

"Any effort by Congress to raise these [human rights] issues is particularly welcome and deserves widespread support. In that regard, the initiative taken by Chairman Smith and supported by other members in relation to the resolution on these issues and others is particularly welcome . . . it would be helpful if the concerns of Congress on these and other human rights could be raised with the British and Irish governments, Senator Mitchell, and with the U.S. administration . . . We look to the resolution receiving widespread support and are grateful for the efforts of Congress and hope they will continue."—Committee on the Administration of Justice

"We join in your call expressed in the concurrent resolution for repeal of emergency laws and the establishment of a mechanism for independent investigations of threats and intimidation of solicitors. We urge Congress to . . . continue to press its concerns about human rights in Northern Ireland . . ."—Lawyers Committee for Human Rights

H. CON. RES. 152

Expressing the sense of the Congress that all parties to the multi-party peace talks regarding Northern Ireland should condemn violence, adequately address outstanding human rights violations and fully integrate internationally recognized human rights standards as part of the peace process.

Whereas approximately 3,000 people have died and thousands more have been injured as a result of the political violence in Northern Ireland since 1969;

Whereas the denial of human rights has been at the heart of the violence and the conflict in Northern Ireland;

Whereas the Department of State's Country Reports on Human Rights Practices for 1996 states that both Republican and Loyalist paramilitary groups have engaged in vigilante punishment attacks and the exile of informers "by force";

Whereas the Department of State's Country Reports on Human Rights Practices for 1996 also states that members of the Royal Ulster Constabulary (RUC), Northern Ireland's police force, have committed human rights abuses;

Whereas emergency legislation, namely the Northern Ireland Emergency Provisions Act and the Prevention of Terrorism Act, have provided the RUC with sweeping powers to arrest and detain suspects without being charged, deny them access to counsel for extended periods of time, and search their premises without a warrant;

Whereas an unnecessary reliance on emergency powers and the absence of jury trials in Diplock courts has created significant problems in the judiciary in Northern Ireland, including a dependency on confessions obtained through abusive police tactics and the acceptance of uncorroborated police statements;

Whereas these Diplock courts have, among other abuses, violated the right to remain silent and have inconsistently applied the controversial doctrine of common purpose, convicting people such as Sean Kelly and Michael Timmons on the premise that they should have anticipated the actions of others around them;

Whereas the United Nations Committee Against Torture, the United Nations Human Rights Committee, the European Court of Human Rights and the United States Department of State's Country Reports on Human Rights have raised serious concerns about mistreatment of detainees in Northern Ireland in prisons and in special holding centers where confessions have been forced from people such as William Bell under duress;

Whereas the emergency laws have also led to life threatening intimidation of defense

attorneys and interference in the attorney-client relationship;

Whereas the government authorities have failed to provide an effective means of independently investigating threats against solicitors and complaints of police harassment and abuse raised by citizens and solicitors;

Whereas the murder of Patrick Finucane, a leading defense and civil rights solicitor, is just one case in which the government has refused to release the findings of its inquiries and has ignored the call for independent public inquiry for the purposes of identifying responsible parties;

Whereas in contravention of internationally recognized standards and despite criticism by the United Nations Committee Against Torture and the European Parliament, the British Government uses plastic bullets only in Northern Ireland and in a way that appears sectarian;

Whereas Catholic males are more than twice as likely as Protestant males to be unemployed, and a series of important proposals concerning employment equality await serious attention by the government;

Whereas the 1985 Anglo-Irish Agreement, the 1993 Joint Declaration, and the 1995 Framework Document were signed by the British and Irish Governments and have led to the multi-party talks aimed at facilitating justice, peace, stability, and an end to violence in Northern Ireland;

Whereas the multi-party talks, attended by the representatives of the British and Irish Governments and representatives elected from the political parties and chaired by former United States Senator George Mitchell, resumed on September 15, 1997;

Whereas for the first time since the partition of Ireland in 1922 both sides of the conflict are attending multi-party peace talks creating a momentous opportunity for progress on human rights concerns; and

Whereas the objectives of the United States, which has contributed to the International Fund for Ireland, has always been to help facilitate a just and lasting peace based on a guarantee of human rights and fair employment opportunities for members on all sides of the conflict: Now therefore, be it

Resolved by the House of Representatives (the Senate concurring), That—

(1) the Congress condemns the violence committed by paramilitary groups on both sides of the conflict in Northern Ireland and, at times, by agents of the British Government, as illegal, unjust, and inhumane;

(2) the Congress commends and supports the new leadership in both the British and Irish governments for fostering a new environment in which human rights may be addressed and an agreement may be reached expeditiously through inclusive talks;

(3) the Congress commends the work of former United States Senator George Mitchell, who as the Independent Chairman of the talks has authored the "Mitchell Principles", signed by all participants, rejecting violence and emphasizing democratic, peaceful means for resolving the outstanding political issues; and

