

## EXTENSIONS OF REMARKS

### CAMPAIGN FINANCE REFORM

#### HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 16, 1997

Mr. KIND. Mr. Speaker, we are now beginning the third week of our final legislative session this year. And still no campaign finance reform vote.

We have heard from your office that the House of Representatives will stay in session this evening until final action is taken on the Labor, Health, Human Services and Education appropriations bill. I appreciate the fact that the leadership is willing to do what it takes to get this important piece of legislation passed. I wish we had this kind of commitment to campaign finance reform. Mr. Speaker, I and many of my colleagues are ready to stay in session all night long to debate and vote on the various campaign finance reform proposals currently pending in this Congress.

Every day more revelations are being made of abuses in the 1996 election. It is irresponsible for us to continue to investigate the abuses and not offer any legislation that closes the loopholes, strengthens disclosure, or corrects the various problems in the current system. Mr. Speaker, all we want is an opportunity to vote on this issue. Please give us the chance.

### THE FREEDOM FROM RELIGIOUS PERSECUTION ACT OF 1997

#### HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 16, 1997

Mr. HAMILTON. Mr. Speaker, the Committee on International Relations met earlier this week to hear testimony on H.R. 2431, formerly H.R. 1685, the Freedom From Religious Persecution Act of 1997.

For those of my colleagues who have not yet had an opportunity to study this legislation, I am placing in the RECORD an excerpt from the statement of the Hon. John Shattuck, Assistant Secretary of State for Democracy, Human Rights and Labor. Secretary Shattuck came before the committee on September 9 to share the administration's views on the bill.

I hope my colleagues will find the Secretary's comments useful in their consideration of this important legislation:

STATEMENT OF THE HONORABLE JOHN SHATTUCK, ASSISTANT SECRETARY OF STATE DEMOCRACY, HUMAN RIGHTS AND LABOR ON H.R. 1685 THE FREEDOM FROM RELIGIOUS PERSECUTION ACT OF 1997

We are treating religious liberty as a foreign policy priority and we seek to respond to the call for action by Americans of every faith and belief.

With that important background, let me now turn to the "Freedom From Religious Persecution Act of 1997."

In summary, the Administration strongly supports the objectives of eliminating religious persecution, but we do not believe that the bill in its current form would accomplish this goal. In fact, we believe that the current draft would frustrate these and other objectives, and, for this reason, we oppose the legislation in its current form.

In particular, we fear that the legislation: is a blunt instrument that is more likely to harm, rather than aid, victims of religious persecution;

runs the risk of harming vital bilateral relations with key allies and regional powers, and undercutting U.S. Government efforts to promote the very regional peace and reconciliation that can foster religious tolerance and understanding from Europe to the Middle East to South Asia.

creates a confusing bureaucratic structure for dealing with religious persecution at the very time the Department of State is consolidating its authority and expending its effectiveness on these issues; and

establishes a de facto hierarchy of human rights violations that would severely damage US efforts—long supported by the religious community—to ensure that all aspects of civil and political rights are protected.

Before I detail these and other serious concerns, let me again emphasize our willingness to work with members in fashioning workable responses—legislative and otherwise—to religious persecution, wherever it occurs.

In particular, we are committed to strengthening and improving our new structures for addressing religious freedom and persecution in our foreign policy. We are prepared for serious discussions with the Committee about ways to reinforce these structures, including by the development of legislation to further enhance our efforts to promote religious freedom, such as by:

further increasing the visibility of this issue in the U.S. Government, undertaking official fact-finding and monitoring missions, and dedicating additional agency personnel to address religious persecution and complement the efforts of the Advisory Committee on Religious Freedom Abroad;

acting to insure that U.S. laws that involve human rights take explicit account of religious persecution;

initiating periodic public reporting on religious freedom issues in general, and increasing U.S. Embassy reporting and action on cases and situations involving religious persecution; and

supporting measures to improve immigration and refugee processing consideration of applicants fleeing religious persecution.

Let me set forth in more detail the basis for our concerns about H.R. 1685. First, and most importantly from our perspective, the bill could seriously harm the very people it seeks to help—those facing religious persecution. It runs the risk of strengthening the hands of governments and extremists who seek to incite religious intolerance. In particular, we fear reprisals by repressive governments against victims, as well as an end to any dialogue on religious freedom, in retaliation for the sanctions that the bill would automatically impose.

The provision that sanctions governments for failure to take adequate action against private acts of persecution is also troubling. Many governments that fail to combat soci-

etal religious persecution are simply too unstable or too weak to control extremists, insurgents, terrorists and those inciting societal religious persecution. Imposing punitive sanctions on weak governments, would only play into the hands of those elements in society that are perpetrating religious persecution. To deal effectively with societal religious persecution, our laws must allow us to help these weak transitional governments check extremist forces and protect victims from further persecution.

