HEINONLINE

Citation: 3 Bernard D. Reams Jr. & William H. Manz Federal Law A Legislative History of the Telecommunications of 1996 Pub. L. No. 104-104 110 Stat. 56 1996 the Communications Decency Act E1628 1997

Content downloaded/printed from HeinOnline (http://heinonline.org) Wed Mar 20 16:23:14 2013

-- Your use of this HeinOnline PDF indicates your acceptance of HeinOnline's Terms and Conditions of the license agreement available at http://heinonline.org/HOL/License

-- The search text of this PDF is generated from uncorrected OCR text.

"seminar camps," which are essentially concentration camps.

Many others escaped across the Mekong River to northern Thailand, and others have resettled in the United States, France, Australia and Canada.

Before the end of this year, camps in Thailand will close and 30,000 Hmong and Lao refugees will be forced back to Laos. This is all the direct result of a misguided international program known as the Comprehensive Plan of Action, which has been in place since 1989. The program, developed to resolve the problem of the Vietnamese boat people, also affects other Indochinese asylum-seekers such as the Hmong.

The plan was drafted by State Department and United Nations officials with no public debate—although it is financed in part by American tax dollars. It has been responsible for the forced return of thousands of refugees, including the Hmong, to repressive countries, though the State Department refuses to acknowledge this.

A March report from a fact-finding mission to Thailand sponsored by Representative Steve Gunderson, Republican from Wisconsin, concludes that the State Department had not been truthful.

The fact-finding team charges the State Department with "deception" and "whitewash" to "cover up misdeeds of officials involved in helping pressure and force Hmong/Lao refugees from Thailand to Laos" and also to "cover up their persecution and murders" in Laos. The report accuses staff members of the United Nations High Commissioner for Refugees of giving "misleading" information to Congress that claimed that forced repatriation of the Hmong was not occurring.

Mr. Gunderson's findings confirm what has been reported for years by Hmong victims and their families in the United States, journalists and human rights organizations.

In a 1989 report about screening of Hmong refugees and asylum-seekers in Thailand, the Lawyers Committee for Human Rights warned: "Screening is conducted in a haphazard manner with little concern for legal norms. Extortion and bribery are widespread."

Opponents of the House provision in the foreign aid bill claim that it will cause greater numbers of refugees and could cost the United States more money. But as Representative Bill McCollum, Republican of Florida, pointed out in a recent House floor debate, the bill would not increase the number of refugees admitted to this country.

The amendment, he said, is about "getting the United States out of a scandalous international program." And, he said, "It is also about allocating what few spaces we do have for refugees to those who need and deserve our help."

The Hmong veterans in Thailand are in a sense America's 1st remaining P.O.W.'s. They fought with Americans and we left them behind. It is well within Governement's powers to save the Hmong veterans and their families.

The amendment to the House bill, proposed by the Chairman of the International Operations and Human Rights Subcommittee, Representative Christoper Smith, Republican of New Jersey, is a start and should be supported in the Senate. We can help these people without significantly adding to this country's refugee population and to our financial burdens. It would be the humane and just thing to do. It is a moral obligation.

COMMUNICATIONS ACT OF 1995

SPEECH OF

HON. CARDISS COLLINS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1995

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 1555) to promote competition and reduce regulation in order to secure lower prices and higher quality services for American telecommunications consumers and encourage the rapid deployment of new telecommunications technologies:

Mrs. COLLINS of Illinois. Mr. Chairman, last night we voted on a rule on the bill H.R. 1555. I voted against it in strong opposition to the back room deals cut outside the committee process which have resulted in significant changes to H.R. 1555, and in strong opposition to the GOP leadership's attempts to ram this anti-consumer, pro-special interest bill through the House before the August recess. It has become typical procedure for this Republican-led Congress to pass hastily conceived, big business give aways in the dark of night at the 11th hour and H.R. 1555 is no exception.

Reform of our Nation's outdated telecommunications laws is an important and necessary endeavor. Last year this body overwhelmingly passed, and I supported, legislation that, while not flawless, certainly would have helped pave the roads of the information superhighway with increased competition and assisted in promoting greater economic opportunities for more Americans as we head into the 21st Century. However, this year's efforts have fallen far short of such a goal, with our constituents getting a raw deal.

