

Bob Dole



NEWS

U.S. SENATOR FOR KANSAS

FROM:

SENATE REPUBLICAN LEADER

FOR IMMEDIATE RELEASE
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HAITI AMENDMENT

GREGG-DOLE AMENDMENT: U.N. AUTHORIZATION NO SUBSTITUTE FOR CONGRESSIONAL APPROVAL OR U.S. CONSTITUTION

The amendment before the Senate is simple. It states that United Nations authorization does not substitute for the U.S. Constitution or for U.S. law on the question of War Powers. The entire world knows that the United Nations authorized an invasion of Haiti. The world should also know that the Congress has not authorized an invasion. President Clinton sought the approval of the members of the United Nations Security Council, but has rejected bipartisan calls for congressional authorization.

While the administration was seeking the support of the United Nations, it would not even share copies of the draft resolution with the Congress. This is in stark contrast to President Bush in 1991 who came to Congress, and emerged with a stronger policy.

Why should the opinion of Nigeria matter more than the views of Congress? Nigeria is currently under sanction for narcotics trafficking, and has overturned the results of democratic elections. Some of the countries whose support we sought -- in the name of restoring democracy to Haiti -- have never even held democratic elections. Why do we need the permission of these countries to act in our hemisphere?

There is another troubling issue at stake: what did the U.S. have to give up to get U.N. approval? Published reports cite a deal with Russia: in exchange for U.S. support for Russian actions in Georgia, Russia allowed the Haiti resolution to proceed. That's a bad deal for Georgia, and that's a bad deal for the United States.

Serious Questions About Intervention Strategy

Many newspapers have raised serious questions about the administration's latest move toward military intervention. USA TODAY said the "Case has not been made convincingly -- not to Congress, not to U.S. voters." The editorial criticized each and every element of what they termed "Clinton's flimsy invasion rationale."

The Washington Post pointed out, "it is a stretch and then some to say that the junta's internal cruelties imperil international peace and security -- the U.N. Charter's test for armed intervention." The Post concludes by stating the administration "should not drift into a position where it feels compelled to invade because it cannot think of anything else to do."

The New York Times said "an invasion of Haiti would be a big mistake." The Times went on to say, "presumably, the Clinton administration will heed its constitutional duty and seek previous congressional approval which it may not get." That is the issue addressed in this amendment.

U.N. Resolution Not Legal Authority to Invade

The Senate has twice gone on record with overwhelming votes in support of prior congressional approval before an invasion of Haiti. As I have said before, this is not an emergency like Panama and Grenada. There is plenty of time to seek congressional approval. And there should be no mistake -- the United Nations action on Sunday does not give the President legal authority to invade Haiti.

One of the premier experts on Separation of Powers issues, Louis Fisher of the Congressional Research Service, recently analyzed the role of United Nations authorization in congressional War Powers. He concluded, "The history of the United Nations makes it very clear that all parties in the

(more)

from both houses of Congress."
Administration Should Seek Congressional Authorization
That's the issue: prior approval of Congress. Let's quit the overheated rhetoric and test the policy in Congress. Let's have a full debate over American interests in Haiti. In 1915, President Wilson invaded Haiti without authorization from Congress. The U.S. occupation became an issue of great domestic controversy. Resolutions requiring U.S. withdrawal were considered by the Congress. In 1928, for example, Senator William H. King, Democrat from Utah, introduced Senate Resolution 158, mandating for a withdrawal of U.S. forces. As Senator King said at the time, "I have recited by way of preamble, some of the ugly facts attending the conquest and control of Haiti." The last U.S. invasion and occupation was not the high point of our country's history.

I do not think this administration wants a prolonged occupation of Haiti as happened earlier this century. I do not think this administration wants divisive debate over the occupation of Haiti as happened earlier this century. I do not think the administration wants to face the 1994 equivalent of Senate Resolution 158.

I suggest that we have time. There is no emergency in Haiti now. If the President wants to seek authorization now would be the time to come to Congress and ask for it. I hope he'll do that tonight in his press conference. It would be a good time for the President to suggest that if he does have such a plan to intervene in Haiti that he will come to Congress.

I call on the administration to set aside its partisan policy of saber rattling and ignoring Congress. I call on the administration to seek full debate and authorization of any military action toward Haiti. Authorization in the United Nations is a poor substitute for authorization by Congress. Adopting the Gregg-Dole amendment will send that signal loud and clear.

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* Remarks delivered on the Senate floor, approximately 11:20 AM.

AMENDMENT intended to be proposed by Mr. GREGG (for himself and Mr. DOLE)

Viz:

- 1 At the appropriate place in the bill, insert the follow-
- 2 ing new section:
- 3 LEGAL EFFECT OF SECURITY COUNCIL RESOLUTION ON
- 4 HAITI
- 5 SEC. _____. It is the sense of the Senate that United
- 6 Nations Security Council Resolution 940 of July 31, 1994,
- 7 does not constitute authorization for the deployment of
- 8 United States Armed Forces in Haiti under the Constitu-
- 9 tion of the United States or pursuant to the War Powers
- 10 Resolution (Public Law 93-148).