CONGRESSIONAL RECORD—SENATE

November 17, 1999

S. 1625

At the request of Mr. Rockefeller, the names of the Senator from Vermont (Mr. Jeffords) and the Senator from Maine (Ms. Snowe) were added as cosponsors of S. 1625, a bill to empower telephone consumers, and for other purposes.

S. 1900

At the request of Mr. Lautenberg, the names of the Senator from California (Mrs. Feinstein), the Senator from Rhode Island (Mr. Reed), and the Senator from Minnesota (Mr. Wellstone) were added as cosponsors of S. 1900, a bill to amend the Internal Revenue Code of 1986 to allow a credit to holders of qualified bonds issued by Amtrak, and for other purposes.

S. 1911

At the request of Mr. Hutchison, her name was added as a cosponsor of S. 1911, a bill to conserve Atlantic highly migratory species of fish, and for other purposes.

SENATE RESOLUTION 106

At the request of Mr. Domenici, the names of the Senator from Illinois (Mr. Durbin) was added as a cosponsor of Senate Resolution 106, a resolution to express the sense of the Senate regarding English plus other languages.

SENATE RESOLUTION 128

At the request of Mr. Cochran, the names of the Senator from New Mexico (Mr. Bingaman), the Senator from Indiana (Mr. Bayh), and the Senator from Oregon (Mr. Smith) were added as cosponsors of Senate Resolution 128, a resolution designating March 2000, as “Arts Education Month.”

SENATE RESOLUTION 277

At the request of Mr. Hutchinson, the names of the Senator from Maine (Ms. Snowe), the Senator from Washington (Mr. Gorton), the Senator from Georgia (Mr. Coverdell), and the Senator from Minnesota (Mr. Wellstone) were added as cosponsors of Senate Resolution 277, a resolution relating to the freedom of belief, expression, and association in the People’s Republic of China.

SENATE RESOLUTION 278

At the request of Mr. Bryan, the names of the Senator from Nebraska (Mr. Kerrey) and the Senator from Wisconsin (Mr. Feingold) were added as cosponsors of Senate Resolution 278, a resolution expressing the sense of the Senate in appreciation of the National Committee for Employer Support of the Guard and Reserve.

At the request of Mr. Santorum, his name was added as a cosponsor of Senate Resolution 227, supra.

AMENDMENT NO. 267

At the request of Mr. Feingold the names of the Senator from Minnesota (Mr. Wellstone), the Senator from Wisconsin (Mr. Kohl), and the Senator from North Carolina (Mr. Edwards) were added as cosponsors of Amendment No. 267 intended to be proposed to S. 625, a bill to amend title 11, United States Code, and for other purposes.

SENATE CONCURRENT RESOLUTION 75—RECOGNIZING THE UNITED STATES Border Patrol’s 75 YEARS OF SERVICE SINCE ITS FOUNDING

MRS. HUTCHISON (for herself, Mr. Abraham, Mr. Kyl, and Mr. Gramm) submitted the following concurrent resolution; which was referred to the Committee on the Judiciary:

S. CON. RES. 74

Whereas the Mounted Guard was assigned to the Immigration Service under the Department of Commerce and Labor from 1904 to 1924;

Whereas the founding members of this Mounted Guard included Texas Rangers, sheriffs, and deputized cowboys who patrolled the Texas border looking for smugglers, rustlers, and people illegally entering the United States;

Whereas following the Department of Labor Appropriation Act of May 29, 1924, the Border Patrol was established within the Bureau of Immigration, with an initial force of 450 Patrol Inspectors, a yearly budget of $1 million, and $1.300 yearly pay for each Patrol Inspector, with each patrolman furnishing his own horse;

Whereas changes regarding illegal immigration and increases of contraband alcohol traffic brought about the need for this young patrol force to have formal training in border enforcement;

Whereas during the Border Patrol’s 75-year history, Border Patrol Agents have been dep- utized as United States Marshals on numerous occasions;

Whereas the Border Patrol’s highly trained and motivated personnel have also assisted in controlling civil disturbances, performing National security details, aided in foreign relations, and assisted in international missions with security and humanitarian assistance in the aftermath of numerous national disasters;

Whereas the present force of over 8,000 agents, located in 146 stations under 21 sectors, is responsible for protecting more than 8,000 miles of international land and water boundaries;

Whereas, with the increase in drug-smuggling operations, the Border Patrol has also been assigned additional interdiction duties, and is the primary agency responsible for drug interdiction between ports-of-entry;

Whereas Border Patrol agents have a dual role of protecting the borders and enforcing immigration laws in a fair and humane manner; and

Whereas the Border Patrol has a historic mission to enforce the enforcement of immigration laws, but also one fraught with danger, as illustrated by the fact that 86 agents and pilots have lost their lives in the line of duty—6 in 1998 alone: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress recognizes the historical significance of the United States Border Patrol’s founding and its 75 years of service to our great Nation.

