

extended to the managers of this very important ISTEPA bill. But I want to join again in expressing my appreciation for the leadership of the Senator from Rhode Island.

Mr. BYRD. Mr. President, could we have order in the Chamber?

The PRESIDING OFFICER. The Senate will be in order.

The distinguished majority leader.

Mr. LOTT. Mr. President, thank you. Mr. President, the Senator from Rhode Island, Mr. CHAFEE, did an outstanding job in managing this legislation. I think it is quite an achievement that actually in about 9 days we were able to get this bill through the Senate. There were some bumps along the way, but we were able to work them out without acrimony or regional bias. I think really they did a magnificent job. The Senator from Montana, Senator BAUCUS, worked very closely with the chairman of the committee, but it took cooperation with Senator WARNER of the subcommittee, and Senator GRAMM was involved in some key negotiations, and obviously Senator BYRD, who always provides direction and leadership that is very important.

To all the members of the committee, I thank you for this. I think the Senate has really provided leadership and given a marker to our colleagues on the other side of the Capitol to take up this important legislation, get it to conference, and get it agreed to by May 1, when the extension will expire.

So I think this was certainly a good couple of weeks' work, and I thank the Senate for its cooperation. This can be an example, I hope, of what we can do on other bills, how we can work together and work out problems that appear to be insurmountable. If we had taken this legislation up the first week we were back, it would probably have been a lot messier and we might not have come to the good result that we have fashioned here in this bill. So thanks to one and all. I appreciate it very much.

I mentioned Senator BAUCUS. He has certainly been a very important part of this.

Would the distinguished Democratic leader like to comment at this point?

Mr. DASCHLE. Mr. President, I share the view expressed just now by the majority leader. Certainly, our chairs and ranking members have done an outstanding job. I especially want to commend the dean of the Senate, our former majority leader, ROBERT BYRD, and his colleague, PHIL GRAMM, and others who had so much to do with making this possible.

This has been an effort that will have extraordinary consequences for years to come, both in terms of infrastructure and an array of different questions that we have to address. This has been an issue that Senator BYRD has instructed and educated the Senate about for many, many months. It was his leadership and diligence, along with Senator CHAFEE and BAUCUS and Senator WARNER and so many others, that

brought us to the successful conclusion that we have now achieved.

I commend them. I thank them. And I hope we can use this as a real model for other pieces of legislation that may come before the Senate this year.

I yield the floor.

Several Senators addressed the Chair.

Mr. LOTT. Mr. President, I am prepared now to move to a unanimous consent request with regard to the China human rights issue. I will yield to the Senator from Montana if he would like to make some further comment on the highway surface transportation bill.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, I would like to thank a group that has not been thanked yet. That is the Department of Transportation—Secretary Slater, Mort Downey, Kenneth Wykle, and others at DOT who I note are in the gallery. They are watching these proceedings. They have been a very integral part of the passage of this bill. We have gone to the Department of Transportation many times to get data, to get their assistance. I want to thank not only Senators and staff but also the Department of Transportation for their assistance.

Mr. WARNER. Mr. President, I have paid compliments to some who have worked on this bill. I want to add the name of Lee Brown.

Lee Brown has the current title of assistant editor of morning business, and he is soon to be, I am told, elevated to the position of editor. Now, those who watch the floor proceedings of the Senate on occasion see Mr. Brown, in his usual quiet manner, come up and take from a Senator a document which he has asked unanimous consent to have placed in the RECORD. Lee Brown and his associates in this Institution somehow find where to put it in the RECORD, match it up with the statement, and get it correct. That is not an easy job.

So I want to express my appreciation to Mr. Brown for his effective work and efforts on this bill, which has had a very significant amount of inserts.

RESOLUTION ON THE PEOPLE'S REPUBLIC OF CHINA

Mr. LOTT. Mr. President, I ask unanimous consent the Senate now proceed to the consideration of calendar No. 325, S. Res. 187, and that the resolution be considered under the following limitations: That there be 1 hour for debate on the resolution and preamble, with no amendments or motions in order thereto, with the time divided as follows: Senator GRAMM controlling 20 minutes and Senator MACK controlling 10 minutes, Senator WELLSTONE controlling 30 minutes, or their designees; and, upon the use or yielding back of time, the Senate proceed to a vote on the adoption of the resolution, and, if the resolution is adopted, the preamble be agreed to, with the above occurring without intervening action.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LOTT. Mr. President, I yield the floor. Senators then can proceed under the time agreement that we have entered into.

The PRESIDING OFFICER. The resolution will be stated by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 187) expressing the sense of the Senate regarding the human rights situation in the People's Republic of China.

The Senate proceeded to consider the resolution.

The PRESIDING OFFICER. The Senator from Florida.

Mr. MACK. Mr. President, before I begin my remarks, I want to thank the Members of the Senate for their cooperation in this effort. Senator WELLSTONE and I have been attempting to get this resolution to the floor for some time now, but because of the cooperation of Chairman HELMS and many others, we have now worked our way through to the point where we, in fact, could bring this resolution to the floor and, hopefully, within not too long a period of time have agreement on this resolution.

My resolution, introduced with Senator WELLSTONE and 11 other Senators, urges the President to take all action necessary to introduce and pass a resolution at the annual meeting of the U.N. Human Rights Commission critical of the human rights abuses in China and Tibet. I hope the President will take note and take action. This resolution passed out of the Foreign Relations Committee yesterday by a vote of 16 to 1. Again, I express my appreciation to Senators WELLSTONE, HELMS, THOMAS, LUGAR, COVERDELL, FEINGOLD, HAGEL, BIDEN, and a number of others. With this action, the committee voiced its strong support for the passage of this resolution unamended.

Now I would like to state five points as to why we should pass the resolution now.

First, we know that offering and debating this resolution at the annual U.N. Human Rights Commission in Geneva advances human rights in China and Tibet. We know that in past years the Government in Beijing has made gestures towards improving human rights just prior to the annual Human Rights Commission consideration of a China resolution.

We know from testimony by Wei Jingsheng, Harry Wu, and many other political prisoners, that conditions for political prisoners improve when the resolution is being debated and they deteriorate when the resolve of the United States weakens. Again, I learned this not just from testimony before committees but I learned it from personal experiences and discussion with both Mr. Wei Jingsheng and Mr. Harry Wu, who actually told us they could tell the rhythm, if you will, of what was going on in the world by the way they were treated in prison in

China. They knew, when things were slackened, that there was resolve in the world to take China to task over its human rights violations. And they knew as well, when they were in difficult times and experiencing tremendous abuse, that the world had turned its back on those who found themselves in prison in China.

Mr. President, we know our approach to China must include public and private actions and must encompass trade, national security, and human rights. This Commission is uniquely suited to be the forum for the world to express disapproval of human rights violations in China and in Tibet.

Finally, we know the United States assessment of human rights in China and Tibet, according to the State Department, is abysmal by any standard. The United States must state plainly and clearly our objection to Beijing's denial of basic freedoms to the people of China and to Tibet.

Mr. President, at this point I yield the floor.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

Mr. WELLSTONE. Mr. President, I know the Chair, Senator HUTCHINSON of Arkansas, wishes to speak. I will be brief. I am anxious to hear from him.