(4) it is the sense of the Congress that—

(A) human rights abuses have been at the heart of the conflict in Northern Ireland and respect for human rights must now be at the heart of the peace process;

(B) human rights should be protected for all citizens in a society and any peace agreement in Northern Ireland must recognize the state's obligation to protect human rights in all circumstances;

(C) the establishment of a bill of rights for the people of Northern Ireland may advance and strengthen the peace process;

(D) the multiparty negotiations should consider the feasibility of establishing an

independent "Truth Commission", with international input, to look into outstanding cases of human rights abuses committed by all sides of the conflict, giving special consideration to those who have been unable to obtain full disclosure about how their loved ones met their deaths;

(E) during this unprecedented period of peace and all party talks, emergency legislation that limits human rights should be repealed;

(F) a truly independent complaints mechanism for the review of citizen inquiries regarding alleged abuses of the Royal Ulster Constabulary (RUC) and other security forces should be established;

(G) there should be a mechanism by which all defense solicitors have a vigorous independent investigation of threats they receive and are accorded effective protection; and

(H) plastic bullets should be withdrawn from use in accordance with the recommendations of the European Parliament and many other international and local bodies.

H.R. 1280: SUNSHINE IN THE COURTROOM ACT

HON. STEVE CHABOT

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 13, 1997

Mr. CHABOT. Mr. Speaker, I would first like to thank all of my colleagues for their continued support of the effort to bring sunshine into our courts. Because of this dedicated bipartisan effort to bring cameras into our Nation's Federal courtrooms, this issue has become very familiar to legislators, attorneys, the media and the public. Again, I thank my colleagues for their efforts.

I would like to emphasize to the American people and to members of Congress the importance of passing H.R. 1280, the Sunshine in the Courtroom Act. This Act, which Congressman SCHUMER and I introduced in April, allows for the photographing, electronic recording, broadcasting, and televising of Federal court proceedings at the discretion of the presiding judge. Its passage in the next session of this Congress would protect the right of every U.S. citizen to see their judicial system at work and ensure the accountability of our Federal judges.

Proceedings on the floor of the House of Representatives, as well as the Senate, are open to all citizens through C-Span, and the local and national television news, allowing the American people to stay apprised of the actions of the legislative branch of the Government. Why then, should the judicial branch be any different? Members of the Congress are elected every 2 to 6 years, Federal judges are appointed for life. Lifetime tenure for unelected officials confers a tremendous amount of power. The American people deserve to see for themselves what is happening in Federal courtrooms. I don't think anyone should be denied that right.

One of the many clear benefits that cameras will bring to our Federal courts is a more open system, which will generate more faith in our judicial system. Chief Justice Berger once wrote, "People in an open society do not demand infallibility from their institutions, but it is difficult for them to accept what they are prohibited from observing." In many ways, the Federal courts were intended to be, and are,

the most majestic and deliberative institutions of our Government. Why should our constituents not be allowed access to those institutions?

Look across the street any day that the Supreme Court is in session. Hundreds, sometimes thousands, of Americans amass hoping to be lucky enough to gain admittance to an argument before our Nation's highest court. Some are tourists, visiting the Nation's capital. Some are students on a school trip. All will see the impressive building that houses the Court, but most will not see the actual proceedings that occur inside.

Why should the American people be kept in the dark? Why should they be forced to rely on the news media to interpret and filter the proceedings when, if cameras were allowed, they could watch it for themselves? As Judge Robert Bork has written, "There is often great value in the public seeing the reality of the legal system or of a particular case rather than being left with unchallenged myth and media distortions. The courts are a public institution * * *". The public needs to know that our judicial system is strong, stable and trustworthy.

Another benefit of cameras is the effect that they will have on curbing judicial activism. Federal judges are appointed to interpret the laws set forth by the Constitution of the United States. Unfortunately, there seems to be a disturbing trend in the judicial system. Some judges have reached far beyond their Constitutional authority in recent years and begun to make their own laws. They seem to thrive on twisting the laws passed by Congress, and the Constitution, ignoring its plain meaning and in some cases extrapolating new doctrines. We need to hold judges accountable for their actions and decisions in our courtrooms. One of the best ways to do this is to keep the judicial system under the scrutiny of the public eye. We, all of us, as citizens and particularly as lawmakers have the absolute responsibility to ensure that the balance of powers is being respected by the third branch just as they scrutinize Congress and the executive branch.

From civil rights to religious rights to property rights, to domestic tranquility, the decisions of our Federal courts impact our constituents, shaping their lives and their liberties. Out constituents are able to watch C-SPAN to observe how these laws are formulated; they should be able to see how they are interpreted, as well.

I would also like to address a concern of open courtroom opponents by entering into the RECORD an excerpt of a letter I recently received from Fred Goldman, father of murder victim Ron Goldman. "The courts belong to the people and the public must have the right to see the process for themselves. Sometimes the system works and sometimes it does not. In either case, the public should have the ability to see for itself. Camera opponents love to argue that the camera's presence in the criminal trial of Ron's killer was somehow to blame for his acquittal. I know this is a popular argument, so I want to state clearly and for the record that I think this is wrong. We sat in the courtroom throughout the trial and we know the camera was not to blame."