SENATE CONCURRENT RESOLUTION 75—EXPRESSING THE STRONG OPPOSITION OF CONGRESS TO THE CONTINUED EREGIOUS VIOLATIONS OF HUMAN RIGHTS AND THE LACK OF PROGRESS TOWARD THE ESTABLISHMENT OF DEMOCRACY AND THE RULE OF LAW IN BELARUS AND CALLING ON PRESIDENT ALEXANDER LUKASHENSKA TO ENGAGE IN NEGOTIATIONS WITH THE REPRESENTATIVES OF THE OPPOSITION AND TO RESTORE THE CONSTITUTIONAL RIGHTS OF THE BELARUSIAN PEOPLE

Mr. Durbin (for himself and Mr. Campbell) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 75

Whereas the United States has a vital interest in the promotion of democracy abroad and supports democracy and economic development in Belarus;

Whereas in the Fall of 1996, President Lukashenka devised a controversial referendum to impose a new constitution on Belarus and abolish the Parliament, replacing it with a rubber-stamp legislature;

Whereas Lukashenka illegally extended his own term of office to 2001 by an illegitimate referendum;

Whereas Belarus has effectively become an authoritarian police state, where human rights are routinely violated;

Whereas Belarusian economic development is stagnant and living conditions are deplorable;

Whereas in May 1999, the Belarusian opposition challenged Lukashenka’s unconstitutional lengthening of his term by staging alternative presidential elections, unleashing the government crackdown;

Whereas the leader of the opposition, Simony Shchukin, was forced to flee Belarus to the neighboring Baltic state of Lithuania in fear for his life;

Whereas several leaders of the opposition—Viktor Gonchar, Yuri Krasovsky, Yuri Zakharzhenka, Tamara Vinnikova, and other members of the opposition, have disappeared;

Whereas the Belarusian authorities harass and persecute the independent media and work to actively suppress the freedom of speech;

Whereas the former Prime Minister Mikhail Chygir, who was a candidate in the opposition’s alternative presidential elections in May 1999, has been held in the pretrial detention on trumped up charges since April 1999;

Whereas President Lukashenka’s government provoked the clashes between riot police and the demonstrators at the October 17, 1999, “Freedom March”, which resulted in injuries to demonstrators and scores of illegal arrests;

Whereas President Lukashenka addressed a session of the Russian State Duma on October 28, 1999, advocating a merger between Russia and Belarus; and

Whereas Anatoly Lebedko, Chairman of the Committee for International Affairs of the Supreme Soviet of the Republic of Belarus and Nikolay Stakheevich, leader of the Social Democratic Party, and Valery Shuchkin, Deputy of the Supreme Council,
were arrested and imprisoned for taking part in the Freedom March. Now, therefore, be it Resolved by the Senate (the House of Representatives concurring), That the Congress—

(1) condemns the current Belarusian regime;
(2) further condemns the arrests of Anatoly Gonchar, Yuri Krasovsky, Yuri Zakhareva, Tamara Vinnikova, and other members of the opposition;
(3) is gravely concerned about the disappearances of Viktor Gonchar, Yuri Krasovsky, Yuri Zakhareva, Tamara Vinnikova, and other members of the opposition who are currently being illegally detained in violation of their constitutional rights;
(4) calls for immediate dialogue between President Lukashenka and the Consultative Council of Belarusian opposition and the restoration of a civilian, democratically elected government in Belarus;
(5) calls for a duly constituted national legislature, the rule of law, and an independent judiciary;
(6) urges President Lukashenka to respect the human rights of all Belarusian citizens, including those members of the opposition who are currently being illegally detained in violation of their constitutional rights;
(7) further urges President Lukashenka to make good on his promise to hold free parliamentary elections this year;

(a) further condemn the Lukashenka regime, the arrest of opposition figures and for non-governmental organizations in Belarus;
(b) provide funding for the nongovernmental organizations in Belarus;
(c) support information flows into Belarus.

Mr. DURBIN. Mr. President, in 1996, President Alexander Lukashenka imposed a new constitution on Belarus that effectively destroyed its nascent democracy and returned that country to a Soviet-style police state. Human rights violations are routine and living conditions are deplorable because of the stagnant economy. Opposition leader Simony Sharetsky fled to Vilnius, Lithuania.