Let me, first of all, thank Senator MACK. I have really enjoyed working with him on this. I think it is extremely important.

Sometimes when you speak on the floor of the Senate, you do not know whether or not what you are doing is going to crucially affect the lives of people. You hope it will. This resolution does.

I had a chance to meet with Wei Jingsheng last week, and I have met with a number of other courageous men and women from China, and they all have said the same thing.

Mr. President, could I have order in the Chamber?

The PRESIDING OFFICER (Mr. MACK). We are debating a very important resolution. The Senate will be in order.

The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, if the Senator from Arkansas is ready, I am pleased to yield time to the Senator from Arkansas. I ask my colleague, will 10 minutes be all right?

Mr. HUTCHINSON. Ten minutes will be sufficient.

The PRESIDING OFFICER. The Senator from Arkansas

Mr. HUTCHINSON. I thank the Senator from Minnesota for yielding time.

Mr. President, for the last 4 years this Congress has been engaged in an intense debate on this country's trade relationship with the People's Republic of China. On the one side of this debate are those who view the abhorrent and declining human rights conditions in China as a cause for revoking the special trade treatment currently given to Chinese-produced goods. On the other

side of this debate are those who view free trade as a paramount virtue and believe linking trade with human rights is an inappropriate foundation on which to build our national trade policy. Last month, the two sides of this debate came colliding together in one chilling event, the indictment and arrest of two Chinese "businessmen" for trade in human body parts harvested from executed prisoners in the People's Republic of China.

Trade and human rights, delinked by our Government, were unalterably linked together by this tragic event last month. This arrest, more than any other event, brings the human rights crisis in China to the feet of those kneeling at the altar of free trade. No longer can free traders, the Chinese Government, or this administration turn a blind eye to the gruesome conditions now prevalent in the People's Republic of China. In matters related to trade with China, we must now move beyond the issue of trade deficits and move on to the issue of moral deficits. In particular, this country and this Congress must strongly reconsider the moral basis of our special trade relationship with this repressive regime.

The history leading up to last month's arrest is telling. For years, human rights organizations charged that the Chinese Government was at the center of an international market in human organs harvested from Chinese prisoners. The Chinese Government denied these reports, charging that these accusations were malicious and conspiratorial and outrageous. They totally rejected the charges.

Then, in 1994, the British Broadcasting Company, the BBC, aired a documentary detailing its evidence concerning China's trade in body parts. Again China issued a strong denial. Representative CHRIS SMITH held a hearing on this issue in 1996. The Chinese Government again stood firm in its denials.

Then, last year, confronted with hidden video captured by ABC's "Prime Time Live" documenting an actual transaction of a kidney, complete with footage of the military hospital in China used to harvest the organs and of a U.S. business which operated a kidney dialysis unit in China to facilitate the transaction, even in spite of this, China stood ever stronger in its adamant denial.

When I visited China in January of this year, when I raised this issue, once again it was dismissed out of hand as being a fabrication of the opponents of China.

The Chinese policy of lies and denials and distortions relating to its involvement in the marketing of human body parts may work well in the court of public opinion, but it will fail, I believe, in the court of law. With the arrest of Wang Cheng Yong and Fu Xingqi, the Chinese Government and its sympathizers will have to rethink their party line. More important, this Government will have to rethink the

credence it gives to the word of the Chinese Government and its spokesmen. It is now certain that, in China, the judge, the executioner, and the profiteer are all wrapped in one.

As the Washington Post editorialized in the wake of these arrests, "the Clinton administration long ago abandoned human rights as a primary consideration dealing with China. . . ." But even Stanley O. Roth, the Assistant Secretary of State for East Asian Affairs, had to admit that if prisoners were being killed in China in order to provide organs, "it would be among the grossest violations of human rights imaginable."

This indictment right here provides clear and convincing evidence that China now ranks as one of the worst human rights violators in history. I encourage my fellow Senators and the President to read carefully the chilling facts detailed in this document and to watch closely as the case is brought to trial. I ask unanimous consent it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[Southern District of New York, Complaint: Violation of 18 U.S.C. §371; County of Offense: New York]

UNITED STATES OF AMERICA v. CHENG YONG WANG, XINGQI FU, a/k/a "FRANK FU," DEFENDANTS

Jill A. Marangoni, being duly sworn, deposes and says that she is an agent with the Federal Bureau of Investigation, and charges as follows:

Count One

1. In or about February 1998, in the Southern District of New York and elsewhere, Cheng Yong Wang and Xingqi Fu, a/k/a "Frank Fu," the defendants, and others known and unknown, unlawfully, willfully, and knowingly did combine, conspire, confederate, and agree together and with each other to commit an offense against the United States, to wit, to violate Section 274e of Title 42, United States Code.

2. It was a part and object of the conspiracy that Cheng Yong Wang and Xingqi Fu, a/k/a "Frank Fu," the defendants, and others known and unknown, unlawfully, willfully and knowingly would acquire, receive and otherwise transfer human organs, to wit, kidneys and corneas, for valuable consideration for use in human transplantation, which transfer would affect commerce and the movement of articles and commodities in commerce.

Overt Acts

3. In furtherance of the conspiracy and to effect the objects thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. On or about February 13, 1998, Cheng Yong Wang the defendant, attended a meeting in New York, New York.

b. On or about February 20, 1998, Cheng Yong Wang and Xingqi Fu, a/k/a "Frank Fu," the defendants, attended a meeting in New York, New York, where they both discussed the sale of organs to a person purporting to be a member of the board of directors of a dialysis center.

(Title 18, United States Code, Section 371)

The basis for deponent's knowledge and for the foregoing charges are, in part, as follows:

1. In or about February 1998, I received information from a person ("Person A") that

Cheng Yong Wang, the defendant, had represented to Person A that, prior to coming to the United States, he was a Procurator in the Hainan Province in China and, in that capacity, had participated in the execution of Chinese prisoners. Person A provided me with a copy of employment papers that Cheng Yong Wang, the defendant, had provided to him. A Mandarin interpreter informed me that these papers, which contain the photograph of Cheng Yong Wang, identify Cheng Yong Wang, the defendant, as a procurator in Hainan Province, China. A person familiar with the Chinese legal system told me that the job of a Procurator in China is similar to the job of a prosecutor in the United States.

2. I have spoken to an agent of the Immigration and Naturalization Service ("INS") who told me that Cheng Yong Wang, the defendant, entered the United States from China on May 8, 1997 on a B-1 (work) visa.

3. Person A further informed me that on or about February 13, 1998, he met with Cheng Yong Wang, the defendant, in a hotel room in New York, New York. Person A stated that at this meeting, Cheng Yong Wang, the defendant, told him that he was interested in selling organs, specifically kidneys, from executed Chinese prisoners to Person A. In addition, Person A told me that he and Cheng Yong Wang had signed two contracts at this meeting, the second contract being a revised copy of the first contract. Person A provided me with copies of these contracts, both of which purport to carry the signature of Cheng Yong Wang.

4. I have reviewed a translation of the contracts referenced in the preceding paragraph. In substance and in part they provide that the purpose of the contract is to provide organ transplant services in China for people who live outside of China. Under the contract, Cheng Yong Wang, the defendant, is responsible for coordinating with the relevant Chinese government agencies and hospitals in providing and securing organs for transplant. The contract further provides that Person A, who represents a dialysis center, will pay for the entire cost for each kidney transplant, not including the patient's travel expenses. In addition, under the contract, Person A agrees to pay Cheng Yong Wang, the defendant, a commission of 25% of the total costs for each transplant case.