Fred Goldman has endorsed the Sunshine in the Courtroom Act and I want to thank him for his support.

It also is important to remember that H.R. 1280 does not force Federal judges to admit cameras in every Federal court case regard-

less of circumstance. Instead, this legislation grants the presiding judge the power to decide in each specific case whether he or she will allow cameras in the courtroom. This allows judges to protect those who need the privacy of a closed courtroom, such as children, victims of sexual assault, and other sensitive cases in which the identity of those involved in the trial need to remain confidential or where there is reasonable concern or disruption.

Finally, Mr. Speaker, 48 States have found that cameras work in their courtrooms. In my own State of Ohio, for example, Chief Justice Moyer has been at the forefront of pushing for camera access. In his words, " * * * our opportunities to educate the public about the nature of our work are greatly enhanced by television. Given the technological advances of video equipment and satellite communications, we now have the emergence of Court TV * * * we long ago established the principle of open courtrooms with trials in full public view. Cameras are simply the logical progression of the tradition. If we are truly sincere about our efforts and desire to make the public more aware about the work and role of our courts, cameras must be a part of the process."

Mr. Speaker, this Congress must commit itself to passing H.R. 1280 into law next session. Parts of this important legislation have already moved through Subcommittee, and I will be working hard to ensure that the bill continues to move forward, either as part of other legislation or as a stand alone bill. I continue to believe, along with many of my distinguished colleagues from both sides of the aisle, that cameras in Federal courts is key to the judicial branch being accountable and accessible to the American public.

The Sunshine in the Courtroom Act works to keep the American people informed about their Government, a government supported with their tax dollars. It is time to bring sunshine into our Federal courts. We have waited long enough.

THE SOCIAL SECURITY BENEFIT RESTORATION ACT

HON. MAX SANDLIN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 13, 1997

Mr. SANDLIN. Mr. Speaker, I rise today to introduce legislation addressing a serious issue for retired teachers and government employees across America. These public servants, after a lifetime of educating our youth and working for the taxpayers of America, find that their reward is a significant reduction in their Social Security benefits. It is time to end this penalty and give these retirees the benefits they are due.

Retirees drawing a benefit from a private pension fund do not have their Social Security benefits reduced. Why should we do this to civil servants? We should be encouraging able and intelligent people to teach our children and work for the government, not discouraging them by slashing their retirement benefits. We must bring equity to the Social Security benefits of private sector and public sector retirees.

This legislation, the Social Security Benefit Restoration Act, will bring this equity to retirement benefits. This bill will simply eliminate the public sector benefit penalty enacted in

1983 and allow all civil servants to draw full Social Security benefits.

I urge my colleagues to join me in cosponsoring this legislation. For every retired government employee and retired teacher in your district experiencing reduced Social Security benefits, I urge your support for this bill.

20TH ANNIVERSARY OF LATINO YOUTH DEVELOPMENT, INC.

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 13, 1997

Ms. DeLAURO. Mr. Speaker, it is my great pleasure to recognize the 20th anniversary of Latino Youth Development [LYD], Inc., on Friday, November 21, 1997. That evening, LYD is celebrating this milestone with a special dinner in New Haven, CN.

LYD began in 1977 as a small youth program called Puerto Rican Youth Services. Now, 20 years later, LYD is widely considered the premier organization serving Latino youth in the city of New Haven.

Latino Youth Development, Inc. plays a unique role in the New Haven community by reaching out to and serving as a support system for Latino youth and their families. LYD provides educational, social, cultural, and recreational programs to the Latino community in New Haven.

I come from a family of immigrants. I am a first generation Italian on my father's side and a second generation Italian on my mother's side. So, I have some personal experience with the challenges immigrants face in this country. The barriers of language and the prejudices of some members of the community can be discouraging to someone just trying to find a way to raise a family and make ends meet. I wholeheartedly support efforts to assist and support working families, and I find the efforts of LYD to provide educational and employment opportunities to the Latino community particularly commendable.

I would also like to personally commend the four individuals being honored at the LYD dinner: Andrea Jackson-Brooks, a longtime member and personal friend; Dennis Hart, director of the organization for 7 years; Judith Baldwin, who has been instrumental in assisting the agency in adult programming; and Alderman Jorge Perez, who represents the Hill area of New Haven where LYD is located.

I share LYD's goal of seeing Latino members of our community prosper and become productive citizens of our community, able to assist others in positive development. I congratulate LYD on its 20th anniversary and I wish its members the best of luck in all their future endeavors.

ON LIFTING THE ENCRYPTION EXPORT BAN

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 13, 1997

Mr. ADAM SMITH of Washington. Mr. Speaker, I rise today to speak about an issue that is very important to me—lifting unfair export controls on encryption technology.