in the Indian prison system. These moves constitute a first step toward justice, but they are not nearly enough.

Gurcharan Singh Babbar, a Sikh activist whose campaign on behalf of the victims of this government-inspired massacre caused him to be labeled a ''terrorist'' by the regime, reports that he has affidavits from the families of at least 5,000 victims. Clearly, the sentences imposed by Mr. Dhingra are just the tip of the iceburg. A Sikh woman named Satnami Bai, finally succeeded in getting a criminal indictment against former government minister H.K.L. Bhagat, who was involved in the murder of her husband, Mohan. It seems that Mohan Bai was pulled from his home, beaten with iron bars, and burned to death by a government-inspired mob. Unfortunately, Mohan Bai is just one of many. Despite the indictment against Mr. Bhagat, he has been allowed to stay in a government bungalow with the protection of the elite and brutal Black Cats security forces. After he was thrown out under pressure this past spring, the Government wrote off thousands of dollars in back rent that Mr. Bhagat owed.

The judge said the Government's belated effort to investigate the massacre is clearly a farce designed to cover up its own responsibility. As Mr. Dhingra points out, the government felt that ''the massacre was necessary to teach (the Sikhs) a lesson.'' This is further proof that the rights of Sikhs and other minorities have never been respected in ''the world's largest democracy.'' That is why we must raise our voices to force the Indian government to stop the atrocities in Punjab and Kashmir, and punish the criminals who are guilty of committing these crimes in the past. We must also do everything in our power to compel the Indian government to respect the rights of the Sikhs in Punjab and the Muslims in Kashmir to freedom from abuses, democracy, and self-determination.

I ask to enter the New York Times article on the massacres into the RECORD.

[From the New York Times, Sept. 16, 1996]

A DECADE AFTER MASSACRE, SOME SIKHS FIND JUSTICE

(By John F. Burns)

NEW DELHI, September 15.—A dismal air pervades the dank residential blocks of Tilak Vihar, a gloom that goes beyond the unpaved lanes turned to swamps by monsoons and the stench of human waste. In this quarter of New Delhi, the degration common in Indian slums is compounded by a blankness on the faces, a lack of the optimism and vitality that, against all odds, inspirits so many of India's poor.

The quarter's popular name is Widows' Colony. In these walk-up blocks live hundreds of women and children who lost their husbands, fathers, sons and brothers in the massacre of thousands of Sikhs that followed the assassination of Prime Minister Indira Gandhi in October 1984. Mrs. Gandhi was shot in the garden of her New Delhi home by Sikhns in her security detail, who acted to avenge hundreds of Sikhs killed in a crackdown by Mrs. Gandhi's Government on insurgents holed up in the holiest Sikh temple in India.

For many Indians, the massacre, and India's failure until recently to punish any of those responsible, has been one of the darkest chapters in the country's half-century of independence. Two men found guilty of Mrs. Gandhi's murder was hanged in 1988.

But despite evidence implicating politicians, police officers and officials in the anti-Sikh rioting, not a single person had been convicted for the killings that followed the assassination until a magistrate imposed a death sentence this week on a butcher found guilty of two of the Skih murders. Evidence presented in court indicated he was involved in at least 150 other killings.

The death sentence on the butcher, Kishori Lai, was the latest move in personal crusade by the magistrate, Shiv Narain Dinghra. Two weeks ago, Mr. Dinghra drew headlines across India by sentencing 89 of the 1984 rioters to jail terms of five years, to be served under the ''rigorous imprisonment'' regime that is the harshest imposed in Indian jails.

They were sentenced for crimes like arson, illegal use of exposives, rioting, looting and curfew-breaking. Last fall, Mr. Dinghra, a hitherto obscure figure, sentenced 44 others for their roles in the rioting, the first such action since 1984.

Although the Sikh insurgency in the Punjab was effectively crushed in the early 1990's, the legacy of 1984 has embittered many of India's 18 million Sikhs, whose culture and religion are closely linked to India's predominant faith, Hinduism, from which Sikhism, emerged in an 18th century schism.

India's failure until now to make any reckoning for the 1984 killings has also troubled many secular Indians who have taken the Government's inaction as a token of a growing tendency among Hindu politicians who dominate the major parties to pander to sectarian impulses.