5. On or about February 17, 1998, I participated in tape recording a telephone conversation between Cheng Yong Wang, the defendant, and another person ("Person B.") This conversation was in Mandarin. Based on conversations that I have had with a Mandarin translator and a partial draft transcript that I have read, it is my understanding that during this telephone conversation, Cheng Yong Wang, the defendant, told Person B, in substance and in part, that he recently had met with Person A in a hotel room and signed a contract.

6. Also during the telephone conversation referenced in the preceding paragraph, Cheng Yong Wang, the defendant, told Person B, in substance and in part, that he planned to enter into an agreement with XINGQI Fu, a/k/a "Frank Fu," the defendant, relating to the sale of organs. Cheng Yong Wang also told Person B that Xingqi Fu, a/k/a "Frank Fu," had not participated in the meeting between Cheng Yong Wang and Person A, but that Xingqi Fu had been present in the lobby of the hotel where the meeting had taken place. Cheng Yong Wang explained to Person B that Xingqi Fu had decided that his services were not necessary in relation to the kidneys but that Xingqi Fu planned to sell corneas in the United States. Cheng Yong Wang further states that Xingqi Fu planned to smuggle the corneas into the United States and that Xingqi Fu had spoken to doctors about his selling them corneas.

7. Also during the telephone conversation between Person B and Cheng Yong Wang, the defendant, told Person B that he believed that the profit on the sale of corneas would be approximately 1000%.

8. On or about February 20, 1998, an agent of the Federal Bureau of Investigation, posing as a member of the board of directors of a dialysis center ("FBI agent"), met with Person B, Cheng Yong Wang and Xingqi Fu, a/k/a "Frank Fu," the defendants, in New York, New York. From my conversations with the FBI agent, I have learned that during this meeting Cheng Yong Wang discussed the methods by which Chinese prisoners are executed and indicated that the organs he proposed to sell to the FBI agent would come from executed Chinese prisoners. In addition, Cheng Yong Wang and Xingqi Fu specifically agreed that they would sell the FBI agent two corneas for \$5,000 and indicated that this price included a profit for them, Cheng Yong Wang and Xingqi Fu, the defendants, also discussed selling the FBI agent other organs, including kidneys, skin, lungs, pancreases and livers and agreed on the prices for these organs. Among other things, Xingqi Fu inquired about any maximum age for sources of skin and stated that lungs would come from non-smokers. In addition, both defendants acknowledged that although the contract referenced in Paragraph 5 above discussed that Cheng Yong Wang would provide transportation services, the true purpose of the agreement was to provide organs.

Wherefore, deponent prays that the above-named individuals be arrested and imprisoned or bailed as the case may be.

JILL A. MARANGONI,
Special Agent, FBI.

Sworn to me this of February 1998.

Mr. HUTCHINSON. This case only builds upon the repeated efforts from Chinese dissidents, Amnesty International, and the U.S. Department of State concerning the declining human rights conditions in China.

Again, as the Washington Post reported last month, these human rights abuses include "torture, extrajudicial killings, arbitrary arrest and detention, forced abortion and sterilization, crackdowns on independent Catholic and Protestant bishops and believers, brutal oppression of ethnic minorities and religions in Tibet and Xinjiang and, of course, absolute intolerance of free political speech or free press."

Mr. President, how long must this list of oppression get before this Government acts?

The increased arrogance of China's leadership in the face of the world's silence is evident in President Jiang's statement late last year that "both democracy and human rights are relative concepts and not absolute and general."

Accepted absolutes are now considered relative by China's leadership. This brutal Communist regime has now decided to determine the moral parameters within which civilized countries can stand within its judgment. In short, religious persecution, organ harvesting, and torture are now within the bounds of moral behavior in China. The unacceptable is now acceptable and the inhuman is now humane. While the world stands silent, China has managed to redefine the very nature of what is right and what is wrong.

Last week, I and 11 of my Senate colleagues sent a letter to President Clinton to remind him of his promise to the American people to "step up efforts, in cooperation with other states, to insist that the United Nations Human Rights Commission pass a resolution dealing with the serious human rights abuses in China."

On Wednesday, under the able leadership of Chairman HELMS, the Senate Foreign Relations Committee adopted a resolution submitted by Senators MACK and WELLSTONE expressing the sense of the Senate denouncing the human rights conditions in China. This resolution, which we now debate and which we will soon vote upon, and which I believe this body will adopt overwhelmingly, as did the committee, criticizes the People's Republic of China and asks for the U.N. Commission on Human Rights to pass a resolution acknowledging what is going on in China today, and for this Government to make that request of the United Nations.

While it is far short of the effort I believe should be made, it is a welcome first step in the right direction. I commend Senator WELLSTONE and Senator MACK for their outstanding leadership on this, and Senator HELMS and all of those on the committee who voted 16 to 1 in favor of the resolution.

If I might just close with this—and I know I have taken longer than I had requested—when I visited China in January—and I can spend an hour or much longer talking about those 10 days in China—the most moving moment was on a Sunday morning at 7:30 a.m. when I went to Tiananmen Square where, all of us remember so vividly almost 9 years ago, the images came across our TV sets through CNN cameras, and we saw those tens of thousands of students who stayed there for months peacefully asking their government to improve human rights conditions and to democratize the largest nation in the world.

While I was in China, I had a chance not only to visit Tiananmen Square and see that red banner that still flies, but to visit Ray Burghardt who was charged to be in Beijing at the time of the massacre when the Chinese Government, the hardliners, won out and the troops and the tanks moved in. He spent 3 hours over dinner telling us about the events leading up to the massacre.

He said on the night that the tanks moved in, the Chinese Communist Government waited until 2 in the morning. They did not want the world to see what was about to happen. The floodlights that showered over the many, many acres of Tiananmen Square were turned off. They did not want to see any cameras rolling.

As the troops moved in and the tanks moved in, he said from the Beijing Hotel, watching through binoculars, that he could see, as the troops came out, as the weapons were fired, the profiles of the students as they fell. The

silence continued, broken a few moments later by more gunfire, more students falling. Through those morning hours, the massacre continued.

By the time the Sun came up the next morning, the tanks had cleared the mall. They had cleared Tiananmen Square so that no one was to know, so that no one would have a hint of the massacre, of the thousands who died in the surrounding blocks, or of the tens of thousands who lost their lives.

Those students looked to the United States as the emblem of freedom, as the shining city on a hill. They built a 30-foot model of our Statue of Liberty and it, too, went under the tanks as they rolled in.

I just ask my colleagues, as they vote for this resolution, to remember what those students were fighting for, what they were standing for and to whom they looked as the symbol of freedom. I ask for a good vote, a solid vote, and a message to the world that we still stand for freedom.

I thank the Senator from Minnesota for his indulgence.

