Byrd-Bennett, the chief executive officer of the Cleveland Municipal School District, could be reached for comment.

Betty D. Montgomery, Ohio's attorney general, released a statement saying, ''The voucher pilot program empowers low-income Cleveland-area families whose children are trapped in a failing public school system.''

As thousands of Cleveland families wondered how the decision might affect them, the combatants in the nation's voucher wars unleashed a sheaf of faxes celebrating or criticizing the latest legal salvo.

''This is a great early Christmas present for America's public schools and our constitutional principles,'' Barry W. Lynn, executive director of Americans United for Separation of Church and State, said in a press release.

The Center for Education Reform, a conservative group in Washington, described the Cleveland program as a ''lifeline for thousands of disadvantaged young people.''

''We've always believed and continue to believe that parents are a child's first teacher,'' said the group's president, Jeanne Allen. ''And as such they and only they should decide where and how their children are educated.''

On the other side was Ralph G. Neas, president of People for the American Way Foundation, who hailed the ruling as ''a victory for the First Amendment and a victory for public education.''

But it was a defeat for Mr. Bolick of the Institute for Justice. ''The same Constitution that guarantees educational opportunities has been turned on its head to subvert them,'' he said.

CONGO: THE HEART OF DARKNESS?

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. WOLF. Mr. Speaker, I want to share with you this informative article from The Economist magazine that describes the critical problems facing the Congo and the Great Lakes region of Africa. The humanitarian crisis in the Congo is startling as between 1.7–2 million people have died in the past several months. Thirty percent of those who died were under the age of 5. Clearly, the situation in the Congo deserves the attention of the West and I hope every Member will have an opportunity to read this article.

[From the Economist, Dec. 9, 2000]

IN THE HEART OF DARKNESS

The hefty cargo plane grinds on across Africa, the deafening monotony of its engines never changing. The hold is stuffed with drums of fuel and crates of ammunition, spare parts for weapons and medical supplies. Perched among them are a dozen soldiers, one of whom is carrying a suitcase full of dollars. Three young women, one of them with a child, crouch among the drums with wrapped-up bundles, a couple of live chickens and several bunches of bananas.

The old Russian-made plane is flown by Ukrainians. They and the plane have been rented in Kiev by a Greek entrepreneur who also deals in coffee, timber and arms. This time he has hired it out to the Ugandan army, but it could have been made available to any one of the seven national armies at war in Congo. His business prospects look good. Peace is impossible just now.

Below, the forest stretches to the horizon in all directions, a vast head of dark trees broken only by state-coloured rivers. Look down two hours later, and nothing has changed. It is as if the plane hasn't moved. Congo is big. Lay a map of Europe across Congo, with London at its western end, and the eastern border falls 200 miles beyond Moscow.

War in Congo does not involve huge armies and terrible battles, but a few guns can send hundreds of thousands fleeing their homes. It threatens Congo's nine neighbours with destabilisation, and with thousands of refugees pouring into their border areas. In the first week of December alone, by UN estimates, more than 60,000 refugees fled into Zambia from fighting that has just delivered the town of Pweto to Congo's anti-government rebels. War in Congo means a generation growing up without inoculation or education and the rapid spread of AIDS, the camp-follower of war in Africa. A recent United Nations report described Congo's war as one of the world's worst humanitarian crises, affecting some 16m people.

THE LEGACY OF GREED

Congo was only briefly a nation state. For most of history it was a blank on the map, luring in the greedy and unwary. It was first pillaged by the slave kingdoms and foreign slavers; then by predators looking for ivory, rubber, timber, copper, gold and diamonds.

Leopold, king of the Belgians, grabbed it in 1885 to make himself a private kingdom. That sparked the imperial takeover of Africa by Europeans at the end of the 19th century.

Leopold's agents cut off hands and heads to force the inhabitants to deliver its riches to him. Then came Belgian state rulers. They built some roads and brought in health and education programmes, but blocked any political development. When Congo was pitched into independence in 1960, there was chaos.