Even Mr. Dinghra's efforts are discounted as tokenism by many Sikhs like Gurucharan Singh Babbar.

Mr. Babbar, a Sikh activist, has campaigned on behalf of the riot victims, causing him to be branded a ''terrorist'' by the Government of Rajiv Gandhi, who succeeded his mother as Prime Minister, and was assassinated himself in 1991. At his home in New Delhi, *Mr. Babbar has piles of affidavits from victims' families that prove, he says, that 5,015 Sikhs were killed, more than double the official figure of 2,300.*

But Mr. Dinghra is part of what many people see as a wider awakening of conscience among India's judiciary that many Indians believe could be the spur to wider changes in the way the country is governed.

The new judicial assertiveness first surfaced in rulings by the Supreme Court that swept aside efforts by the Government of Prime Minister P.V. Narasimha Rao to shield Mr. Rao and others from corruption investigations.The judges have accompanied many of their rulings with wider conclusions about the need to rein in the arrogance and criminality that, the judges have said, has become a trademark of Indian politics.

Mr. Dinghra picked up these themes last month in sentencing the 1984 rioters to jail terms. Calling the Government's show of investigating the killings over the years ''a farce,'' Mr. Dinghra said the attitude among top officials at the time was that ''the massacre was necessary to teach a lesson'' to India's Sikhs.

But the larger lesson of Government inaction in the case, he said, was that justice was available only to those with power.

''Cases against the rich and influential either do not reach the courts, or, if they do, they are seldom finalized, while the cries of the victims go unheard,'' he said.

A similar conclusion was reached long ago by Satnami Bai, a 36-year-old grandmother, who has waited years to get justice for her husband, Mohan, a 30-year-old driver of a motorized rickshaw who was among the Sikh men pulled from their homes in New Delhi by Hindu mobs, beaten, with staves and iron bars, then burned alive.

Earlier this year, Mrs, Bai successfully petitioned for a criminal indictment in her husband's killing to be drawn up against a former minister in Mrs. Gandhi's government, H.K.L. Bhagat.

Mr. Bhagat, 75, who has pleaded not guilty, was Mrs. Gandhi's Information Minister. He was named by several unofficial inquiries conducted immediately after the killings as being one of several powerful Congress Party politicians who instigated and led the 1984 killings.

Under Rajiv Gandhi's prime ministership, Mr. Bhagat prospered, holding four ministerial posts and heading the Congress Party in New Delhi. After Mr. Gandhi's Government fell in 1989, Mr. Bhagat stayed on in a luxurious Government bungalow, protected by an elite security force, the Black Cats. Only this spring, when Mrs. Bai's pressures prompted his indictment, was he forced out of the bungalow, and then only after Mr. Rao, the Congress Party leader and then Prime Minister, ordered housing officials to write off tens of thousands of dollars Mr. Bhagat owed in back rent.

The Congress Party has been in an accelerating decline, and its humiliation in a general election earlier this year has emboldened those who have long wanted a reckoning. For these people, Mrs. Bai is just as much a hero as Mr. Dinghra.

Now working as a $50-a-month cleaner in a Government-run dispensary, a job given to her under a program to compensate widows of the 1984 massacre, Mrs. Bai said powerful figures apparently still believed that people like her could be stopped in their efforts to secure justice.

After Mr. Bhagat was hauled into court for the first time, Mrs. Bai said, a woman who identified herself as a relative of Mr. Bhagat called Mrs. Bai at work and offered her 500,000 rupees, equivalent to $14,300, if she dropped the case against him. ''I said, 'Fine, we'll do a deal, but forget about the 500,000 rupees,'" Mrs. Bai recalled. ''Instead, I said, 'Just give me my husband back, and I'll drop the case.'"

DOUBLE SPEAK CLINTON TRADE POLICY

HON. DONALD A. MANZULLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, September 27, 1996

Mr. MANZULLO. Mr. Speaker, this week the Clinton administration released its annual National Export Strategy, as required by the 1992 Export Enhancement Act. The report contains many accolades for various initiatives within the administration to boost exports. Many of these initiatives are good. But what I found missing was the Clinton administration's record on the single largest export opportunity—its policy on killing sales of United States equipment and services to the Three Gorges Dam [TGD] project in the People's Republic of China.