The PRESIDING OFFICER (Mr. SANTORUM). The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, let me just say to my colleagues, Senator HUTCHINSON and Senator MACK, it is a labor of love working with them. We do not always agree on all issues. That might be the understatement of the year. But I think we are doing the right thing, and I certainly hope we get a huge vote as well.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. WELLSTONE. Let me also thank Charlotte Oldhom-Moore who works for me and has been doing just a tremendous amount of work on this piece of legislation. I also thank Ellen Bork who works with Senator HELMS, chairman of the Senate Foreign Relations Committee, for all of her fine work.

Let me list Human Rights Watch, RFK Center for Human Rights, Lawyers Committee for Human Rights, Minnesota Advocates, International Campaign for Tibet, and Amnesty International for all of their fine work. Their organizing work has been terribly important, and it is an honor for me as a U.S. Senator from Minnesota—and we have a very strong human rights community—to be working with these organizations.

Mr. President, I will be brief. There may be debate on the other side, and I want to reserve some time to respond and I know there are others who will want to speak. I know Senator FEINGOLD is anxious to get to the floor. If he does not, let me just say that Senator FEINGOLD has been very, very vocal about this and has been a very strong supporter.

The 16-to-1 vote that Senator MACK spoke about in the Foreign Relations

Committee represented full enclosure because several months ago, the Senate Foreign Relations Committee hosted a coffee and Wei Jingsheng came. He came up to several of us. I was one of the Senators who he approached. He asked us to please try and adopt a resolution on the floor of the Senate that will call on the administration and our Government at the U.N. Commission on Human Rights to please move forward with a resolution condemning the human rights violations in China.

What Wei and others said to me and Senator MACK was, "Look, you may not always understand, but what you do on the floor of the Senate is watched, especially internationally. If the Senate doesn't speak on this and if the United States Government remains silent, it would be devastating to so many people in China who have had the courage to stand up for human rights, people who face persecution for their religious and political beliefs."

I felt then, and I feel even more so now, when someone like Wei is speaking to you, someone who spent 18 years in prison—I read his book, "The Courage to Stand Alone," someone whom I hope will get the Nobel Peace Prize—and makes such a request, it really feels good to be able to honor that request.

We have worked hard on this. We wanted to get this on the floor. I thank the majority leader, Senator LOTT, for absolutely living up to his personal commitment to us that we would get this on the floor before the U.N. Commission on Human Rights meets.

I will just say to colleagues that I think Senator BIDEN in the Senate Foreign Relations Committee said it best the other day. He said, "Look, we have disagreement about whether or not you link human rights concerns and issues to trade policy, but that is not what this is about. If there ever was a place and there ever was a time for our Government to speak up for human rights, and ever since Tiananmen Square a large part of the focus has been about China, it is at this United Nations Commission on Human Rights that convenes in Geneva March 16."

We are now on the floor of the Senate—what is today's date?—March 12. We may not be back in session until Monday or Tuesday. It is terribly important that this vote takes place.

I say to the Chair and I say to all colleagues, Democrats and Republicans alike, I hope we can get a vote that mirrors the vote in the Senate Foreign Relations Committee. The stronger the vote, the stronger the message.

I say to my colleague from Florida, since we have worked so closely on this, it is interesting that today the State Department announced that China has agreed to an international covenant on civil and political rights. I say great.

When I mentioned this to Senator MACK earlier, he said, "That's tremendous, let's just make sure now we have a good strong vote to make it crystal

clear that we intend to keep pushing forward with the pressure and with a voice in behalf of those women and men who have the courage to speak up in China for what they believe in."

I spoke with Sandy Berger last night. I know he is working very hard on this. This is not a bashing amendment, but this is an amendment that says to our Government that to go to Geneva and to not make the effort to push forward this resolution which speaks to the violations of human rights in China, we think it would be silence, we think it would go against the very best of what our country stands for.

So, I hope there will be a very, very strong vote for this resolution.

Mr. President, I ask how much time I have.

The PRESIDING OFFICER. The Senator has 12 minutes 15 seconds.

Mr. WELLSTONE. I thank the Chair. I would like to reserve some time. I ask the Senator from Delaware whether he wants to speak on this resolution and, if he does—I just quoted him—I would love to yield some time to him.

Mr. BIDEN. I ask the Senator for 2 minutes.

Mr. WELLSTONE. Mr. President, I have never heard the Senator from Delaware speak for only 2 minutes. But if that is all he desires, if this will be a miracle, I might just be able to see it.

The PRESIDING OFFICER. The Senator from Delaware is recognized for 2 minutes.

Mr. BIDEN. Mr. President, I assume the reason why the Senator thinks that is because what I say is such content that he thinks I have spoken longer.

Let me be very brief and blunt. The fact is that we have several schools of thought about China on this floor and what our future relations will be. We constantly hear that those of us who are critical of China's human rights policy and proliferation policy should not tie our opposition to their point of view to trade. They say let's keep things in their proper perspective.

Well, if this is not the place to go, if to go to an organization that is an international organization constituted for the express purpose of discussing and identifying those nations that do not engage in practices consistent with what civilized countries should be doing relative to human rights, then there is no circumstance in which we can criticize China.

They say we should not criticize China and tie it to trade, and they say we should not criticize China here, we should do it privately. Privately malarkey. We should do it privately; we should also do it publicly.

We are not treating China any other way than we treat any other civilized nation in the world. As a member of the largest country in the world, they have to grow up and understand that if they take affront at us raising their human rights record in a forum, an international forum, that is constituted for that express purpose, then

they have a great deal of political maturation they have to go through in order to be a world power that will gain respect from the rest of the world.

I will conclude, Mr. President, by saying, I think this is one of those cases where our silence would be deafening. I yield the floor.

Mr. WELLSTONE. Mr. President, I reserve the remainder of my time.

Mr. MACK. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MACK. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MACK. Mr. President, I ask unanimous consent that the time under the previous quorum call not be charged to either side.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MACK. Mr. President, I also inquire at this time as to how much time we each have.

The PRESIDING OFFICER. The Senator from Florida has 6 minutes 13 seconds; the Senator from Minnesota, Senator WELLSTONE, has 10 minutes 10 seconds; and the Senator from Minnesota, Senator GRAMS, has 20 minutes.

Mr. MACK. Mr. President, I suggest the absence of a quorum and, again, ask unanimous consent that it not be charged to either side.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. GRAMS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRAMS. Mr. President, may I inquire on the time remaining?

The PRESIDING OFFICER. The Senator from Minnesota, Senator GRAMS, has 20 minutes; the Senator from Minnesota, Senator WELLSTONE, has 10 minutes 10 seconds; and the Senator from Florida has 6 minutes 13 seconds.

Mr. GRAMS. Thank you very much, Mr. President.

Mr. President, I rise in opposition to Senate resolution 187. That is the resolution sponsored by Senator MACK directing the administration to pursue a resolution criticizing China's—only China's—human rights record at the U.N. Commission on Human Rights in Geneva.

As you may know, I earlier objected to an attempt to UC this resolution on the floor, without benefit of committee consideration. I understand that many Senators do not believe a resolution is controversial, but, when it comes to China, I do believe it can be controversial—very controversial. You should too, because quite clearly China legislation, whether it be resolutions or

sanctions, is, simply stated, I believe, to be counterproductive.

Yesterday, this resolution was considered in a business meeting of the Foreign Relations Committee. At that time I offered an amendment which would expand the resolution to include other countries listed in the State Department's annual human rights report. In my judgment, it is incredible that we would pick just one country to criticize when there are even more egregious offenders out there.