The bill would mandate a wide variety of sanctions against governments that engage in officially-sponsored religious persecution or that fail to combat societal religious persecution. Because our laws and policies already give significant right to human rights, the United States provides little direct assistance to such governments. The imposition of automatic sanctions, therefore, would have little effect on government-sponsored religious persecution in most countries, but would make a productive human rights dialogue with sanctioned governments far more difficult or even impossible. The bill also runs the risk of harming vital bilateral relations with key allies and regional powers.

Second, the bill would create a de facto hierarchy of human rights violations under U.S. law that would severely damage our efforts to ensure that all aspects of basic civil and political rights, including religious freedom, are protected. It would differentiate between acts motivated by religious discrimination and similar acts based on other forms of repression or bias, such as denial of political freedom, or racial or ethnic hatred. In doing so, the bill would legislate a hierarchy of human rights into our laws. Certain deplorable acts would result in automatic sanctions when connected to religion, but not in other cases. As a consequence, our ability to promote the full range of basic rights and fundamental freedoms would be compromised.

Some governments and their apologists are now engaged themselves in an insidious campaign to devalue human rights by creating their own hierarchy, arguing that respect for economic rights should be preeminent. Those advancing this argument have often sought to justify a government's failure to respect civil and political rights (such as freedom of expression, assembly and association) by claiming that economic development must precede respect for civil and political rights. The United States has long resisted these attempts to create a hierarchy of basic human rights and fundamental freedoms. We should not yield to the temptation to do so now.

Third, the bill would provide no flexibility to tailor our religious freedom policies to differing circumstances in different countries. Following a finding of persecution by the Director of Religious Persecution Monitoring, sanctions would be automatic. The mechanics of imposition appear designed to make sanctions more likely to be imposed, cumbersome to waive and difficult to terminate. Their effectiveness as a means of influencing policy would be sharply limited as a consequence. The provisions of the bill, that authorize the President to waive sanctions for periods up to one year, require the President to determine that such a waiver is in the "national security interests of the United States." This stringent standard would appear to shut the door on any consideration

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

of U.S. foreign and domestic policy interests that do not rise to the level of a direct threat to our national security (e.g. regional peacemaking and stability, environmental protection, there have been security interest in the past, on occasion). Under the bill, in addition, a presidential waiver would not take effect for forty-five days, absent emergency conditions. Affording the President such limited discretion in the area of foreign affairs is contrary to the national interest and is constitutionally suspect.

Fourth, the bill would create a new and unnecessary bureaucracy which would duplicate, and possibly undercut, the functions of the Secretary of State by the creation of an "Office of Religious Persecution Monitoring" within the Executive Office of the President. Creating the position of Director of this office, who would be subject to Senate confirmation, would duplicate existing State Department functions including, promoting religious freedom. The Secretary of State is best situated to report and advise the President on religious persecution abroad. The State Department's reporting channels and annual Country Reports on Human Rights Practices represent the most accurate, cost-effective and appropriate method for the U.S. Government to obtain and report information on religious persecution. Determinations that affect fundamental aspects of our foreign policy, including those regarding sanctions, should be made by the President with the assistance of the Secretary of State and other relevant Department heads, not by the Director of a new specialized office on religious freedom which has no other foreign affairs expertise or responsibility.

Fifth, the proposed administrative structure in the bill in reality would marginalize religious freedom rather than "mainstreaming" religious freedom and other human right issues in our foreign policy. The Secretary of State's Advisory Committee on Religious Freedom Abroad represents a significant example of mainstreaming. The Advisory Committee reports to the Secretary of State, and through her to the President and other parts of our government. Enhancing existing structures would represent the most effective way to ensure the prominence of religious freedom in our foreign policy. We would be pleased to work with the Congress to accomplish that.

Sixth, the bill would impose several new obligations that would have significant financial implications, without providing any indication of how these mandates would be carried out without new resources. These requirements affect not only the State Department, but also Commerce and the INS. Speaking for my own bureau, I can tell you that additional unfunded mandates require diversions of resources from what we are doing in other areas to promote human rights.

Seventh, the bill would pose the risk of challenge as being inconsistent without international legal obligations, including through the WTO agreement and under other trade laws. The bill poses a similar risk with respect to international obligating contained in the Articles of Agreement of most international financial institutions in which the U.S. participates.

Eighth, while we welcome and share the sponsors' concerns about fairness in asylum adjudications, the bill's proposed changes to asylum procedures would create troubling disparities and threaten to unravel many recent improvements. For example, for persons making asylum claims based on religious persecution in the context of expedited procedures at ports of entry, the bill would create effective presumptions that ease evidentiary burdens and that are not available to others fleeing persecution. Let me be

clear: we support procedural protections for all applicants at ports of entry. In fact, before passage of last year's immigration bill, we urged that expedited procedures apply only in exceptional, emergency-like circumstances, but Congress determined that such procedures should be applied more broadly. While we are prepared to readdress this issue, we hope that Members can appreciate our desire to do so with respect to all classes of applicants. Furthermore, we are deeply concerned that changes the bill would make to regular, affirmative asylum procedures (claims made by those already in the country) would recreate unnecessary burdens and inefficiencies that made asylum vulnerable to abuse in the past. We fear that such changes would hurt all legitimate asylum seekers, including those making claims based on religious persecution.

