

ENROLLMENT CORRECTIONS—H.J. RES. 602

Oct. 4, 1988

[S. Con. Res. 143]

Resolved by the Senate (the House of Representatives concurring), That, in the enrollment of the joint resolution (H.J. Res. 602) in support of the restoration of a free and independent Cambodia and the protection of the Cambodian people from a return to power by the genocidal Khmer Rouge, the Clerk of the House of Representatives shall make the following corrections:

(a) In subsection (2)—

(1) strike out “in the context of a negotiated settlement”; and

(2) strike out “in the context of a negotiated settlement.”.

Ante, p. 2505.

(b) In subsection (10)—

(1) strike out “immediately”; and

(2) strike out “support and sanctuary” and insert: “assistance”.

Ante, p. 2506.

Agreed to October 4, 1988.

HAITI—DEMOCRATIC AND ECONOMIC REFORMS

Oct. 6, 1988

[S. Con. Res. 149]

Whereas 29 years of repressive Duvalier rule came to end on February 7, 1986, when the Haitian people sent President-For-Life Jean-Claude Duvalier into exile;

Whereas a National Governing Council, a military-dominated provisional junta appointed by Duvalier prior to his departure and headed by General Henri Namphy, was named to govern the country and announced a plan to form a Constituent Assembly to draft a new constitution;

Whereas on March 29, 1987, an overwhelming majority of Haitian voters (98.99 percent) approved the new constitution calling for the creation of a Provisional Electoral Council to draft an Electoral Law and oversee presidential and municipal elections;

Whereas on November 29, 1987, the first Haitian presidential election in thirty years was violently disrupted and ultimately postponed when Duvalierists and elements of the army massacred at least 34 voters and wounded 75 as Haitians peacefully assembled at polling booths to cast their ballots;

Whereas the ruling National Governing Council took no action to protect voters and stop the violence and, further, dissolved the Provisional Electoral Council and abrogated the Electoral Law;

Whereas the United States responded by suspending all military and economic aid except for humanitarian assistance;

Whereas the Congress, with the exception of those programs such as assistance for refugees and disaster relief assistance that serve the interests of the United States, prohibited any further aid to Haiti not passing through private, non-governmental organizations until the Haitian government holds elections in accordance with the 1987 Haitian Constitution;

Whereas the National Governing Council held an election on January 17, 1988, widely recognized as fraudulent, and the army-backed candidate, Leslie Manigat, was selected as president in balloting in which no more than 4 to 6 percent of the three million eligible Haitian voters participated and where many who did vote were paid to do so;

Whereas Leslie Manigat was overthrown on June 19, 1988, and

General Henri Namphy assumed power and, with the support of remnants of Duvalier's private army, the Tonton Macoutes, began terrorizing the Haitian people;

Whereas as this campaign of terror against the Haitian people culminated on September 11, 1988, in the murder of 13 Haitians when elements of the Tonton Macoutes viciously attacked worshippers attending a Sunday morning mass at Saint Jean Bosco Roman Catholic Church in Port-au-Prince and subsequently attacks were carried out against political party headquarters and radio stations and two other churches were burned;

Whereas noncommissioned officers in the Haitian military, upset by increasing human rights abuses perpetrated by a military government including Duvalierists and Tonton Macoutes, overthrew the Namphy regime and installed Lieutenant General Prosper Avril as Haiti's new president on September 17;

Whereas Lieutenant General Avril has said that the final objective of his military government will be to implement democracy;

Whereas, upon taking power General Avril proclaimed "We dream of a Haiti where liberty will flourish, where human rights will be guaranteed and dialogue will be honored for the sake of national reconciliation, and where the economic stagnation in which the country is floundering will disappear for the greatest good of the greatest number"; and

Whereas the continuing popular unrest in Haiti since the exile of President-For-Life Jean-Claude Duvalier is a clear indication that the people of Haiti will continue to risk their lives for the opportunity to select their own leaders through free, fair, and open elections: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that the resumption of economic or any other assistance by the United States to the Government of Haiti should be clearly linked to tangible actions by the Government of Haiti to—