I did not object to having China on that list. We can put China at the head of the list, in the middle of the list, or at the bottom of the list. It should be on the list, but I do not think it should be on a list of only one country, and that is just China when, again, the State Department report on human rights violations has a long list of other countries. And if we are serious about looking at human rights violations around the world, we should also call those into question.

My problem with this resolution is, again, that it is one of many, many legislative attempts, I believe, to just single out China. They are clearly counterproductive, in my judgment. China certainly does—it does have to make more progress on human rights, but it also has made significant progress as well. I also supported an amendment in our business committee yesterday in the Foreign Relations Committee by Senator FEINSTEIN that would have balanced this resolution with language citing some of the improvements that were listed in the Human Rights Report.

The right thing to do—and I repeat, the right thing to do—is oppose these kinds of public attacks and join me in efforts to pursue human rights violations in China through quiet diplomacy—through personal visits, including those I have had with President Jiang. These high-level contacts between the United States and Chinese officials, I believe, can be far more productive.

Yesterday, a comment was made that we have to make this kind of public statement to the whole world to better focus attention on human rights concerns.

I believe we do have maybe a responsibility to hold these human rights violations up for world scrutiny. But, again, shouldn't they include all countries that are guilty of human rights violations?

Why do we think that standing up and publicly criticizing China, and only China, following repeated efforts in the past, does any good? Do our words effect changes? No—I believe our efforts to build relationships with the Chinese, to talk to them privately about the need to improve and to see that changes are in their best interest are what make a difference. Resolutions make strong statements but I believe they do not accomplish the goals that we intend.

China has become the whipping boy.

A continued strong relationship with China will in fact enable us to have a much stronger impact on their reforms than any strong-arm tactics. I agree such tactics can get the world's attention, but do they actually help those who are in prison or face other forms of repression inside China? There is a growing middle class in China. As they are more exposed to the West through our products and our people, the Chinese people themselves are going to be placing more demands on their leaders for change.

And that is already happening. The growing middle class in China, with their exposure to the West, is putting more demands on the Chinese leaders for change than we will ever accomplish from outside of their borders with these types of resolutions.

My State has also been long involved in various people to people programs with China, programs which have pursued better relationships between our countries. We value those relationships. They have helped us improve relations with China, and they have helped China achieve the progress it has made economically and politically. I believe threats and censure may only close the door on our relationship with China. And if that happens we will then lose any opportunity that we will have to effect change.

If we are not there, if we are not involved, if we do not have relationships with China, and if they in fact close the door to us, then what kind of an effect or influence are we going to have on change inside of China? I think it is a lot easier to change their mind if we are there than if we are not.

As I said previously, it is the volume of efforts—the legislation, the resolutions and the sanctions—and constant criticism that has been the focus of my opposition. Many believe they can change China through public humiliation.

Each new effort to bash China makes it more difficult, I believe, for our Government to formally address concerns of human rights and religious persecution.

My point here is just to try to educate America, the Senate, Christians and all people who are concerned about human rights and religious freedom that this is not a "free vote"; it is something we should think about before we vote for it, because, in my view, again, just singling out China is very counterproductive.

Mr. President, now I want to get back to the language of this amendment itself—since I have been criticizing China resolutions generally. The wording of this resolution is even more disturbing. I am told the purpose, again, is to force the administration to introduce and to pursue a resolution at the U.N. Human Rights Commission condemning China for human rights violations. However, what you are not told is that there is no support for this resolution at all. The European Union

has even passed its own resolution indicating human rights violations are better addressed bilaterally with China. Again, the EU has already passed its own resolution indicating that human rights violations are better addressed bilaterally with China, not in this venue. Nearly all of our fellow U.N. members feel the same. So how do we expect the administration to go to the U.N. Human Rights Commission and garner support for this resolution? They would have the same result whether they pursued one now or 6 months ago. This has been tried before with no success. What leverage do we have to do this? We couldn't even get our U.N. allies, except one, to support us on Iraq. We still haven't settled the arrears question. How much weight will an attempt to pass a U.N. resolution—with no support—have in our quest to improve human rights in China? I believe none. A resolution supported by one country does not send a strong message. What it does is send the message that all other countries support what China is doing on human rights in China and that they need make no further progress because of that.

I also have heard the administration has not yet determined whether it should pursue a resolution even though they know they will fail if they do so. If they agree to pursue one, they do it knowing that it is going to fail.

If I were one of our allies, I would be sitting back and watching this and I would relish U.S. efforts to publicly condemn and sanction China, thereby impeding U.S. efforts to improve relations with China. That will give them many more opportunities to gain a firm foothold in what will be enormous trade and investment opportunities. If the U.S. gains the reputation of being an unreliable supplier, well, so much the better for them. They have seen us attempt to impose our laws and values extraterritorially on other countries over and over again. This has all accomplished nothing for us and much for them. For example, Airbus recently won a lucrative contract with China when China has long exhibited a preference for Boeing planes.

It was a strong message from China and its relationship with the United States.

This resolution, following all of the other attempts to rein in China, will not allow us to improve our relationship with China, but I believe it will slow that process. This will harm us in the eyes of the world community, it will impact US jobs, it will raise concerns about the U.S. security and leadership role in East Asia and the Pacific, and, most importantly, I believe that it is going to hurt the Chinese people themselves that we are trying to help. It will get us nothing—no progress on human rights, no progress on religious persecution—nothing at all. Many have said it is American involvement inside of China, including American investments, that have

helped to improve the lives of many Chinese people and helped to foster more interest in human rights progress. More pressure for improvement comes from the inside out rather than the outside in. The Chinese government will listen more to the Chinese people than it will to threats from outside its borders.

Let us look at the issue of religious persecution, since I know there is still legislation percolating on that issue as well. Religious leaders, including one from my own State, Reverend Don Argue, president of the National Association of Evangelicals and former president of North Central College in Minneapolis, just returned from a visit with President Jiang himself. Now, President Jiang invited them to China—the first time that has ever happened. The leaders noted that with their visit with the President of China, they gained valuable access that they feel will help to open the door to better contacts with the Chinese leadership on religious issues. They felt President Jiang heard their message, and they believe that President Jiang does realize that religious persecution is a major stumbling block to improve Chinese-United States relations, as well as a stumbling block to the lives of its citizens.

I have also addressed this issue in my visits to China, and I have visited churches there, as well. China does need to make more progress; there is no doubt about it. But Ned Graham, the son of the Reverend Billy Graham, and others tell me they have been working in China now for many, many years, and there has been progress, they tell me, and they are working quietly and effectively, quietly and effectively inside China to further that progress. These religious leaders need to assure China that their goals are to provide religious freedom, not to violate Chinese laws by pursuing separate political goals. That process, Mr. President, is ongoing and it is working.

Mr. President, I realize that this resolution has broad support. However, I feel it was important to come to the floor to remind my colleagues that we should think about what we are doing because it is clearly, again in my view, not productive but, in fact, could be counterproductive. Further, if we pass a resolution at all, at the very least it should include many of the countries listed in the human rights report as well as China, not just one.