Congo nearly broke up; then out of the chaos came Mobutu Sese Seko, one of the more grotesque rulers of independent Africa. America and Europe supported him because he was anti-communist; but he was Leopold's true successor, regarding the country as his personal possession. He renamed it Zaire, used the treasury as his bank account and ruled by allowing supporters and rivals to feed off the state. If they became too greedy or powerful, he would have them thrown into prison for a while before being given another post to plunder. On two occasions he encouraged his unpaid, disgruntled soldiers to satisfy themselves by looting the cities. He built himself palaces and allowed the roads the Belgians had built to disintegrate. This helped break up Congo into fiefs. When Mobutu's rule ended in 1997, the nation state was dead. The only national organisation was the Catholic church.

One of his fiefs was Hutu-ruled Rwanda. Mobutu called its president, Juvenal Habyarimana, his baby brother. In 1994 Habyarimana was killed in a plane crash, and the rump of his regime carried out genocide against Rwanda's Tutsi minority. But, with Ugandan help, the Tutsis triumphed. The old Rwandan army and the gangs of killers fled into Congo, where Mobutu gave them shelter and weapons. In 1996 the new Tutsi-dominated Rwandan army crossed the border and attacked the Hutu camps, intending to set up a buffer zone to protect its western border. The attack worked better than anticipated and the Rwandans, Ugandans and their Congolese allies kept walking westwards until they took the capital, Kinshasa. Mortally ill, Mobutu fled and the Rwandans installed Laurent Kabila as president.

A year later, Mr. Kabila tried to wriggle out of the control of the Rwandans and Ugandans. He allied himself with their enemies, the Hutu militias in eastern Congo. In response they launched another rebellion to try to dislodge him. But this time Angola, Zimbabwe, Namibia, Sudan and Chad sent troops to defend him. They said they were acting on principle, to protect a neighbouring state from invasion. The war reached a stalemate with the country divided. In the western half,

Mr. Kabila was backed by Zimbabwe, Angola and Namibia (Sudan and Chad withdrew). The east was controlled by three rebel movements and their creators and controllers, Uganda and Rwanda. Burundi also has troops in Congo allied to the Rwandans, but these stay close to the Burundi border.

In June and July last year, a peace agreement was signed in Lusaka by the government of Congo, the three rebel groups and five intervening nations. It provided a timetable for a ceasefire, the deployment of African military observers supported by UN monitors, the disarming of ''negative forces'' (the militia gangs that roam eastern Congo), and the eventual withdrawal of all foreign forces. It also prescribed a national dialogue between Mr. Kabila and the armed and unarmed opposition.

NEIGHBOURS ON THE TAKE

Unsurprisingly, it has not worked. The ceasefire has been persistently broken by all sides, most recently with the fighting around Pweto. Although the defense chiefs of six of the intervening countries, led by Zimbabwe, and several rebel groups signed a deal in Harare on December 6th to pull back their forces from front-line positions, it is still unlikely to happen. The exploitation of the country by the intervening armies reinforces the imperialist nature of the invasion, as do their disparaging comments about the Congo * * * ''A hopeless people,'' remarked one Rwandan. ''All they want to do is drink and dance.''

Each of the interveners in Congo has complex and different reasons for being there. At one level, they have been sucked into the vacuum; social and population pressure east of Congo has drawn the neighbours towards a country with few people for its size and no state structures. But each also had internal political reasons for going to Congo.

The Rwandans want to track down the perpetrators of genocide and either drive them back to Rwanda or kill them. The success of the 1996 invasion and American support has made them over-confident. President Yoweri Museveni of Uganda also has ambitions bigger than his own country. He wants the economy of eastern Congo to link up with East Africa, and wants to replicate his own political system in Congo. The rebel Movement for the Liberation of Congo (MLC) was created by Uganda, and mimics Mr. Museveni's political analysis and ideology.

On the other side, Mr. Kabila's allies also have domestic reasons for being in Congo. Sudan, engaged in a proxy war with Uganda, wanted another way to attack it. Angola wanted to get into Congo to stop its own rebel movement, UNITA, from using Congolese territory as a supply route and rear base. Namibia got involved because it is indebted to Angola. President Robert Mugabe of Zimbabwe, jealous of South Africa's new power in southern Africa, wanted to make himself the region's military leader. Others loiter in the background: North Korea has sent some 400 soldiers to help train Mr. Kabila's fledgling army and tons of weapons, reportedly in exchange for future sales of copper, cobalt and uranium.

Many western diplomats and analysts, as well as most Congolese, suspect that America is secretly funding Rwanda and Uganda. State Department officials deny this, but it is hard to see how these poor countries can fight without outside resources. Their meagre defence budgets (Uganda's is allegedly

$100m this year) cannot possibly sustain their operations in Congo.