The situation in Belarus has worsened dramatically in recent months for remaining members of the opposition. Some have disappeared, including Viktor Gonchar, Yuri Krasovsky, Yuri Zakhareva, and Tamara Vinnikova. Some have been arrested for taking part in the October 17, 1999 “Freedom March,” including Anatoly Lebedko, Chairman of the Committee for International Affairs of the Supreme Soviet of the Republic of Belarus, Nikolay Statkevich, leader of the Social Democratic Party, and Valery Shchukin, Deputy of the Supreme Council.

Poland, Lithuania, and Latvia are very concerned about the direction Belarus has taken under the Lukashenka regime. Belarus’s economy is apparently imploding, and neighboring countries are concerned about regional instability. Our recent experience with Slobodan Milosevic’s Yugo-

slavia should make us all concerned about the implications of a ruthless dictator threatening stability in Europe.

Poland, Lithuania, and Latvia have successfully transformed themselves from Soviet-dominated Communist states to fully democratic market democracies integrated with the West and Western institutions. We must be sure that Belarus does not threaten the remarkable progress these stawlart countries have made in only 10 years since the fall of the Soviet empire.

Also troubling is a draft treaty that may be signed before the end of the year between Lukashenka and President Yeltsin to effect a political union between Russia and Belarus. All Western countries should be concerned that such a union would only hurt efforts to shore up Russia’s economy and strengthen its fragile democracy.

That is why my colleague, Senator Campbell, and I join together today to a resolution condemning the actions of the Lukashenka regime. This resolution—a companion measure to one introduced by our colleague in the House of Representatives, Representative Sam Gejdenson—condemns the Lukashenka regime, the arrest of opposition figures and for non-governmental organizations in Belarus and to support information flows into Belarus. I call on my colleagues to join us in cosponsoring this resolution.

AMENDMENTS SUBMITTED

BANKRUPTCY REFORM ACT OF 1999

FEINGOLD AMENDMENT NO. 2779

Mr. FEINGOLD proposed an amendment to amendment No. 2748 proposed by him to the bill (S. 625) to amend Title 11, United States Code, and for other purposes; as follows:

Page 1, line 5, strike all after “(23) and insert the following:

“under subsection (a)(3) of the commencement or continuation of any eviction, unlawful detainer action, or similar proceeding by a lessor against a debtor involving residential real property—

(a) on which the debtor resides as a tenant under a rental agreement; and

(b) with respect to which—

(i) the debtor has failed to make a rent payment that initially becomes due under the rental agreement or State law after the date of filing of the petition or within the 10 days prior to the filing of the petition; if the lessor files with the court a certification of such facts with the court a certification of such facts and serves certification to the debtor;

(24) under subsection (a)(3) of the commencement or continuation of any eviction, unlawful detainer action, or similar proceeding by a lessor against a debtor involving residential real property, if during the 1-year period preceding the filing of the petition, the debtor—

(a) commenced another case under this title; and

(b) failed to make a rent payment that initially became due under an applicable rental agreement or State law after the date of filing of the petition for that other case; or

(25) under subsection (a)(3), of an eviction action based on endangerment of property or the use of an illegal drug, if the lessor files with the court a certification that the debtor has endangered property or used an illegal drug and serves a copy of the certification to the debtor;”;

and

(4) by adding at the end of the flush material at the end of the subsection the following:

With respect to the applicability of paragraph (23) or (25) to a debtor with respect to the commencement or continuation of a proceeding described in that paragraph, the exception to the automatic stay shall become effective on the 15th day after the lessor meets the filing and notification requirements under that paragraph, unless the debtor takes such action as may be necessary to address the subject of the certification or the order of the court that the exception to the automatic stay shall not become effective or provides for a later date of applicability.”

AUTHORITY FOR COMMITTEE TO MEET

COMMITTEE ON THE JUDICIARY

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on Wednesday, November 17, 1999, after the 10 a.m. vote, to conduct a markup in Dirksen Room 226.

PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

PANDA TRIBUTE

Mr. CLELAND. Mr. President, I share with my colleagues some very exciting news coming out of my home state of Georgia. Earlier this month, two giant pandas, Lun Lun and Yang Yang, were delivered safely by UPS from Beijing, China to their new home at Zoo Atlanta after a 17-hour global journey.

Zoo Atlanta Director Dr. Terry Maple “signed” for the special delivery during a welcoming ceremony at Atlanta’s Hartfield International Airport with more than 200 dignitaries and other