Again I say, China needs to make improvements in the areas of human rights and religious persecution. It should be on the list that we condemn and hold up for the rest of the world to see. It could be first on the list, it could be last on the list, but it should be on the list. Again, it shouldn't be the only country on the list. I'm concerned about human rights in all countries, not just one. My substitute resolution would have just enabled us to go on record supporting human rights in many countries. It could have been a

separate list, it could have included China, China could have been alone. But only to have one resolution on the floor today condemning one country, I think is going to do more harm for the people inside of China than it is going to do good. That was my main concern.

I yield the remainder of my time and I yield the floor.

Mr. FEINGOLD. I yield such time as I require.

I rise today in strong support of S. Res. 187, a resolution introduced by the Senator from Florida and the Senator from Minnesota. I am grateful for their leadership on this and feel they have done a real service by bringing this issue forward to the floor with regard to human rights in China.

The resolution states that it is a sense of the Senate that the United States initiate active lobbying at the U.N. Commission on Human Rights for a resolution condemning human rights abuses in China. It calls specifically for the United States to introduce and make all efforts necessary to pass a resolution on China and Tibet at the upcoming 54th session of the Commission, which is due to begin very soon in Geneva.

It is a nonbinding resolution, but it makes a simple, clear statement of principle: The Senate believes that there should be a China resolution in Geneva, period.

As we all know, for the past few years, China's leaders have aggressively lobbied against such efforts earlier and more actively than the countries that support a resolution. Last year, they actually threatened the country of Denmark, which had made a difficult decision to sponsor a resolution. This year, Chinese officials have deftly played a diplomatic game with various European governments and basically succeeded in getting the European Union Foreign Ministers to drop, at least temporarily, any European co-sponsorship of a resolution.

In the past, China's vigorous efforts have resulted in a "no action" motion at the Commission. With events proceeding the way they are now, I fear we will have the same result again at the upcoming meeting.

This would be unfortunate because it is essential to have a resolution on China under the auspices of the Commission on Human Rights. The multi-lateral nature of the Commission makes it a very appropriate forum to debate and discuss the human rights situation in China. By adopting international human rights treaties, China has made a commitment to international human rights law, and one of the basic purposes of the Commission is to specifically evaluate China's performance with respect to these commitments. The Commission's review has led to proven and concrete progress on human rights in other countries, and the expectation is that such scrutiny would lead to progress in human rights in China.

Mr. President, here is where I don't understand the argument of the junior

Senator from Minnesota. He is suggesting you can only go forward if you list all the countries in the world that have human rights violations. That doesn't make any sense with regard to the way we have to do business in this body. Sometimes we have to identify a particular country—whether it be Russia or Nigeria or Indonesia—and say in this particular instance there is a problem. To be required to make a statement about all countries in the world where there is a problem at one time, reduces what we are doing to a meaningless exercise and a general statement.

Some observers want to question the viability of the human rights resolution at this time. Despite China's announcement last year that it would sign the U.N. Covenant on Economic, Social and Cultural Rights, I don't see real evidence of real human rights improvements in China. That human rights conditions in China are growing worse, not better, indicates that human rights continue to demand top priority.

Nearly 4 years after the President's decision, which I regretted, to delink most-favored-nation status from human rights, we cannot forget that human rights in China and Tibet remain abysmal. Hundreds, if not thousands, of individuals are detained or imprisoned for their political and religious beliefs. Monks in Tibet are harassed for showing reverence to the Dalai Lama. And the press is subject to tight restrictions. The most recent State Department human rights report notes that "the Government of China continued to commit widespread and well-documented human rights abuses in violation of internationally accepted norms, including extrajudicial killings, the use of torture, arbitrary arrest and detention, forced abortion and sterilization, the sale of organs from executed prisoners, and tight control over the exercise of the rights of freedom of speech, press, and religion."

Mr. President, the situation is just as bad in Tibet.

I am going to make sure my remarks are brief so the Senator from Minnesota can speak some more.

Let me just say last month the Assistant Secretary of State for Democracy, Human Rights and Labor, John Shattuck, testified, "We did not see major changes. We have not characterized China as having demonstrated major changes."

Mr. President, these reports are indeed troubling. The United States has a moral responsibility to take the lead in sponsoring and pushing for a resolution at the United Nations Commission on Human Rights. I was delighted yesterday with such an overwhelming vote under the leadership of Senator WELLSTONE from Minnesota and the Senate Foreign Relations Committee, a 16-1 bipartisan vote, that indicated there is a strong bipartisan consensus in the Foreign Relations Committee—and I predict on the floor—that we

must send a message to China and that this is the appropriate forum in time to do it.

I strongly commend my friends, the Senator from Minnesota and the Senator from Florida, for their leadership on this terribly important issue.

I yield back the remainder of my time.

Mr. WELLSTONE. How much time remains?

The PRESIDING OFFICER. The Senator from Minnesota has 4 minutes 45 seconds.

PRIVILEGE OF THE FLOOR

Mr. WELLSTONE. I want to thank Debra Ladner, and I ask unanimous consent she be allowed on the floor for the remainder of the debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WELLSTONE. Mr. President, let me say to Senator FEINGOLD that I appreciate his remarks. I also love working with him on a lot of issues. I hope we can do a lot of human rights work together. He has been such a very strong voice on human rights in the Senate.

Mr. President, one more time, this is an important statement by the Senate. Sometimes these kinds of votes really matter. I think this is one of those times. I hope the President and the administration will pay attention to what I hope will be a very strong vote. I believe they will. I certainly hope so. I hope that our Government will move on a resolution condemning human rights violations in China. I hope that the administration will do everything possible to exact concession here on behalf of human rights for people in China.

I think it is also very important to a whole lot of people in China who are involved in this struggle and a whole lot of people in Tibet. Sometimes I look at things differently and sometimes what I worry the most about is the effect of inaction over action, noncommitment over commitment on such a question for people who are imprisoned. I have heard stories from my friends in a lot of the human rights organizations, men and women, who have said that the only thing that kept them going while they were in prison was resolutions of this kind. The only thing that kept them going was when our country, our Government, under a President like President Jimmy Carter, who was so focused on human rights, it meant so much to these people. I think this is a terribly important resolution.

I have often thought to myself when I finish on this, whether it be China or whether it be other countries—and the focus can be and should be and must be on China—I have often wondered and I think I might have the courage to challenge a repressive government if I thought that at worst I could be imprisoned. I don't even know if I would have that courage. But I don't know what I would do if I thought maybe my child could be rounded up and my child could be hurt or my wife could be hurt.

There are people throughout the world who stand up to these governments. They stand up to these governments even when they know that this might happen. I marvel at their courage. They inspire me as a U.S. Senator.

China is a very large country and a very big country. But that does not mean that China should not be held accountable. This is a very important vote we are about to have.

I will yield back the rest of my time. I thank my colleague from Florida for his leadership and tell him it has been an honor to work with him on this.

Mr. MACK. Mr. President, does Senator ABRAHAM wish to make a statement? I say to the Senator I have slightly over 6 minutes remaining. How much time does the Senator desire?

Mr. ABRAHAM. That is a good question. It will take close to 5 minutes.

Mr. MACK. I ask unanimous consent the Senator be yielded 5 minutes, not off my time.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ABRAHAM. I thank the Senator from Florida. I will try to speak as quickly as possible. It is an important topic. I don't want to in any way have the length of my speech in any sense suggest a lack of interest in this or in any way suggest a diminished interest by this Senator.