Once in Congo, the interveners found commercial reasons to stay. The war has created huge business opportunities which have obscured its primary, political, cause. Hundreds of dodgy businessmen, mercenaries, arms dealers and security companies have come to the region. Diamonds are a big prize and the main source of foreign exchange for Mr. Kabila. It is hardly surprising that the war ground to a halt around Mbuji-Mayi, the main diamond-producing area. Congo pays for Zimbabwe's presence with a diamond-mine concession. It has also formed a joint oil company with Angola.

Senior military officers from all the armies, as well as their political cronies back home, make money trading diamonds, gold, coffee and timber, and from contracts to feed and supply their troops. They have little interest in peace. Local and foreign businessmen often pay them to provide troops to guard a valuable mine or a farm. The Kilo Moto gold mine in Kivu has been taken over by freelance diggers, but the entrance is guarded by Ugandan soldiers who tax them. Kigali and Kampala are crawling with diamond dealers and others looking for Congo's rare minerals, such as tantalite and niobium. The loot is not confined to minerals. One Ugandan unit, returning from Congo, caused fury in both countries by having their newly acquired Congolese wives and girlfriends flown home with them at government expense. War booty, said chauvinistic Ugandan politicians. Rape and theft, said Congolese men.

THE KABILA DISASTER

When Laurent Kabila was catapulted to power by Uganda and Rwanda, everyone thought Congo would change. He could hardly do worse than Mobutu, they argued. Perhaps he would turn into one of the much-vaunted ''new leaders'' of Africa. He had few enemies. Everyone wanted to help him rebuild Congo. Sadly, he turned out to be little more than an outsize village chief, adept at staying in power, but with no vision and a deep distrust of competence. He has surrounded himself with relatives, friends and oddballs he scooped up on his march to Kinshasa. Mentally he is stuck in the cold war of the early 1960s, imagining global plots against Congo.

The formal economy is dead. Nor far from the central bank in central Kinshasa, carefully tended cabbages have sprung from a small patch of waste ground by the roadside. Nearby, families having moved into the ruins of a half-built office block, hanging their washing over the abandoned concrete pillars and cooking on open fires on the floors of rooms designed for board meetings. Only about 20% of the city's 4m-5m people have jobs. Most of these pay, if at all, about $8 or $9 a month. The city has little fuel, so people get up before dawn to walk to work. Most eat nothing all day, then return on foot to the one daily meal of cassave porridge or bread. Less than 30% of the capital's children are in school and few can afford medicine if they are ill.

Mr. Kabila blames all this on the war. It has more to do with his old-fashioned statist policies and his arbitrary way of handing out contracts and concessions and then canceling them. That has frightened off foreign companies. So has his policy of locking up foreigners and demanding ransom. Heineken, a Dutch brewing company, recently paid $1m in cash to the finance minister to secure the release of its two senior executives in Kinshasa. Maurice Templesman, an American diamond dealer, also lost millions of dollars when his staff were seized and thrown out of the country. One foreign security company in Kinshasa says its best new business is negotiating the release of foreign nationals arrested by the government.

Mobuto played the country and its political elite like a chess master. Mr. Kabila tries the same techniques; putting people in power or in prison and playing the ethnic card. But he is no expert. Long in exile, he barely understands Congo. There have been splits and mutinies in his fledgling army and his ministers are at each other's throats. Only in the south-east, his home territory, does he still have some support. The impoverished people of Kinshasa despise him, but will not demonstrate against him for fear of being accused of supporting the rebel movements—which they do not.

Mr. Kabilia is currently trying to get the Lusaka accord rewritten. He has blocked the development of UN military observers and humiliated and rejected Ketumile Masire, the former Botswanan president, who was appointed to organize a national dialogue. He even failed to turn up at meetings with his backers, Angola and Zimbabwe. President Eduardo dos Santos of Angola warned him in August that he had ''had enough of his arrogance'', and that the allies would withdraw from Congo if he continued to obstruct the peacemakers. But Mr. dos Santos knows there is, as yet, no alternative to Mr. Kabila and that there would be chaos if the allies withdrew now.