Ninth, the bill contains numerous sanctions specific to Sudan. The United States, of course, already has in place sanctions against the Sudanese government as a result of its support for international terrorism. The Administration nevertheless remains willing to consider a reasonable and workable expansion of our Sudan sanctions to reflect the lack of Sudanese government actions on issues of concern: state sponsorship of terrorism; support for aggressive actions against its neighbors; failure to come to terms with the opposition in the long-standing civil war; and an abysmal human rights record, including violations of religious freedom. We value the opportunity to continue discussions on this subject with Members in connection with the State Department authorization bill. For that reason, continued inclusion of Sudan sanctions in this bill would seem both unnecessary and counterproductive.

Having highlighted our concerns with some of the provisions of this bill, let me conclude by repeating that we welcome the opportunity to work with this committee and the rest of the Congress to fashion appropriate legislation that will underscore and strengthen the commitment of the United States to promote religious freedom. The President and the Secretary of State have made it crystal clear that this issue is now a foreign policy priority. In the endless battle for freedom, we do not claim that we have all the answers. Nor can we assert that the United States alone has the power to bring about an end to all religious persecution abroad. What we can and must proclaim, however, is that we are committed to making the effort, and to working in the most effective way to combat the persecution now victimizing so many people of faith around the world.

#### THE NATIONAL YOUTH SPORTS PROGRAM

**HON. SCOTT McINNIS**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1997*

Mr. McINNIS. Mr. Speaker, the National Youth Sports Program at Adams State College in Alamosa, CO, recently entered its 22d year of existence. This program has proven to be a valuable and meaningful outlet for those youths who would not otherwise have access to the activities and instruction the program offers.

The NYSP is a cost-effective partnership program between the NCAA and selected institutions of higher learning, such as Adams State and is designed to benefit the youth of America.

Adams State is one of two colleges in Colorado participating in the program which combines sports instruction with meaningful educational activities for girls and boys ages 10 to 16.

Enrollment in the program and physicals are free and open to all youngsters in the area whose parents or guardians meet the income guidelines provided by the Department of Health and Human Services.

Larry Zaragoza, the activity director for NYSP at Adams State, is stepping down after heading the program at Adams State College for the past 13 years and being involved in the program for all of its 22 years that is have been held at Adams State. He will certainly be missed.

#### MOTHER MEETS RECIPIENT OF SON'S HEART

**HON. HENRY J. HYDE**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1997*

Mr. HYDE. Mr. Speaker, a heart transplant is but one of today's medical miracles, but miraculous it is when 71-year-old Bill Ellis is alive and well today with the transplanted heart of then 10-year-old Travis Robison of Salt Lake City, Utah.

This remarkable story is well told in an article published April 24, 1996 in the Salt Lake City Tribune.

I take this opportunity to share this great story with my colleagues:

[From the Salt Lake Tribune, Apr. 24, 1996]  
MOM IS HAPPY SON'S LITTLE HEART WENT TO SUCH A BIG-HEARTED MAN—MOTHER MEETS RECIPIENT OF SON'S HEART

(By Norma Wagner)

After losing her 10-year-old son Travis to a traffic accident in September, Tracy Robison was not sure she ever would want to meet the patient who received the fifth-grader's heart.

"I had mixed emotions about it," said Robison, an emergency-room nurse in Provo who was working when her son was brought into the hospital.

But through a series of unusual circumstances, 71-year-old Bill Ellis, CEO of a national snack company in Chicago, found out it was Travis' donated heart that saved his life.

Ellis had an old friend in Utah, Gordon "Boots" Barnett, whom he had not seen in 18 years. The two recently got in touch again, and when Ellis—who suffered from terminal heart disease—told Barnett his new heart had come from a young boy in Orem, Barnett knew it had to be Travis.

After all, Barnett's granddaughter was one of Tracy Robison's best friends.

After contacting the Robisons, Ellis flew to Salt Lake City last month and met his donor family.

"Talking with and seeing Bill, it's just been incredible for me," Robison, 33, said. "It just makes me so happy that Travis' heart is still beating. And Bill is a very generous person. In return for someone saving his life, he's turning around and doing good things for other people."

As for Ellis, who has become a major supporter of shelters for abused women and children in Alabama and Los Angeles, he has not only found new meaning in life, but "another family in Salt Lake City."

"I have a picture of Travis and his mother and two brothers right here in my office,"