Mr. President, I rise to urge my colleagues to support the sense of the Senate resolution, sending a strong message to the Chinese communist government regarding its human rights abuses. As American representatives participate in the annual meeting of the United Nations Commission on Human Rights I believe it is crucial that they state, in the strongest terms possible, the determination of the United States to uphold and defend fundamental human rights. This means, in my view, that our representatives must issue a strong statement criticizing the Chinese government's treatment of minorities and dissidents.

Mr. President, U.S.-China relations are of crucial importance for both countries. But for that very reason I believe it is crucial that we make clear our determination that the rulers in Beijing show greater respect for their people.

Mr. President, China's record of human rights abuses and repression of religious faith is long and disturbing. Peaceful advocates of democracy and political reforms have been sentenced to long terms in prisons where they have been beaten, tortured and denied needed medical care. Women pregnant with their second or third child have been coerced into abortions. Religious meeting places have been forcibly closed. Tibetan monks refusing to condemn their religious leader, the Dalai Lama, have been forced from their monasteries; some of their leaders have disappeared.

And 8 million Catholics loyal to the Pope continue to be harassed, as their non-official churches are closed down

and their religious leaders are arrested and taken to prison camps where they suffer torture and deprivation.

I ask unanimous consent to have a list of findings by the State Department with respect to human rights and the People's Republic of China be printed in the RECORD, outlining the extent to which the problems exist.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

TITLE II—HUMAN RIGHTS, RELIGIOUS FREEDOM, AND DEMOCRACY IN CHINA

SEC. 201. FINDINGS ON HUMAN RIGHTS ABUSES IN THE PEOPLE'S REPUBLIC OF CHINA

(I) Congress concurs in the following conclusions of the Department of State regarding human rights in the People's Republic of China in 1996:

(A) The People's Republic of China is 'an authoritarian state' in which 'citizens lack the freedom to peacefully express opposition to the party-led political system and the right to change their national leaders or form of government.'

(B) The Government of the People's Republic of China has 'continued to commit widespread and well documented human rights abuses, in violation of internationally accepted norms, stemming from the authorities' intolerance of dissent, fear of unrest, and the absence or inadequacy of laws protecting basic freedoms'.

(C) 'Abuses include torture and mistreatment of prisoners, forced confessions, and arbitrary and incommunicado detention'.

(D) 'Prison conditions remained harsh [and] [t]he Government continued severe restrictions on freedom of speech, the press, assembly, association, religion, privacy, and worker rights'.

(E) 'Although the Government denies that it holds political prisoners, the number of persons detained or serving sentences for 'counterrevolutionary crimes' or 'crimes against the state' and for peaceful political or religious activities are believed to number in the thousands'.

(F) 'Non-approved religious groups, including Protestant and Catholic groups . . . experienced intensified repression'.

(G) 'Serious human rights abuses persist in minority areas, including Tibet, Xinjiang, and Inner Mongolia [, and [c]ontrols on religion and other fundamental freedoms in these areas have also intensified'.

(H) 'Overall in 1996, the authorities stepped up efforts to cut off expressions of protest or criticism. All public dissent against the party and government was effectively silenced by intimidation, exile, the imposition of prison terms, administrative detention, or house arrest. No dissidents were known to be active at year's end'.

Mr. ABRAHAM. These findings make clear, Mr. President, that the government of China has been and continues to intentionally oppress its people. I do not believe that we can stand idly by, without so much as a complaint, as this continues.

I firmly believe that it is America's duty as well as our interest to make the extra effort required to improve overall human rights conditions in China and to integrate her into the community of nations. I urge my colleagues to support this resolution and I call on the President to demand that the Chinese government being itself into compliance with international standards of human rights and decency.

I thank the Senator from Florida. I yield the floor.

Mr. BAUCUS. Mr. President, I rise, with some reservations, in support of the resolution offered by Senator WELLSTONE and Senator MACK.

I have been visiting, debating and studying China for some years. And it is quite clear that human rights conditions in China can and should be far better.

China admits to holding about 3,000 people in prison for "counter-revolutionary" offenses. We don't know the exact figure, but Amnesty International's estimate is similar. And political repression, over the past four or five years, has in some ways become more rather than less severe for the nation's most prominent dissidents. Treatment of religious leaders and labor organizers may be even worse. And repression seems to be at its harshest in some minority areas.

Independent reports show that rates of imprisonment are higher in Tibet and Xinjiang, and violent response by the authorities is more common. Having visited Lhasa myself, albeit on a highly controlled visit, my personal impression backs up these reports of very severe policies.

Those things are real. And the UN Human Rights Commission in Geneva is the appropriate place for us, for China, and for the other nations of the world to discuss them.

But we must also recognize something very important. That is, most long-term human rights trends in China are good. The number of people tried for political offenses is down from 350 a year in the mid-1980s to about 200 a year now. If you look further back, you see that during the so-called "Anti-Rightist" campaign in 1957, China arrested 500,000 people. The 1960s—the years of the "Great Leap Forward" and "Cultural Revolution"—were even worse.

Other indices also show an improving situation. The number of citizen lawsuits against the government is up from 4,600 in 1987 to approach 100,000 last year, showing that more people feel free to challenge the state. Uncensored news is available on the radio, satellite TV or the Internet. Local elections are becoming more democratic, and the National People's Congress is taking up a more confident role in making law and overseeing ministries.

Likewise, China's economic reforms have created an entirely new world for tens or hundreds of millions of ordinary people. With open trade, they can find their own jobs, choose their own careers, rent their own apartments and listen to foreign news. And if you ask ordinary Chinese, most say without any hesitation that life is better and freer than ever before.

So I think it is appropriate for the Administration to raise human rights, particularly the question of political prisoners, in Geneva. The Human Rights Commission in Geneva is the

place to discuss, debate and if necessary, condemn violations of human rights abroad. But it is also the place to note and approve improvements of human rights abroad. And while I will support this resolution, I believe it is imperfect, because it does not call on the Administration to do both.

The most effective approach to human rights will be to tell the truth—to point out areas where the government of China, or any other country, needs reform; but also to draw attention to the areas where life is getting better. We should do that in Geneva, and we should do it when we have occasion to debate human rights on the Senate floor.

Mr. MACK. Mr. President, how much time remains?

The PRESIDING OFFICER. The Senator has 5 minutes 40 seconds.

Mr. MACK. Mr. President, many times in the past, as I have talked about foreign policy and national defense issues, I have gone back to what I believe is the fundamental principle that has served as the foundation of our Nation, and that is the discussion about freedom. I have said over and over again that I believe freedom is the core of all human progress, that the message of freedom is the message of hope.

Again, thinking of individuals who would find themselves imprisoned in China today, I, too, have heard them say that the knowledge that there are people around the world—particularly people in the United States—who will say it's important enough to confront the leadership in China on the issue of human rights gives them hope that there are people in the world who care about them. So the message of freedom is a message of hope.