That is the crux of the problem. Mr. Kabila has failed, but there is no one else who enjoys national support or looks remotely capable of pulling the country together. Mobutu ensured that every politician in Congo was smeared with his corruption. Nor do the rebel movements present an alternative. The Congolese Rally for Democracy (RCD) split apart, with one faction supported by Uganda and the other by Rwanda. Uganda then launched the MLC and, in June, the former allies fought a full-scale battle in Kisangani for six days, destroying much of the town's centre and killing 619 civilians. This engagement also destroyed the credibility of the two leaders, Mr. Museveni and Rwanda's president, Paul Kagame, in Congo. America and western countries were furious with them and blocked Uganda's promised debt relief as punishment.

Both factions of the RCD are now deeply unpopular in their own areas. The clumsy intervention of Rwanda and Uganda in South and North Kivu has stirred up bitter ethnic rivalry. Much of this region suffers from the same Hutu-Tutsi divisions that exist in Rwanda and Burundi. The intervention has upset the fragile balance, and the region flares with massacre and counter-massacre.

Local communities have tried to defend themselves against all outsiders by forming self-defense militias, but many of these have degenerated into wandering gangs of mercenaries and bandits, the ''negative forces'' of the Lusaka accord. Some are linked to Rwandan Hutus, some fight against them. Mr. Kabila is fanning the flames by sending them weapons across Lake Tanganyika. The Kivus are now a horrendous mess of wars and sub-wars that will burn on long after the national war is over.

In northern Congo, the picture is slightly better. Jean-Pierre Bemba, the young MLC leader and a businessman, is popular there because his Ugandan-run army is fairly disciplined and, in Mobutu's home area, he is seen as his successor. It is a label he vigorously rejects, since he knows it will kill support for him in other places.

WHAT HAPPENS NEXT

The present situation is deadlocked and unstable. The UN will not deploy its forces until it is convinced that all parties are serious about peace, but the ''negative forces'', Hutu militias, gangs and others have signed no ceasefire and have little interest in peace. That means the foreign forces cannot fulfill the Lusaka accord and leave. But their governments, even the oil-rich Angolans, are worried about the cost. They are all engaging in bilateral talks with each other; but that increases mistrust and suspicion.

The Rwandans, realising how unpopular they are in Congo, have given up hope of overthrowing Mr. Kabila and instead have offered to withdraw their troops to the Kivus. Zimbabwe, hard-pressed by domestic problems, wants it 12,000 troops out as soon as there is a face-saving formula. Their departure could destablise Mr. Kabila. Maybe the Angolans, left holding the fort, will remove him. At present they seem to be trying to bring in Mr. Bemba and a representative of the unarmed opposition to create a trumvirate with Mr. Kabila. To achieve this, the Angolans have to trust Mr. Bemba's backer, Uganda. They don't, because Uganda has been a conduit for arms to UNITA rebels in Angola. Besides, the Ugandan army and the MLC are still pushing westwards towards the strategic city of Mbandaka, garrisoned by Angolans.

And what of the Congolese people in all this? Impoverished, disregarded and oppressed, they still give one clear message almost unanimously in every conversation: they do not want Congo to break up. But the long decomposition of this vast country seems inevitable, whoever rules in Kinshasa.

This war could rumble on for years, if not decades. The Lusaka accord, concedes a senior UN representative, is not going to work; but no one has a better plan. The best he can suggest is that outsiders remain engaged, help the victims, try to understand what is happening—and make it worse. Congo's experience of outsiders is, to put it mildly, discouraging.

REPORT ON THE DEPARTMENT OF JUSTICE

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. WAXMAN. Mr. Speaker, this fall, the House Government Reform Committee majority released a report on the Department of Justice that contains numerous inaccuracies and that unfairly smears several individuals. The minority filed views that discuss the unsubstantiated allegations in the majority's report.

The majority's report prompted letters from one of the individuals named in the report, and from an attorney for another of the individuals named. Both letters take issue with the majority's assertions. In the interest of a complete record on this matter, I submit into the RECORD a December 11, 2000, letter from C. Boyden Gray, and an October 31, 2000, letter from Barry B. Langberg.

WILMER, CUTLER & PICKERING,
Washington, DC, December 11, 2000.

Hon. DAN BURTON,
Chairman, Committee on Government Reform, House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: We were dismayed to see your Committee Report, ''Janet Reno's Stewardship of the Justice Department,'' made final without providing us with the right to review and comment as promised in response to my letter of September 21, 2000. Accordingly, there is no point in detailing