago, historically have not provided equitable treatment for families of passengers involved in international aviation disasters. Specifically, the Death on the High Seas Act of 1920 and the Warsaw Convention of 1929, although designed to aid families of victims of maritime and aviation disasters, have inhibited the ability of family members of international aviation disasters from obtaining fair compensation.” I would further note that in an October, 1996 brief filed at the Department of Transportation by the Air Transport Association, the trade association of U.S. airlines, there is an acknowledgment that the Supreme Court in Zicherman did not apparently consider 49 U.S.C. § 40120(a) and (c), which preserve the application of State and common law remedies in tort cases and also prohibit the application of Federal shipping laws to aviation. My legislation amends 49 U.S.C. § 40120(c) to clarify that nothing in the Death on the