Last summer, America was confronted by a new reality on the international scene. For the first time in history, the Census Bureau revealed that China has eclipsed Japan as the nation with which the United States has the largest trade deficit at $3.33 billion for the month of June. In fact, our trade deficit with China expanded even further to $3.8 billion in July. The United States could have a trade gap with China of over $40 billion for 1996 if this trend continues.

Many pundits have decried this growing trade deficit. Some argue that the United States should erect more trade barriers to

keep out imports from China. Yet, there is a consensus among free traders and protectionists that the United States should use every opportunity to sell products to China. In this case, there are willing customers in China who wish to buy over $1 billion in United States products for the TGD, but the Clinton administration has thus far effectively prevented these exports in order to please certain constituencies in the Democrat Party.

American exporters need the help of the Export-Import Bank of the United States [Ex-Im] in order to win the fierce competition for huge contracts associated with the TGD. Ex-Im can provide loans with lower interest rates—generally 3 to 6 percent less—so that our exporters will not be shut out of the bidding when our European and Japanese competitors secure similar loans from their home government export finance agencies. Already, Canada's export finance agency has provided some help to its exporters willing to sell to the TGD project.

Two years ago, Ex-Im asked the National Security Council [NSC] for advice on the TGD project. Because of its immense size, Ex-Im determined that they did not have sufficient expertise to deal with all the complex issues associated with this dam project. The NSC convened several meetings of 11 different agencies to come up with a series of recommendations for the project. In May 1995, all the agencies involved, including the usually pro-trade Department of Commerce and Ex-Im, recommended that the White House oppose the dam project at this point in time because of environmental issues and human rights concerns over the resettlement of 1.2 million Chinese. Many of the strongest voices against the TGD in this NSC interagency working group came from individuals who had previously worked for environmental lobbying groups prior to their service in the Clinton administration.

Since then, the Yangtze River has flooded twice. More than 3,200 people died in the flooding that occurred during the summers of 1995 and 1996. In fact, during the most recent flooding in July, more than 3 million were left stranded and 810,000 homes ere completely destroyed. Some cities were under 20 feet of water and 2.5 million acres of cropland were completely wiped out, costing China $11.3 billion in economic losses. And, southern China has been hit with five more typhoons, further compounding the flooding damage closer to the coastal areas. Thus, the flooding along the Yangtze in this year alone has done more environmental damage and relocated more Chinese than ever contemplated by the TGD project.

China has debated over the past 70 years a possible solution to this annual flooding problem along the Yangtze River. They fear a repeat of a massive 50 year flood, which last occurred in 1954 that killed 30,000 people and displaced 19 million others. China's leadership concluded that building a dam across the Yangtze at the Three Gorges area would be the best solution in terms of cost, engineering design, and least damage to the environment. While 80 percent of the project is expected to be designed, built, and funded by China itself, it has identified several high-quality foreign products China wishes to use in the dam construction such as hydroelectric power generators, earth moving and concrete placing equipment. The United States is in a unique position to sell these products but the Clinton administration has placed several hurdles in the way.

The most troubling aspect is that the supposedly independent Ex-Im agreed with the Clinton White House recommendation. A number of Members of Congress are very concerned about the independence and the future mission of Ex-Im in light of the May 30, 1996 board decision to indefinitely postpone further consideration of a letter of interest for American companies who want a level playing field against foreign firms competing to win contracts associated with the TGD. The way this decision was made was a diversion from Ex-Im's charter and Ex-Im's own internal environmental regulations.

Ex-Im has gone well beyond its statutory mandate contained in the charter and lost sight of its primary mission to ''arrange competitive and innovative financing for the foreign sales of United States exporters.'' According to Ex-Im's charter, environmental policy and procedures apply to any transaction involving the following three criteria:

First, the project requires more than $10 million of long-term support;

Second, Ex-Im's participation in the project would be ''critical to its implementation''; and

Third, the project ''may have significant environmental effects upon the global commons or any country not participating in the project, or may produce an emission, an effluent, or a principal product that is prohibited or strictly regulation pursuant to Federal environmental law.''