In short, H.R. 1555 will deregulate cable companies prior to true competition in these markets. The consumers will pay in the form of higher rates for the most popular services. H.R. 1555 will also allow a single broadcast owner to gobble up enough television stations to control programming for half the Nation as well as giving the OK for one company to corner the newspaper, broadcast cable market in any community. Again, the consumers will pay in the form of monopoly pricing, limited local programming, and diversity of views. Finally, H.R. 1555 would allow phone companies to buy out cable companies in smaller service areas across the Nation. Once more, the consumers will pick up the tab.

While a certain select few amendments will be made in order under this rule that seek to temper some of these drastic provisions, I do not believe they will be enough to bring proper balance to this legislation. In addition, despite the 38 to 5 vote in the Commerce Committee to report H.R. 1555 to the House, the chairman decided to make a number of revisions to the telephone regulation title of the bill after meeting in secret with multi-million dollar executives. No matter what you think of these proposed changes, we should all agree that this is not the manner in which business should be conducted in the people's House—or has this body been renamed the house of corporate representatives, inc.?

Mr. Speaker, consideration of this bill began months ago when Speaker GINGRICH and his GOP colleagues held closed door powwows with major telecommunications CEO's, yet didn't think it necessary to speak with consumer groups and other citizen advocates to get their input. Surprise, surprise.

This is a bad rule and I regret that we did not go back to the drafting table and craft a telecommunications reform package that puts the public interest before the Gingrich Republican special interests.

INTRODUCTION OF THE GRAND JURY REDUCTION ACT

HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1995

Mr. GOODLATTE. Mr. Speaker, this Congress has taken unprecedented action in reducing the size of the Federal Government. No Government agency has escaped our careful scrutiny as we have searched for places to trim Government waste.

Today, I am introducing a bill that will trim a bit further. I believe it is time to turn our attention to the grand jury process.

Currently grand juries consist of at least 16 and no more than 23 members and an indictment may be found only upon the concurrence of 12 or more jurors. Reducing grand jury size has had considerable support and in fact the Judicial Conference recommended a cut in grand jury size as long ago as 1974.

A panel of 23 is administratively unwieldy, costly, and unnecessary. According to the Administrative Office of the U.S. Courts, in fiscal year 1992 the average number of grand jurors which sat on a grand jury in session was 19.8. In fact, some grand juries sit with only 16 jurors, the number necessary for a quorum under present law.

In fiscal year 1992 total grand jury payments totalled $16,526,275 or $67 per day per juror. We would see significant cost savings if the number of grand jurors was received.

This would be a practical, as well as a cost-savings, reform. In a 1977 hearing on grand jury reform the counsel of the Administrative Office of the U.S. Courts testified that "our experience is that it is easier to summon a smaller panel than a larger one from throughout the larger districts."

My bill amends 18 U.S.C. 3321 to reduce the number of grand jurors necessary for a grand jury to be impaneled. Under my bill every grand jury impaneled before any district court shall consist of not less than 9 nor more than 13 jurors. An indictment may be found only if at least 9 jurors are present and 7 of those present concur. Judges across my congressional district have endorsed this reduction.

The Judicial Conference is scheduled to meet again in September. I am hopeful that the Conference will endorse my proposal at this meeting.

As a member of the Courts and Intellectual Property Subcommittee, I see this as an initial step toward larger judicial reform which the subcommittee will undertake later this Congress. I urge my colleagues to support this important proposal.

HeinOnline -- 3 Bernard D. Reams, Jr. & William H. Manz, Federal Telecommunications Law: A Legislative History of the Telecommunications Act of 1996, Pub. L. No. 104-104, 110 Stat. 56 (1996) including the Communications Decency Act E1628 1997

Document No. 68

HeinOnline -- 3 Bernard D. Reams, Jr. & William H. Manz, Federal Telecommunications Law: A Legislative History of the Telecommunications Act of 1996, Pub. L. No. 104-104, 110 Stat. 56 (1996) including the Communications Decency Act [clxvi] 1997

HeinOnline -- 3 Bernard D. Reams, Jr. & William H. Manz, Federal Telecommunications Law: A Legislative History of the Telecommunications Act of 1996, Pub. L. No. 104-104, 110 Stat. 56 (1996) including the Communications Decency Act [clxvii] 1997