I want to quote a comment that was made by Mr. Wei in November of last year when he came to the United States. This is what he had to say:

Democracy and freedom are among the loftiest ideals of humanity, and they are the most sacred rights of mankind. Those who already enjoy democracy, liberty, and human rights in particular, should not allow their own personal happiness to numb them into forgetting the many others who are still struggling against tyranny, slavery, and poverty, and all of those who are suffering from unimaginable forms of oppression, exploitation, and massacre.

What would it be like to be imprisoned? I have also read some of the writings, such as the book of Harry Wu, for example. I have heard the stories of the conditions in which other human beings have found themselves and I wonder myself, could I survive that? Would I have the human drive, the human will to survive? Probably, if I felt that I was alone, with no concern for me whatsoever, maybe the will would disappear. Maybe the will for Mr. Wu would have disappeared. Maybe the will for Mr. Wei would have disappeared. But there was a belief that there were those out there who cared for them.

Now, the point has been raised several times: Why China? Why only

China? I think the Senator from Minnesota will agree with me that there is a condition that exists now as a result of a decision made by President Clinton not long ago to delink the issue of trade and human rights. Now, there are rational points on both sides of that debate. But the point is, that decision was made. So then the question then comes, if we are not going to engage in a debate over human rights with the issue of trade, where are we going to do it?

It seems to me it is a reasonable, rational position to take that the debate ought to take place in the United Nations about violations of human rights. So we are very simply saying to our colleagues in the U.S. Senate, and to the President of the United States, we believe now is the time to move forward to condemn China for its human rights violations and to make it a cause. I am not shy about saying that. I believe we should do it. I don't think that, in any way, we are going to make things tougher for the people of China as a result of it. In fact, everyone we have had the opportunity to talk with has indicated to us that their treatment improves when the United States raises these concerns. So, Mr. President, I hope we do have a strong vote for this resolution, and I believe we will.

I yield back the remainder of my time.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

Mr. WELLSTONE. I ask unanimous consent that I may speak for 1 minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WELLSTONE. Mr. President, I was remiss in not mentioning earlier that Senator HELMS absolutely lived up to his commitment to make sure that the Senate Foreign Relations Committee took up this matter. I thank him for that.

Finally, I just want to say to my colleague from Florida that I very much appreciate his eloquence. I think he really feels these issues. I think it was more than a scripted speech. I think what he said was powerful, and I hope, too, that we will get a very, very strong, resounding vote.

I yield my time.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

The PRESIDING OFFICER (Mr. BROWNBACK). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 95, nays 5, as follows:

[Rollcall Vote No. 31 Leg.]

YEAS—95

Abraham	Ashcroft	Biden
Akaka	Baucus	Bingaman
Allard	Bennett	Bond

Boxer	Graham	McCain
Breaux	Gramm	McConnell
Brownback	Grassley	Mikulski
Bryan	Gregg	Moseley-Braun
Bumpers	Hagel	Moynihhan
Burns	Harkin	Murkowski
Byrd	Hatch	Murray
Campbell	Helms	Nickles
Cleland	Hollings	Reed
Coats	Hutchinson	Reid
Cochran	Hutchison	Robb
Collins	Inhofe	Roberts
Conrad	Inouye	Rockefeller
Coverdell	Jeffords	Roth
Craig	Johnson	Santorum
D'Amato	Kempthorne	Sarbanes
Daschle	Kennedy	Sessions
DeWine	Kerrey	Shelby
Dodd	Kerry	Smith (NH)
Domenici	Kohl	Smith (OR)
Dorgan	Kyl	Snowe
Durbin	Landrieu	Specter
Enzi	Lautenberg	Thomas
Faircloth	Leahy	Thompson
Feingold	Levin	Torricelli
Feinstein	Lieberman	Warner
Ford	Lott	Wellstone
Frist	Lugar	Wyden
Gorton	Mack	

NAYS—5

Chafee	Grams	Thurmond
Glenn	Stevens	

The resolution was agreed to.

The preamble was agreed to.

The resolution (S. Res. 187), with its preamble, was agreed to, as follows:

S. RES. 187

Whereas the annual meeting of the United Nations Commission on Human Rights in Geneva, Switzerland, provides a forum for discussing human rights and expressing international support for improved human rights performance;

Whereas according to the United States Department of State and international human rights organizations, the Government of the People's Republic of China engages in widespread human rights violations; and

Whereas President Clinton pledged that the United States would step up its efforts in cooperation with other states to insist that the United Nations Commission on Human Rights pass a resolution dealing with the serious human rights abuses in the People's Republic of China: Now, therefore, be it

Resolved, That it is the sense of the Senate that the United States should introduce and make all efforts necessary to pass a resolution criticizing the People's Republic of China for its human rights abuses in China and Tibet at the annual meeting of the United Nations Commission on Human Rights.

The PRESIDING OFFICER. Who seeks recognition? The Senator from Pennsylvania.

INDICTMENT AND PROSECUTION OF SADDAM HUSSEIN

Mr. SPECTER. Mr. President, I have been asked by our distinguished majority leader to request that we now proceed to Calendar No. 322, relative to the war crimes, under the provisions of the consent agreement entered into on March 9, 1998.

The PRESIDING OFFICER. The clerk will state the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 78) relating to the indictment and prosecution of Saddam Hussein for war crimes and other crimes against humanity.

The Senate proceeded to consider the concurrent resolution.

Mr. SPECTER. Mr. President, the majority leader has asked me to express his intention to have a vote on this resolution occur tomorrow at around 9:30 a.m. and the majority leader notes that he will inform all Members as to when that vote is set by unanimous consent.

The majority leader has also asked me to announce—if I may have the attention of the majority leader on this part—the majority leader has asked me to announce that there will be no further rollcall votes this afternoon. I hesitate to do that on my own, but, with Senator LOTT here—and he says, now, the vote will be fixed with precision at 9:30 in the morning.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, this resolution has been offered by Senator DORGAN and myself. The most expeditious way to move to the import of the resolution is to read the "resolved" clause. It is as follows:

That the President should:

(1) call for the creation of a commission under the auspices of the United Nations to establish an international record of the criminal culpability of Saddam Hussein, and other Iraqi officials;

(2) call for the United Nations to form an international criminal tribunal for the purpose of indicting, prosecuting, and imprisoning Saddam Hussein and other Iraqi officials who are responsible for crimes against humanity, genocide, and other violations of international law; and

(3) upon the creation of such an international criminal tribunal, take steps necessary, including the reprogramming of funds, to ensure United States support for efforts to bring Saddam Hussein and other Iraqi officials to justice.

This move to try Saddam Hussein as a war criminal is the most recent in a series of moves to establish the international rule of law with an international criminal court. The antecedent for this activity lay in the international military tribunal at Nuremberg, which was convened to try individuals for crimes against international law committed during World War II. The Nuremberg tribunal provisions stated that:

Crimes against international law are committed by men, not abstract entities, and only by punishing individuals who commit such crimes can the provisions of international law be enforced.

That statement is as valid today as it was in 1946. For more than a decade, many of us in the Congress of the United States have sought to create an international criminal court to deal with crimes against humanity and other international crimes. Senator DODD and I have authored a series of resolutions in the U.S. Senate. In the House of Representatives, under the leadership of Congressman JIM LEACH, a number of resolutions have been offered. The international criminal court is moving forward, with a realistic likelihood of the establishment of such an international criminal court in the not too far distant future. And, in the interim, the War Crimes Tribunal has