While the financing request for U.S. exporters to sell American goods and services to the TGD certainly fits the first criteria, it does not meet the other two tests. All foreign financing will form approximately 20 percent of the total cost of the final project. Thus, Ex-Im's participation in the project is not critical to the TGD implementation. The dam will be built with or without U.S. participation. The way events are unfolding, it appears that the real life consequence of the Clinton administration policy is to have the dam built, but only with foreign-made equipment.

Regarding the third environmental criteria mentioned in the charter, the TGD project is located in the heart of central China. The dam will only impact the internal environment of China. It will not affect China's neighbors in Russia, India, or Southeast Asia. As a ''clean'' hydropower project, the TGD will not produce an emission or a noxious effluent. Thus, Ex-Im was not forced by Congress in its charter to turn down these letters of interest.

In fact, Ex-Im has gone even beyond its own internal environmental procedures and violated its own guidelines, which clearly state that ''no environmental review will be conducted by Ex-Im Bank prior to issuance of a Letter of Interest.'' The guidelines also explain that ''no LI's will be issued * * * for projects that * * * involve potentially unacceptable environmental risks. As a result, such transactions must seek preliminary commitments or final commitments * * *.'' Yet American companies were repeatedly told to apply for a letter of interest from Ex-Im for the Three Gorges project even though the proper step should have been quick advancement to the preliminary commitment stage where environmental considerations would be taken into account. Ex-Im's response was that they were simply seeking a way to help the applicants avoid the substantial charge for processing a preliminary commitment application. So, American workers were denied a $1 billion export opportunity to willing buyers in China to save a few hundred bucks on an application fee.

If millions of exports and thousands of jobs weren't at stake, this might be an interesting academic exercise. But unfortunately, it isn't. One has to wonder if Ex-Im had already made up its mind months before their May decision, as evidenced by their concurrence with the NSC memorandum. This was the first major test case of Ex-Im's implementation of its new environmental guidelines since they were finalized last April. If this is any indication of future action, the United States will certainly surrender many export opportunities to our foreign competitors who have no similar prohibitions.

What adds insult to injury is that now the Clinton administration has begun to provide humanitarian aid to the Chinese suffering from this flood while, at the same time, refuses to revisit its failed policy on the TGD to provide a permanent solution to this annual tragedy. A wise man once said, ''Give a man a fish, he is fed for a day. Teach him to fish, he will be fed for a lifetime.''

Ex-Im still has one last opportunity to rescue themselves from this dilemma. China is working very hard to get substantive answers to the remaining questions asked by Ex-Im at their May 30 press conference dealing with water pollution, endangered species, relocation, and salvaging archeological treasures. If China fulfills their end of the bargain, I urge Ex-Im to use that opportunity to reissue letters of interest to United States exporters to keep them in the game. Our exporters lost out on $4 billion in export opportunities last April because Ex-Im kept delaying their decision. Let's not repeat that mistake because there are more contracts worth billions more up for bid later this fall. Let's use America's ingenuity and expertise to ''teach'' China to build the best, safest, and most environmentally benign dam to prevent the annual tragedy that occurs on the Yangtze and lower the trade deficit with China by supporting Ex-Im involvement with the Three Gorges Dam.

THE SPORTSMEN'S BILL OF RIGHTS

HON. RANDY ''DUKE'' CUNNINGHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 27, 1996

Mr. CUNNINGHAM. Mr. Speaker, I rise today to support the Sportsmen's Bill of Rights (H.R. 4144), which was introduced by my dear friend and colleague BILL BREWSTER of Oklahoma.

From America's earliest days, hunting and fishing have been a part of the American experience. Today, over 36 million Americans enjoy fishing as a regular recreational activity, and over 16 million Americans enjoy hunting.

Hunting and fishing are essential components of effective wildlife management. They provide important incentives for the conservation of wildlife, and the habitat and ecosystems upon which wildlife depends. Funds raised from the sale of licenses, permits, and stamp purchases, as well as excise taxes on goods used by anglers and hunters,