(1) embark upon a credible transition to democracy that will include restoring the 1987 Constitution, appointing a genuinely independent electoral commission to oversee elections, and most important, announcing a date certain for elections that will lead to a democratic government led by civilians;

(2) strictly observe human and civil rights and in so doing take immediate steps to disarm and restrain the remnants of Duvalier's private army, the Tonton Macoutes, and to institute a judicial process whereby human rights violations will be vigorously investigated and violators will be brought to justice;

(3) reform a corrupt bureaucracy;

(4) promote economic development that will benefit the Haitian people by providing the security and freedom of association necessary for bottom-up, grass-roots development;

(5) improve cooperation between the United States and Haiti in dealing with the growing problem of narcotics trafficking through Haiti and to take meaningful steps to halt the involvement of the Haitian military in the transshipment of illicit drugs; and

(6) demonstrate the willingness of the Haitian armed forces to submit to legally constituted civilian authority and to fully respect and abide by the Constitution of Haiti.

SEC. 2. It is further the sense of the Congress that—

(1) there will be no resumption of regularized and sustained government-to-government assistance, as part of a normaliza-

tion of relations with the Government of Haiti, until the election of a civilian government pursuant to free, fair and open elections held in accordance with the provisions set forth in section 1; and

(2) the appropriate executive branch officials should consult fully and completely with the Congress before assistance of any kind is made available by the United States to the Government of Haiti.

SEC. 3. The Congress further declares its support for the people of Haiti and their desire for democratic government and economic development by directing that the appropriate committees of the Congress conduct hearings to determine what legislative actions may be appropriate and necessary to promote free, fair and open elections leading to civilian government in Haiti, including increased economic aid should the government take the steps outlined in section 1, or, in the event of its failure to do so, the feasibility of additional sanctions as outlined in legislation now pending before the Congress.

SEC. 4. The appropriate executive branch officials should examine ways that the United States can work with its friends and allies and appropriate international organizations and institutions to develop a multilateral policy toward Haiti that is consistent and sustainable.

Agreed to October 6, 1988.

ENROLLMENT CORRECTIONS—S. 659

Oct. 6, 1988
[S. Con. Res. 153]

Resolved by the Senate (the House of Representatives concurring), That, in the enrollment of the bill (S. 659), an Act to amend the Federal Insecticide, Fungicide, and Rodenticide Act, and for other purposes, the Secretary of the Senate shall make the following corrections:

(1) In section 2(ff)(1)(B) of the Federal Insecticide, Fungicide, and Rodenticide Act (as added by section 101), strike out "it must" and insert "must".

7 USC 136.

(2) In section 4(c)(2)(A) of the Federal Insecticide, Fungicide, and Rodenticide Act (as added by section 102(a) and as designated by section 801(q)(2)), strike out "such date" and insert in lieu thereof "such effective date".

7 USC 136a-1.

(3) In section 4(f)(1)(A) of the Federal Insecticide, Fungicide, and Rodenticide Act (as added by section 102(a) and as designated by section 801(q)(2)), strike out "(f)(1)" and insert in lieu thereof "(e)(1)".

(4) In section 4(k)(5)(B) of the Federal Insecticide, Fungicide, and Rodenticide Act (as added by section 102(a) and as designated by section 801(q)(2)), strike out "of such funds" and insert in lieu thereof "from such fund".

(5) In section 6(f)(2) of the Federal Insecticide, Fungicide, and Rodenticide Act (as added by section 201), strike out "(d)(4) or (e)(5)(A)" and insert in lieu thereof "(c)(4) or (d)(5)(A)".

7 USC 136d.

(6) Section 302(a) is amended to read as follows:

"(a) IN GENERAL.—Section 9(a) (7 U.S.C. 136g(a)) is amended—
"(1) in the first sentence—

"(A) by inserting '1' before 'For',

"(B) by inserting after 'employees' the following: 'of the Environmental Protection Agency or of any State',